

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 13, 2023**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, June 13, 2023 at 9:00 A.M. and 10:30 A.M. Chairperson Klein called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Timothy Higgins, Myron Kouba, Ronald Loeffelholz, Daniel Lynch, Bill Maendele, Sherry Morrow and Ivan Klein. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Public notice of this meeting was published/posted in the Kearney Hub, on the Buffalo County website, and the bulletin boards located outside the County Clerk’s office and County Board Room on June 8, 2023. Chairperson Klein 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 and posted at the back of the Board Room. County Clerk Heather Christensen took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present.

REGULAR AGENDA

Moved by Higgins and seconded by Maendele to approve the May 23, 2023 Board meeting minutes. Upon roll call vote, the following Board members voted “Aye”: Higgins, Maendele, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to ratify the following June 2, 2023 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted “Aye”: Morrow, Loeffelholz, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

JUNE 2, 2023 PAYROLL

GENERAL FUND			
NET PAYROLL			303,290.37
AMERICAN FAMILY LIFE	I	PREMIUMS	1,246.86
RETIREMENT PLANS AMERITAS	R	EMPE RET	50,861.80
BUFFALO CO TREASURER	I	PREMIUMS	132,293.50
EMPOWER ANNUITY INS	R	DEFERRED COMP	1,150.00
FIRST CONCORD	E	FLEX FUNDS	5,714.34
FIRST NATIONAL BANK	T	FEDERAL TAXES	101,801.96
KEARNEY UNITED WAY	E	DONATIONS	61.00
MADISON NATIONAL	I	PREMIUMS	1,124.41
MADISON NATIONAL	I	LT DISABILITY	274.68
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	385.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,492.68
STATE OF NE	T	STATE TAXES	17,442.08
VISION SERVICE PLAN	E	EMPE VSP EYE	914.81
ROAD FUND			
NET PAYROLL			62,409.27
AMERICAN FAMILY LIFE	I	PREMIUMS	747.72
RETIREMENT PLANS AMERITAS	R	EMPE RET	9,726.00
BUFFALO CO TREASURER	I	PREMIUMS	3,927.00
FIRST CONCORD	E	FLEX FUNDS	914.92
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,135.68
MADISON NATIONAL	I	PREMIUMS	204.21
MADISON NATIONAL	I	LT DISABILITY	113.92
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	1,096.32
STATE OF NE	T	STATE TAXES	2,780.83
VISION SERVICE PLAN	E	EMPE VSP EYE	258.96
COVID AMERICAN RESCUE FUND			
NET PAYROLL			1,335.89
AMERICAN FAMILY LIFE	I	PREMIUMS	30.23
RETIREMENT PLANS AMERITAS	R	EMPE RET	278.14
BUFFALO CO TREASURER	I	PREMIUMS	281.00
FIRST NATIONAL BANK	T	FEDERAL TAXES	352.91
MADISON NATIONAL	I	PREMIUMS	4.90

MADISON NATIONAL	I	LT DISABILITY	5.91
PRINCIPAL	E	DENTAL	45.52
STATE OF NE	T	STATE TAXES	45.53
VISION SERVICE PLAN	E	EMPE VSP EYE	14.08
WEED FUND			
NET PAYROLL			5,344.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	840.87
BUFFALO CO TREASURER	I	PREMIUMS	281.00
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,696.82
MADISON NATIONAL	I	LT DISABILITY	3.68
PRINCIPAL	E	DENTAL	60.96
STATE OF NE	T	STATE TAXES	269.62

Moved by Morrow and seconded by Lynch to accept the Buffalo County Treasurer May 2023 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to approve the addition of pledged collateral in the amount of \$225,000.00 for the Buffalo County Treasurer at Firstier Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

Moved by Maendele and seconded by Lynch to accept the Clerk of the District Court May 2023 Report. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Moved by Morrow and seconded by Higgins to accept the April 2023 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

Moved by Kouba and seconded by Maendele to accept Veteran's Service Committees recommendation of Matthew Starkey as the Buffalo County Veteran Service Officer. Upon roll call vote, the following Board members voted "Aye": Kouba, Maendele, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

