

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 9, 2022**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, August 9, 2022 at 9:00 A.M. and 9:30 A.M. Chairman 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 web site, and the bulletin boards located outside the County Clerk's office and County Board Room on August 4, 2022. Chairman 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 Janice Giffin 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 Maendele and seconded by Loeffelholz to approve the July 26, 2022 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

Moved by Morrow and seconded by Kouba to ratify the following July 29, 2022 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

<u>GENERAL FUND</u>			
NET PAYROLL			302,137.46
RETIREMENT PLANS AMERITAS	R	EMPE RET	47,327.73
CREDIT MANAGEMENT	E	GARNISHMENT	193.49
FIRST NATIONAL BANK	T	FEDERAL TAXES	102,047.43
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
STATE OF NE	T	STATE TAXES	17,441.64
<u>ROAD FUND</u>			
NET PAYROLL			63,105.85
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,912.53
CREDIT MANAGEMENT SERVICES, INC.	E	GARNISHMENT	238.27
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,733.80
STATE OF NE	T	STATE TAXES	2,936.38
<u>WEED FUND</u>			
NET PAYROLL			5,338.64
RETIREMENT PLANS AMERITAS	R	EMPE RET	800.66
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,724.92
STATE OF NE	T	STATE TAXES	277.63

Moved by Morrow and seconded by Loeffelholz to accept the Buffalo County Treasurer July 2022 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

Moved by Morrow and seconded by Lynch to accept the Clerk of District Court July 2022 Report. 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 Kouba to accept the Buffalo County Sheriff's Distress Warrant report. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Kouba to accept the Buffalo County Treasurer's Distress Warrant report. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

After discussion it was moved by Morrow and seconded by Higgins to approve the addition of pledged collateral for the Buffalo County Treasurer in the amount of \$10,000,000.00 at the First National Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

After discussion and review of the County Sheriff's report, it was moved by Higgins and seconded by Kouba to approve the Special Designated Liquor License application filed by the Bull & Barrel for an event to be held on August 27, 2022. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

After discussion and review of the County Sheriff's report, it was moved by Higgins and seconded by Kouba to approve the Special Designated Liquor License application filed by B&B Research and Investments LLC for events to be held on September 3 and

September 17, 2022. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

The Request for Proposal (RFP) for Auditing Services was opened on July 26, 2022. Board Administrator Lynn Martin and the Budget and Finance Committee reviewed the proposal. Moved by Morrow and seconded by Lynch to accept the bid from Dana F. Cole & Company, LLP for Auditing Services for one year. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Chairman Klein reviewed the following correspondence. Village of Elm Creek sent notice of two separate public hearings, both being held on August 17, 2022 with one at 7:00 P.M. and one at 7:30 P.M. City of Kearney sent the Planning Commission Agenda for August 19, 2022. Chairman Klein called on each Board member present for committee reports and recommendations.

Project Manager Mike Koch with Beckenhauer Construction and Facilities Director Steve Gaasch reviewed the Contract Change Order Requests from Beckenhauer Construction for the 610 Central Project. Moved by Kouba and seconded by Lynch to approve the following Change Order Requests for the 610 Central Project; Request #8 in the amount of \$2,420.08; Request #9 in the reduced amount of \$800.00; Request #10 in the reduced amount of \$87.00; Request #11 in the amount of \$1,504.45; Request #12 in the amount of \$152.03; Request #13 at no charge; Request #14 in the amount of \$14,966.31; Request #15 in the amount of \$1,082.15. All Change Orders were processed from the contingency fund of the Guaranteed Maximum Price of the project and are on file with the County Clerk. Upon roll call vote, the following Board members voted "Aye": Kouba, Lynch, Higgins, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Facilities Director Gaasch reviewed the three informal bids from B & S Concrete, Dandee Concrete Construction and GD Concrete Construction, Inc. for concrete repairs. Moved by Morrow and seconded by Lynch to award the low bid for concrete repairs to B & S Concrete, LLC in the amount of \$35,000.00. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

After review it was moved by Higgins and seconded by Kouba to authorize Chairman Klein to sign the service agreement with NMC Cat in the amount of \$2,150.00 for generator service at the Highway building. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Loeffelholz to recess the regular meeting of the Board of Commissioners at 9:41 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

BOARD OF EQUALIZATION

Chairman Klein called the Board of Equalization to order in open session. County Assessor Ethel Skinner, Deputy County Assessor Roy Meusch and County Treasurer Jean Sidwell were present.

County Assessor Skinner presented the 3 Year Plan of Assessment for Buffalo County and filed the report with the County Clerk.

County Assessor Skinner presented the 2022 Cemetery Report. Moved by Maendele and seconded by Kouba to accept the 2022 Cemetery Report and file the report with the County Clerk. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Higgins to approve Tax List Corrections numbered 4886 through 4896 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Deputy County Attorney Hoffmeister reviewed the following Tax Equalization & Review Commission Case #21C-0552 and Case #21C-0116. Moved by Loeffelholz and seconded by Higgins that Buffalo County Board of Equalization Confesses Judgment in Tax Equalization & Review Commission Case #21C-0552 in appeal concerning Kearney Lodging, LLC, Appellant, and Buffalo County, Appellee, for property identified as tax parcel #600082000 and that the Buffalo County Attorney's Office be, and hereby is, authorized to confess judgment on behalf of this Board, that for tax year 2021 this property had an assessed valuation of \$3,632,730. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Higgins that Buffalo County Board of Equalization Confesses Judgment in Tax Equalization & Review Commission Case #21C-0116 in appeal concerning JAY CHEHAR, LLC, Appellant, and Buffalo County, Appellee, for property identified as tax parcel #603741024 and that the Buffalo County Attorney's Office be, and hereby is, authorized to confess judgment on behalf of this Board, that for tax year 2021 this property had an assessed valuation of \$724,320. 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 Lynch to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for University of Nebraska Foundation on a 2018 Toyota. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Moved by Higgins and seconded by Loeffelholz to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Community Action Partnership of Mid-Nebraska on a 2014 Chevrolet, 2022 Ford and a 2020 Chrysler. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Lynch, Maendele, Morrow and Klein. Abstain: Kouba. Motion declared carried.

Moved by Lynch and seconded by Higgins to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Evangelical Lutheran Good Samaritan Society on a 2010 Ford, 2006 Ford and a 2014 Dodge. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Kouba to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:00 A.M. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

REGULAR AGENDA

Chairman Klein called for Citizen's forum and no one addressed the Board.

Chairman Klein asked if there was anything else to come before the Board at 10:01 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, August 23, 2022.

ATTEST:

Ivan Klein, Chairman
Buffalo County Board of Commissioners

Janice I. Giffin
Buffalo County Clerk

(SEAL)