

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 12, 2025**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, August 12, 2025 at 9:00 A.M. and 9:45 A.M. Chairperson Morrow called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Timothy Higgins, Ronald Loeffelholz, Bill Maendele and Sherry Morrow. Absent: Ivan Klein, Myron Kouba and Daniel Lynch. 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 August 7, 2025. Chairperson Morrow 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. Deputy County Attorney Andrew Hoffmeister and Deputy County Attorney Josiah Davis were present.

REGULAR AGENDA

Moved by Higgins and seconded by Loeffelholz to approve the July 22, 2025 minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Higgins to ratify the following July 25, 2025 and the August 8, 2025 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

JULY 25, 2025 PAYROLL

<u>GENERAL FUND</u>			
NET PAYROLL			366,600.30
AMERICAN FAMILY LIFE	I	PREMIUMS	1,440.69
RETIREMENT PLANS AMERITAS	R	EMPE RET	64,188.35
BUFFALO CO TREASURER	I	PREMIUMS	172,028.00
BUFFALO COUNTY COURT	E	GARNISHMENT	166.76
EMPOWER ANNUITY INS	R	DEFERRED COMP	1,075.00
FAMILY SUPPORT REGISTRY	E	GARNISHMENT	75.00
FIRST CONCORD	E	FLEX FUNDS	6,589.89
FIRST NATIONAL BANK	T	FEDERAL TAXES	122,058.19
KEARNEY UNITED WAY	E	DONATIONS	67.42
MADISON NATIONAL	I	PREMIUMS	1,156.70
MADISON NATIONAL	I	LT DISABILITY	309.82
ERIN M MCCARTNEY	E	GARNISHMENT	294.00
METLIFE	E	DENTAL	4,266.05
NATIONWIDE RETIREMENT	R	DEFERRED COMP	3,257.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,001.50
STATE OF NE	T	STATE TAXES	19,021.72
VISION SERVICE PLAN	E	EMPE VSP EYE	1,257.02
<u>ROAD FUND</u>			
NET PAYROLL			63,984.68
AMERICAN FAMILY LIFE	I	PREMIUMS	1,029.90
RETIREMENT PLANS AMERITAS	R	EMPE RET	9,913.14
BUFFALO CO TREASURER	I	PREMIUMS	3,937.00
FIRST CONCORD	E	FLEX FUNDS	821.66
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,689.45
MADISON NATIONAL	I	PREMIUMS	173.29
MADISON NATIONAL	I	LT DISABILITY	107.65
METLIFE	E	DENTAL	970.55
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
STATE OF NE	T	STATE TAXES	2,739.27
VISION SERVICE PLAN	E	EMPE VSP EYE	309.46
WEBSTER COUNTY COURT	E	GARNISHMENT	246.53
<u>WEED FUND</u>			
NET PAYROLL			5,744.14
RETIREMENT PLANS AMERITAS	R	EMPE RET	903.34
BUFFALO CO TREASURER	I	PREMIUMS	346.00

FIRST CONCORD	E	FLEX FUNDS	33.33
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,795.48
MADISON NATIONAL	I	LT DISABILITY	3.95
METLIFE	E	DENTAL	60.36
STATE OF NE	T	STATE TAXES	265.80