After discussion and review of the County Sheriff's report, it was moved by Maendele and seconded by Lynch to approve the Special Designated Liquor License application filed by B&B Research and Investments LLC; Trade Name: Village 1919, DBA: The Village for an events to be held at "The Farm" located at 51460 100th Road Shelton, NE 68876 on July 15, 2023. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Wayne Homan, whom is contracted by USDA/APHIS, was present for the discussion on the contract amendment with USDA Wildlife Services and presented handouts to the Board in which a copy will be on file with the County Clerk. No one else addressed the board. Moved by Morrow and seconded by Maendele to accept contract amendment with USDA Wildlife Services. Upon roll call vote, the following Board members voted "Aye": Morrow, Maendele, Higgins, Kouba, Loeffelholz, Lynch and Klein. Motion declared carried.

Davis Miner from Ag Dryer Services, Inc. submitted a request to the Board requesting an agreement for road improvement. Highway Superintendent John Maul and Deputy County Attorney Hoffmeister were available for questions. Following discussion, it was moved by Loeffelholz and seconded by Lynch to acknowledge receipt of request and enter into negotiations for the preparation of contract for road improvement. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

ZONING

Zoning Administrator Dennise Daniels was present for the following Zoning agenda items.

Chairperson Klein opened a public hearing at 9:16 A.M. for a Zoning Map Amendment filed by Mitch Humphrey, Registered Land Surveyor, on behalf of Poulson Family Limited Partnership, L.T.D., for property described as Part of the Southeast Quarter of the Northeast Quarter and Part of Government Lot One (1) located in Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 15.00 acres, more or less, from Agricultural – Residential (AGR) to Commercial (C). Mitch Humphrey was present to review the application and answer questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:19 A.M. Moved by Loeffelholz and seconded by Higgins to approve the Zoning Map Amendment with the following Resolution 2023-31. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-31

WHEREAS, on April 18, 2023, Mitch Humphrey, licensed land surveyor, on behalf of Poulson Family Limited Partnership, L.T.D., 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 Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) and part of Government Lot One (1) located in Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southwest Corner of the Southeast Quarter of the Northeast Quarter of Section 5 and assuming the West line of the East Half of the Northeast Quarter of Section 5 as bearing N 00°26'40" W and all bearings contained herein are relative thereto; thence on the West line of said East Half of the Northeast Quarter of Section 5, N 00°26'40" W a distance of 660.0 feet to the ACTUAL PLACE OF BEGINNING, said point being the Northwest Corner of a tract of land described on Partnership Survivorship Warranty Deed filed as Document No. 2022-05135, recorded August 30, 2022 in the office of the Buffalo County Register of Deeds; thence continuing on the West line of said East Half of the Northeast Quarter of Section 5, N 00°26'40" W a distance of 694.50 feet; thence leaving the aforesaid West line of the East Half of the Northeast Quarter of Section 5, N 89°25'47" E a distance of 1017.40 feet to a point on the West line of a tract of land deeded to the State of Nebraska Department of Roads described on Warranty Deed filed on Microfilm Roll 93, Pages 12806 thru 12807, recorded July 28, 1993 in the office of the Register of Deeds of Buffalo County, thence on the West line of the aforesaid tract of land deeded to the State of Nebraska Department of Roads described on Warranty Deed filed on Microfilm Roll 93, Pages 12806 thru 12807, S 01°47'07" W a distance of 332.25 feet to the Northeast Corner of a tract of land described on Warranty Deed filed as Instrument No. 2001-5165, recorded July 6, 2001 in the office of the Register of Deeds of Buffalo County, Nebraska; thence leaving the West line of said tract of land deeded to the State of Nebraska Department of Roads described on Warranty Deed filed on Microfilm Roll 93, Pages 12806 thru 12807 and on the North line of said tract of land described on Warranty Deed filed as Instrument No. 2001-5165, S 89°25'20" W a distance of 120.0 feet to the Northwest Corner of the aforesaid tract of land described on Warranty Deed, filed as Instrument No. 2001-5165; thence on the West line of the aforesaid tract of land described on Warranty Deed filed as Instrument No. 2001-5165, S 01°48'58" W a distance of 363.0 feet to the Southwest Corner of said tract of land described on Warranty Deed filed as Instrument No. 2001-5165, said point also being on the North line of a tract of land described on Warranty Deed filed as Document No. 2022-06488, recorded November 23, 2022 in the office of the Register of Deeds of Buffalo County, thence on the North line of the aforesaid tract of land as described on Warranty Deed filed as Document No. 2022-06488, S 89°22'54" W a distance of 71.58 feet to the Northwest Corner of the aforesaid tract of land as described on Warranty Deed filed as Document No. 2022-06488, said point also being the Northeast Corner of Lot Two (2), Patel Administrative Subdivision, an administrative subdivision being part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska; thence on the North line of the aforesaid Lot Two (2) Patel Administrative Subdivision and continuing S 89°22'54" W a distance of 200.50 feet to the said Northwest Corner of Patel Administrative Subdivision, said point also being the Northeast corner of Dennis Administrative Subdivision, an administrative subdivision being part of the Southeast Quarter of the Northeast Quarter (SE1/4 NE1/4) of Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska; thence on the North line of the aforesaid Dennis Administrative Subdivision S 89°25'04" W a distance of 498.26 feet to the Northwest Corner of said Dennis Administrative Subdivision, said point also being the Northeast Corner of a tract of land described on said Partnership Survivorship Warranty Deed filed as Document No. 2022-05135; thence on the North line of the aforesaid tract of land described in Partnership Survivorship Warranty Deed filed as Document No. 2022-05135 and continuing S 89°25'04" W a distance of 100.0 feet to the place of beginning.

