

BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, JULY 28, 2026

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, July 28, 2026 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: Ivan Klein, Myron Kouba, Ronald Loeffelholz, Daniel Lynch, Bill Maendele and Sherry Morrow. Absent: Timothy Higgins. 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 July 23, 2026. 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. County Attorney Shawn Eatherton, Deputy County Attorney Andrew Hoffmeister and Deputy County Attorney Josiah Davis were present.

REGULAR AGENDA

Moved by Loeffelholz and seconded by Lynch to approve the July 14, 2026 minutes. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Klein, Kouba, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Commissioner Maendele read into the record Employee Recognitions for the following County Employees: Tracy Kisler (Road) for 1 year of service, Amy Schmidt (BCSO) for 1 year of service, Gordon Cudaback (BCSO) for 5 years of service, Sylvie Sazama (BCSO) for 38 years of service, Linda Johnson (Road) for 39 years of service and Deb Shubert (Road) for 40 years of service.

Moved by Maendele and seconded by Lynch to ratify the following July 24, 2026 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Klein, Kouba, Loeffelholz and Morrow. Absent: Higgins. Motion declared carried.

JULY 24, 2026 PAYROLL

<u>GENERAL FUND</u>		
NET PAYROLL		569,109.90
BUFFALO CO TREASURER	I	158,218.00
FIRST NATIONAL BANK	T	40,789.89
MADISON NATIONAL	I	477.80
RETIREMENT PLANS AMERITAS	R	40,505.75
<u>ROAD FUND</u>		
NET PAYROLL		98,091.88
FIRST NATIONAL BANK	T	6,867.84
RETIREMENT PLANS AMERITAS	R	6,420.76
<u>EMPLOYEE DEDUCTIONS</u>		
AMERICAN FAMILY LIFE	I	2,023.06
BUFFALO CO TREASURER	I	26,789.00
EMPOWER ANNUITY INS	R	1,075.00
FIRST CONCORD	E	8,667.10
FIRST NATIONAL BANK	T	99,793.90
KEARNEY UNITED WAY	E	40.00
MADISON NATIONAL	I	1,345.01
METLIFE	E	5,579.73
NATIONWIDE RETIREMENT	R	2,567.50
NE CHILD SUPPORT	E	876.50
RETIREMENT PLANS AMERITAS	R	32,092.93
STATE OF NE	T	20,605.68
VISION SERVICE PLAN	E	1,553.40

Key: E- Expense: I- Insurance & or Bonds: R- Retirement: T- Taxes

Moved by Kouba and seconded by Klein to approve the following July 2026 vendor claims submitted by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Kouba, Klein, Loeffelholz, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

<u>GENERAL FUND</u>		
AARON WENTZ	RE	45.00
ADAMS CO SHERIFF	E	24.50

ADVANCED CORRECTIONAL HEALTHCARE	MC	20,717.42
AKRS EQUIPMENT RAVENNA JOHN DEERE	SU	1,856.27
ALL CITY GARAGE DOOR	EQ	1,364.00
AMAZON CAPITAL SERVICES	E	2,410.66
AMERICAN ELECTRIC COMPANY	SU	35.24
ANA MARTINEZ	E	20.00
ANA POST	RE	22.66
ANDREW W HOFFMEISTER	RE	45.00
AT&T MOBILITY	U	3,074.91
ATS	S	617.01
AURORA COOPERATIVE ELEVATOR COMPANY	F	16.59
AUTO VALUE PARTS STORE	SU	142.97
BANNER SOLUTIONS	EQ	1,039.14
BARENT'S OUT ON A LIMB TREE SERVICE	S	8,500.00
BATTERIES PLUS	EQ	180.00
BENJAMIN MARTEN	E	605.40
BOMGAARS SUPPLY	SU	343.80
BOYS TOWN	S	2,071.89
BRANDON DUGAN LAW	S	2,800.00
BRENDA ROHRICH	RE	45.00
BRUNER FRANK SCHUMACHER	S	22,613.37
BUFFALO CO ATTORNEY	E	50.00
BUFFALO CO ATTORNEY'S OFFICE	E	427.78
BUFFALO CO CLERK	E	1,010.00
BUFFALO CO COMMUNITY PARTNERS	E	522.71
BUFFALO CO COURT	E	2,907.28
BUFFALO CO FACILITIES	E	667.04
BUFFALO CO PUBLIC DEFENDER	E	40.00
BUFFALO CO SHERIFF	E	4,779.95
BUILDERS WAREHOUSE	SU	8.15
CADYN KRAEGER	E	20.00
CAMELOT TRANSPORTATION	E	612.50
CANON U.S.A.	EQ	230.97
CAPITAL CITY TRANSFER SERVICE	E	564.70
CENTURY 21 MIDLANDS	RT	290.00
CENTURY LUMBER CENTER	SU	116.17
CHARLIE BALES	RE	45.00
CHARTER COMMUNICATIONS	S	1,108.02
CHEROKEE BUILDING MATERIALS	C	531.36
CHERYL STABENOW	RE	45.00
CITY OF KEARNEY	E	153,408.12
CLARITY ESSENTIAL SERVICES	E	190.00
CLERK OF THE DISTRICT COURT	S	2,385.00
CNA SURETY	E	40.00
COCHRAN LAW PC	S	8,985.64
COLUMN SOFTWARE	A	1,082.41
COMFY BOWL	RT	385.00
CONSOLIDATED CONCRETE CO.	C	367.88
CONSTRUCTION RENTAL	EQ	723.25
COPYCAT PRINTING CENTER	SU	15.40
CORBIN RADER	E	90.00
COREMR L.C.	E	450.00
COREY'S COMPLETE DETAILING	S	200.00
CROUCH RECREATION	S	5,411.00
CULLIGAN OF KEARNEY	S	959.00
CUSTER CO SHERIFF	E	28.50
CYNTHIA GEMBALA HUGG	E	97.85
D. BRANDON BRINEGAR	RE	206.07
DAN'S SANITATION	S	23.25
DANILO LURSSSEN	E	20.00
DAS ST ACCOUNTING	S	150.00
DATASHIELD CORPORATION	S	54.53
DATAVANT	E	20.00

DAWSON CO SHERIFF'S OFFICE	E	93.56
DAWSON PUBLIC POWER DISTRICT	U	4,694.29
DENNISE DANIELS	RE	45.00
DERIC SINSEL	RE	45.00
DERMATOLOGY, P.C.	MC	109.72
DIAMOND DRUGS	MC	11,854.53
DIER, OSBORN & COX, P.C.	S	1,388.00
DONKEY TOWING & TRANSFER	S	145.00
DOUG KRAMER	RE	45.00
DOUGLAS CO SHERIFF	E	22.26
DOWHY TOWING & RECOVERY	S	177.80
DR MICHAEL LAWSON	S	100.00
DREW BOHL	RE	45.00
EAKES OFFICE SOLUTIONS	SU	7,316.36
EGAN SUPPLY COMPANY	EQ	3,651.90
ELN	RT	410.00
ERIC INGEBRETSEN	RE	45.00
EZ TURF	S	760.00
FAMILY PRACTICE ASSOCIATES	MC	91.00
FARMERS COOPERATIVE ASSOCIATION	F	656.30
FATHER FLANAGAN'S BOYS'HOME	S	16,802.21
FRITSON PSYCHOLOGICAL SERVICES	S	4,800.00
FRONTIER	U	4,186.78
FYE LAW OFFICE	S	9,252.21
GALLS	S	230.26
GARCIA CLINICAL LABORATORY	MC	142.00
GARY MICHAELS CLOTHIERS	S	122.84
GIBBON FIRE DEPARTMENT	S	100.00
GOVERNMENTAL LAW	E	38.00
GRANT GARTNER	E	41.75
GREAT PLAINS COMMUNICATIONS	S	1,207.25
GREAT PLAINS UNIFORMS	EQ	3,596.57
GUARDIAN ALLIANCE TECHNOLOGIES	S	745.00
GUARDIAN RFID	E	13,020.75
HALL CO BOARD OF COMMISSIONERS	E	260.82
HALL CO SHERIFF'S OFFICE	E	42.80
HAMILTON CO	E	296.30
HAMILTON CO EMERGENCY MANAGEMENT	E	1,724.93
HAND FARMS LLP	RT	5,107.96
HIGHTOWER SOLUTIONS	S	16,239.50
HOLMES MURPHY & ASSOCIATES	S	4,494.00
HOMETOWN LEASING	EQ	6,512.22
HORNER, LIESKE, MCBRIDE & KUHL	SU	1,900.00
ISAAC CONSTRUCTION	SU	540.00
JACK LEDERMAN CO	S	171.33
JACK'S UNIFORMS AND EQUIPMENT	EQ	869.78
JACOB SINDT	RE	45.00
JACOBSEN ORR LAW FIRM	S	13,242.30
JAIME GRACZYK	RT	3,645.84
JANET M. MCKITTRICK	E	24.00
JEFFREY C KNAPP	S	723.75
JEFFREY C. KNAPP	RT	330.00
JENNIFER CHURCH	RE	45.00
JEREMY SEDLACEK	RE	3.63
JESSICA DREIER	S	166.00
JOHN AUPPERLE	RE	45.00
JOHN DEERE FINANCIAL	EQ	762.30
JOHN MARSH	RE	45.00
JOHNSON LANDSCAPE	SU	49.96
JOHNSTONE SUPPLY	SU	202.89
JONES POLYGRAPH SERVICE	S	350.00
JOSE RODRIGUEZ	RE	45.00
JOSH PINKHAM	RE	45.00

JOSHUA CHANEY	RE	14.50
JOSIAH DAVIS	RE	45.00
JUSTICE WORKS	E	192.00
K & B PARTS	SU	38.24
KANE M RAMSEY	RE	45.00
KATHARINE COLLINS - VOID	S	(509.78)
KATHARINE COLLINS	RE	90.00
KEARNEY AG & AUTO REPAIR	S	2,714.93
KEARNEY AREA COMMUNITY FOUNDATION	D	550.00
KEARNEY COUNSELING ASSOCIATES	MC	288.00
KEARNEY HOUSING AGENCY	RT	228.00
KEARNEY PLAZA TOWNHOMES LTD	RT	370.00
KEARNEY POWERSPORTS	EQ	25,185.00
KEARNEY TIRE AND AUTO	EQ	51.85
KEARNEY TOWING & REPAIR CENTER	S	2,694.69
KEARNEY WINNELSON CO	SU	703.31
KELLY SUPPLY COMPANY	SU	4.03
KLEIN BREWSTER BRANDT & MESSERSMITH	S	23,710.00
KRONOS	S	1,403.83
LANCASTER CO SHERIFF - VOID	E	(7.51)
LANGUAGE LINE SERVICES	U	42.00
LARSEN ELECTRIC	EQ	874.62
LIESKE, LIESKE & ENSZ	S	1,406.21
LINCOLN CO SHERIFF	E	39.78
LINCOLN JOURNAL STAR	A	717.69
LISA R HUERTA	RE	45.00
LOYE WOLFE	RE	105.85
LYDIA DAVIS	RE	45.00
LYNN MARTIN	RE	45.00
LYNNE M. ALBIN	S	161.85
MAGNIFY SIGNS & GRAPHICS	S	525.00
MANDI J AMY	RE	45.00
MARC VACEK	RE	42.78
MARK ZECHMANN	RT	330.00
MARTI SLEISTER	RE	45.00
MASTERS TRUE VALUE	SU	22.70
MATTHEW STARKEY	RE	63.80
MCKESSON MEDICAL SURGICAL	SU	214.53
MELANIE R YOUNG	RE	45.00
MELISSA L WILLIS	RE	45.00
MELODIE TURNER BELLAMY	S	990.00
MENARDS	SU	6,268.11
MICHAEL D CARPER	S	1,435.00
MICHAEL J SYNEK	S	2,908.08
MICROFILM IMAGING SYSTEMS	S	730.00
MID NEBRASKA AGGREGATE	SU	307.80
MID-NEBRASKA DIGGING	S	3,390.00
MIDWEST CONNECT	S	6,071.41
MIDWEST EMERGENCY GRAND ISLAND	MC	109.81
MIDWEST SEPTIC	S	1,187.50
MIDWEST SPECIAL SERVICES	S	2,133.30
MILLER & ASSOCIATES	S	14,600.00
MIPS INC.	S	6,384.95
MIRROR IMAGE CAR WASH	S	841.23
MOTOROLA SOLUTIONS	EQ	139,856.81
NACO	E	5,796.99
NAPA AUTO PARTS	EQ	1,826.35
NATHAN AREHART	RE	45.00
NATHAN BRECHT	RE	45.00
NCSEA TREASURER	E	175.00
NE CENTRAL TELEPHONE CO	U	223.01
NE GENERATOR SERVICE	S	6,294.75
NE HEALTH & HUMAN SERVICES	MC	1,466.19

NE INTERACTIVE	E	81.00
NE LAW ENFORCEMENT TRAINING CENTER	S	45.00
NE PUBLIC POWER DIST	E	330.00
NE PUBLIC POWER DISTRICT	U	14,580.98
NE UC FUND	E	7,930.00
NEKE VALLEY MHP	RT	370.00
NICK KILLOUGH	RE	45.00
NIRMA	S	486.00
NORTHWESTERN ENERGY	U	1,477.86
O'BRIEN STRAATMANN REDINGER FUNERAL	E	600.00
OPTK NETWORKS	E	1,253.24
ORBIS PARTNERS	S	760.00
PAPER TIGER SHREDDING	S	1,483.02
PARKER GROSSART BAHENSKY BEUCKE	S	941.56
PAUL FARRELL	RE	45.00
PHELPS CO SHERIFF'S OFFICE	E	37.57
PHYSICIANS LABORATORY P.C.	S	7,622.00
PLATTE VALLEY COMMUNICATIONS	S	375.00
PLATTE VALLEY DENTAL CLINIC	MC	1,499.00
PLUMBING & HEATING WHOLESALE	SU	22.60
PRO-TINT	S	405.50
PYE-BARKER FIRE & SAFETY	S	540.00
RAVENNA HOUSING AUTHORITY	RT	330.00
RAVENNA REDI MIX	SU	330.00
RAVENNA SANITATION	S	1,128.00
RAYGEN DAWN HASBROUCK	E	20.00
REBECCA RILEY	RE	45.00
REBECCA TVRDIK ANDERSON	S	2,155.00
RED WILLOW CO SHERIFF	E	25.30
REGAN VAN MATRE	RE	45.00
REGION III BEHAVIORAL HEALTH SVCS	E	39,644.62
REMEDY ROAD	S	1,656.00
RICHARD SERR	RE	45.00
RIVER FRONT GLASS	S	45.00
ROBERT RICH	RE	45.00
ROBERT SOHL	RE	45.00
RR DONNELLEY	SU	322.09
RUDOLPH LAW	S	390.00
SARAH SMITH	RE	45.00
SCHNEIDER GEOSPATIAL	S	51,053.80
SCOTT BRADY	RE	13.05
SCOTT STUBBLEFIELD	RE	46.40
SCOTTS BLUFF CO SHERIFF	E	20.92
SHARON MAULER	S	100.00
SHAWN EATHERTON	RE	435.05
SHERWIN WILLIAMS	SU	570.98
SOLID WASTE AGENCY LANDFILL	E	33.00
STAMM ROMERO & ASSOC, P.C.	S	19,231.00
STANLEY BRODINE	RE	15.95
STATE OF NEBR PROBATION DIST 9	E	14,393.79
STEINBRINK L & G	SU	64.00
STEPHEN G LOWE	S	875.00
SUMMIT FOOD SERVICE	S	41,727.96
T-MOBILE	U	150.00
TAMARA FRIZANE	RE	45.00
THE LAWN BUILDERS	S	7,983.82
THE WALDINGER CORPORATION	S	6,045.62
THOMAS S STEWART	S	2,116.34
THOMSON REUTERS - WEST	E	6,472.16
THOMSON REUTERS-WEST	E	1,354.63
TIM KREUTZER	RE	10.15
TIM VANCE	RE	45.00
TRENTON SNOW, LLC	RT	1,000.00