AUGUST 8, 2025 PAYROLL

GENERAL FUND			
NET PAYROLL			368,183.34
AMERICAN FAMILY LIFE	I	PREMIUMS	1,426.90
RETIREMENT PLANS AMERITAS	R	EMPE RET	64,248.46
BUFFALO CO TREASURER	I	PREMIUMS	172,870.50
BUFFALO COUNTY COURT	E	GARNISHMENT	166.76
EMPOWER ANNUITY INS	R	DEFERRED COMP	1,075.00
FAMILY SUPPORT REGISTRY	E	GARNISHMENT	75.00
FIRST CONCORD	E	FLEX FUNDS	7,442.39
FIRST NATIONAL BANK	T	FEDERAL TAXES	122,099.34
KEARNEY UNITED WAY	E	DONATIONS	67.42
MADISON NATIONAL	I	PREMIUMS	1,156.27
MADISON NATIONAL	I	LT DISABILITY	310.36
ERIN M MCCARTNEY	E	GARNISHMENT	294.00
METLIFE	E	DENTAL	4,322.64
NATIONWIDE RETIREMENT	R	DEFERRED COMP	3,257.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,001.50
STATE OF NE	T	STATE TAXES	19,034.28
VISION SERVICE PLAN	E	EMPE VSP EYE	1,271.11
ROAD FUND			
NET PAYROLL			64,171.26
AMERICAN FAMILY LIFE	I	PREMIUMS	897.39
RETIREMENT PLANS AMERITAS	R	EMPE RET	9,922.59
BUFFALO CO TREASURER	I	PREMIUMS	4,131.00
FIRST CONCORD	E	FLEX FUNDS	821.66
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,709.39
MADISON NATIONAL	I	PREMIUMS	173.21
MADISON NATIONAL	I	LT DISABILITY	107.61
METLIFE	E	DENTAL	1,012.85
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
STATE OF NE	T	STATE TAXES	2,743.64
VISION SERVICE PLAN	E	EMPE VSP EYE	314.20
WEBSTER COUNTY COURT	E	GARNISHMENT	246.53
WEED FUND			
NET PAYROLL			5,728.20
RETIREMENT PLANS AMERITAS	R	EMPE RET	900.84
BUFFALO CO TREASURER	I	PREMIUMS	346.00
FIRST CONCORD	E	FLEX FUNDS	33.33
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,789.53
MADISON NATIONAL	I	LT DISABILITY	3.94
METLIFE	E	DENTAL	60.36
STATE OF NE	T	STATE TAXES	264.73

Chairperson Morrow rescheduled the introduction of new USDA Wildlife Specialist Kyle Brown until the next Board meeting on August 26, 2025.

Cooperative Producers, Inc dba Premier Stop Kearney's Tammy Dietz was present for the discussion of the application for reconstruction of building for Liquor License. Following discussion, it was moved by Higgins and seconded by Loeffelholz to approve the application for reconstruction of building for Liquor License held by Cooperative Producers, Inc dba Premier Stop Kearney. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Higgins to approve Resolution 2025-48 for a procedure for rebates generated from a county/governmental purchase. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

RESOLUTION 2025-48

WHEREAS, the various offices and departments of Buffalo County can and do make purchases for governmental needs that are eligible for rebates, and

WHEREAS, this Board, on behalf of Buffalo County believes that any rebate generated from a county/governmental purchase is public money accountable to this Board and the public, and

WHEREAS, in response to recent findings by the Nebraska State Auditor's Office, which basically consider rebates to be similar to petty cash, Buffalo County believes it is in the public's interest that it implements policies and procedures to ensure that the rebates received from vendors are properly accounted for by the county's use of appropriate controls and measures to monitor and account for rebates, and

WHEREAS, as a policy matter this Board believes that government purchases that create rebates should primarily be returned to the particular department and/or office that made the rebate eligible purchase, and

WHEREAS, this Board and county administrative and legal staff have created a rebate procedure that seems to properly and orderly handle rebates generated by county purchases.

NOW THEREFORE IN CONSIDERATION OF THE FOREGOING FINDINGS, BE IT RESOLVED BY BUFFALO COUNTY THAT BUFFALO COUNTY ADOPTS THE FOLLOWING POLICY AND RULES AS TO HOW GOVERNMENT PURCHASES THAT GENERATE REBATES BE ADOPTED:

1. Government purchases that generate rebates are deemed to be property of Buffalo County. As such, these rebates can only be used for public purposes.
2. Buffalo County Clerk's Office shall be the primary office designated by this Board to account for the rebate tracking and for what public use items are purchased by use of rebates.
3. Any office and/or department that completes a transaction that generates a rebate shall be responsible to complete the process of claiming the refund with the vendor that created the rebate. The return address for the rebate shall be the county office and/or department processing the rebate request.
4. When the rebate request is created, a copy of the rebate receipt, claim form, and any other relevant material provided to the vendor shall be given to the Buffalo County Clerk's Office. Thereafter, the Clerk, with sound business accounting and monitoring shall record and keep record of the rebate claim.
5. If, and when, the rebate request is honored by the vendor, the office and/or department that made the rebate claim shall provide the Clerk's office with the rebate with the Clerk's office making a copy of the honored rebate prior to the processing and use of the rebate.
6. Thereafter, the recorded rebates are allowed to be used by the office and/or department for government purpose purchase(s) with the particular office and/or department providing receipt(s) to account for the usage of the rebate, and additional rebate(s) created by use of the rebate, until the rebate is entirely expended.
7. Use of rebates by office(s) and/or department(s) that did not create in the origination of the rebate(s) are allowed only by County Board permission granted by a motion of approval by the Board.

Moved by Maendele and seconded by Higgins to approve the following Resolution 2025-49 to create the Sinking Fund (2750) on the Buffalo County's accounting and budgeting system. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

RESOLUTION 2025-49

WHEREAS, the Buffalo County Board of Commissioners recognizes the importance of long-term financial planning to ensure the fiscal health and sustainability of the county; and

WHEREAS, the establishment of a sinking fund, as authorized by Chapter 77, Neb.Rev.Stat. and other laws, would provide a means to set aside funds for future capital improvements, large-scale repairs, and debt reduction, ensuring the county can meet these obligations without undue strain on the annual budget; and

WHEREAS, a sinking fund is a prudent financial strategy that can help manage significant future costs by accumulating funds over time, allowing for a structured and predictable approach to large expenditures; and

WHEREAS, the creation of this sinking fund is in alignment with the county's long-term goals of fiscal responsibility, transparency, and efficient use of taxpayer resources; and

WHEREAS, the Buffalo County Board of Commissioners has reviewed and discussed the potential benefits and requirements of such a fund, and has determined the establishment of a sinking fund is in the best interest of the county and its residents;

NOW, THEREFORE, BE IT RESOLVED by the Buffalo County Board of Commissioners that Buffalo County will create a fund to be known as "Sinking Fund" (2750) on Buffalo County's accounting and budgeting system; and

BE IT FURTHER RESOLVED that the County Treasurer is hereby directed to create a separate fund within the county's financial system to account for receipts and expenditures; and

BE IT FURTHER RESOLVED that the Board will review the sinking fund's status on an annual basis to ensure appropriate funding levels are being maintained to meet the county's financial needs and obligations.

Moved by Loeffelholz and seconded by Higgins to approve the August 2025 early claim submitted by the County Clerk in the amount of \$5,666.00 for taxes from the Keno Lottery Fund. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Higgins and seconded by Loeffelholz to authorize Chairperson to sign the Annual Federal Funds Purchase Certification for Nebraska Department of Transportation (NDOT). Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Higgins to authorize Chairperson to sign participation of the New National Opioids Settlement agreement. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Higgins and seconded by Maendele to approve of the Engagement Letter with Hayes & Associates auditing services for fiscal year 2024-2025. Upon roll call vote, the following Board members voted "Aye": Higgins, Maendele, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to acknowledge receipt of County Treasurer July 2025 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Higgins to acknowledge receipt of Clerk of the District Court July 2025 Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Higgins and seconded by Loeffelholz to acknowledge receipt of the June 2025 Community Action R.Y.D.E. report. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

After discussion it was moved by Maendele and seconded by Higgins to acknowledge receipt of County Sheriff Distress Warrant Report. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Following discussion, it was moved by Loeffelholz and seconded by Higgins to acknowledge receipt of County Treasurer Distress Warrant Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Loeffelholz to recess the regular meeting of the Board of Commissioners at 9:10 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

BOARD OF EQUALIZATION

Chairperson Morrow called the Board of Equalization to order in open session. County Assessor Roy Meusch and County Treasurer Brenda Rohrich were present.