Containing 15.00 acres more or less, hereinafter referred to as “subject property”, be changed from the Agricultural – Residential (AGR) District to the Commercial (C) District. The property is in the name of Poulson Family Limited Partnership, L.T.D.

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 May 18, 2023, the Buffalo County Planning and Zoning Commission, following public hearing with notice as required, recommended approval of such proposed change in zoning on an 7-0 vote with two absences and no abstentions, and

WHEREAS, on June 13, 2023, 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 letters of 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 Commercial (C) District are 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 and an all-weather road, 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 – Residential (AGR) District to Commercial (C) 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.

Chairperson Klein opened the public hearing at 9:21 A.M. for a Preliminary Subdivision filed by Paul E. Sears and Joyce A. Sears, to be known as "Sears Second Subdivision." This property is located in part of the Southwest Quarter of the Northwest Quarter of Section Six (6), Township Twelve (12) North, Range Thirteen (13) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Paul E. Sears was present to review the application and answer questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:24 A.M. Moved by Kouba and seconded by Higgins to approve the Administrative Subdivision with the following Resolution 2023-32. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-32

WHEREAS, on May 18, 2023, the Buffalo County Planning & Zoning Commission, after public hearing gave a favorable recommendation to "Sears 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 13, 2023, this Board, after public hearing, considered approval of the preliminary plat for "Sears Second Subdivision", and

WHEREAS, the plan of development appears to be compliant with Buffalo County's Subdivision Resolution, with no relaxations or additional requirements.

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 "Sears Second Subdivision", a subdivision located in part of the South Half of the Northwest Quarter of Section Six (6), Township Twelve (12) North, Range Thirteen (13) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

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.

Chairperson Klein opened the public hearing at 9:25 A.M. for Code Amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, in the following section: Section 5.52, Permitted Principle Uses and Structures under the Commercial District, regarding mini storage/storage facilities. Deputy County Attorney Hoffmeister was present to review and answer any questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:29 A.M. Moved by Maendele and seconded by Lynch to accept the Code Amendments for Buffalo County Zoning Regulations regarding mini storage / storage facilities with the following Resolution 2023-33. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-33

WHEREAS, on May 18, 2023, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Buffalo County Zoning Regulations, Section 5.52, Permitted Principal Uses and Structures, in the Commercial (C) District to amend and define "mini storage facilities".

