

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 13, 2022**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 13, 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 September 8, 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 Higgins and seconded by Kouba to approve the August 23, 2022 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Higgins and seconded by Lynch to ratify the following August 26, 2022 and the September 9, 2022 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Higgins, Lynch, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

**AUGUST 26, 2022**

<b><u>GENERAL FUND</u></b>			
NET PAYROLL			277,973.79
AMERICAN FAMILY LIFE	I	PREMIUMS	1,208.22
RETIREMENT PLANS AMERITAS	R	EMPE RET	47,281.01
BUFFALO CO TREASURER	I	PREMIUMS	119,257.50
CREDIT MANAGEMENT SERVICES, INC.	E	GARNISHMENT	193.49
EMPOWER RETIREMENT	R	DEFERRED COMP	1,175.00
FIRST CONCORD	E	FLEX FUNDS	4,854.18
FIRST NATIONAL BANK	T	FEDERAL TAXES	94,933.82
KEARNEY UNITED WAY	E	DONATIONS	114.67
MADISON NATIONAL	I	PREMIUMS	1,052.36
MADISON NATIONAL	I	LT DISABILITY	285.94
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,895.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,239.80
STATE OF NE	T	STATE TAXES	16,011.66
VISION SERVICE PLAN	E	EMPE VSP EYE	813.83
<b><u>ROAD FUND</u></b>			
NET PAYROLL			57,218.65
AMERICAN FAMILY LIFE	I	PREMIUMS	920.82
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,728.51
BUFFALO CO TREASURER	I	PREMIUMS	2,620.50
CREDIT MANAGEMENT SERVICES, INC.	E	GARNISHMENT	113.10
FIRST CONCORD	E	FLEX FUNDS	682.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	16,789.38
MADISON NATIONAL	I	PREMIUMS	166.90
MADISON NATIONAL	I	LT DISABILITY	105.04
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	855.97
STATE OF NE	T	STATE TAXES	2,535.88
VISION SERVICE PLAN	E	EMPE VSP EYE	215.29
<b><u>COVID AMERICAN RESCUE PLAN FUND</u></b>			
NET PAYROLL			1,352.15
AMERICAN FAMILY LIFE	I	PREMIUMS	30.23
RETIREMENT PLANS AMERITAS	R	EMPE RET	236.16
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST NATIONAL BANK	T	FEDERAL TAXES	368.26
MADISON NATIONAL	I	PREMIUMS	4.91
MADISON NATIONAL	I	LT DISABILITY	5.92

PRINCIPAL	E	DENTAL	45.52
STATE OF NE	T	STATE TAXES	48.33
VISION SERVICE PLAN	E	EMPE VSP EYE	14.09
<b>WEED FUND</b>			
NET PAYROLL			5,061.04
RETIREMENT PLANS AMERITAS	R	EMPE RET	800.66
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST CONCORD	E	FLEX FUNDS	40.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,623.80
MADISON NATIONAL	I	LT DISABILITY	3.55
PRINCIPAL	E	DENTAL	61.00
STATE OF NE	T	STATE TAXES	254.12