TRI COUNTY GLASS	E	647.91
TSKAH	RT	290.00
TURNER BODY SHOP OF KEARNEY	S	393.95
TYE & ROWLING, PC	S	300.00
U.S DEPT OF AG	AP	9,625.94
U.S. BANK	E	14,803.83
UNDERGROUND CONSTRUCTION	SU	780.00
VERITEXT	S	643.40
VERIZON	S	1,377.47
VERIZON WIRELESS	U	679.21
VILLAGE OF MILLER	U	31.54
VILLAGE UNIFORM	SU	201.63
WATKINS	SU	148.56
WELLS FARGO	E	2,144.24
WELLS FARGO BANKS ACCT ANALYSIS	E	70.02
WILKE'S TRUE VALUE	SU	329.46
WILKINS ARCHITECTURE DESIGN	S	962.37
WILLIE KEEP	RE	58.00
WINZER	SU	81.17
WIRESMITH ELECTRIC	S	565.00
WJE CONSULTING	S	1,764.00
WOODS & AITKEN	S	2,777.40
WPCI	E	134.00
<u>ROAD FUND</u>		
AMAZON CAPITAL SERVICES	E	216.25
ANDERSEN WRECKING COMPANY	S	65.00
APPLIED INDUSTRIAL TECHNOLOGIES	S	41.08
ARNOLD MOTOR SUPPLY/AUTO VALUE PART	S	2,950.39
AUSSIE HYDRAULICS	S	410.94
BGNE	SU	344.77
BOSSELMAN ENERGY	F	1,132.00
CENTRAL AG AND SHOP SUPPLY	EQ	249.93
CFP-C-T	F	167.56
COMFY BOWL	RT	105.00
CONSTRUCTION RENTAL	S	70.58
CUMMINS SALES AND SERVICE	S	33.24
CURLY'S RADIATOR SERVICE	S	491.00
EAKES OFFICE SOLUTIONS	SU	112.91
ED BROADFOOT & SONS SAND & GRAVEL	G	39,616.87
EUSTIS BODY SHOP	S	1,372.50
FARM PLAN	S	2,544.97
FASTENAL COMPANY	SU	16.05
FLOYD'S TRUCK CENTER	SU	146.92
FRIESEN CHEVROLET	S	38.50
GARRETT TIRES & TREADS	S	2,457.80
GLASS DOCTOR OF CENTRAL NE	S	622.36
GRAHAM TIRE CO	SU	900.32
HANSEN INTERNATIONAL TRUCK	S	2,339.74
J-SPOT SERVICES	S	600.50
JACK LEDERMAN CO	SU	159.30
JIM HAWK TRUCK TRAILERS	S	217.74
JOHN E MAUL	E	31.00
K & B PARTS	SU	28.68
KELLY SUPPLY COMPANY	SU	10.40
KIMBALL MIDWEST	SU	782.98
MASTERS TRUE VALUE	EQ	18.99
MENARDS	SU	124.87
MID NEBRASKA AGGREGATE	G	43,865.61
MID STATE ENGINEERING & TESTING	S	240.00
MIDWEST SERVICE & SALES	SU	1,171.00
NAPA AUTO PARTS	S	255.63
NIPPON SANZO MATHESON	EQ	229.43
NMC, INC.	S	35,912.59

NORFOLK LODGE & SUITES	E	220.00
NOVUS WINDSHIELD REPAIR	S	65.00
PLATTE VALLEY COMMUNICATIONS	S	210.45
POWERPLAN-MURPHY TRACTOR	S	5,536.87
SOUTHWEST GRAVEL PRODUCTS	G	16,980.83
THE LOCKMOBILE	SU	329.40
TRAUSCH DYNAMICS	S	10.59
TRUCK CENTER COMPANIES	S	10,045.99
U.S. BANK	E	987.70
WILKE'S TRUE VALUE	SU	32.25
WINZER	SU	2,223.89
<u>VISITOR'S PROMOTION</u>		
KEARNEY VISITOR'S BUREAU	E	67,652.00
<u>VISITOR'S IMPROVEMENT</u>		
KEARNEY VISITOR'S BUREAU	E	67,652.00
<u>DEEDS PRESERVATION & MODERNIZATION</u>		
MIPS INC.	S	302.06
<u>HEALTH INSURANCE FUND</u>		
BCBS HEALTH CLAIM EXPENSE	I	350,077.88
HM LIFE MELLON GLOBAL CASH MGNT	I	102,173.76
<u>FEDERAL GRANTS</u>		
U.S. BANK	E	1,398.66
<u>KENO LOTTERY</u>		
BUFFALO CO BOARD OF COMMISSIONERS	T	5,508.00
<u>911 EMERGENCY SERVICE</u>		
CENTURYLINK	S	1,790.66
FIBER PLATFORM	S	255.90
FRONTIER	S	1,759.52
GREAT PLAINS COMMUNICATIONS	S	440.00
LANGUAGE LINE SERVICES	S	180.56
NEBRASKA CENTRAL TELEPHONE CO	U	109.99
PLATTE VALLEY COMMUNICATIONS	S	1,417.67

Key: A- Advertisement: AP- Appropriation (Budget): C- Construction: D- Dues: E- Expense: EQ- Equipment: F- Fuel: G- Gravel: I- Insurance & or Bonds: MC- Medical Charges: RE- Reimbursement: RT- Rent: S- Service: SU- Supplies: T- Taxes: U- Utilities

After discussion, it was determined that the Funds Transfer agenda item was not necessary this month.

Moved by Loeffelholz and seconded by Lynch to acknowledge receipt of the County Treasurer Semi-Annual report. A copy of the report will be available in the County Clerk’s Office. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Klein, Kouba, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Moved by Lynch and seconded by Maendele to acknowledge receipt of the Community Action Partnership of Mid-Nebraska June 2026 RYDE report. Upon roll call vote, the following Board members voted "Aye": Lynch, Maendele, Klein, Loeffelholz and Morrow. Abstain: Kouba. Absent: Higgins. Motion declared carried.

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

Following discussion, it was moved by Lynch and seconded by Klein to accept the resignation of Barb Pemberton-Riege from the Board of Adjustment. Upon roll call vote, the following Board members voted "Aye": Lynch, Klein, Kouba, Loeffelholz, Maendele and Morrow. Absent: Higgins. Motion declared carried.

After discussion, it was moved by Klein and seconded by Kouba to accept the appointment of Brian Kroll to the Board of Adjustment effective July 29, 2026. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Loeffelholz, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Succeeding discussion, it was moved by Maendele and seconded by Lynch to reappoint Rich White as alternate to the Board of Adjustment effective July 29, 2026. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Klein, Kouba, Loeffelholz and Morrow. Absent: Higgins. Motion declared carried.

After discussion, it was moved by Maendele and seconded by Lynch to terminate contract continued from July 14, 2026 meeting to go out for Request for Proposal (RFP). Chairperson Morrow called for further discussion before roll call vote. Mitchell Humphrey, a licensed Land Surveyor with Buffalo Surveying Corp, spoke with the Board. Following the further discussion, Commissioner Maendele rescinded his initial motion then moved to terminated contract immediately and was seconded by Lynch. Upon roll call vote, the

following Board members voted “Aye”: Maendele, Lynch and Kouba. “Nay”: Klein, Loeffelholz and Morrow. Absent: Higgins. Motion locked and referred back to Zoning Committee.

Chairperson Morrow reviewed the following correspondence. City of Kearney sent a letter regarding Annexation of Arbor View Fifth with Resolution 2026-77.

ZONING

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

Chairperson Morrow opened the public hearing at 9:20 A.M. for an Administrative Subdivision, filed by Mitchell Humphrey, Licensed Land Surveyor, on behalf of Ben M. Adams, Trustee and Susan L. Adams, Trustee, for The Ben M. Adams and Susan L. Adams Living Trust Dated July 28, 2015, to be known as “Adams Administrative Subdivision”. This property is located on a tract of land being part of the North Half of the Northwest Quarter of Section Twenty-Nine (29), Township Ten (10) North, Range Eighteen (18) West of the 6th P.M., Buffalo County, Nebraska. Surveyor Humphrey and Susan Adams were present to answer any questions. No one else addressed the Board and Chairperson Morrow closed the hearing at 9:28 A.M. Moved by Loeffelholz and seconded by Lynch to approve the “Adams Administrative Subdivision” with the following Resolution 2026-33. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Klein, Kouba, Maendele and Morrow. Absent: Higgins. Motion declared carried.

RESOLUTION 2026-33

WHEREAS, Mitch Humphrey, licensed land surveyor, on behalf of on behalf of Ben M. Adams, Trustee and Susan L. Adams, Trustee, for The Ben M. Adams and Susan L. Adams Living Trust Dated July 28, 2015, hereinafter referred to as “applicant”, has filed for an Administrative Subdivision for “Adams 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 July 28, 2026, this Board conducted a public hearing and finds:

1. The proposed “Adams Administrative Subdivision” is in the Agriculture (AG) Zoning District for Buffalo County, Nebraska.
2. The subject tract, presently owned by Ben M. Adams, Trustee and Susan L. Adams, Trustee, of The Ben M. Adams and Susan L. Adams Living Trust Dated July 28, 2015, is referred to as part of parcel 460084127 and is situated in part of the North Half of the Northwest Quarter in Section Twenty-Nine (29), Township Ten (10) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska. That applicant also owns abutting lands to the south on parcel 460084129, situated in part of the South Half of the Northwest Quarter in Section Twenty-Nine (29), Township Ten (10) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The remnancy of the ownership owned by The Ben M. Adams and Susan L. Adams Living Trust Dated July 28, 2015, is approximately 151 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. 145th Road is a county-maintained, open public road and the road abuts on the subdivision’s north side. The width of 145th Road meets this county’s minimum width standards. However, the proposed subdivision also abuts another county-maintained, open public road to the west of the proposed subdivision, named Turkey Creek Road. It should be noted that the location of the public road was determined by the surveyed location of the centerline of the existing traveled road surface on the date of the surveyed plat. Discrepancies were found during the locate of Turkey Creek Road and were notated on the plat.
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, “Adams Administrative Subdivision”, an administrative subdivision being part of the North Half of the Northwest Quarter of Section Twenty-Nine (29), Township Ten (10) North, Range Eighteen (18) 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 9:30 A.M. for a Final Plat, filed by Joshua Gilbertson, licensed land surveyor, on behalf of Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Douglas E. Welliver, Christine A. Welliver, and Golfside Estates Subdivision Homeowners Association, Inc. This property is located on a tract of land being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, previously known as part of Golfside Estates, Lots 23-24 and Lots 26-31. Joshua Gilbertson and Scott Phillips were present to answer any questions. No one else addressed the Board and Chairperson Morrow closed the hearing at 9:32 A.M. Moved by Loeffelholz and seconded by Lynch to approve the Final Plat to be known as “Golfside #5 Subdivision” with the following Resolution 2026-34. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Klein, Kouba, Maendele and Morrow. Absent: Higgins. Motion declared carried.

RESOLUTION 2026-34

WHEREAS, on September 22, 2025, The Buffalo County Zoning Administrator received a request for Preliminary Plat approval for “Golfside #5 Subdivision”, and

WHEREAS, on, or around December 23, 2025, during the regular meeting of the Buffalo County Board of Commissioners, The Buffalo County Zoning Administrator, denied the Application for Preliminary Plat, known as “Golfside #5 Subdivision”. Thereafter the Board, by simple majority, voted in favor of The Buffalo County Zoning Administrator’s recommendation of denial, and

WHEREAS, on February 12, 2026, at the request of the applicant for subdivision, the Buffalo County Board of Adjustment, considered, and approved, the following requests for relaxation:

1. Buffalo County Zoning Regulations: Section 5.12 (8), regarding 4 houses per quarter section;
2. Buffalo County Zoning Regulations: Section 5.16 (2A) regarding minimum lot sizes in the Agriculture (AG) District;
3. Buffalo County Zoning Regulations: Section 5.16 (3), regarding minimum distances abutting an improved road;
4. Buffalo County Zoning Regulations: Section 5.17, regarding minimum front yards;
5. Buffalo County Subdivision Regulations: Section 1.05 regarding all lots abutting an improved road;
6. Buffalo County Subdivision Regulations: Section 2.23 (a) which defines a lot;
7. Buffalo County Subdivision Regulations: Section 2.35 regarding the definition of a street;
8. Buffalo County Subdivision Regulations: Section 4.02 (E) regarding minimum footage abutting an improved road;
9. Buffalo County Subdivision Regulations: Section 4.03 regarding minimum road/street lengths;
10. Buffalo County Subdivision Regulations: Section 4.07 (C) regarding allowance of lots sizes smaller than required;
11. Buffalo County Subdivision Regulations: Section 4.07 (E) regarding frontage upon improved roadway;
12. Buffalo County Subdivision Regulations: Section 4.11, regarding minimum access requirements;
13. Buffalo County Subdivision Regulations: Section 4.12 (A) regarding access requirements;
14. Buffalo County Subdivision Regulations: Section 4.12 (B) regarding minimum street width;
15. Buffalo County Subdivision Regulations: Section 5.01 regarding minimum grading/surfacing requirements.

WHEREAS, The Buffalo County Board of Adjustment, as part of the relaxation process, added the stipulation that Buffalo County will not assume or accept maintenance of the access ingress easement, unless it is brought into conformance with the regulatory road standards.

WHEREAS, The Buffalo County Zoning Office, after approval of relaxations set forth by the Buffalo County Board of Adjustment, received an Application for Preliminary Plat for “Golfside #5 Subdivision”, and

WHEREAS, on April 16, 2026, the Buffalo County Planning & Zoning Commission, after public hearing, gave a favorable recommendation for the preliminary plat for 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 May 26, 2026, The Buffalo County Board of Commissioners, after public hearing, with no opposition, approved the proposed preliminary plat, under Resolution 2026-24, with the following relaxations:

1. Buffalo County Zoning Regulations: Section 5.12 (8), regarding 4 houses per quarter section;
2. Buffalo County Zoning Regulations: Section 5.16 (2A) regarding minimum lot sizes in the Agriculture (AG) District;
3. Buffalo County Zoning Regulations: Section 5.16 (3), regarding minimum distances abutting an improved road;
4. Buffalo County Zoning Regulations: Section 5.17, regarding minimum front yards;
5. Buffalo County Subdivision Regulations: Section 1.05 regarding all lots abutting an improved road;
6. Buffalo County Subdivision Regulations: Section 2.23 (a) which defines a lot;
7. Buffalo County Subdivision Regulations: Section 2.35 regarding the definition of a street;
8. Buffalo County Subdivision Regulations: Section 4.02 (E) regarding minimum footage abutting an improved road;
9. Buffalo County Subdivision Regulations: Section 4.03 regarding minimum road/street lengths;
10. Buffalo County Subdivision Regulations: Section 4.07 (C) regarding allowance of lots sizes smaller than required;
11. Buffalo County Subdivision Regulations: Section 4.07 (E) regarding frontage upon improved roadway;
12. Buffalo County Subdivision Regulations: Section 4.11, regarding minimum access requirements;
13. Buffalo County Subdivision Regulations: Section 4.12 (A) regarding access requirements;
14. Buffalo County Subdivision Regulations: Section 4.12 (B) regarding minimum street width;
15. Buffalo County Subdivision Regulations: Section 5.01 regarding minimum grading/surfacing requirements.

WHEREAS, on June 22, 2026, The Buffalo County Zoning Administrator received an Application for Final Plat approval for “Golfside #5 Subdivision”, and

WHEREAS, on July 28, 2026, The Buffalo County Board of Commissioners, held a public hearing on the proposed Final Plat of “Golfside #5 Subdivision”, and

WHEREAS, The Buffalo County Board of Commissioners reinforced The Board of Adjustment’s stipulation that Buffalo County will not assume or accept the maintenance of the access ingress easement, unless it is brought into conformance with the regulatory road standards.

WHEREAS, the plan for development appears to be compliant with Buffalo County’s Subdivision Resolution and The Board approved the proposed final plat with the following relaxations:

1. Buffalo County Zoning Regulations: Section 5.12 (8), regarding 4 houses per quarter section;
2. Buffalo County Zoning Regulations: Section 5.16 (2A) regarding minimum lot sizes in the Agriculture (AG) District;
3. Buffalo County Zoning Regulations: Section 5.16 (3), regarding minimum distances abutting an improved road;
4. Buffalo County Zoning Regulations: Section 5.17, regarding minimum front yards;

5. Buffalo County Subdivision Regulations: Section 1.05 regarding all lots abutting an improved road;
6. Buffalo County Subdivision Regulations: Section 2.23 (a) which defines a lot;
7. Buffalo County Subdivision Regulations: Section 2.35 regarding the definition of a street;
8. Buffalo County Subdivision Regulations: Section 4.02 (E) regarding minimum footage abutting an improved road;
9. Buffalo County Subdivision Regulations: Section 4.03 regarding minimum road/street lengths;
10. Buffalo County Subdivision Regulations: Section 4.07 (C) regarding allowance of lots sizes smaller than required;
11. Buffalo County Subdivision Regulations: Section 4.07 (E) regarding frontage upon improved roadway;
12. Buffalo County Subdivision Regulations: Section 4.11, regarding minimum access requirements;
13. Buffalo County Subdivision Regulations: Section 4.12 (A) regarding access requirements;
14. Buffalo County Subdivision Regulations: Section 4.12 (B) regarding minimum street width;
15. Buffalo County Subdivision Regulations: Section 5.01 regarding minimum grading/surfacing requirements.

WHEREAS, the land is now in the Agricultural – Residential 1 (AGR - 1) Zoning District for Buffalo County, Nebraska, after unanimous approval of the Planning Commission and The Board of Commissioners on the same dates,

WHEREAS, the tracts, presently owned by Scott R. Phillips, Successor Co-Trustee of the Lee Nell Phillips Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, Gary D. Phillips, Successor Co-Trustee of the Lee Nell Phillips Trust Revocable Trust Dated December 4, 1990 and Successor Co-Trustee of the Ercil D. Phillips Family Trust also known as The Phillips Family Trust, described in a Trustee's Deed, recorded as Inst. 2009-1278, and Douglas E. Welliver and Christine A. Welliver, described in a Corporation Joint Tenancy Warranty Deed, recorded as Inst. 96-3334 and Golfside Estates Subdivision Homeowners Association, Inc., described in a Corporation Warranty Deed, recorded as Inst. 1999-2131, all filed in the Buffalo County Register of Deeds office, all described as part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, previously known as Golfside Estates, Lots 23-24 and Lots 26-31, will be entirely encompassed within the proposed subdivision and there will be no remainderment after the subdivision of land is approved.

WHEREAS, one or more of the access easement(s) shown on the plat does not meet state and/or county standards for inclusion in the secondary road system. The access easement(s) will not be maintained by Buffalo County, unless brought into regulatory road standards.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS, in regular session with a quorum present, that Buffalo County, on a final basis, approves the proposed Golfside #5 Subdivision, a subdivision being part of the Southwest Quarter of Section 36, Township 11 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska.