Moved by Maendele and seconded by Loeffelholz to approve the 2025 Property Protest Hearing Minutes. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Chairperson Morrow opened the new motor vehicle exemption request for Kearney Evangelical Wesleyan Church at 9:11 A.M. No one addressed the Board. Chairperson Morrow closed the hearing at 9:12 A.M. Moved by Maendele and seconded by Loeffelholz to approve a new motor vehicle exemption request for Kearney Evangelical Wesleyan Church as presented. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins and Morrow. Absent: Klein, Kouba and Lynch. 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-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 \$3,625,000. Upon roll call

vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Higgins to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for American National Red Cross for a 2019 Chevy Equinox Passenger Car. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for Community Action Partnership of Mid-Nebraska for a 2019 GMC Acadia. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Higgins to acknowledge receipt of 2025 Cemetery Report from County Assessor. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Maendele and seconded by Loeffelholz to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 9:15 A.M. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

REGULAR AGENDA

After discussion it was moved by Maendele and seconded by Higgins to acknowledge receipt of Petition for Road Improvement 340th Rd (minimum maintenance road) and with referral to the highway department. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Chairperson Morrow reviewed the following correspondence. The Regional Planning Commission of Hall County sent a letter regarding the 2024 Hall County Nebraska Comprehensive development plan Future Land-use Map Amendment, along with the readoption of the Hall County Zoning Map & Regulations and to notify of the next Hall County Zoning Map & Regulations meeting on August 6, 2025. McKenna's Ray of Hope Foundation sent a save the date post card for the Moxie Gala on November 8, 2025 at the Crowne Plaza North. Chairperson Morrow called on each Board member present for committee reports and recommendations.

Chairperson Morrow will reschedule the Nebraska Association of County Officials (NACO) update with Jon Cannon for a future Board meeting.

FACILITIES DEPARTMENT

Facilities Director Steve Gaasch was present for the following agenda items.

Moved by Loeffelholz and seconded by Higgins to acknowledge receipt of the Surplus auction report, a copy will be on file with the County Clerk's office. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Maendele and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

After discussion it was moved by Higgins and seconded by Maendele to authorize an agreement with Miller and Associates for architecture design and engineering services related to the multi-use/pickleball court project. Upon roll call vote, the following Board members voted "Aye": Higgins, Maendele, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

HIGHWAY DEPARTMENT

Highway Superintendent John Maul and Assistant Highway Superintendent Cory Jensen were present for the following agenda item. After discussion, it was moved by Higgins and seconded by Lynch to sell a 1980 FMC Linkbelt HC78B 35 Ton Truck Crane (S/N 7DBH2841) on Wilke Contracting Auction set for September 25, 2025. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

REGULAR AGENDA

Moved by Maendele and seconded by Loeffelholz to enter into Executive Session at 9:29 A.M. regarding an inter-department employee transfer request. In addition to the Board members responding to roll call, Deputy County Attorney Hoffmeister, Deputy County Attorney Davis, Highway Superintendent Maul and Facilities Director Gaasch were present. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to move out of Executive Session at 9:31 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to approve the inter-department employee transfer request. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins and Morrow. Absent: Klein, Kouba and Lynch. Motion declared carried.

Commissioner Maendele left the meeting at 9:31 A.M.

Chairperson Morrow called for recess at 9:31A.M. and to return at 11:30A.M.

The Board of Commissioners reconvened at 11:30 A.M. Commissioners present were Higgins, Lynch, Loeffelholz and Morrow. Absent: Klein, Kouba and Maendele.

ZONING

Zoning Administrator Dennise Daniels and Deputy County Attorney Hoffmeister were present for the following Zoning agenda items.