**SEPTEMBER 9, 2022**

<b>GENERAL FUND</b>			
NET PAYROLL			273,694.42
AMERICAN FAMILY LIFE	I	PREMIUMS	1,208.22
RETIREMENT PLANS AMERITAS	R	EMPE RET	46,488.65
BUFFALO CO TREASURER	I	PREMIUMS	121,362.50
CREDIT MANAGEMENT SERVICES, INC.	E	GARNISHMENT	193.49
EMPOWER RETIREMENT	R	DEFERRED COMP	1,175.00
FIRST CONCORD	E	FLEX FUNDS	5,322.65
FIRST NATIONAL BANK	T	FEDERAL TAXES	92,913.11
KEARNEY UNITED WAY	E	DONATIONS	114.67
MADISON NATIONAL	I	PREMIUMS	1,056.53
MADISON NATIONAL	I	LT DISABILITY	285.66
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,885.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,282.72
STATE OF NE	T	STATE TAXES	15,576.55
VISION SERVICE PLAN	E	EMPE VSP EYE	821.32
<b>ROAD FUND</b>			
NET PAYROLL			57,020.76
AMERICAN FAMILY LIFE	I	PREMIUMS	920.82
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,632.43
BUFFALO CO TREASURER	I	PREMIUMS	2,620.50
FIRST CONCORD	E	FLEX FUNDS	682.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	16,686.47
MADISON NATIONAL	I	PREMIUMS	166.81
MADISON NATIONAL	I	LT DISABILITY	104.97
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	901.40
STATE OF NE	T	STATE TAXES	2,528.57
VISION SERVICE PLAN	E	EMPE VSP EYE	215.05
<b>COVID AMERICAN RESCUE PLAN FUND</b>			
NET PAYROLL			1,352.18
AMERICAN FAMILY LIFE	I	PREMIUMS	30.23
RETIREMENT PLANS AMERITAS	R	EMPE RET	236.16
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST NATIONAL BANK	T	FEDERAL TAXES	368.26
MADISON NATIONAL	I	PREMIUMS	4.90
MADISON NATIONAL	I	LT DISABILITY	5.91
PRINCIPAL	E	DENTAL	45.52
STATE OF NE	T	STATE TAXES	48.33
VISION SERVICE PLAN	E	EMPE VSP EYE	14.08
<b>WEED FUND</b>			
NET PAYROLL			5,061.08
RETIREMENT PLANS AMERITAS	R	EMPE RET	800.66
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST CONCORD	E	FLEX FUNDS	40.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,623.80
MADISON NATIONAL	I	LT DISABILITY	3.54
PRINCIPAL	E	DENTAL	60.96
STATE OF NE	T	STATE TAXES	254.12

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

Moved by Morrow and seconded by Loeffelholz to accept the Clerk of District Court August 2022 Fee Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

Moved by Higgins and seconded by Loeffelholz to accept the July 2022 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Chairman Klein read into the record the certification of inventory statements. Moved by Morrow and seconded by Maendele to approve the fiscal year 2021-2022 inventory statements filed by all of the County Officials. All inventory statements will be filed with the County Clerk as a public record. Upon roll call vote, the following Board members voted "Aye": Morrow, Maendele, Higgins, Kouba, Loeffelholz, Lynch and Klein. Motion declared carried.

Moved by Maendele and seconded by Kouba to approve the payment of flu shots for all Buffalo County Employees. The Board Administrator will notify the employees of the flu shot availability scheduled for September 29, 2022. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

After discussion and review of the County Sheriff's report, it was moved by Lynch and seconded by Higgins to approve the Special Designated Liquor License applications filed by B&B Research and Investments LLC for events to be held at "The Farm" located at 51460 100<sup>th</sup> Road, Shelton, Nebraska on October 8, 2022 and October 29, 2022. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Following discussion and review of the County Sheriff's report, it was moved by Higgins and seconded by Maendele to approve the Special Designated Liquor License applications filed by Windmill Studios for an event to be held at Iain Nicolson Audubon Center located at 44450 Elm Island Road, Gibbon, Nebraska on October 25, 2022. Carolyn and David Bunger were present to answer any questions. Upon roll call vote, the following Board members voted "Aye": Higgins, Maendele, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

After discussion and review of the County Sheriff's report, it was moved by Higgins and seconded by Lynch to approve the Special Designated Liquor License applications filed by TC Reeder Ventures, LLC for events to be held at the George Spencer Vineyard, 7155 Pawnee Road, Gibbon, Nebraska on October 8, 2022 and November 12, 2022. Trevor Reeder was present to answer any questions. Upon roll call vote, the following Board members voted "Aye": Higgins, Lynch, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to acknowledge receipt of the road petition to vacate portion of road located in Torrey Estates Subdivision and to forward this petition to Highway Superintendent John Maul. Superintendent Maul will conduct a study and report back to this Board within 30 days. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

Moved by Morrow and seconded by Kouba to authorize Chairman Klein to sign the WJE Consulting agreement to prepare the indirect cost allocation plan. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