REGULAR AGENDA

Highway Superintendent John Maul and Assistant Highway Superintendent Blake Power reviewed the One and Six Year Road and Bridge Plan with the Board.

Following discussion, it was moved by Lynch and seconded by Klein to set August 25, 2026 at 9:30 A.M. as the hearing date for the One and Six Year Road and Bridge Program for 2026-2027. Upon roll call vote, the following Board members voted "Aye": Lynch, Klein, Kouba, Loeffelholz, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Facilities Director Stephen Gaasch and Assistant Facilities Director Nick Killough presented an update on various county projects.

Moved by Loeffelholz and seconded by Kouba to recess the regular meeting of the Board of Commissioners at 9:53 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

BOARD OF EQUALIZATION

Chairperson Morrow called the Board of Equalization to order in open session. County Assessor Roy Meusch was present.

Moved by Maendele and seconded by Kouba to approve the 2026 Property Protest Hearing Minutes. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Klein, Loeffelholz, Lynch and Morrow. Absent: Higgins. Motion declared carried.

Chairperson Morrow opened the public hearing at 9:55 A.M. for the Homestead Exemption Rejection for Joel Bieschke. County Assessor Meusch was present to answer any questions. No one else addressed the Board and Chairperson Morrow closed the hearing at 9:56 A.M. Moved by Loeffelholz and seconded by Klein to approve the Homestead Exemption application for Joel Bieschke. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Kouba, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Chairperson Morrow opened the public hearing at 9:57 A.M. for the Homestead Exemption Rejection for Merle Fratzke. County Assessor Meusch was present to answer any questions. No one else addressed the Board and Chairperson Morrow closed the hearing at 9:59 A.M. Moved by Kouba and seconded by Loeffelholz to approve the Homestead Exemption application for Merle Fratzke. Upon roll call vote, the following Board members voted "Aye": Kouba, Loeffelholz, Klein, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

Chairperson Morrow opened the public hearing at 9:59 A.M. for the Homestead Exemption Application Extension for Connie Riessland. County Assessor Meusch was present to answer any questions. No one else addressed the Board and Chairperson Morrow closed the hearing at 10:00 A.M. Moved by Maendele and seconded by Loeffelholz to allow the Homestead Exemption Application Extension for Connie Riessland. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Klein, Kouba, Lynch and Morrow. Absent: Higgins. Motion declared carried.

Moved by Loeffelholz and seconded by Klein 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": Loeffelholz, Klein, Kouba, Lynch, Maendele and Morrow. Absent: Higgins. Motion declared carried.

REGULAR AGENDA

Chairperson Morrow called on each Board member present for Committee reports and recommendation. Chairperson Morrow called for Citizen’s Forum. No one addressed the Board.

At 10:06 A.M., Chairperson Morrow asked if there was anything else to come before the Board before she declared the meeting adjourned following the quarterly jail inspection until the regular meeting at 9:00 A.M. on Tuesday, August 11, 2026. Commissioners Klein and Maendele accompanied Chief Deputy Dan Schleusener to conduct the quarterly inspection of the Buffalo County Jail.

ATTEST:

Sherry L. Morrow, Chairperson
Buffalo County Board of Commissioners

(SEAL)

Heather A. Christensen
Buffalo County Clerk

AUGUST 7, 2026 PAYROLL

<u>GENERAL FUND</u>		
NET PAYROLL		570,383.86
BUFFALO CO TREASURER	I	158,772.00
FIRST CONCORD	E	675.00
FIRST NATIONAL BANK	T	40,885.06
MADISON NATIONAL	I	489.91
RETIREMENT PLANS AMERITAS	R	40,497.65
<u>ROAD FUND</u>		
NET PAYROLL		98,255.87
FIRST NATIONAL BANK	T	6,881.75
RETIREMENT PLANS AMERITAS	R	6,441.31
<u>EMPLOYEE DEDUCTIONS</u>		
AMERICAN FAMILY LIFE	I	2,023.06
BUFFALO CO TREASURER	I	26,819.00
EMPOWER ANNUITY INS	R	1,075.00
FIRST CONCORD	E	8,667.10
FIRST NATIONAL BANK	T	99,845.14
KEARNEY UNITED WAY	E	40.00
MADISON NATIONAL	I	1,343.10
METLIFE	E	5,579.73
NATIONWIDE RETIREMENT	R	2,567.50
NE CHILD SUPPORT	E	876.50
RETIREMENT PLANS AMERITAS	R	32,097.66
STATE OF NE	T	20,624.55
VISION SERVICE PLAN	E	1,553.88

Journal Entries By Date

From 07/01/2026 to 07/31/2026

Journal Number	Journal Date	Description	Total	Account Number	Account Description	Amount
2026070001	07/10/2026	Payroll 7/10/2026	473,910.62	0100-601-00-1-0100	OFFICIAL'S SALARY	11,207.47
				0100-601-00-1-0301	ADMINISTRATIVE SALARY	3,577.00
				0100-601-00-1-0305	CLERICAL SALARY	1,712.00
				0100-602-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-602-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-602-00-1-0305	CLERICAL SALARY	3,475.20
				0100-602-00-1-0405	CLERICAL P/T SALARY	1,035.00
				0100-603-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-603-00-1-0201	CHIEF DEPUTY SALARY	2,813.05
				0100-603-00-1-0305	CLERICAL SALARY	10,430.56
				0100-603-00-1-0500	OVERTIME	64.25
				0100-604-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-604-00-1-0305	CLERICAL SALARY	3,706.88
				0100-604-00-1-0500	OVERTIME	24.19
				0100-605-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-605-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-605-00-1-0305	CLERICAL SALARY	11,232.11
				0100-607-00-1-0100	OFFICIAL'S SALARY	3,093.60
				0100-607-00-1-0201	CHIEF DEPUTY SALARY	2,475.20
				0100-607-00-1-0405	CLERICAL P/T SALARY	1,171.20
				0100-610-00-1-0100	OFFICIALS SALARY	3,485.16
				0100-610-00-1-0303	System Administrator	3,075.34
				0100-610-00-1-0405	Clerical P/T Salary	2,018.75
				0100-610-00-2-1102	COMPUTER CONSULTANT (SUPPORT)	1,600.00
				0100-619-00-1-0100	ZONING OFFICIAL	3,093.61
				0100-621-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-621-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-621-00-1-0305	CLERICAL SALARY	5,264.80
				0100-625-00-1-0100	OFFICIAL'S SALARY	4,618.81
				0100-625-00-1-0201	CHEIF DEPUTY SALARY	4,340.74
				0100-625-00-1-0202	OTHER DEPUTIES SALARIES	15,626.70
				0100-625-00-1-0305	CLERICAL SALARY	7,427.20
				0100-625-00-1-0405	CLERICAL P/T SALARY	740.00
				0100-641-00-1-0100	OFFICIAL'S SALARY	3,923.08
				0100-641-00-1-0301	Administrative Assistant	1,798.40
				0100-641-00-1-0303	MAINTENANCE SALARY	22,358.40
				0100-641-00-1-0306	CUSTODIAL FULL-TIME	13,758.86
				0100-641-00-1-0406	CUSTODIAL P/T SALARY	1,010.85
				0100-641-00-1-0500	OVERTIME	66.00
				0100-645-00-1-0301	EXTENSION ASSISTANT	1,772.00
				0100-645-00-1-0305	CLERICAL SALARY	4,052.80
				0100-651-00-1-0100	OFFICIAL'S SALARY	4,590.58
				0100-651-00-1-0201	CHIEF DEPUTY SALARY	4,840.00
				0100-651-00-1-0202	OTHER DEPUTIES SALARIES	110,710.53
				0100-651-00-1-0305	CLERICAL SALARY	6,787.72

Journal Entries By Date

From 07/01/2026 to 07/31/2026

Journal Number	Journal Date	Description	Total	Account Number	Account Description	Amount
				0100-651-00-1-0500	OVERTIME	9,189.70
				0100-652-00-1-0100	OFFICIAL'S SALARY	5,773.50
				0100-652-00-1-0201	CHIEF DEPUTY SALARY	10,296.34
				0100-652-00-1-0202	OTHER DEPUTIES SALARIES	37,027.19
				0100-652-00-1-0305	CLERICAL SALARY	35,912.17
				0100-652-00-1-0405	CLERICAL P/T SALARY	1,938.88
				0100-653-00-1-0318	COMMUNICATION SALARY	42,091.44
				0100-653-00-1-0500	OVERTIME	4,542.43
				0100-668-00-1-0100	Co-Responder	3,308.00
				0100-671-00-1-0301	ADMINISTRATIVE SALARY	5,769.60
				0100-671-00-1-0305	CLERICAL SALARY	2,292.80
				0100-671-00-1-0315	CORRECTIONAL-JAILERS SALARY	82,922.47
				0100-671-00-1-0316	NURSE SALARY	1,835.20
				0100-671-00-1-0500	OVERTIME	8,542.13
				0100-693-00-1-0100	OFFICIALS SALARY	3,308.80
				0100-702-00-1-0100	OFFICIAL'S SALARY	1,501.15
				0100-702-00-1-0305	CLERICAL SALARY	2,465.02
				0100-733-00-1-0100	Official's Salary	3,105.49
				0100-733-00-1-0303	Maintenance Full-Time	3,875.20
				0100-733-00-1-0305	Clerical Full-Time	1,483.21
				0100-803-00-1-0100	OFFICIAL'S SALARY	3,093.60
				0100-803-00-1-0201	CHIEF DEPUTY SALARY	1,874.40
				0100-803-00-1-0305	OFFICE MANAGER	2,319.20
				0100-803-00-1-0405	CLERICAL P/T SALARY	823.50
				0200-705-00-1-0100	OFFICIAL'S SALARY	3,584.00
				0200-705-00-1-0303	MAINTENANCE SALARY	69,397.45
				0200-705-00-1-0304	CONSTRUCTION SALARY	16,939.73
				0200-705-00-1-0305	CLERICAL SALARY	4,857.04
				0200-705-00-1-0403	MAINTENANCE P/T SALARY	2,849.69
				0200-705-00-1-0500	OVERTIME - HOLIDAY PAY	254.63
				9599-218-01-0-0000	Federal Income Taxes	-54,097.40
				9599-218-02-0-0000	State Income Taxes	-21,357.75
				9599-218-03-0-0000	FICA - Employee	-48,768.73
				9599-218-04-0-0000	Retirement - Employee	-32,954.34
				9599-218-05-0-0000	PREMIUMS	-27,111.00
				9599-218-05-0-0000	DENTAL 5387714	-5,579.73
				9599-218-07-0-0000	DEFERRED COMP	-2,567.50
				9599-218-09-0-0000	PREMIUMS	-2,094.82
				9599-218-12-0-0000	DONATIONS	-40.00
				9599-218-14-0-0000	DEFERRED COMP	-1,075.00
				9599-218-15-0-0000	Child Support	-876.50
				9599-218-17-0-0000	FLEX FUNDS	-8,867.10
				9599-218-18-0-0000	PREMIUMS	-976.68
				9599-218-19-0-0000	VSP VISION/NACO	-1,553.88
				9599-218-20-0-0000	LT DISABILITY	-400.20

Journal Entries By Date

From 07/01/2026 to 07/31/2026

Journal Number	Journal Date	Description	Total	Account Number	Account Description	Amount
2026070002	07/24/2026	Payroll 7/24/2026	464,192.97	0100-601-00-1-0100	OFFICIAL'S SALARY	11,207.47
				0100-601-00-1-0301	ADMINISTRATIVE SALARY	3,577.00
				0100-601-00-1-0305	CLERICAL SALARY	1,712.00
				0100-602-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-602-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-602-00-1-0305	CLERICAL SALARY	3,475.20
				0100-602-00-1-0405	CLERICAL P/T SALARY	1,035.00
				0100-603-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-603-00-1-0201	CHIEF DEPUTY SALARY	2,824.65
				0100-603-00-1-0305	CLERICAL SALARY	10,388.24
				0100-603-00-1-0500	OVERTIME	184.31
				0100-604-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-604-00-1-0305	CLERICAL SALARY	3,686.13
				0100-604-00-1-0500	OVERTIME	17.25
				0100-605-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-605-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-605-00-1-0305	CLERICAL SALARY	11,142.79
				0100-607-00-1-0100	OFFICIAL'S SALARY	3,093.60
				0100-607-00-1-0201	CHIEF DEPUTY SALARY	2,475.20
				0100-607-00-1-0405	CLERICAL P/T SALARY	1,171.20
				0100-610-00-1-0100	OFFICIALS SALARY	3,485.16
				0100-610-00-1-0303	System Administrator	3,075.34
				0100-610-00-1-0405	Clerical P/T Salary	2,000.00
				0100-610-00-2-1102	COMPUTER CONSULTANT (SUPPORT)	1,600.00
				0100-619-00-1-0100	ZONING OFFICIAL	3,093.61
				0100-621-00-1-0100	OFFICIAL'S SALARY	3,528.65
				0100-621-00-1-0201	CHIEF DEPUTY SALARY	2,812.00
				0100-621-00-1-0305	CLERICAL SALARY	5,264.80
				0100-625-00-1-0100	OFFICIAL'S SALARY	4,618.81
				0100-625-00-1-0201	CHEIF DEPUTY SALARY	4,340.74
				0100-625-00-1-0202	OTHER DEPUTIES SALARIES	19,911.32
				0100-625-00-1-0305	CLERICAL SALARY	7,427.20
				0100-625-00-1-0405	CLERICAL P/T SALARY	740.00
				0100-641-00-1-0100	OFFICIAL'S SALARY	3,923.08
				0100-641-00-1-0301	Administrative Assistant	1,798.40
				0100-641-00-1-0303	MAINTENANCE SALARY	22,358.40
				0100-641-00-1-0306	CUSTODIAL FULL-TIME	12,879.61
				0100-641-00-1-0406	CUSTODIAL P/T SALARY	983.20
				0100-645-00-1-0301	EXTENSION ASSISTANT	1,772.00
				0100-645-00-1-0305	CLERICAL SALARY	4,085.65
				0100-651-00-1-0100	OFFICIAL'S SALARY	4,590.58
				0100-651-00-1-0201	CHIEF DEPUTY SALARY	4,840.00
				0100-651-00-1-0202	OTHER DEPUTIES SALARIES	109,240.23
				0100-651-00-1-0305	CLERICAL SALARY	6,781.31
				0100-651-00-1-0500	OVERTIME	2,724.06

Journal Entries By Date

From 07/01/2026 to 07/31/2026

Journal Number	Journal Date	Description	Total	Account Number	Account Description	Amount
				0100-652-00-1-0100	OFFICIAL'S SALARY	5,773.50
				0100-652-00-1-0201	CHIEF DEPUTY SALARY	10,296.34
				0100-652-00-1-0202	OTHER DEPUTIES SALARIES	37,027.19
				0100-652-00-1-0305	CLERICAL SALARY	35,912.17
				0100-652-00-1-0405	CLERICAL P/T SALARY	1,874.38
				0100-653-00-1-0318	COMMUNICATION SALARY	42,171.44
				0100-653-00-1-0500	OVERTIME	370.32
				0100-668-00-1-0100	Co-Responder	3,308.00
				0100-671-00-1-0301	ADMINISTRATIVE SALARY	5,769.60
				0100-671-00-1-0305	CLERICAL SALARY	2,292.80
				0100-671-00-1-0315	CORRECTIONAL-JAILERS SALARY	83,180.03
				0100-671-00-1-0316	NURSE SALARY	1,835.21
				0100-671-00-1-0500	OVERTIME	1,850.88
				0100-693-00-1-0100	OFFICIALS SALARY	3,308.80
				0100-702-00-1-0100	OFFICIAL'S SALARY	1,501.15
				0100-702-00-1-0305	CLERICAL SALARY	2,411.19
				0100-733-00-1-0100	Official's Salary	3,105.49
				0100-733-00-1-0303	Maintenance Full-Time	3,875.20
				0100-733-00-1-0305	Clerical Full-Time	1,483.21
				0100-803-00-1-0100	OFFICIAL'S SALARY	3,093.60
				0100-803-00-1-0201	CHIEF DEPUTY SALARY	1,874.40
				0100-803-00-1-0305	OFFICE MANAGER	2,319.21
				0100-803-00-1-0405	CLERICAL P/T SALARY	873.00
				0200-705-00-1-0100	OFFICIAL'S SALARY	3,584.00
				0200-705-00-1-0303	MAINTENANCE SALARY	67,391.50
				0200-705-00-1-0304	CONSTRUCTION SALARY	18,913.27
				0200-705-00-1-0305	CLERICAL SALARY	4,826.26
				0200-705-00-1-0403	MAINTENANCE P/T SALARY	2,969.63
				0200-705-00-1-0500	OVERTIME - HOLIDAY PAY	407.22
				9599-218-01-0-0000	Federal Income Taxes	-52,136.17
				9599-218-02-0-0000	State Income Taxes	-20,605.68
				9599-218-03-0-0000	FICA - Employee	-47,657.73
				9599-218-04-0-0000	Retirement - Employee	-32,092.93
				9599-218-05-0-0000	DENTAL 5387714	-5,579.73
				9599-218-05-0-0000	PREMIUMS	-26,789.00
				9599-218-07-0-0000	DEFERRED COMP	-2,567.50
				9599-218-09-0-0000	PREMIUMS	-2,023.06
				9599-218-12-0-0000	DONATIONS	-40.00
				9599-218-14-0-0000	DEFERRED COMP	-1,075.00
				9599-218-15-0-0000	Child Support	-876.50
				9599-218-17-0-0000	FLEX FUNDS	-8,667.10
				9599-218-18-0-0000	PREMIUMS	-945.01
				9599-218-19-0-0000	VSP VISION/NACO	-1,553.40
				9599-218-20-0-0000	LT DISABILITY	-400.00
2026070003	07/31/2026	ATTN CENTER PAYROLL	0.00	0100-652-00-1-0305	CLERICAL SALARY	-26,450.08