Chairperson Morrow opened the public hearing at 9:26 A.M. for an Administrative Subdivision filed by Trenton Snow, licensed land surveyor, on behalf of Cheryl L. Hilton for an Administrative Subdivision to be known as "Two Subdivision Addition", This property is located in Part of Government Lot 1 of Section Nineteen (19), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Jeff Waggoner of Kearney spoke against. No one else addressed the Board and Chairperson Morrow closed the hearing at 9:28 A.M. Moved by Lynch and seconded by Loeffelholz to approve the Administrative Subdivision to be known as "Two Subdivision Addition" with the following Resolution 2025-50. Upon roll call vote, the following Board members voted "Aye": Lynch, Loeffelholz and Morrow. Against: Higgins. Absent: Klein, Kouba and Maendele. Motion declared carried.

RESOLUTION 2025-50

WHEREAS, Trenton Snow, licensed land surveyor, on behalf of Cheryl L. Hilton, hereinafter referred to as "applicant", has filed for an Administrative Subdivision for "Two Subdivision Addition", with the Buffalo County Clerk and/or Zoning Administrator, and

WHEREAS, the Zoning Administrator forwarded this application to this Board, and

WHEREAS, on August 12, 2025, this Board conducted a public hearing now and finds:

1. The proposed "Two Subdivision Addition" is in the Agricultural – Residential 2 (AGR-2) Zoning District for Buffalo County, Nebraska.
2. The tract, presently owned by Cheryl L. Hilton, referred to as Parcel 560000110 and situated in Part of Government Lot 1 in Section Nineteen (19), Township Nine (9) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, has approximately 14 remnant acres.
3. 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.
4. West 70th Street is a county-maintained, open public road and it abuts the subdivision on its north side. The width of West 70th Street meets this county's minimum width standards.
5. 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.
6. 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 "Two Subdivision Addition", an administrative subdivision located in Part of Government Lot 1, in Section Nineteen (19), Township Nine (9) North, Range Sixteen (16) 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.

Trenton Snow, Licensed Land Surveyor, on behalf of Bradley L. Vontz, Sole Member of Sand Water, L.L.C. filed for a Minor Subdivision of Alfalfa Acres, Lot 2, located in the South Half of the Southwest Quarter of Section Thirty-four (34), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M., Buffalo County, Nebraska. No one addressed the Board. Moved by Loeffelholz and seconded by Lynch to approve the Minor Subdivision of Alfalfa Acres, Lot 2, located in the South Half of the Southwest Quarter of Section Thirty-four (34), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M., Buffalo County, Nebraska, with the following Resolution 2025-51. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins and Morrow. Absent: Klein, Kouba and Maendele. Motion declared carried.

RESOLUTION 2025-51

WHEREAS, Bradley L. Vontz, sole member of Sand Water, L.L.C., owner of Lot 2, Alfalfa Acres, an administrative subdivision being part of South Half of the Southwest Quarter (S1/2 SW1/4) of Section Thirty-four (34), Township Nine (9) North, Range Seventeen West of the Sixth Principal Meridian, Buffalo County, Nebraska, into two tracts, "The West Tract" and "The East Tract", described as follows:

"The West Tract"

A tract of land being part of Lot Two (2), Alfalfa Acres, an administrative subdivision being part of the South Half of the Southwest Quarter (S1/2 SW1/4) Section Thirty-four (34), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the southwest corner of said Lot 2 and assuming the west line of said lot as bearing N 00°09'54" W and all bearings contained herein are relative thereto; thence N 00°09'54" W on the aforesaid west line a distance of 326.4 feet to the northwest corner of said lot; thence N 89°20'26" E on the north line of said lot a distance of 675.0 feet; thence S 09°02'42" W a distance of 331.13 feet to a point on the south line of said lot; thence S 89°20'26" W on the aforesaid south line a distance of 622.0 feet to the place of beginning.