That Commission voted unanimously, with two absences, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on June 13, 2023, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

Amend Section 5.52 (12), Permitted Principal Uses and Structures, in the Commercial (C) District:

Mini storage facilities; Storage facilities having no more than the following special limitations per each unit of storage: a maximum area of no more than 640 square foot per each storage unit area; an entry access or accesses to each storage unit that has no greater dimensional area than that of 224 total square feet; and a maximum exterior height of no greater than twenty feet.

Chairperson Klein opened the public hearing at 9:30 A.M. for Code Amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, in the following section: Section 6.6, Wind Farms, regarding wind farms' location and distancing requirements. Deputy County Attorney Hoffmeister was present to review and answer any questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:40 A.M. Moved by Loeffelholz and seconded by Lynch to accept the Code Amendments for Buffalo County Zoning Regulations regarding wind farm's location and distancing requirements with the following Resolution 2023-34. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-34

WHEREAS, on May 18, 2023, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Buffalo County Zoning Regulations, Section 6.6, Wind Farms' Location and Distancing Requirements, to add language, requiring setbacks from inventoried wetlands.

That Commission voted unanimously, with two absences, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on June 13, 2023, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

Amend Section 6.6, Wind Farms' Location and Distancing Requirements:

"1. LOCATION AND DISTANCE REQUIREMENTS-WIND FARMS:

A. A Wind Farm, as herein defined within the Buffalo County Zoning Regulations:

Shall not be located or expanded within:

- a. Three-miles of Agricultural Residential (AGR) zoned property.
- b. Three miles of any owned in whole or in part by a non-applicant of the wind farm, unless the applicant secures consent of all property owners of parcels within three miles of the parcel boundaries containing the proposed wind farm. This can be waived, with an agreement in writing filed with the Register of Deeds, executed and filed prior to submittal of the application.
- c. Three-miles of any church, synagogue or temple, hospital, public school or public park, or any licensed day care center or day care home.
- d. Five-miles of any incorporated village or city.
- e. Two Miles of a private or public burial site.
- f. The south river bank of the Platte River to three miles from the north right of way for Highway 30 and three miles from the centerline of Highway 2.
- g. Three miles from the thread of the stream of the South Loup River.
- h. Five miles from any Federal or State wildlife preservation or management area.
- i. One-quarter mile from any and all inventoried Wetlands, as set out in the U.S. Fish and Wildlife's mapping and inventory of Wetlands, namely the mapping contained at: (<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>).

B. Measurements pursuant to the foregoing section shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises of a Wind Farm to the following distances, whichever applies:

- a. The nearest property line of any real estate situated in the Agricultural Residential (AGR) use district by the Zoning Map of Buffalo County; and
- b. The nearest portion of the building or structure used as a part of a Wind Farm;
- c. The nearest property line of the premises of a windfarm non-applicant property line, church, synagogue, temple, hospital, public school, public park, licensed day care center, and day care home, and
- d. The nearest grave marker at a burial site.
- e. The nearest property line of a Federal or State wildlife preservation or management area.
- f. The nearest municipal corporate limit line, exclusive of areas annexed for economic development.
- g. The nearest edge of inventoried Wetlands as set out in the U.S. Fish and Wildlife's mapping and inventory of Wetlands, namely the mapping contained at: (<https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/>).

After discussion regarding Intergovernmental Review of the Wood River Dairy Digester Project, Wood River Biogas LLC. It was moved by Loeffelholz and seconded by Kouba to authorize Zoning Administrator Daniels to provide a response regarding the Intergovernmental Review inquiry. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

REGULAR AGENDA

County Attorney Eatherton was present to answer questions for the following discussion about the Third Interlocal Agreement for Central Nebraska Drug Court by and among the Counties of Adams, Buffalo, Hall, Phelps and Kearney. Moved by Morrow and seconded by Lynch to authorize Chairperson Klein to sign the Third Interlocal Agreement for Central Nebraska Drug Court by and

among the Counties of Adams, Buffalo, Hall, Phelps and Kearney. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Moved by Maendele and seconded by Higgins to delay and remove the CGI Digital video contract item from the Agenda until the Tuesday, August 22, 2023 meeting. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Chairperson Klein called for a break in the meeting at 9:52A.M. Chairperson Klein resumed the meeting at 10:00A.M.