Journal Entries By Date
From 07/01/2026 to 07/31/2026

Journal Number	Journal Date	Description	Total	Account Number	Account Description	Amount
				0100-652-00-1-0900	RETIREMENT	-1,785.38
				0100-652-00-1-1000	OASI	-1,840.69
				0100-970-00-1-0802	HEALTH INSURANCE	-6,248.00
				0100-970-00-1-0803	LIFE INSURANCE (MADISON NATIONAL)	-13.80
				0100-970-00-2-2414	JUVENILE JUSTICE	36,337.95
2026070005	07/31/2026	RECLASSIFY INMATE TRANSPORT DEPUTY	0.00	0100-651-00-1-0500	OVERTIME	-192.84
				0100-651-00-1-0900	RETIREMENT	-14.95
				0100-651-00-1-1000	OASI	-14.75
				0100-970-00-2-2557	ADULT INMATE TRANSPORTATION COST	222.54
2026070004	07/31/2026	RECLASSIFY INMATE TRANSPORT JAILER	0.00	0100-671-00-1-0500	OVERTIME	-615.48
				0100-671-00-1-0900	RETIREMENT	-47.70
				0100-671-00-1-1000	OASI	-47.08
				0100-970-00-2-2557	ADULT INMATE TRANSPORTATION COST	710.26

Buffalo
FUND BALANCE LISTING
7/31/2026

Fund	Fund Name	Beginning Balance	Collections	Disbursements	Fund Transfers	Ending Balance
0100	COUNTY GENERAL	7,310,786.00	1,222,756.95	-2,589,449.59	24,034.77	5,968,128.13
0200	COUNTY ROAD	842,896.71	481,999.12	-402,542.08	0.00	922,353.75
0650	HIGHWAY BRIDGE BUYBACK	1,718,975.46	0.00	0.00	0.00	1,718,975.46
0900	VISITOR'S PROMOTION	67,652.09	88,928.05	-67,652.00	0.00	88,928.14
0995	VISITOR'S PROMOTION IMPROVEMENT	67,652.27	88,928.06	-67,652.00	0.00	88,928.33
1150	DEEDS PRESERVATION & MODERNIZATION	256,032.83	2,626.50	-302.06	0.00	258,357.27
1275	HEALTH RESERVE FUND	550,669.40	372,152.00	-452,251.64	0.00	470,569.76
1900	VETERAN'S AID	43,958.79	421.47	0.00	0.00	44,380.26
2356	STOP PROGRAM	39,036.14	199.50	0.00	0.00	39,235.64
2360	DRUG FORFEITURE	374,317.46	0.00	0.00	0.00	374,317.46
2370	FEDERAL EQUITABLE SHARING	177.06	0.00	0.00	0.00	177.06
2500	COUNTY FEDERAL GRANTS	22,767.64	0.00	-1,398.66	0.00	21,368.98
2575	DISASTER FUND	0.00	0.00	0.00	0.00	0.00
2580	COVID AMERICAN RESCUE PLAN	0.00	0.00	0.00	0.00	0.00
2605	COMMUNITY DEVELOPMENT GRANT	0.00	0.00	0.00	0.00	0.00
2650	RECOVERY ZONE REBATE FUND	0.00	0.00	0.00	0.00	0.00
2700	INHERITANCE TAX	3,529,836.65	150,221.66	0.00	0.00	3,680,058.31
2750	COUNTY SINKING	710,000.00	0.00	0.00	0.00	710,000.00
2850	KENO LOTTERY	271,489.55	10,085.55	-5,508.00	0.00	276,067.10
2913	911 WIRELESS SERVICE FUND	0.02	0.00	0.00	0.00	0.02
3700	COUNTY BOND LEVY	1,277,016.31	27,840.08	0.00	0.00	1,304,856.39
3800	RECOVERY ZONE BOND PAYMENT	0.00	0.00	0.00	0.00	0.00
5400	COUNTY WEED	24,034.77	0.00	0.00	-24,034.77	0.00
5907	911 EMERGENCY SERVICES	777,754.42	6,825.66	-5,954.30	0.00	778,625.78
6001	STATE GENERAL	307,172.86	330,768.99	-307,172.86	0.00	330,768.99
6009	STATE SALES TAX MV	957,837.19	1,100,217.49	-957,837.19	0.00	1,100,217.49
6016	REVENUE SALES TAX ROAD DEPARTMENT	87.95	56.22	0.00	0.00	144.17
6021	STATE TIRE TAX	932.00	1,117.00	-932.00	0.00	1,117.00
6101	SD101 SEM GENERAL	4,413.59	9,218.95	-4,413.59	0.00	9,218.95
6102	SD2 GIBBON GENERAL	65,614.42	125,656.18	-65,614.42	0.00	125,656.18
6103	SD119 AMHERST GENERAL	31,237.33	56,279.67	-31,237.33	0.00	56,279.67
6105	SD105 PTOWN GENERAL	46,154.95	57,387.02	-46,154.95	0.00	57,387.02
6107	SD7 KEARNEY GENERAL	808,626.83	954,065.07	-808,626.83	0.00	954,065.07
6109	SD9 ELM CREEK GENERAL	41,580.84	57,789.80	-41,580.84	0.00	57,789.80
6110	SD100 CENTURA GENERAL	652.05	1,090.51	-652.05	0.00	1,090.51
6119	SD19 SHELTON GENERAL	50,804.02	48,284.50	-50,804.02	0.00	48,284.50
6144	SD44 ANSLEY GENERAL	102.72	80.53	-102.72	0.00	80.53
6169	SD69 RAVENNA GENERAL	48,005.92	66,203.83	-48,005.92	0.00	66,203.83
6201	SD101 SEM BOND	256.24	818.15	-256.24	0.00	818.15
6202	SD2 GIBBON BOND	6,407.92	18,105.34	-6,407.92	0.00	18,105.34
6203	SD119 AMHERST BOND	3,544.67	8,648.26	-3,544.67	0.00	8,648.26
6205	SD105 PTOWN BOND	4,918.46	7,163.38	-4,918.46	0.00	7,163.38
6207	SD7 KEARNEY BOND 2013	77,216.07	104,055.35	-77,216.07	0.00	104,055.35
6209	SD9 ELM CREEK BOND	4,817.01	8,158.66	-4,817.01	0.00	8,158.66
6210	SD100 CENTURA BOND	0.00	0.00	0.00	0.00	0.00
6219	SD19 SHELTON BOND	2,753.04	2,412.79	-2,753.04	0.00	2,412.79
6255	SD105 PTOWN BOND 2025	7,844.08	10,740.04	-7,844.08	0.00	10,740.04
6257	SD7 KEARNEY BOND 2009	0.00	0.00	0.00	0.00	0.00

CHERYL S. STABENOW
CLERK OF THE DISTRICT COURT

MONTHLY FEE REPORT
for the Month of July, 2026

ACCOUNT DESCRIPTION

TOTAL AMOUNT

Filing Fee, Civil (310)	665.00
Filing Fee, Criminal (320)	0.00
Filing Fee, Judgment (335)	100.00
Filing Fee, Criminal Appeal (330)	0.00
Complete Records (385)	495.00
Issuance of Writ (380)	10.00
Reg. Work Comp. Judgment	0.00
Copies (386)	196.25
Postage	0.00
Fax Fees	0.00
Publishing Fees	0.00
Transcript Fee/Seal Cert (384)	6.00
Bad Check Fee	0.00
Bond 10% (382)	625.00
Bond Forfeiture (813)	0.00
County Court Fees (420)	807.32
Passport Processing Fee (984)	1645.00

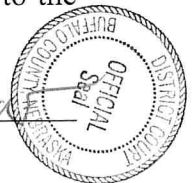
Grand Total \$ 4549.57

Total for July, 2026 \$ 4549.57
Total for January – July 2026 \$67856.33

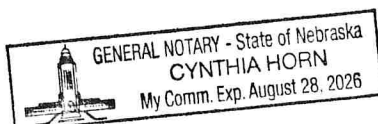
STATE OF NEBRASKA)
) ss
COUNTY OF BUFFALO)

I, Cheryl S. Stabenow, the duly elected and qualified Clerk of District Court in and for said county, do hereby certify that the foregoing report is true and correct to the best of my knowledge and belief.


CHERYL S. STABENOW
Clerk of the District Court



Subscribed and sworn to before me the 3rd day of August, 2026.




Notary Public

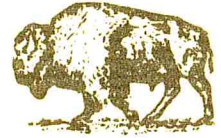
Neil A. Miller
Sheriff



BUFFALO COUNTY OFFICE OF THE SHERIFF

2025 Avenue A • P.O. Box 2228
Kearney, Nebraska 68848
Phone (308) 236-8555

Daniel J. Schleusener
Chief Deputy



July 28, 2026

Honorable Board of Commissioners
Buffalo County Courthouse
Kearney, NE 68847

Dear Board of Commissioners:

I hereby submit to you my report on Distress Warrants #1 through #193 that were delivered to me by the Buffalo County Treasurer on October 28, 2025, and 8 additional Distress Warrants delivered thereafter.

			Total
Original Warrant Tax Received	\$30,336.12		
Distress Warrant Fees to be collected @ \$2.00		\$318.00	\$30,654.12
Add'l Warrant Tax Received	\$3,036.28		
Distress Warrant Fees to be collected @ \$2.00		\$16.00	\$3,052.28

(201)	Total Warrants To Be Collected	\$33,372.40	\$334.00	\$33,706.40
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Warrant Tax Satisfied	\$30,248.62
Interest Collected	\$1,822.93
Distress Warrant Fees collected @ \$2.00	\$322.00

Total Collected	\$32,393.55
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6 Warrants Unsatisfied -- see attached itemized list (Total includes principal, penalty, and distress warrant fee)	\$3,135.78
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Sincerely,

Neil A. Miller
Buffalo County Sheriff

Enc.
NAM:js/ss
cc: Buffalo County Treasurer

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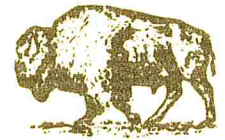
Neil A. Miller
Sheriff



BUFFALO COUNTY OFFICE OF THE SHERIFF

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July 28, 2026

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Add'l Warrant Tax Received	\$3,036.28			
Distress Warrant Fees to be collected @ \$2.00		\$16.00		\$3,052.28
(201)	Total Warrants To Be Collected	\$33,372.40	\$334.00	\$33,706.40
Warrant Tax Satisfied	\$30,248.62			
Interest Collected	\$1,822.93			
Distress Warrant Fees collected @ \$2.00	\$322.00			
	Total Collected	\$32,393.55		
6 Warrants Unsatisfied -- see attached itemized list				\$3,135.78
(Total includes principal, penalty, and distress warrant fee)				

Sincerely,

Neil A. Miller
Buffalo County Sheriff

Enc.
NAM:js/ss
cc: Buffalo County Treasurer

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2025 DISTRESS WARRANTS

PARCEL #	TAXPAYER NAME	TAX	FEES	INTEREST	TOTAL	DATE	UNCOLLECTED TAX & FEES
850000240	ALVARADO, ARMANDO E.	\$18.57	\$2.00	\$1.32	\$21.89	3/4/2026	
850000767	ALVARADO, SALVADOR	\$26.14	\$2.00	\$1.28	\$29.42	11/5/2025	
650306740	ALVAREZ, EVELIA	\$56.92	\$2.00	\$3.74	\$62.66	12/19/2025	
651117161	ALVAREZ, JUANITA	\$211.70	\$2.00	\$12.47	\$226.17	11/24/2025	
651102906	ALVAREZ, STEPHANIE	\$45.66	\$2.00	\$2.69	\$50.35	12/1/2025	
850000894	ARCOS, JOSE A	\$48.88	\$2.00	\$2.43	\$53.31	11/7/2025	
850000406	ARREDONDO, JOHN	\$185.16	\$2.00	\$10.90	\$198.06	11/7/2025	
850001123	AYERS, DEBRA L.	\$209.17	\$2.00	\$10.19	\$221.36	1/5/2026	
850001006	BACKUS, KATHERINE L	\$325.21	\$2.00	\$8.48	\$335.69	11/7/2026	
650308550	BAIRD, MIKE	\$229.66	\$2.00	\$12.28	\$243.94	12/9/2025	
850000189	BARRIOS MALDONADO, SANDY E	\$39.56	\$2.00	\$2.98	\$44.54	1/13/2026	
850000326	BARRIOS MALDONADO, SANDY E	\$45.06	\$2.00	\$3.40	\$50.46	1/13/2026	
850001240	BARRIOS MALDONADO, SANDY E	\$75.08	\$2.00	\$5.65	\$82.73	1/13/2026	
650305474	BEST, VICTORIA L	\$26.14	\$2.00	\$1.40	\$29.54	11/17/2025	
310002917	BIRD RIDES, INC						\$620.32
650308470	BLACKBURN, BEVERLY	\$26.14	\$2.00	\$2.17	\$30.31	2/2/2026	
850000626	BRAUNERSRITHER, CRYSTAL	\$328.58	\$2.00	\$21.37	\$351.95	12/17/2025	
850000544	BROSIUS, ROBERT	\$112.04	\$2.00	\$6.16	\$120.20	11/21/2025	
850001051	BROTT, SCOTT & SHERRI	\$341.84	\$2.00	\$20.13	\$363.97	12/1/2025	
850001012	BROWN, KANDY	\$45.52	\$2.00	\$2.12	\$49.64	10/30/2025	
651107973	BUTLER, SARA	\$23.72	\$2.00	\$1.14	\$26.86	11/3/2025	
650308850	CABRERA-GRANADOS, MIGUEL A	\$123.26	\$2.00	\$7.02	\$132.28	11/26/2025	
651106600	CERVANTES-RODRIGUEZ, HUMBERTO A &	\$200.84	\$2.00	\$11.82	\$214.66	12/1/2025	
850000726	CHRISTENSEN, HOPE MARIE	\$352.16	\$2.00	\$30.73	\$384.89	2/13/2026	
703000036	CLEVINGER OIL CO						\$1,015.26
850001235	CLEVINGER, ADAM BURT	\$80.22	\$2.00	\$4.54	\$86.76	11/25/2025	
651106280	CLIFTON, RAY E	\$25.81	\$2.00	\$0.91	\$28.72	11/17/2025	
651106062	CRISS, CAROL	\$116.32	\$2.00	\$7.52	\$125.84	12/16/2025	
850000026	DEAN, KELLY K	\$20.70	\$2.00	\$2.89	\$25.59	5/11/2026	
650309625	DOLBEE, MICHAEL	\$31.48	\$2.00	\$2.71	\$36.19	2/10/2026	
310000359	DOWHY TOWING & RECOVERY, LLC	\$2,332.40	\$2.00	\$121.22	\$2,455.62	11/13/2025	
850000349	DULMUS, MICHAEL G	\$34.56	\$2.00	\$2.04	\$38.60	12/5/2025	
310000409	EDITH JOI	\$28.58	\$2.00	\$1.06	\$31.64	12/8/2025	