AND

"The East Tract"

Lot Two (2), Alfalfa Acres, an administrative subdivision being part of the South Half of the Southwest Quarter (S1/2 SW1/4) Section Thirty-four (34), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, EXCEPTING HOWEVER a part of Lot 2 more particularly described as follows: Beginning at the southwest corner of said Lot 2 and assuming the west line of said lot as bearing N 00°09'54" W and all bearings contained herein are relative thereto; thence N 00°09'54" W on the aforesaid west line a distance of 326.4 feet to the northwest corner of said lot; thence N 89°20'26" E on the north line of said lot a distance of 675.0 feet; thence S 09°02'42" W a distance of 331.13 feet to a point on the south line of said lot; thence S 89°20'26" W on the aforesaid south line a distance of 622.0 feet to the place of beginning.

WHEREAS, the Zoning Administrator forwarded this application to this Board, and

WHEREAS, on August 12, 2025, this Board conducted a public hearing considering this request and finds:

1. The proposed minor subdivision change concerns property situated in the Industrial (I) Zoning District for Buffalo County, Nebraska.
2. The proposed minor subdivision change reflected on survey given to this Board fulfills Buffalo County's Subdivision Resolution requirements for minor subdivision changes specifically allowed under Section 3.20 together with other provisions applicable thereto.
3. No public utilities occupy lot line proposed to be moved.
4. The proposed minor subdivision change should be approved to the extent reflected on the survey given to this Board.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the proposed minor subdivision change concerning the legal tracts previously identified is approved and the Chairperson of this Board and all other Buffalo County zoning officials are authorized to sign and file the proposed minor subdivision change.

RESOLVED FURTHER, that a copy of this Resolution and survey, as presented to this Board at public meeting on August 12, 2025, when filed with the Buffalo County Register of Deeds, against the above-named legal descriptions, shall cause this minor subdivision change to occur.

Chairperson Morrow opened the public hearing at 11:56 A.M. for an Administrative Subdivision filed by Bryan Brown, licensed land surveyor, on behalf of Mary Jo Wietjes, Personal Representative of the Estate of Donald Ray Wietjes, for an Administrative Subdivision to be known as "Wietjes Administrative Subdivision", This property is located in Part of the Southeast Quarter of the Southeast Quarter of Section Eight (8), Township Ten (10) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Licensed land surveyor Brown and Mary Jo Wietjes were present to review the application and answer questions. No one addressed the Board and Chairperson Morrow closed the hearing at 11:57 A.M. Moved by Loeffelholz and seconded by Higgins to approve the Administrative Subdivision to be known as "Wietjes Administrative Subdivision" with the following Resolution 2025-52. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Lynch and Morrow. Absent: Klein, Kouba and Maendele. Motion declared carried.

RESOLUTION 2025-52

WHEREAS, Bryan Brown, licensed land surveyor, on behalf of Mary Jo Wietjes, Personal Representative of the Estate of Donald Ray Wietjes, hereinafter referred to as “applicant”, has filed for an Administrative Subdivision for “Wietjes 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 August 12, 2025, this Board conducted a public hearing now and finds:

1. The proposed “Wietjes Administrative Subdivision” is in the Agriculture (AG) Zoning District for Buffalo County, Nebraska.
2. The tract, presently owned by Mary Jo Wietjes, Personal Representative of the Estate of Donald Ray Wietjes, referred to as Parcel 360074100 and situated in Part of the Southeast Quarter of Section Eight (8), Township Ten (10) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, has approximately 156 remnant acres.
3. 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.
4. 175th Road is a county-maintained open public road that abuts the proposed subdivision to the south. The width of this road, after dedication, complies with the minimum width standards required by the Buffalo County Subdivision Resolution. Cherry Road, a north to south road, is a county-maintained open public road that abuts the proposed subdivision to the east. According to minutes for County Board meeting of May 25, 1881, Cherry Road as located in Thornton Township, was petitioned to be opened and the Board accepted this petition and opened Cherry Road. It was petitioned to be opened as a four rod (66 foot) road centered on the section line. Based upon the Official Road Book of Buffalo County, and various surveys, Cherry Road, as a traveled road, is not built and/or traveled by the public on the section line, as originally petitioned, but is to the east of the proposed subdivision. In 1997, Lee W. Wells, Deputy Buffalo County Surveyor, at the request of the Buffalo County Highway Department made a survey of Cherry Road as it was situated between Sections 8 and 9, and Sections 16 and 17, Thornton Township, Buffalo County, Nebraska. Wells’ survey was performed on August 8th and 9th, and September 5, 1997. It was filed with the State of Nebraska Survey Record Repository on or about September 24, 1997. The Official Road Book of Buffalo County indicates that in 1936, Frank Green, who was then Buffalo County Surveyor made survey of Cherry Road being traveled to the east of the section line between Sections 16 and 17, which abut Sections 8 and 9 to the south. Green’s 1936 survey indicates that Cherry Road, as a traveled road at the time, was situated to the east of the section line in the aforementioned sections. The applicant’s plat reflects the presently traveled Cherry Road situated to the east of the proposed subdivision. The subdivision, as laid out on applicant’s plat, indicates the dedication of 40 feet right of way and setback based upon Cherry Road as a public road centered on the section line between Sections 8 and 9, and mapped as Cherry Road is now traveled. The use of the section line for dedication and setback measurements, rather than the parameters of the traveled road was done at the request of the Buffalo County Attorney’s Office.
5. 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.
6. 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 “Wietjes Administrative Subdivision”, an administrative subdivision located in the Southeast Quarter of the Southeast Quarter in Section Eight (8), Township Ten (10) North, Range Fifteen (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.

Chairperson Morrow opened the public hearing at 12:04 P.M. for a vacation application filed by Mitchell Humphrey, licensed land surveyor, on behalf of Tyler J. Hanks and Brittany L. Hanks aka Brittany L. Stark-Hanks, for a property described as Lot 1, Hanks Administrative Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter of Section Twenty-Two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, as well as the public hearing for an Administrative Subdivision filed by Mitchell Humphrey, licensed land surveyor, on behalf of Tyler J. Hanks and Brittany L. Stark Hanks aka Brittany L. Stark-Hanks and Timothy A. Bockerman, President of Timothy A. Bockerman, Inc., for an Administrative Subdivision to be known as “Hanks Second Administrative Subdivision”, This property is located in Part of the Northeast Quarter of the Northwest Quarter of Section Twenty-Two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Licensed land surveyor Humphrey was present to review the applications and answer questions. No one addressed the Board and Chairperson Morrow closed the hearings at 12:05 P.M.

Moved by Lynch and seconded by Higgins to approve the vacation application filed by Mitchell Humphrey, licensed land surveyor, on behalf of Tyler J. Hanks and Brittany L. Hanks aka Brittany L. Stark-Hanks, for a property described as Lot 1, Hanks Administrative Subdivision, a subdivision being part of the Northeast Quarter of the Northwest Quarter of Section Twenty-Two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, with the following Resolution 2025-53. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Maendele. Motion declared carried.

RESOLUTION 2025-53

WHEREAS, Mitch Humphrey, licensed land surveyor, on behalf of Tyler J. Hanks and Brittany L. Stark Hanks, aka Brittany L. Hanks, aka Brittany L Stark-Hanks, owners of:

Lot 1, Hanks Administrative Subdivision, an administrative subdivision being part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Twenty-Two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

being hereinafter referred to as the “described property”.

Have filed to vacate the described property with the Buffalo County Clerk and/or Zoning Administrator, and

WHEREAS, on August 12, 2025, this Board conducted a public hearing considering this request and finds:

1. The described property is situated in the Agriculture (AG) Zoning District of Buffalo County, Nebraska. An Application for Administrative Subdivision, inventoried as Permit# 2025-062, was subsequently filed to subdivide the entirety of the vacated subdivision, along with additional lands.
2. The proposed vacation, as described, fulfills Buffalo County’s Subdivision Resolution requirements for vacation of a subdivision as specifically allowed under Section 3.21, together with other provisions applicable thereto.
3. No public utilities occupy the land sought to be vacated.
4. The proposed vacation of the described property should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the proposed vacation of this subdivision is approved.