Chairperson Klein reviewed the following correspondence. The Kearney Hub sent a letter showing the Legal Notice from the Buffalo County Assessor Roy Meusch stating the 2023 Assessment Roll is complete. Bryan Trimble resident of Custer County sent a letter about the road maintenance in the northwest corner of Buffalo County. Buffalo County Community Partners sent a letter requesting donations for their organization. City of Kearney sent a letter regarding the City of Kearney Planning Commission agenda for the May 31, 2023 meeting. Miller & Associates Consulting Engineers sent a letter requesting to schedule a Public Hearing with the Board of Commissioners in regards to CDBG Program Income Reuse Funds Grant No. 98-ED-004 Reuse, Project No. 130-P286-025.

ROAD DEPARTMENT

Highway Superintendent John Maul was present for the following agenda items.

Moved by Maendele and seconded by Loeffelholz to set bid date of Tuesday, July 11, 2023 at 10:00 A.M. for the Project No. C10 (1008) Kilgore Road. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

Highway Superintendent Maul presented updated reports and submitted for approval the Contract Change Order Requests for the 2023 paving improvement project. Moved by Loeffelholz and seconded by Lynch to approve the following Change Order Requests for the 2023 paving improvement project of a net decrease of \$17,458.69. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried

Moved by Lynch and seconded by Morrow to approve and authorize Chairperson Klein to sign the Certificate of Substantial Completion for the 2023 paving improvement project. Upon roll call vote, the following Board members voted "Aye": Lynch, Morrow, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

REGULAR AGENDA

Chairperson Klein called on each Board member present for committee reports and recommendations.

FACILITIES

Chairperson Klein instructed County Clerk Christensen to open and read aloud the submitted bids for Remodel and Addition Project on Midtown Office Building. Bids were submitted from the following companies: Dave Waggoner Plumbing & Heating. Facilities Director Steve Gaasch will review the bids and come back with recommendations at the next meeting on June 27, 2023.

WEED DEPARTMENT

Buffalo County Weed Superintendent, Brett Stubbs, presented the Nebraska Department of Agriculture, Noxious Weed Program report to the Board and a copy is on file with the County Clerk. Weed Superintendent Stubbs also updated the Board regarding equipment.

Moved by Loeffelholz and seconded by Lynch to recess the regular meeting of the Board of Commissioners at 10:25 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

BOARD OF EQUALIZATION

Chairperson Klein called the Board of Equalization to order in open session. County Assessor Roy Meusch and Deputy County Treasurer Michele Richardson were present to review and answer any questions

Moved by Maendele and seconded by Kouba to approve Tax List Corrections numbered 4974 through 4984 submitted by County Assessor Meusch. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Morrow and seconded by Kouba to approve the Valuation Changes submitted by County Assessor Meusch for Glenn T. Epley, on parcel number 603763305. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

Moved by Morrow and seconded by Kouba to approve the Valuation Changes submitted by County Assessor Meusch for Andrew J. Rahe, on parcel number 560622169. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