2025 DISTRESS WARRANTS

650301024	ELLISON, TAYLOR D &	\$26.14	\$2.00	\$2.19	\$30.33	2/4/2026	
650313101	ERPELDING, STEPHANIE R	\$317.86	\$2.00	\$29.32	\$349.18	2/26/2026	
850000150	ESPINOZA, FREDI GIRON OR	\$23.72	\$2.00	\$2.30	\$28.02	3/4/2026	
650309460	FADER, ELIZABETH	\$26.14	\$2.00	\$2.34	\$30.48	2/19/2026	
850000280	FIELDER, CASEY & GABRIEL	\$108.48	\$2.00	\$2.95	\$113.43	11/10/2025	
650307279	FIELDER, CASEY M	\$50.56	\$2.00	\$2.49	\$55.05	11/6/2025	
651104129	FORSYTH, RONALD GLENN 2ND	\$254.28	\$2.00	\$16.04	\$272.32	12/12/2025	
651101491	GALINDO, REBECCA	\$77.90	\$2.00	\$3.60	\$83.50	10/29/2025	
651102921	GALL, JESSICA OR SEAN	\$169.36	\$2.00	\$4.16	\$175.52	11/3/2025	
650308158	GARCIA, MARIA DE JESUS PATRICIA	\$66.04	\$2.00	\$3.10	\$71.14	10/31/2025	
850000316	GARCIA, NEIELDA	\$34.04	\$2.00	\$2.56	\$38.60	1/13/2026	
650313300	GARCIA, RICHARD	\$72.46	\$2.00	\$3.41	\$77.87	10/31/2025	
850000291	GAZCA, JULISSA L	\$35.48	\$2.00	\$2.20	\$39.68	12/9/2025	
310008918	GENUINE PARTS COMPANY	\$336.11	\$0.00	\$9.41	\$345.52	11/12/2025	
850000982	GIRARD-SMITH, JACQUELINE	\$66.92	\$2.00	\$3.78	\$72.70	11/25/2025	
850000200	GLISSON, DANIEL	\$23.72	\$2.00	\$2.24	\$27.96	3/3/2026	
650308489	GOMEZ, ROSENDO ADRIAN	\$58.88	\$2.00	\$2.83	\$63.71	11/3/2025	
650309970	GONZALEZ, JOSE LUIS DE LEON	\$35.72	\$2.00	\$2.69	\$40.41	1/13/2026	
650216950	GOULD, DONALD OR SHANIA	\$26.14	\$2.00	\$2.32	\$30.46	2/17/2026	
651108996	GRAMAJO, RODOLFO S	\$103.10	\$2.00	\$5.08	\$110.18	11/6/2025	
643001091	GREEN BRICK, LLC	\$1,315.00	\$2.00	\$106.18	\$1,423.18	1/27/2026	
850001081	HARTMAN, DUANE R	\$365.88	\$2.00	\$21.55	\$389.43	11/20/2025	
850000583	HASBROUCK, DON	\$89.68	\$2.00	\$8.79	\$100.47	3/13/2026	
651108650	HERNANDEZ, SUSANNA LOPEZ	\$93.88	\$2.00	\$7.04	\$102.92	1/12/2026	
651111762	HERRERA, ANDRES	\$113.64	\$2.00	\$8.96	\$124.60	1/22/2026	
650307433	HOWELL, RAYMOND	\$28.88	\$2.00	\$3.52	\$34.40	5/19/2026	
310000701	HWGA, LLC	\$118.68	\$2.00	\$11.44	\$132.12	3/9/2026	
651105212	JACOBS, DANETTE L	\$217.24	\$2.00	\$16.29	\$235.53	1/12/2026	
850001089	JILES, SANDRA R	\$253.90	\$2.00	\$14.95	\$270.85	11/20/2025	
310003074	JOES HONKY TONK LLC	\$134.08	\$2.00	\$6.61	\$142.69	11/6/2025	
650206400	JOHBAR LLC	\$118.14	\$2.00	\$10.63	\$130.77	2/20/2026	
850000759	JUAREZ, ILSY MARIVEL	\$231.10	\$2.00	\$16.45	\$249.55	1/2/2026	
850000741	JUAREZ, ILSY MARIVEL OR JUAREZ, GERSON	\$142.50	\$2.00	\$10.14	\$154.64	1/2/2026	
850001228	KENNEY, AMBER DAWNN	\$71.48	\$2.00	\$5.58	\$79.06	1/20/2026	
759000709	KLINGELHOEFER, CHASE	\$1,741.86	\$2.00	\$213.72	\$1,957.58	4/6/2026	

2025 DISTRESS WARRANTS

850000791	KLINGELHOEFER, ROBERT	\$177.16	\$2.00	\$17.51	\$196.67	3/25/2026	
717201205	LARSEN, THOMAS & JULIE	\$86.82	\$2.00	\$4.28	\$93.10	11/6/2025	
651116351	LAUBY, COURTNEY MORGAN	\$262.12	\$2.00	\$22.77	\$286.89	2/12/2026	
850000161	LAWSON, ROY OR	\$23.72	\$2.00	\$1.28	\$27.00	11/19/2025	
651114099	LIPPITT, SHANNON DAYLE	\$117.74	\$2.00	\$9.32	\$129.06	1/23/2026	
650109487	LOPEZ, SUSANA	\$26.14	\$2.00	\$1.96	\$30.10	1/12/2026	
850000997	LOPEZ-AGUSTIN, ARNOLDO	\$51.42	\$2.00	\$3.17	\$56.59	12/8/2025	
850000287	LORENZO, DOMINGO OR JENNIFER	\$34.04	\$2.00	\$1.69	\$37.73	11/7/2025	
650309752	MARQUEZ-MARTINEZ, YOYERLEN	\$43.70	\$2.00	\$4.30	\$50.00	2/17/2026	
850000816	MARTIN, MELISSA	\$274.10	\$2.00	\$16.56	\$292.66	12/5/2025	
850000731	MARTIN, TAMMY	\$375.88	\$2.00	\$31.21	\$409.09	2/2/2026	
650309760	MARTINEZ-HERNANDEZ, DANIEL	\$81.00	\$2.00	\$5.77	\$88.77	1/2/2026	
850001253	MATEO MONTEJO, EDUARDO M	\$119.50	\$2.00	\$6.16	\$127.66	11/12/2025	
650307509	MCKAY, BARRY	\$26.14	\$2.00	\$2.18	\$30.32	2/3/2026	
850001237	MEJIA BARRIOS, ANDREA E	\$243.84	\$2.00	\$18.38	\$264.22	1/13/2026	
850001061	MENDOZA DE ALVARADO, ORFA	\$142.94	\$2.00	\$7.10	\$152.04	11/7/2025	
310001351	MIDWEST ELITE CONTRACTING LLC						\$1,158.12
650303250	MONTANEZ, BLANCA	\$34.04	\$2.00	\$2.00	\$38.04	12/1/2025	
650310471	MUNOZ, OMAR OR NANCY OR EDWARD	\$92.12	\$2.00	\$5.03	\$99.15	11/20/2025	
310002508	NEBRASKA FITNESS CO LLC	\$344.62	\$2.00		\$346.62	12/15/2025	
850000556	NIELSEN, CHAD OR HOPE L	\$169.96	\$2.00	\$10.27	\$182.23	12/5/2025	
850000953	NUNEZ, ROSA	\$26.14	\$2.00	\$1.56	\$29.70	12/3/2025	
310003043	OBRIEN, MICHAEL						\$37.84
651015549	ORTEGA, EMMA	\$94.54	\$2.00	\$5.57	\$102.11	11/10/2025	
710003036	ORTHO-CLINICAL DIAGNOSTICS, INC	\$1,842.06	\$2.00	\$108.45	\$1,952.51	12/2/2025	
850001158	ORTIZ, OFELIA	\$26.14	\$2.00	\$2.45	\$30.59	3/2/2026	
850000952	ORTIZ-BONILLA, OLMA B	\$82.52	\$2.00	\$6.19	\$90.71	1/12/2026	
850000357	PALACIOS-JIMENEZ, LETICIA	\$35.72	\$2.00	\$2.10	\$39.82	11/26/2025	
650313381	PEREZ MANCILLA, IBHAR JACIEL	\$32.22	\$2.00	\$2.52	\$36.74	1/20/2026	
850001256	PEREZ, IRIS BENICIA	\$186.00	\$2.00	\$8.59	\$196.59	10/29/2025	
651108960	PFEIFFER, KRISTA L.	\$216.52	\$2.00	\$8.48	\$227.00	12/11/2025	
651103079	PINEDA, KAREN ELIZABETH	\$69.98	\$2.00	\$4.49	\$76.47	12/15/2025	
310093055	PLATTE RIVER PIR HOLDING CO, LLC	\$1,473.58	\$2.00	\$141.42	\$1,617.00	3/9/2026	
850000643	PREMIER LEGACY RESIDENCIES	\$645.10	\$2.00	\$33.28	\$680.38	11/12/2025	
651103496	PREMIER LEGACY RESIDENCIES LLC	\$109.82	\$2.00	\$5.67	\$117.49	11/12/2025	

2025 DISTRESS WARRANTS

651116810	PREMIER LEGACY RESIDENCIES LLC	\$136.70	\$2.00	\$7.05	\$145.75	11/12/2025	
850001128	PREMIER LEGACY RESIDENCIES LLC	\$49.38	\$2.00	\$2.55	\$53.93	11/12/2025	
850001134	PREMIER LEGACY RESIDENCIES LLC	\$229.66	\$2.00	\$11.85	\$243.51	11/12/2025	
650311895	QUAIL, KATHLEEN M	\$62.24	\$2.00	\$5.15	\$69.39	12/5/2025	
850000668	RAMIREZ, RICARDO	\$153.46	\$2.00	\$14.50	\$169.96	3/4/2026	
651012381	RASMUSSEN, DONALD C & BARBARA	\$28.36	\$2.00	\$1.61	\$31.97	11/26/2025	
312001836	REDBOX AUTOMATED RETAIL, LLC						\$187.56
850000027	RESPI, MICHAEL OR JESSICA	\$59.12	\$2.00	\$2.73	\$63.85	11/29/2025	
650316510	REZAC, CHRISTIAN	\$26.14	\$2.00	\$1.55	\$29.69	12/2/2025	
370001819	RIVER VALLEY HARDSCAPES	\$85.80	\$2.00	\$6.04	\$93.84	12/31/2025	
651100387	RODRIGUEZ, DANTE D	\$26.14	\$2.00	\$1.27	\$29.41	11/4/2025	
850001015	RODRIQUEZ, JAMIE	\$112.64	\$2.00	\$6.63	\$121.27	11/19/2025	
850001221	SANDOVAL, ALEJANDRA SANDOVAL	\$26.14	\$2.00	\$1.56	\$29.70	12/5/2025	
850000947	SANTOS, RODOLFO	\$39.84	\$2.00	\$2.78	\$44.62	12/30/2025	
651107437	SANTOS-RAMON, LORENZO	\$90.34	\$2.00	\$6.85	\$99.19	1/14/2026	
650215903	SANTOS-RAMON, LORENZO OR	\$27.40	\$2.00	\$2.07	\$31.47	1/14/2026	
651105709	SANTOS-RAMON, LORENZO OR	\$201.54	\$2.00	\$15.27	\$218.81	1/14/2026	
651109413	SANTOS-RAMON, LORENZO OR	\$26.14	\$2.00	\$1.98	\$30.12	1/14/2026	
650303673	SCAGGS-SMITH, REBECCA L	\$28.36	\$2.00	\$3.35	\$33.71	5/5/2026	
310001912	SEITLER CONSTRUCTION LLC	\$78.78	\$2.00	\$4.46	\$85.24	11/29/2025	
850000441	SHIERS, HYDIE L	\$240.10	\$2.00	\$12.94	\$255.04	11/18/2025	
728501026	SIEVERT, TREVOR	\$474.56	\$2.00	\$25.94	\$502.50	11/20/2025	
310003099	SKMASCH LLC	\$249.32	\$2.00	\$8.80	\$260.12	12/1/2025	
650207015	SKUNDA, MATT	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
650208200	SKUNDA, MATT	\$27.76	\$2.00	\$1.37	\$31.13	11/6/2025	
650305463	SKUNDA, MATT	\$26.14	\$2.00	\$1.29	\$29.43	11/6/2025	
650308780	SKUNDA, MATT	\$89.90	\$2.00	\$4.45	\$96.35	11/7/2025	
850000532	SKUNDA, MATT	\$26.14	\$2.00	\$1.29	\$29.43	11/6/2025	
850000630	SKUNDA, MATT	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
850001010	SKUNDA, MATT	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
650217145	SKUNDA, MATT OR	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
850000146	SKUNDA, MATTHEW	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
650207968	SKUNDA, MATTHEW	\$26.14	\$2.00	\$1.29	\$29.43	11/7/2025	
651113113	SLEICHER, ANN	\$261.14	\$2.00	\$23.48	\$286.62	2/20/2026	
651105460	STANGL, JASON T	\$91.50	\$2.00	\$3.72	\$97.22	12/15/2025	

2025 DISTRESS WARRANTS

650215466	STEELE, SARA R.	\$13.07	\$2.00	\$0.72	\$15.79	1/21/2026	
650317318	STEPHENS, TROY OR RONDA S	\$95.32	\$2.00	\$5.39	\$102.71	11/25/2025	
650300784	STOPKOTTE, MATTHEW R	\$32.26	\$2.00	\$1.64	\$35.90	11/10/2025	
650202670	SUAREZ, ADRIAN TINOCO	\$112.38	\$2.00	\$9.97	\$124.35	2/17/2025	
850000022	SUPANCHICK, MICHAEL	\$16.42	\$2.00	\$0.85	\$19.27	11/12/2025	
318515120	TACO JOHNS #1	\$5.40	\$2.00	\$0.58	\$7.98	4/6/2026	
850000784	TAMAYO, BERONICA	\$34.04	\$2.00	\$1.88	\$37.92	11/21/2025	
310002232	TANGLES	\$12.48	\$2.00	\$0.00	\$14.48	11/21/2025	
710003033	TOP LINE AG, LLC	\$1,646.34	\$2.00	\$88.09	\$1,736.43	11/18/2025	
650317259	URESTE, MARTIN H OR AMANDA	\$29.92	\$2.00	\$1.76	\$33.68	11/10/2025	
736002921	URWILLER, AARON	\$296.12	\$2.00	\$13.91	\$312.03	10/31/2025	
850001242	VONDEROHE, ALYSAN OR	\$70.50	\$2.00	\$6.15	\$78.65	12/1/2025	
651114500	WARREN, BRIDGET L. &	\$75.20	\$2.00	\$6.53	\$83.73	2/12/2026	
850000350	WEISSHAAR, SARAH RENE A	\$84.58	\$2.00	\$4.98	\$91.56	12/5/2025	
850001119	WHITE, SHANNON	\$197.84	\$2.00	\$17.79	\$217.63	2/20/2026	
650312011	WILCOX, MARCUS J S OR MAKENNA LEE	\$33.26	\$2.00	\$1.56	\$36.82	10/31/2025	
325008882	WILKE, LATHAN	\$164.32	\$2.00	\$8.16	\$174.48	11/7/2025	
650316777	WILKINS, TRISTAN LEE	\$39.72	\$2.00	\$4.61	\$46.33	4/29/2026	
310093045	WILLIAMS, KELLER	\$155.06	\$2.00	\$15.02	\$172.08	3/17/2026	
850000752	WILSON-BANA, ERIN A	\$240.98	\$2.00	\$13.26	\$256.24	11/21/2025	
651106285	ZIMNIAK, DAKOTA S W	\$394.04	\$2.00	\$22.29	\$418.33	11/25/2025	
651115590	ZINK, MARIA	\$162.78	\$2.00	\$10.02	\$174.80	12/8/2025	
Section 1 Totals:		\$27,327.02	\$308.00	\$1,818.76	\$29,453.78		\$3,019.10

310001831	RESA'S LLC	\$417.78	\$2.00		\$419.78	3/9/2026	
310001831	RESA'S LLC	\$327.90	\$2.00		\$329.90	3/9/2026	
759000709	KLINGELHOEFER, CHASE	\$1,119.80	\$0.00		\$1,119.80	4/6/2026	
759000709	KLINGELHOEFER, CHASE	\$783.86	\$0.00		\$783.86	4/6/2026	
850000308	WINGROVE, JAY						\$116.68
850000026	DEAN, KELLY K	\$37.12	\$2.00		\$39.12	5/11/2026	
850000026	DEAN, KELLY K	\$37.08	\$0.00		\$37.08	5/11/2026	
850000175	MCDONALD, CHRIS	\$52.70	\$2.00	\$0.48	\$55.18	6/16/2026	
850001214	MCWILLIAMS, TOM	\$22.66	\$2.00	\$0.61	\$25.27	6/9/2026	
850000210	WEBSTER, JAMES	\$22.66	\$2.00	\$1.39	\$26.05	6/9/2026	

2025 DISTRESS WARRANTS

850000210	WEBSTER, JAMES	\$28.92	\$0.00		\$28.92	6/9/2026	
650307433	HOWELL, RAYMOND	\$28.38	\$2.00	\$1.69	\$32.07	5/19/2026	
650307433	HOWELL, RAYMOND	\$42.74	\$0.00		\$42.74	5/19/2026	
Section 2 Totals:		\$2,921.60	\$14.00	\$4.17	\$2,939.77		\$116.68

Section 1 & 2 Totals:		\$30,248.62	\$322.00	\$1,822.93	\$32,393.55		\$3,135.78
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BUFFALO COUNTY 2025 UNSATISFIED DISTRESS WARRANT LIST

	PARCEL #	TAXPAYER NAME	ADDRESS	REASON	TAXES & PENALTY DUE	DW FEE	Collected - in partial payments	TOTAL DUE
1	310002917	Bird Rides, Inc	2500 Westfield Dr. Ste 202 Elgin, IL 60124	Bankruptcy	\$618.32	\$2.00		\$620.32
2	703000036	Clevenger Oil Company	PO Box 8 Gibbon, NE 68840	Uncollectable No Property	\$1,013.26	\$2.00		\$1,015.26
3	310001351	Midwest Elite Contracting LLC	3803 2nd Ave Kearney, NE 68845	Uncollectable No Property	\$1,156.12	\$2.00		\$1,158.12
4	310003043	O'Brien, Michael	2715 W Villa Dr. Kearney, NE 68845	Uncollectable No Property	\$35.84	\$2.00		\$37.84
5	312001836	Redbox Automated Retail, LLC	PO Box 1339 Cockeysville, MD 21030	Bankruptcy	\$185.56	\$2.00		\$187.56
6	850000308	Wingrove, Jay E	1115 7th St Lot 25 Gibbon, NE 68840	Uncollectable No Property	\$114.68	\$2.00		\$116.68
				TOTAL	\$3,123.78	\$12.00	\$0.00	\$3,135.78

BUFFALO COUNTY 2025 UNSATISFIED DISTRESS WARRANT LIST

Uncollectible -- No Property	\$2,327.90
Uncollectible -- Bankruptcy	\$807.88
Uncollectible	
Partially Satisfied	
Reissue	
TOTAL	\$3,135.78

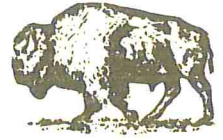
Neil A. Miller
Sheriff



BUFFALO COUNTY OFFICE OF THE SHERIFF

2025 Avenue A • P.O. Box 2228
Kearney, Nebraska 68848
Phone (308) 236-8555

Daniel J. Schleusener
Chief Deputy



August 7, 2026

Chairperson Sherry Morrow
Buffalo County Board of Commissioners
PO Box 1270
Kearney, NE 68848

The following information is being returned to you related to the Buffalo County Clerk's Office request to review a Special Designated Liquor License (SDL) application from applicant Amy Gillming; DBA: The Crick Restaurant and Bar, for an SDL for a private birthday party. The event is to be held at Knobel Barn located at 3070 Odessa Road, Kearney, Buffalo County, NE 68847 on, Saturday, August 29, 2026 from 5:00 p.m. to August 30, 2026 12:00 a.m.; with an estimated number of 200 attendees. The application indicates the type of alcohol to be served includes beer, wine and distilled spirits.