RESOLVED FURTHER, that a copy of this Resolution, when it is filed with the Buffalo County Register of Deeds against the above-named legal description, shall cause the vacation of previously subdivided land.

Moved by Lynch and seconded by Higgins to approve the Administrative Subdivision to be known as “Hanks Second Administrative Subdivision” with the following Resolution 2025-54. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Loeffelholz and Morrow. Absent: Klein, Kouba and Maendele. Motion declared carried.

RESOLUTION 2025-54

WHEREAS, Mitch Humphrey, licensed land surveyor, on behalf of Tyler J. Hanks and Brittany L. Stark Hanks aka Brittany L. Stark-Hanks aka Brittany L. Hanks, and Timothy A. Bockerman, President of Timothy A. Bockerman, Inc., hereinafter referred to as “applicant”, has filed for an Administrative Subdivision for “Hanks Second 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 August 12, 2025, this Board conducted a public hearing now and finds:

1. The proposed “Hanks Second Administrative Subdivision” is in the Agriculture (AG) Zoning District for Buffalo County, Nebraska.
2. The proposed “Hanks Second Administrative Subdivision” will be comprised of portions of three parcels, 260072100, 260072010 and 260072000, by two land owners, Tyler J. Hanks and Brittany L. Stark Hanks aka Brittany L. Stark-Hanks aka Brittany L. Hanks and Timothy A. Bockerman, President of Timothy A. Bockerman, Inc.
3. Remnant #1 is the lands that are presently owned by Timothy A. Bockerman, Inc., referred to as Parcels 260072000 and 260072010, situated in part of the Northwest Quarter in Section Twenty-two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, has approximately 155 remnant acres.
4. Remnant #2 is the lands that are presently owned by Tyler J. Hanks and Brittany L. Stark Hanks aka Brittany L. Stark-Hanks aka Brittany L. Hanks, referred to as parcel 260072100, situated in part of the Northeast Quarter of the Northwest Quarter of Section Twenty-two (22), Township Eleven (11) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, previously known as Lot 1, Hanks Administrative Subdivision, an administrative subdivision being part of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Twenty-Two (22), Township Eleven (11) North,

Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, now vacated, will be merged in its entirety into the administrative subdivision and has no remnancy.

5. 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.
6. Grand Island Road is a county-maintained, open public road and it abuts the subdivision on its north side. The width of Grand Island Road meets this county's minimum width standards.
7. 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.
8. 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 "Hanks Second Administrative Subdivision", an administrative subdivision located in Part of the Northeast Quarter of the Northwest Quarter of Section Twenty-Two (22), Township Eleven (11) North, Range Fifteen (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.

REGULAR AGENDA

Chairperson Morrow opened the public hearing at 12:08 P.M. for a new application for a retail liquor license (Class C License) by B&B Research and Investments L.L.C; dba The Chalet. Alissa Kern, Manager for B&B Research and Investments L.L.C; dba The Chalet was present to answer questions from the Board. No one else addressed the Board and Chairperson Morrow closed the hearing at 12:09 P.M. After review of the County Sheriff's office report, it was moved by Higgins and seconded Loeffelholz to approve a retail Class C Liquor License request for B&B Research and Investments L.L.C; dba The Chalet. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Lynch and Morrow. Absent: Klein, Kouba and Maendele. Motion declared carried.

At 12:10 P.M., Chairperson Morrow asked if there was anything else to come before the Board before she declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, August 26, 2025.

ATTEST:

Sherry L. Morrow, Chairperson
Buffalo County Board of Commissioners

Heather A. Christensen
Buffalo County Clerk

(SEAL)