After discussion and review by Deputy County Attorney Hoffmeister it was moved by Lynch and seconded by Maendele to table the Agreement with with Nebraska Department of Transportation (NDOT) for Project No. NH-80-6(113), Gibbon to Shelton until September 27, 2022 Board meeting. The Commissioners will request that County Surveyor Trenton Snow be present. Upon roll call vote, the following Board members voted "Aye": Lynch, Maendele, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Chairman Klein reviewed the following correspondence. Dana F. Cole & Company sent a letter thanking Buffalo County for our business and inviting us to look at other services they provide as well as getting their newsletter. Nebraska Intergovernmental Risk Management Association (NIRMA) sent a letter requesting nominations for four (4) positions to the NIRMA Board of Directors and an invitation to the NIRMA Annual Membership Meeting and Luncheon & Dividend Distribution on October 21, 2022.

## **ROAD DEPARTMENT**

The One and Six Year Road and Bridge Plans were reviewed by the Highway Superintendent John Maul and the Board of Commissioners.

Moved by Maendele and seconded by Lynch to set a public hearing date of Tuesday, September 27, 2022 at 9:45 A.M. for the 2022-2023 One and Six Year Road and Bridge Program. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to recess the regular meeting of the Board of Commissioners at 9:30 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, 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 and Deputy County Treasurer Brenda Rohrich were present.

Moved by Loeffelholz and seconded by Kouba to approve Tax List Corrections numbered 4897 through 4898 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Higgins and seconded by Lynch to approve the Motor Vehicle Tax Exemption as indicated on the application by the County Treasurer Jean Sidwell for RYDE Transit-Community Action Partnership of Mid-Nebraska for a 2022 Chrysler Voyager. Upon roll call vote, the following Board members voted "Aye": Higgins, Lynch, Loeffelholz, Maendele, Morrow and Klein. Abstain: Kouba. 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 American National Red Cross on a 2019 Chevy Equinox. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Kouba, Lynch, Maendele, Morrow and Klein. 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 9:33 A.M. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

### **FACILITIES DEPARTMENT**

Beckenhauer Construction Project Manager Mike Koch and Facilities Director Steve Gaasch presented updated reports and submitted for approval the Contract Change Order Requests for the 610 Central Project. Moved by Lynch and seconded by Maendele to approve the following Change Order Requests for the 610 Central Project; Request #19 in the reduced amount of \$220.86; Request #20 in the amount of \$886.83; Request #21 in the amount of \$2,069.27; and Request #22 in the amount of \$2,322.65. 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": Lynch, Maendele, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

The Request for Proposal (RFP) for the Roofing and Gutter Replacement project was opened on August 23, 2022. Facilities Director Gaasch and the Facilities OMP Committee reviewed the proposals. Moved by Morrow and seconded by Kouba to accept the bid from Buffalo Roofing (RSG Home Improvements) for the roofing and gutter replacement project in the amount of \$40,805.75. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

### **REGULAR AGENDA**

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

Nebraska Public Power District (NPPD) Lines Engineer Jason Hofer presented information on the need and benefit of the transmission line project happening in the Kearney Area and their public involvement process.

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

Chairman Klein opened a public hearing at 10:02 A.M. for the Buffalo County fiscal year 2022-2023 budget. Buffalo County Board Administrator Lynn Martin presented an overview of the budget summarizing the proposed revenues and expenditures with a comparison to the prior year's budget and is on file with the County Clerk. No one else addressed the Board and Chairman Klein closed the hearing at 10:06 A.M. Moved by Maendele and seconded by Morrow to make a final decision on the Buffalo County 2022-2023 Fiscal Year Budget at the September 27, 2022 Board meeting. Upon roll call vote, the following Board members voted "Aye": Maendele, Morrow, Higgins, Kouba, Loeffelholz, Lynch and Klein. Motion declared carried.

Chairman Klein asked if there was anything else to come before the Board at 10:07 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, September 27, 2022.

ATTEST:

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Ivan Klein, Chairman  
Buffalo County Board of Commissioners

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Janice I. Giffin  
Buffalo County Clerk

(SEAL)