The information provided indicated The Crick Restaurant and Bar has a Class C Nebraska Liquor License; License # 156129. The license is currently active. Amy Gillming, licensee and owner of The Crick Restaurant and Bar, is listed as the event contact who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Upon reviewing the application and performing a brief local background investigation on the licensee and owner of The Crick Restaurant and Bar, to include the Nebraska Liquor Control Commission website, there was no information discovered of concern.

Sincerely,
NEIL A. MILLER
Sheriff

A handwritten signature in black ink, appearing to read "Michael Page". The signature is fluid and cursive.

Michael Page
Investigator
cc: Sheriff Miller

SDL – LOCAL RECOMMENDATION

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
EMAIL: lcc.sdl.licensing@nebraska.gov
WEBSITE: www.lcc.nebraska.gov

156129

The Crick Restaurant & Bar

License #

Licensee Name/Non-Profit Organization

Event location name: Knobel Barn

Event address/location: 3070 Odessa Road Kearney, NE

Event Type: Private 60th Birthday Party

Event date(s): 08/29/2026

Event start time(s): 5:00pm

Event end time(s): 12:00am

Indoor area to be licensed in length & width: _____ X _____

Outdoor area to be licensed in length & width: 362' X 194' (Must submit a diagram)

Estimated number of attendees: 200

Alternate dates/times: _____

Alternate location name/location: _____

Type of alcohol to be served: Beer ☒ Wine ☒ Distilled Spirits ☒

Event contact name: Amy Gillming Event contact phone number: 308-708-0890

Event contact Email: thecrickec@outlook.com

*Signature Authorized Representative: *Amy L Gillming*

Local Governing Body completes below:

The local governing body for the City of _____ **OR**
County of _____ approves the issuance of a Special Designated License as
requested above.

Local Governing Body Authorized Signature

Date

SDL – OUTDOOR AREA DIAGRAM

NEBRASKA LIQUOR CONTROL COMMISSION

301 CENTENNIAL MALL SOUTH

PO BOX 95046

LINCOLN, NE 68509-5046

PHONE: (402) 471-2571

FAX: (402) 471-2814

EMAIL: lcc.sdl.licensing@nebraska.gov

WEBSITE: www.lcc.nebraska.gov

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET

HOW AREA WILL BE PATROLLED: There will be 1 person at the entrance/exit monitoring folks coming and going as well as 3 other staffers on the property at all times.

DIAGRAM OF PROPOSED AREA:

See attached diagram of proposed area. The perimeter of the area lined out in blue is a white vinyl fence.

ODESSA RD

193.98 ft

361.69 ft

52.51 ft

22.26 ft

146.36 ft

132.23 ft

CARMODY ACRES

107.71 ft

120.05 ft

429.78 ft

ptions



State Of Nebraska Responsible Beverage Certificate

for those who serve or sell alcohol in Nebraska



Amy Gillming

HOLDS A
State Alcohol Certificate

Permit # RB- 686ebacb116dc8432b078304

Completion Date: 07/09/2025

***This certificate is good for Three years after the completion Date**

State of Nebraska Responsible Beverage Server/Seller Training

LINK TO DOWNLOAD: <https://mycourse.app/BWCKkSL8WbSpiqufP>

Guest Licenses Search

License Type	Number	Status	Licensee	Premise N...	Premises Addre...	Effective	Expires	Ir
Class C Beer, Wine, Spirits On and Off Sale	156129	Active	The Crick Restaurant & Bar LLC	The Crick Restauran & Bar	120 N Tyler St Elm Creek, NE 68836	Nov 1, 2025	Oct 31, 2026	

Neil A. Miller
Sheriff



BUFFALO COUNTY OFFICE OF THE SHERIFF

2025 Avenue A • P.O. Box 2228
Kearney, Nebraska 68848
Phone (308) 236-8555

Daniel J. Schleusener
Chief Deputy



August 6, 2026

Chairperson Sherry Morrow
Buffalo County Board of Commissioners
PO Box 1270
Kearney, NE 68848

The following information is being returned to you related to the Buffalo County Clerk's Office request to review a Special Designated Liquor License (SDL) application from applicant Theresa Parr; DBA: The Wandering Well, for an SDL for a reception. The event is to be held at Knobel Barn located at 3070 Odessa Road, Kearney, Buffalo County, NE 68847 on, Saturday, September 12, 2026 from 3:00 p.m. to September 13, 2026 12:00 a.m.; with an estimated number of 220 attendees. The application indicates the type of alcohol to be served includes beer, wine and distilled spirits.

The information provided indicated The Wandering Well has a Class C Nebraska Liquor License; License # 123549. The license is currently active. Theresa Parr, licensee and owner of The Wandering Well, is listed as the event contact who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Upon reviewing the application and performing a brief local background investigation on the licensee and owner of The Wandering Well, to include the Nebraska Liquor Control Commission website, there was no information discovered of concern.

Sincerely,
NEIL A. MILLER
Sheriff

A handwritten signature in black ink, appearing to read "Michael Page".

Michael Page
Investigator
cc: Sheriff Miller

**Special Designated License
Local Recommendation (Form 200)**

Applications must be entered on the portal after local approval – no exceptions
Late applications are non-refundable and will be rejected

The Wandering Well

Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)

427 South Showboat Blvd Hastings, NE 68901

Retail Liquor License Address or Non-Profit Business Address

CK 123549

Retail License Number or Non-Profit Federal ID #

Consecutive Dates only 09/12/2026

Event Date(s):

Event Start Time(s):

3:00pm

Event End Time(s):

12:00am

Alternate Date: None

Alternate Location Building & Address: None

Event Building Name: Knobel Barn

Event Street Address/City: 3070 Odessa Rd. Kearney, NE 68845

Indoor area to be licensed in length & width: 65 x 45

Outdoor area to be licensed in length & width: 210 x 370 (Diagram Form #109 must be attached)

Type of Event: Reception Estimate # of attendees: 220

Type of alcohol to be served: Beer ☒ Wine ☒ Distilled Spirits ☒
(If not marked, you will not be able to serve this type of alcohol)

Event Contact Name: Theresa Parr Event Contact Phone Number: 402.461.0449

Event Contact Email: thewanderingwellnebraska@gmail.com

*Signature Authorized Representative:  Printed Name Theresa Parr

I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

*Retail licensee – Must be signed by a member listed on permanent license

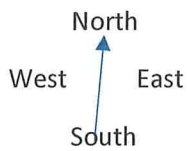
*Non-Profit Organization – Must be signed by a Corporate Officer

Local Governing Body completes below:

The local governing body for the City/Village of _____ **OR** County of _____ approves
the issuance of a Special Designated License as requested above. (Only one should be written above)

Local Governing Body Authorized Signature

Date



Knobel Barn
3070 Odessa Rd
Kearney, NE 68845

Indoor: 65'*45'
Outdoor: 210'*370'
5' vinyl fence

Guest Licenses Search

License Type	Number	Status	Licensee	Premise N...	Premises Addre...	Effective	Expires	Ir
Class C Beer, Wine, Spirits On and Off Sale	123549	Active	WANDERING WELL LLC	Wandering Well	427 S Showboat Blvd Ste 76 Hastings, NE 68901-8367	Nov 1, 2025	Oct 31, 2026	

Annual Certification Form

Buffalo County , hereinafter “Local Public Agency” or “LPA”

Period of Time Covered by Certification
July 1, 2025 to June 30, 2026

This certification is given by LPA pursuant to the requirement of the second paragraph of Neb. Rev. Stat. §39-1307 (as this section was amended by Section 1 of LB98, 2011 Legislative Session), as required by Section 5 of the Federal-Aid Transportation Fund Purchase-Sale Agreement (the Agreement) between the State of Nebraska Department of Transportation (State) and LPA.

LPA has received cash payment funds from the State according to the terms of the Agreement. LPA agreed in Section 5 of the Agreement to restrict LPA’s use of the cash payment funds to certain specified uses. (See the language of Section 5 set out below). Section 6 of the Agreement requires LPA to make this certification annually. Further, the financial information on this form must also be reported in your annual reports to the Board of Public Roads Classifications and Standards.

The undersigned hereby certifies that he or she:

- 1) Has been properly authorized by LPA’s governing body to make this certification on behalf of the LPA.
- 2) Has sufficient information to accurately, fully and fairly make this certification.
- 3) Is familiar with the terms of the Agreement between the LPA and the State, including particularly, the limitations on LPA’s use of the cash payment funds set out in Section 5 of the Agreement.
- 4) Is familiar with LPA’s accounting systems and bank and investment accounts and knows (a) where the cash payment funds have been deposited or invested and (b) how the cash payment funds have been managed and accounted for within LPA’s financial records.
- 5) Is familiar with the details of all projects or activities of LPA for which funds in the cash payment account have been used by LPA.
- 6) Believes, that to the best of his or her knowledge and belief, (1) LPA’s use of the cash payment funds fully and fairly complies with the requirements of Section 5 of the Agreement, and (2) LPA has segregated the cash payment it received from the State and has separately accounted for any STP and HBP portions of the cash payment within its accounting system.

Date

Signature

Printed Name

Title

Fund Type	FY-2025 Carryover (funding amount reported last certification period as unexpended)	FY-2026 Allotment	Total Available Allotment (combination of FY-2025 carryover and new FY-2026 funds)	Allocation Expended (7/1/25 and 6/30/2026)	Remaining Allocation
34750 Highway Street Buyback Program (STP)	\$948,219.48	\$277,442.07	\$1,225,661.52	\$0.00	\$1,225,661.52
Bridge Buyback Program (HBP)	\$237,814.51	\$255,499.43	\$493,313.94	\$0.00	\$493,313.94
Project Location and Description (Please provide Accurate locations and an explanation of work completed with FFPP Funds)					
Location	Project Description/Work Completed				

SECTION 5. Limitations on LPA's Use of Cash Payment. The portion of the cash payment received by LPA from the State for the purchase of **STP funds** shall be used solely for the cost of construction, reconstruction, maintenance, or repair of public highways, streets, roads, or bridges and facilities, appurtenances, and roadway structures deemed necessary in connection therewith. The portion of the cash payment received by LPA from the State for the purchase of **HBP funds** shall be used solely for the construction, reconstruction, improvement, repair or maintenance of LPA public road bridges. The LPA's use of the cash payment for "maintenance," under the prior two sentences, shall be limited to maintenance projects that preserve, restore or correct major roadway or bridge conditions and the cash payment will not be used for LPA's routine maintenance activities.

The phrase "facilities, appurtenances, and roadway structures deemed necessary in connection therewith," as used in the first sentence of this section, includes medians; accessory lanes; steps; handrails; sidewalks, adjoining trails, paths and related structures; drainage facilities such as storm sewers, curb or grate inlets, culverts, ditches, and other drainage structures; guardrails; lighting facilities; driveways; retaining walls and other similar facilities that are necessary or desirable and directly related to the proper design of streets, roads and highways.

LPA shall segregate the cash payment and shall separately account for the STP and HBP portions of any cash payment received from the State within its accounting system. The LPA may accumulate and invest the STP or HBP portions of the cash payment it receives so long as the earnings from such investments are used for the applicable purposes provided in this section. The cash payment funds may be used for any phase of an allowable project. The phases of an allowable project include, but are not limited to: 1) preliminary engineering, 2) right-of-way acquisition, 3) utility relocations, 4) construction, and 5) construction engineering.

All roads and bridges shall be designed and constructed to meet the minimum standards of the Nebraska Board of Public Roads Classifications and Standards.



July 15, 2026

To Board of Commissioners and management of
Buffalo County, Nebraska
1512 Central Ave
Kearney, NE 68847

The following represents our understanding of the services we will provide June 30, 2026.

You have requested that we audit the cash basis financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Buffalo County, as of June 30, 2026, and for the year then ended and the related notes to the financial statements, which collectively comprise Buffalo County's basic cash basis financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and in accordance with *Government Auditing Standards*, and/or any state or regulatory audit requirements, will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America require that supplementary information, and budgetary comparison information be presented to supplement the basic financial statements. Such information, although not a part of the basic cash basis financial statements, is required by Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

1) Budgetary Comparison Schedules - Cash Basis

Supplementary information other than RSI will accompany Buffalo County's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the basic financial statements as a whole:

- 1) Statements of Accountability
- 2) Nonmajor Governmental Funds - Combining Schedule of Cash receipts, Disbursements, and changes in Fund balances.

Auditor Responsibilities

We will conduct our audit in accordance with GAAS and *Government Auditing Standards*, issued by the Comptroller General of the United States of America and/or any state or regulatory audit requirements. As part of an audit of financial statements in accordance with GAAS and, in accordance with *Government Auditing Standards*, and/or any state or regulatory audit requirements, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal controls.
- Obtain an understanding of the system of internal control in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Buffalo County's ability to continue as a going concern for a reasonable period of time.

Although we are currently in the planning stage of our audit, we have identified the following significant risks during our audit to date that require special audit consideration:

- Improper revenue recognition is considered an inherent risk according to GAAS
- Management override of controls is considered an inherent risk according to GAAS

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America, and/or in accordance with any state or regulatory audit requirements. Please note that the determination of abuse is subjective and Government Auditing Standards does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

Compliance with Laws and Regulations

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of Buffalo County's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the basic financial statements in accordance with the other comprehensive basis of accounting.
2. For the design, implementation, and maintenance of the system of internal control relevant to the preparation and fair presentation of basic cash basis financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and
3. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the basic cash basis financial statements including the disclosures such as records, documentation, and other matters;
 - b. Additional information that we may request from management for the purpose of the audit;
 - c. Unrestricted access to persons within the entity and others from whom we determine it necessary to obtain audit evidence;
 - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report; and
 - e. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
4. For including the auditor's report in any document containing basic cash basis financial statements that indicates that such basic cash basis financial statements have been audited by us;
5. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
6. For adjusting the basic cash basis financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole;
7. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
8. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
9. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in the system of internal control and others where fraud could have a material effect on the financials;
10. For the accuracy and completeness of all information provided;
11. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information; and
12. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic cash basis financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

Nonattest Services

With respect to any nonattest services we perform, such as the preparation of the cash basis financial statements and related footnotes, and proposal of adjusting journal entries for approval by management.

We will not assume management responsibilities on behalf of Buffalo County. However, we will provide advice and recommendations to assist management of Buffalo County in performing its responsibilities.

Buffalo County's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) designing, implementing, and maintaining the system of internal control, including the process used to monitor the system of internal control.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries.

Reporting

We will issue a written report upon completion of our audit of Buffalo County's basic cash basis financial statements. Our report will be addressed to the board of Buffalo County. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of Government Auditing Standards, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed upon completion of our audit.

Other

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

Provisions of Engagement Administration, Timing and Fees

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

The timing of our audit will be scheduled for performance and completion as follows:

Financial Audit Planning: Week of August 3, 2026

Fieldwork: Weeks of August 10th & 17th, 2026

Draft: On or before September 15, 2026

Final: On or before October 30, 2026

Austin Hanke, CPA is the engagement partner for the audit services specified in this letter. The engagement partner's responsibilities include supervising Hayes & Associates, LLC's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses. Invoices will be rendered every four weeks and are payable upon presentation. We estimate that our fee for the audit will be between \$39,000 and \$44,000. We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use Buffalo County's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the basic financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to the board the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Hayes & Associates, LLC and constitutes confidential information. However, we may be requested to make certain audit documentation available to the Nebraska State Auditor of Public Accounts or other regulatory bodies such as the *U.S. Government Accountability Office* pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Hayes & Associates, LLC's personnel.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the basic cash basis financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,

Hayes & Associates, LLC

Hayes & Associates, LLC
Omaha, Nebraska

RESPONSE:

This letter correctly sets forth our understanding.

Buffalo County, NE

Acknowledged and agreed on behalf of Buffalo County by:

Name: _____

Title: _____

Date: _____



BUFFALO COUNTY ZONING & FLOODPLAIN

Buffalo County Courthouse
1512 Central Avenue
PO Box 1270
Kearney, NE 68848
Phone: (308) 236-1998
Fax: (308) 236-1870
Email: zoning@buffalocounty.ne.gov

ZONING AGENDA ITEM #1

MEETING DATE: August 11, 2026

SUBJECT: Code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 3.3 (definitions), Section 5.5 (Commercial District), Section 5.6 (Industrial District), and Article 6 (Special Use Permit Requirements), regarding the definition, permissibility and requirements of data centers and battery energy storage systems.