Moved by Morrow and seconded by Lynch to approve the Valuation Changes submitted by County Assessor Meusch for Robert E. Morris on parcel number 640193050. Upon roll call vote, the following Board members voted “Aye”: Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Chairperson Klein opened the public hearing at 10:33 A.M. for Report of Destroyed Real Property (form 425) for Dana Snow, parcel 850000980. County Assessor Meusch was present to review and answer any questions. No one else addressed the Board and Chairperson Klein closed the hearing at 10:34 A.M. Moved by Loeffelholz and seconded by Higgins to accept the Report of Destroyed Real Property (form 425) for Dana Snow, parcel 850000980. Upon roll call vote, the following Board members voted “Aye”: Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Kouba to approve Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Brenda Rohrich for Catholic High School of Kearney on a 2002 Dodge Caravan, a 2005 Cargomate Trailer, a 2008 Dodge Caravan, a 2009 Chevrolet Cobolt, a 2009 Ford Cutaway Van, a 2010 Dodge Ram Truck 1500, a 2015 Ford Trurus Sel, a 2018 Chrysler Pacifica and a 2018 Ford Transit Van T-350. Upon roll call vote, the following Board members voted “Aye”: Maendele, Kouba, Higgins, Lynch, Morrow and Klein. Abstain: Loeffelholz. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Brenda Rohrich for Community Action Partnership of Mid-Nebraska on a 2004 Carry on Utility, two (2) 2017 Chevy Equinox’s, 2014 Sharp Enclosed, a 2007 Droyal Enclosed, a 2003 Pontiac Montana, two (2) 2011 Dolittle Trailers, a 2015 Chevy Malibu, a 1999 GMC Sierra Pickup, a 2010 Hyundai Santa Fe, a 2008 Chrysler Town & County, a 2011 Hyundai Sonata, a 2011 Chevy Malibu-blue EHS, a 2017 International 4300, a 2010 Ford Transit Connect, a 2010 Dodge Caravan, a 2004 Ford Freestar, a 2009 Chevy C3500 (Rick), a 2009 Chevy C3500 (Sage), a 2009 Chevy K2500 (Wayland), a 2011 Chevy K2500 (Dean), a 2013 Mazda MX6, a 2011 Ford Ranger, a 2009 Chevy Cobolt, a 2015 Hyundai Sonata-blue, a 2009 Chevy Colorado (Bill W), a 2009 Chevy Colorado (Sage), a 2018 Dodge Journey, a 2015 International, a 2018 Buick Encore, a 2019 Dodge Caravan, a 2014 Chevy Cruze LT, a 2020 Chrysler Voyager, a 2022 Ford Transit and Two (2) 2022 Chevrolet Equinox’s. Upon roll call vote, the following Board members voted “Aye”: Loeffelholz, Lynch, Higgins, Maendele, Morrow and Klein. Abstain: Kouba. Motion declared carried.

Moved by Lynch and seconded by Kouba to approve Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Brenda Rohrich for Mid- Nebraska Individual Services on a 2002 Dodge Caravan, a 2005 Cargomate Trailer, a 2008 Dodge Caravan, a 2009 Chevrolet Cobolt, a 2009 Ford Cutaway Van, a 2010 Dodge Ram Truck 1500, a 2015 Ford Taurus Sel, a 2018 Chrysler Pacifica and a 2018 Ford Transit Van T-350. Upon roll call vote, the following Board members voted “Aye”: Lynch, Kouba, Higgins, Loeffelholz, Maendele and Morrow. Abstain: Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Brenda Rohrich for New Life Assembly on a 1987 GMC Suburban, a 1990 Homemade Pickup Box Trailer, a 1995 Ford Club Wagon, a 1996 Ford El Dorado Bus E350, a 2003 International 47 Passenger Bus, a 2006 Royal Enclosed Trailer, a 2008 H&H Enclosed Trailer, a 2014 Sharp Enclosed Trailer, 2017 Ford Transit Wagon T-35, a 2020 Dodge Extended P and a 2021 Ford Transit Wagon. Upon roll call vote, the following Board members voted “Aye”: Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Higgins to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:35 A.M. Upon roll call vote, the following Board members voted “Aye”: Maendele, Higgins, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Chairperson Klein called for Citizen’s forum. Sheriff’s Deputy Jason Naiman and Sergeant Dave Gibbs discussed recent safety training. No one else addressed the Board.

Chairperson Klein asked if there was anything else to come before the Board at 10:56 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, June 27, 2023.

ATTEST:

Ivan H. Klein, Chairperson
Buffalo County Board of Commissioners

Heather A. Christensen
Buffalo County Clerk

(SEAL)