Discussion:

Amend Buffalo County Zoning Regulations under Section 3.3 (definitions), Section 5.5 (Commercial District), Section 5.6 (Industrial District), and Article 6 (Special Use Permit Requirements), with amendments noted in strikethrough for deletion, underlining for additions, and renumbering as necessary, as presented within The Board's packet with the revisions as recommended by the Buffalo County Planning Commission, written in red.

At the July 16, 2026 Buffalo County Planning Commission Meeting, a motion was made by Secretary Jeffs and seconded by Mr. Kreutzer to recommend favorably the proposed code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 3.3 (definitions), Section 5.5 (Commercial District), Section 5.6 (Industrial District), and Article 6 (Special Use Permit Requirements), regarding the definition, permissibility and requirements of data centers and battery energy storage systems with the above-stated revisions.

Upon roll call vote, the following Board members voted "Aye": Keep, Kreutzer, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting "Nay": None.

Abstain: None.

Absent: Stubblefield.

No opposition was received for this application.

ZONING AGENDA ITEM #2

MEETING DATE: August 11, 2026

SUBJECT: Code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 6.6 (J)(2), regarding the storage of manure within 1,320 feet of an inhabited residence without written consent by the property owners of the residence.

Discussion:

To review the unfavorable recommendation by the Buffalo County Planning Commission under Section 6.6 (J)(2), regarding the storage of manure within 1,320 feet of an inhabited residence without written consent by the property owners of the residence, with amendments noted in strikethrough for deletion, underlining for additions, and renumbering as necessary, originally presented as shown below:

“2. No manure disposal by spraying, injecting, ~~or~~ spreading, or storage on land shall be closer than thirteen hundred and twenty (1,320) feet to an inhabited residence without written consent by the property owner of the residence. This restriction shall not apply to lands upon which the confinement or feedlot is located (Resolution 6-12-07).”

At the July 16, 2026 Buffalo County Planning Commission Meeting, a motion was made by Secretary Jeffs, and seconded by Mr. Sedlacek to recommend unfavorably the proposed code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 6.6 (J)(2), regarding the storage of manure within 1,320 feet of an inhabited residence without written consent by the property owners of the residence to the Buffalo County Board of Commissioners, with the recommendation to revisit the necessity for the entirety of the section.

Upon roll call vote, the following Board members voted “Aye”: Brady, Jeffs, Wolfe, Chaney and Sedlacek.

Voting “Nay”: Kreutzer, Keep, and Vacek.

Abstain: None.

Absent: Stubblefield.

No opposition was received for this application.

ZONING AGENDA ITEM #3

MEETING DATE: August 11, 2026

SUBJECT: Code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, regarding medical marijuana.

Discussion:

Amend applicable Buffalo County Zoning Regulations, regarding medical marijuana with amendments noted in strikethrough for deletion, underlining for additions, and renumbering as necessary, as presented within The Board's packet with the revisions as recommended by the Buffalo County Planning Commission, written in red.

Motion was made by Secretary Jeffs, and seconded by Ms. Wolfe to recommend favorably the proposed code amendments to The Buffalo County Zoning Regulations with renumbering as necessary, regarding medical marijuana to the Buffalo County Board of Commissioners, with proposed revisions.

Upon roll call vote, the following Board members voted "Aye": Brady, Jeffs, Wolfe, Chaney and Sedlacek, Kreutzer, Keep, and Vacek.

Voting "Nay": None.

Abstain: None.

Absent: Stubblefield.

No opposition was received for this application.

ZONING AGENDA ITEM #4

MEETING DATE: August 11, 2026

SUBJECT: Discussion and Decision on Code Amendment Referral to The Buffalo County Planning Commission

Discussion:

Discussion and decision to refer a zoning amendment to the Buffalo County Planning Commission for discussion, study, review, and recommendation(s):

- Proposal, with renumbering as necessary, for regulatory requirements regarding manure application and storage.

Planning & Zoning Commission Minutes

July 16, 2026

MINUTES OF PLANNING AND ZONING COMMISSION
JULY 16, 2026
BUFFALO COUNTY COURTHOUSE
7:00 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice, on July 3, 2026 and July 7, 2026. A copy of the proof of publication is on file in the Zoning Administrator's Office. Advance notice of the meeting was also given to the Planning and Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Chairperson Brady opened the meeting at 7:00 P.M. on July 16, 2026.

In Attendance: Joshua Chaney, Willie Keep, Tim Kreutzer, Marc Vacek, Loye Wolfe, Tammy Jeffs, Jeremy Sedlacek, and Scott Brady.

Scott Stubblefield was absent.

Quorum was met.

Also attending were: Deputy County Attorney Josiah Davis and Zoning Administrator Dennise Daniels. There were a several members of the public present.

Chairperson Brady announced The Open Meetings Act and agendas were available if anyone wished to have one. Chairperson Brady provided notice of the agenda being amended to include the change of venue.

The public forum was opened at 7:03 P.M. No one spoke. The public forum closed at 7:03 P.M.

Chairperson Brady announced the procedure and etiquette for the upcoming public hearings.

Public Hearing. 5(a)

Chairperson Brady opened the public hearing for Agenda Item 5(a) at 7:03 P.M., regarding code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 3.3 (definitions), Section 5.5 (Commercial District), Section 5.6 (Industrial District), and Article 6 (Special Use Permit Requirements), regarding the definition, permissibility and requirements of data centers and battery energy storage systems.

Ben Goldberg, 1201 B Avenue, Kearney, Nebraska, stepped forward to testify. He stated that he was in opposition of data centers based on the following points: chemical release from cooling systems and in the construction of data centers being released into drinking water, excessive amount of electricity usage and the cost being rerouted to all electricity customers, and audible and inaudible sound concerns.

Deputy County Attorney clarified that Buffalo County already has data centers as an allowable use in their regulations.. However, he continued, it is the intent of Buffalo County to put regulations in place to further regulate them.

Rosemary Northwall, of 1511 W. 35th Street, Kearney, Nebraska, stepped forward to testify. She said that she believes that, in order to properly regulate data centers, more study needs to be conducted.

Scott Gensler, 809 W. 22nd Street, Kearney, Nebraska, stepped forward to testify. He said that he would like to have clarification on what is being proposed at the city level. Chairperson Brady explained that the hearing being held was regarding Buffalo County, not within the jurisdictional boundary of the city of Kearney. He added that the city has different regulatory standards than does the county. Mr. Gensler agreed. He asked for clarification of what is being proposed. Deputy County Attorney Hoffmeister provided clarification that the primary intent of the proposed amendment was to provide definitions of and clarify public uses, as well as add additional regulations for data centers, including, but not limited to, removing data centers from the Specially Permitted Uses in the Commercial (C) District, to remove them as a Permitted Principle Use from the Industrial (I) District and add them to Specially Permitted Use in the Industrial District. Additionally, he added, it is required that data centers must abut and have access to a paved road. He also clarified the extra-jurisdictional boundaries of the communities within Buffalo County. Mr. Gensler asked for clarification that Buffalo County is making the regulations more difficult and Deputy County Attorney Hoffmeister stated that Buffalo County is adding more requirements to data centers, such as a requirement for closed-loop systems, with consideration given to environmental conditions. Mr. Gensler asked if the requirements would require data centers to generate their own electricity and Deputy County Attorney Hoffmeister answered that they should, if possible. Mr. Gensler recommended that Buffalo County require the byproduct heat be stored and re-used to benefit the public.

Jordan Duffin Wong, 820 W 56th Street, Apartment #82, Kearney, Nebraska, stepped forward to testify. He stated that he was in support of the proposed regulation on the basis that data centers are removed as a Permitted Principle Use to a Specially Permitted Use. He added that Buffalo County should consider present and future implications of data centers including screening requirements, setback requirements, and building footprint concerns, etc.

Ben Goldberg, 1201 B Avenue, Kearney, Nebraska, again stepped forward. He provided a recommendation on batteries. He stated that, environmentally, it would be recommended that sodium ion batteries be required over lithium batteries.

Ren Snow, of 101 Grand Avenue, Ravenna, Nebraska stepped forward to testify. Mr. Snow requested clarification on the procedure for a Specially Permitted Use and whether a public hearing would be required for every data center application. Chairperson Brady confirmed a public hearing would be required.

Chairperson Brady asked if anyone wished to comment. No one stepped forward in opposition or support.

Chairperson Brady closed the public hearing at 7:21 p.m.

Vice-Chairperson Keep stated that he would like to have a few revisions regarding grammatical errors. He referenced the definition of “Stationary Energy Storage Systems” to read, “Stationary Energy Storage System(s), that are also known as Battery Electrical Storage System(s) (BESS). These facilities are for the use of storage of electrical energy usually comprised of batteries for storage of 20 kWh or more of electricity¹ based upon manufacturer specifications housed in any ~~or one one or~~ more structures that can be situated as stand-alone and/or in an enclosed structure(s).”

Vice-Chairperson Keep and Deputy County Attorney Hoffmeister discussed the need of replace Section 6.9 (A) to read: The key components of the system shall be submitted as part of the application, to include stamped engineering plans to include, but not be limited to footing standards and fire ~~protection~~ suppression. Deputy County Attorney Hoffmeister stated the word “protection” would be adequate.

Vice-Chairperson Keep asked if Section 6.9 (B) should require the type of fencing such as steel, versus wood. Deputy County Attorney Hoffmeister stated that fence type may go beyond what was a reasonable request.

Vice-Chairperson Keep asked if the word “temporary” should be replaced with “standby” under Section 6.9 (F), “The facility, in its’ design and use, shall include air handlers, ~~temporary~~ standby power generators, material storage area(s), air to air cooling, if used, as needed to support sustained operations of the Energy Storage System’s infrastructure.” And Deputy County Attorney Hoffmeister stated that it was the same thing and the verbiage as presented would most likely be satisfactory. Deputy County Attorney Hoffmeister explained that Buffalo County requests that the center be self-sustainable, if possible.

Vice-Chairperson Keep asked if the definition of “Data Center/Stational Energy Storage or (BESS) Electric Substation should remove duplicate wording of “Electric Substation” as follows: read, “The center or facility is allowed to have outdoor storage facilities within the fenced area.” Deputy County Attorney Hoffmeister stated that Section 6.9 (B) referenced the facility, in its’ entirety, should be enclosed within the fence.

Vice-Chairperson Keep asked if Section 6.9 (G) should read, “Data Center/ Stationary Energy Storage or (BESS) Electric Substation: A high-voltage electric system facility used to switch on-site generators, equipment, and circuits or lines in and out of a public utility system, change AC voltages from one level to another, or change alternating current to direct current or direct current to alternating current. Data Center/ Stationary Energy Storage or (BESS) Electric Substation ~~Electric- or~~ Substations may only be constructed in conjunction with and adjacent to a Data Center or a Stationary Energy Storage or Battery Energy Storage System (BESS) Facility.” Deputy County Attorney Hoffmeister agreed.

Ms. Wolfe stated that initially she was very concerned about the data centers and their water usage, but was ecstatic to see that the proposed amendment required a closed loop system, similar to her air conditioner in her residence. She added that she would like Buffalo County to

consider the language associated with the requirement of each data center to provide their own energy, to avoid the utility increases for other paying customers. She also added that she appreciated Buffalo County taking a stance in making the regulations more stringent because moratoriums would not protect Buffalo County from data centers. She stated that having regulations in place was the best way to protect Buffalo County's resources. Deputy County Attorney Hoffmeister counselled that data centers would only be allowed in the Industrial District.

Vice-Chairperson Keep asked if Buffalo County should review the size of the data centers that could be considered. The cryptocurrency facility within the city of Kearney's jurisdiction was reviewed by The Commission. Deputy County Attorney Hoffmeister advised that The Commission could consider additional conditions when a public hearing is conducted, including setbacks and shading.

Deputy County Attorney Hoffmeister advised that the word, "public" was added throughout the proposed code amendment, as well. He stated that "public" use needed to be defined more clearly.

Deputy County Attorney Hoffmeister counselled that outdoor storage requires onsite power facilities not to exceed fifteen percent of the enclosed area of the facility.

Chairperson Brady explained that Buffalo County can, and will, revise the regulations based on present and future issues with data centers. He stated that he appreciated the proposed amendment and that it laid a good foundation of regulatory standards. Vice-Chairperson Keep agreed and stated that Permitted Principal Uses did not allow Buffalo County to control any conditions.

Mr. Chaney stated that closed-loop data centers may produce a byproduct of sludge that could create an environmental concern. He asked Deputy County Attorney Hoffmeister if that should be regulated and Deputy County Attorney Hoffmeister stated that it could be regulated with the conditions placed on a Specially Permitted Use.'

Mr. Vacek asked if The Commission should consider regulatory standards for setbacks. Deputy County Attorney Hoffmeister counselled that, as presented, the setbacks would be the industrial district standard. He recommended that the proposed amendment be passed and revisited after appropriate study for adequate setbacks.

Chairperson Brady asked if anyone else wished to speak. No one spoke.

Chairperson Brady addressed the public. He stated that the proposed amendment was laying a good foundation to protecting the resources and quality of life for the people of Buffalo County. He further stressed that the amendments could be revised, if needed, to adapt to changing conditions.

Motion was made by Secretary Jeffs and seconded by Mr. Kreutzer to recommend favorably the proposed code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 3.3 (definitions), Section 5.5 (Commercial District), Section 5.6 (Industrial District), and Article 6 (Special Use Permit Requirements), regarding the definition, permissibility and requirements of data centers and battery energy storage systems with the following revisions including rewording the definition of "Stationary Energy Storage Systems"

to switch the words “or” and “one” to show “Stationary Energy Storage System(s), that are also known as Battery Electrical Storage System(s) (BESS). These facilities are for the use of storage of electrical energy usually comprised of batteries for storage of 20 kWh or more of electricity based upon manufacturer specifications housed in any ~~or one~~ one or more structures that can be situated as stand-alone and/or in an enclosed structure(s).” and to revise Section 6.9 (G) to replace the word “Electric” with “or” to show “Data Center/ Stationary Energy Storage or (BESS) Electric Substation: A high-voltage electric system facility used to switch on-site generators, equipment, and circuits or lines in and out of a public utility system, change AC voltages from one level to another, or change alternating current to direct current or direct current to alternating current. Data Center/ Stationary Energy Storage or (BESS) Electric Substation ~~Electric~~ or Substations-may only be constructed in conjunction with and adjacent to a Data Center or a Stationary Energy Storage or Battery Energy Storage System (BESS) Facility.” to the Buffalo County Board of Commissioners.

Upon roll call vote, the following Board members voted “Aye”: Keep, Kreutzer, Vacek, Wolfe, Brady, Sedlacek, Jeffs, and Chaney.

Voting “Nay”: None.

Abstain: None.

Absent: Stubblefield.

Motion carried.

Chairperson Brady thanked the staff from District Court for use and accommodations of their facilities.

Chairperson Brady opened the public hearing for Agenda Item 5(b) at 7:44 P.M., regarding code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 6.6 (J)(2), regarding the storage of manure within 1,320 feet of an inhabited residence without written consent by the property owners of the residence.

Chairperson Brady provided a brief background on the history of the regulatory change. He stated that the original regulations, prior to the amendment, were adopted by Buffalo County on or around 2007.

Cory Banzhaf, of 28430 128th Road, Kearney, Nebraska, stepped forward to testify. He stated that he appreciated Buffalo County reviewing the policy, but he believes that the regulations, as currently stated, are too restrictive. He added that any review by Buffalo County should be more friendly to the ag producers of Buffalo County. He testified that adding the word “storage” was not unreasonable, but the setback was. He continued that there are very few farmable quarters in Buffalo County that could have manure disposed outside of the 1,320 feet of an inhabited residence.

Chairperson Brady asked if Mr. Banzhaf had any recommendations. Mr. Banzhaf explained that the State of Nebraska utilizes a livestock matrix for livestock-friendly counties. He explained that, with Buffalo County being a livestock-friendly county, he would recommend Buffalo County review that particular avenue.

Heath Schake, of 3285 W. 100th Street, Kearney, Nebraska, stepped forward to testify. He stated that he agreed with Mr. Banzhaf's testimony. He stated that he has spread manure on his farms for 20 years and has piled during that same time period without a complaint. He added that he disagreed with the requirement to acquire a neighbor signature for a waiver. He stated that producers should be aware of their surroundings and pile the manure in a place that would not be located next to a subdivision. He testified that, after reviewing a map, a significant percentage of his farms in Buffalo County would not be permitted to have manure spread if one inhabited residential property owner refused to sign a waiver.

Mr. Schake added that he doesn't believe that he should have to request permission to spread or pile manure near a residence. He stated that producers should have the opportunity to spread and stockpile manure because that is part of his livelihood. He stated that he was concerned that the regulation of producers would continue to go beyond the ability to spread and stockpile manure to include what could be planted by producers.

Chairperson Brady asked if Mr. Schake had a recommendation to compromise for the people of Buffalo County, who do not wish to have a stockpile of manure within close proximity of their residence. Mr. Schake testified that land purchasers should be aware that they are purchasing land within agricultural territory. He stated that producers get manure in the summer and stockpile on the pivot corners during harvest and apply it to the field in the late fall and winter. He added that other agencies like the Natural Resources Conservation Service (NRCS) regulate the producers on highly erodible lands. He stated that producers like Nebraska Department of Water, Energy and Environment (DWEE), NRCS, Natural Resource Districts (NRD), and United States Environmental Protection Agency (EPA) overregulate producers as is.

Mr. Schake testified that the setback needs to be reviewed to accommodate all citizens of Buffalo County.

Deputy County Attorney Hoffmeister stated that in 2007, the word "injecting" was added to the current regulation. He said that the regulations, as present, were in place as of 2003. He also reviewed Hall County's regulation for stockpiling and that it is only allowed to be stockpiled for one year. He also reviewed Chase County, Keith County, and Kearney County.

Vice-Chairperson Keep stated that Buffalo County should consider the age of the manure. He added that the producers should be allowed to spread next to the fence line.

Tim Schulte, of 23 Sawgrass Drive, Pleasanton, Nebraska, stepped forward to testify. He stated that he agrees with the prior testimony. He added that producers are most likely to stockpile for no longer than six months and spread it in the winter. He testified that he is more concerned about the ability to spread versus the ability to stockpile. He concluded by saying that land purchasers need to be aware of the agricultural area before constructing a residence.

Steve Wolfe, of 3610 13th Avenue, Kearney, Nebraska, stepped forward to testify. He stated that he is present to speak on behalf of Buffalo County Farm Bureau. He stated that he serves on the board and is representing 3,200 members and all members are in opposition of the proposed amendment. He stated that they are in opposition of the setback and that measurement is

equivalent to four football fields. He added that the proposed regulation would be detrimental to agriculture.

Sarah Gensler, of 809 W. 22nd Street, Kearney, Nebraska, stepped forward to testify. She stated that she lives in the city. She referenced air force bases and that land purchasers are required to submit a waiver that there will be noise next to the base. She recommended utilizing a waiver that would require land purchasers to acknowledge that they are moving into an agricultural area, which might have odor.

Vice-Chairperson Keep stated that he was part of an entity that sold land to an individual who had to acknowledge a nuisance ordinance, which would allow the spread of manure.

Deputy County Attorney Hoffmeister reviewed the enforcement of stockpiling and manure spread.

Mike Twitchell, of Sweetwater Cattle Company, but resides at 5622 E 78th Street, Kearney, Nebraska, stepped forward to testify. He stated that producers currently have practices in place to dispose of manure and he would like to see those practices remain in place.

David Spencer, of 5960 Maple Road, Gibbon, Nebraska, stepped forward to testify. He stated that he was unaware that he was unable to spread manure under the existing ordinance and has been, unknowingly, violating said ordinance. He stated that he appreciates regenerative agricultural and the existing regulation puts a hamper on his ability to utilize it. He explained that he recently purchased, along with partners, the Lewis Feedlot and he said that the pens need to be cleaned every two weeks. He added that he prefers to truck manure dry, because it is expensive to haul wet. He stated that the manure needs to be moved regularly. He added that agencies overregulate producers as is.

Mr. Chaney asked if Mr. Spencer had a recommendation. Mr. Spencer stated that land purchasers need to be aware of agricultural areas.

Cory Banzhaf, again, stepped forward to testify. He wanted to remind The Commission that all districts in Buffalo County start with "AG". He added that livestock and crops should be considered moving forward when reviewing the regulations.

Chairperson Brady stated that the demographics of the county have changed since the original adoption of the regulations. He added that development is continuing to sprawl into agricultural areas. He continued that the producers and the residential land owners need to coexist.

Ron Reese, 26650 355th Road, Pleasanton, Nebraska, stepped forward to testify. Mr. Reese said that he disagrees with the proposed amendment. He said that he cannot object to a residence being constructed, but that residence can stop him from operating his livelihood.

James Friesen, 1330 W. 102nd Street Place, Kearney, Nebraska, stepped forward to testify. He stated that he was speaking on behalf of a rural subdivision resident. He stated that he lived next to a producer and after a discussion with the producer about the stockpile, it never became an issue again. He stated that the regenerative agricultural is expected where he resides.

Ron Reese, again, stepped forward to testify. He stated that he was concerned that Buffalo County should not consider approving the proposed regulation that could affect his livelihood. He stated that if there were individuals who wanted to complain about the manure, they should be present. He added that there was no one there to support it. When asked about recommendations from Chairperson Brady, Mr. Reese recommended that “spreading” be removed and revise the setback to 500 feet. He said that producers should be held accountable if complaints are received, with the revision.

Jordan Duffin Wong, again, stepped forward to testify. He stated that he is not in opposition of manure disposal, but stated that he is sympathetic to the concerns of the producers. He recommended reducing the setbacks or to allow for looser regulatory standards to be more accommodating to the producers, if allowable by The Commission.

Enforcement of private nuisances were discussed. Deputy County Attorney Hoffmeister stated that he could not find a regulation, reviewing surrounding counties, that regulate the storage of manure.

Mr. Vacek asked if The Commission had the authority to make changes other than what The Board of Commissioners had submitted. Deputy County Attorney Hoffmeister explained that The Commission was only advisory.

Mr. Kreutzer testified that he was unaware of the existing regulations, either. He added that the entirety of the section should be re-reviewed.

Heath Schake, again, stepped forward. He asked if Buffalo County enforced the regulation. Deputy County Attorney Hoffmeister stated that inquiries were made in the past. Mr. Schake added that Buffalo County should strike the entire section because it wasn’t being enforced.

Randy Gangwish, of 714 Phelps Street, Shelton, Nebraska, stepped forward to testify. He stated that he believes producers are being over-regulated.

Justin Taubenheim, of 220 North Sycamore, Amherst, Nebraska, stepped forward to testify. He testified that he farms and ranches with his family and he states that they were unaware of the existing regulation. He stated that he agreed with Mr. Schake about removing the section in its entirety.

Heath Schake stepped forward to testify. He stated that he believed that the proposed regulation was due to his stockpile. He stated that he is willing to work with his neighbors.

Chairperson Brady asked if anyone wished to comment. No one stepped forward.

Chairperson Brady closed the public hearing at 8:27 p.m.

Vice-Chairperson stated he would like to see the whole section struck because he wants producers to continue to operate and utilize regenerative agriculture. Mr. Kreutzer and Mr. Chaney agreed. Mr. Kreutzer added that producers should be able to work out their differences with their neighbors without involving the county. He also stated that producers should be aware of where they are disposing of manure because they may be disposing next to several residences

and sometimes the piles are gone in a short time period. Mr. Vacek agreed. He stated that the regulations have been in place for several years and none of the producers were aware of it. Mr. Sedlacek agreed and testified that he appreciated the livestock-friendly livelihoods in the state.

Ms. Wolfe stated that she wanted to represent the producers, as well as the property owners that live next to the manure disposal areas that may not have a voice. She said there still need to be regulations to protect those that could not be in attendance.

Deputy County Attorney Hoffmeister stated that, in his tenure, there have been manure complaints. He added, however, that since the passing of the existing regulation, the state of Nebraska now has a regulatory agency, that regulates the producers. He counselled The Commission on their authority. He counselled that The Board of Commissioners sent this amendment to The Commission for the purpose of deciding whether the word “storage” should be added. He stated that The Commission may not have the authority to expunge it from the record.

Motion was made by Secretary Jeffs, and seconded by Mr. Sedlacek to recommend unfavorably the proposed code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, under Section 6.6 (J)(2), regarding the storage of manure within 1,320 feet of an inhabited residence without written consent by the property owners of the residence to the Buffalo County Board of Commissioners, with the recommendation to revisit the necessity for the entirety of the section.

There was discussion from the audience after the closure of the public hearing, however, no one was identified.

Upon roll call vote, the following Board members voted “Aye”: Brady, Jeffs, Wolfe, Chaney and Sedlacek.

Voting “Nay”: Kreutzer, Keep, and Vacek.

Abstain: None.

Absent: Stubblefield.

Motion carried.

Chairperson Brady announced that The Planning Commission will recess for break for approximately 15 minutes. He announced that the meeting will reconvene at 9:00 p.m.

Chairperson Brady called to order The Planning Commission meeting at 9:00 p.m. The following members returned: Kreutzer, Keep, Vacek. Brady, Jeffs, Wolfe, Chaney and Sedlacek. Stubblefield remained absent.

Chairperson Brady opened the public hearing for Agenda Item 5(c) at 9:01 P.M., regarding code amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, regarding medical marijuana.

Deputy County Attorney Hoffmeister provided a synopsis and reviewed the proposed amendment to medical marijuana. He also reviewed the state's regulations with The Commission.

The proposed regulation is as follows: BUFFALO COUNTY, NEBRASKA, RESOLUTION REGARDING REGULATION BY ZONING POWERS OF MEDICAL MARIJUANA:

WHEREAS, the 2025 Nebraska Legislature enacted Nebraska Medical Cannabis Regulation Act, as set out in LB 1, 2025 Legislature, effective February 26, 2025. Thereafter, the Nebraska Medical Cannabis Commission promulgated and adopted temporary regulations concerning the cultivation, processing, distribution, and sale of Medical Marijuana. In fulfillment of the obligations and duties of the County Board as a "local government" under the Nebraska Medical Marijuana laws, this Board establishes a policy whereby all persons, entities or organizations wishing to establish a Medical Marijuana Manufacturing Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility within Buffalo County must apply for and be granted a zoning special use permit for said use, and

WHEREAS, the use, cultivation, manufacturing, production, distribution, possession, and transportation of marijuana remains illegal under federal law, and marijuana remains classified as a "controlled substance" by both Nebraska and federal law. As such, the County Board does not have the authority to, and nothing in this Resolution is intended to, authorize, promote, condone, or aid the production, distribution, or possession of medical marijuana in violation of any applicable law, and

WHEREAS, The County Board intends to regulate the use, acquisition, cultivation, manufacturing, disposal, and transportation of medical marijuana in a manner that is consistent with the Nebraska law. The zoning regulations adopted in this Resolution are intended to apply to all medical marijuana operations in the county by any medical marijuana business as permitted under state law. This Resolution is intended to regulate land use for state-licensed Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary so that the placement of these facilities will have minimal negative impact and/or other adverse impact(s) on surrounding properties and tax valuations. The regulations are also adopted for the protection and security of the medical marijuana product; to reduce contamination of the product; and to protect the public health, safety, property values, and general welfare of the citizens of Buffalo County, and

WHEREAS, this Board perceives that there is a need to have regular localized review and inspection of Nebraska licensed medical marijuana facilities that can or will be established in this county, and to create a means of reducing the public cost of localized reviews and inspections, and that there is a need to pass some of this cost to the entities that operate and are engaged in the medical marijuana business.

THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT BUFFALO COUNTY ENACTS THE FOLLOWING TO BE INCORPORATED INTO ITS' ZONING REGULATION:

I. That the following definitions are added into Buffalo County's Zoning Resolution:

"Church" means a building, together with its accessory buildings and uses, maintained and controlled by a body organized to conduct religious worship and used primarily for religious worship and related activities.

"County" means Buffalo County, Nebraska, legally known as County of Buffalo, State of Nebraska, unless specifically otherwise provided.

"Cultivation of marijuana" means the planting and growing of one or more marijuana plant(s) or any part thereof.

"Dispose" or "Disposal" of Medical Marijuana waste means the disposition of medical marijuana waste by either a process which renders the waste unusable and unrecognizable through physical destruction or a recycling process.²

"Farm products" means those plants and animals useful to man and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur. (Neb.Rev.Stat. 2-4402)

"Fence", for purposes of medical marijuana, means a barrier constructed of any materials or combination of materials of sufficient strength and dimension to prevent unauthorized entry constructed to a height of no less than six feet. The term "fence" does not include bushes, hedgerows, plastic sheeting, cloth material (tarpaulins), or retaining walls. Prohibited security fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.³

"Medical Marijuana Greenhouse" means, for purposes of medical marijuana, a structure legally established with all required permits approved, secure from unauthorized entry and completely enclosed with one or more secure locking doors as the only means of ingress and egress, where solely medical marijuana plants are grown.

"Harvest" means, for purposes of medical marijuana, the drying, processing, or storage of marijuana.

"Marijuana" or "cannabis" is used herein interchangeably and means any part of the genus cannabis plant, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Marijuana" or "cannabis" includes marijuana, hashish, and concentrate cannabis.

² Chapter 10, Subchapter 1, 442:10-1-4. Definitions, Oklahoma

³ Santa Barbara Co Zoning Reg Chapter 35-144U-Cannabis

"Marijuana" or "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. "Marijuana" or "cannabis" does not include hemp, as defined in section Sec. 2-503 Neb.Rev.Stat., nor does it include the sterilized seed of the plant which is incapable of germination, or cannabidiol contained in a drug product approved by the federal Food and Drug Administration. (Sec. 71-24,107, Neb.Rev.Stat.

Medical Marijuana: means cannabis, cannabis products, and cannabis accessories intended for use by qualified patients pursuant to any law enacted contemporaneously with the adoption of the Nebraska Medical Cannabis Regulation Act, generally Sec. 71-24,107, Neb.Rev.Stat., or at any time thereafter.

Medical Marijuana accessories means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body⁴;

Medical Marijuana Business (MMB)" means a registered and/or licensed Medical Marijuana Manufacturing Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility.⁵

Medical Marijuana Dispensary: Medical Marijuana Dispensary means a registered establishment licensed to possess, sell or transfer medical cannabis to qualified patients or caregivers.⁶ All Dispensaries shall be located in a structure affixed to a permanent foundation with all sales or transfers occurring within this structure.

Medical Marijuana Cultivation Facility: A Medical Marijuana Cultivation Facility means a registered establishment licensed to cultivate cannabis plants for production of Medical Marijuana that is purposed to be sold through a Medical Marijuana dispensary for human consumption or sold as nursery stock to another Medical Marijuana Cultivation Facility. The facility shall be comprised of a wholly enclosed structure, usually described as a greenhouse. The sole purpose of a Medical Marijuana Cultivation Facility shall be to grow and harvest Medical Marijuana. The cultivation facility is allowed to dispose of

⁴ Sec. 71-24,107. Neb.Rev.Stat.

⁵ 63 O.S. § 427.2 (OSCN 2026), Oklahoma Medical Marijuana and Patient Protection Act, MMB wording is in part cited from Definitions located in "Narcotic Drugs, Chapter 15 O.S.

⁶ (Regulation 238. 002.14)

medical marijuana waste⁷ created or derived from plants within the Cultivation Facility. Prior to transport medical marijuana waste from the Facility, the plant material waste shall be rendered unusable and unrecognizable. The Cultivation Facility and waste where the plants are grown and waste processed shall be secured in the area from unauthorized entry and enclosed with one or more secure locking doors as the only means of ingress and egress.

Medical Marijuana Manufacturing Facility: Medical Marijuana Product Manufacturing Facility means an establishment licensed to process cannabis, conduct extractions, and manufacture cannabis products for sale or transfer to dispensaries, but cannot sell or transfer cannabis plants or cannabis products to qualified patients or caregivers.⁸ The manufacturing process includes the packaging or repackaging of cannabis products; the labeling or relabeling of cannabis products; and the remediation of failed harvest batches or cannabis product batches.⁹

A Medical Marijuana Manufacturing facility and its functions may also be combined with a Medical Marijuana Waste Disposal Facility.

Medical Marijuana Qualifying Patient: A person who has been diagnosed with a debilitating medical condition by a physician licensed to practice medicine in the State of Nebraska and who has in that person's possession a current, valid photo identification issued by the State of Nebraska or the United States of America and a current, valid document issued by the Nebraska Department of Health to that person and authorizing that person to possess and use Medical Marijuana.

Medical Marijuana Registered Designated Caregiver: An individual who is registered with the Nebraska Department of Health who agrees to manage the well-being of a Medical Marijuana Qualifying Patient with respect to the Medical Marijuana Qualifying Patient's medical use of Marijuana.

Medical Marijuana Transporter. Transporter means a registered establishment licensed to transport medical cannabis, medical cannabis products, and medical cannabis accessories between medical cannabis licensees, provide logistical services for medical cannabis

⁷ 014.11 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL. A cultivator must maintain a written record of all medical cannabis waste disposed of in accordance with this chapter. 014.12 DISPOSAL REQUIREMENTS. A cultivator shall store, secure, manage, and record medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations. Before transport of plant material waste, the cultivator shall render the plant material waste unusable and unrecognizable. 014.13 DISPOSAL REQUIREMENT EXCEPTIONS. The following materials are not considered medical cannabis waste and do not require treatment to render the materials unusable and unrecognizable, provided that the cannabis does not contain any cannabis flower or leaves with any visible trichomes: (A) root balls, soil, or growing media; and

⁸ (Reg. 238, 0002.28)

⁹ (4 CA ADC § 15000 California)

licensees, or store for transportation purposes medical cannabis in a medical marijuana facility described in this Resolution.¹⁰ A Transporter may only possess cannabis for transport to or from: a licensed dispensary, a licensed product manufacturer, a licensed cultivator, medical marijuana waste disposal facility, or another licensed transporter.¹¹

Medical Marijuana Transporter Facility means an enclosed structure used by Medical Marijuana Transporter to store vehicles used to transport medical cannabis, medical cannabis products, and medical cannabis accessories between medical cannabis licensees or medical marijuana waste facilities; provide logistical services for medical cannabis licensees; or store, for transportation purposes, medical cannabis in a medical marijuana facility described in this Resolution. All storage of medical cannabis for transportation shall take place at the premise identified in the transporter license. Transporter facilities and the equipment involved in transport shall not possess Medical Marijuana for more 72-hours duration at any one time. Also, Transporter facilities and equipment involved in transport, must be secured to reasonably prevent access to any cannabis plants or products by animals, or individuals who are not authorized agents of the Transporter or otherwise authorized by law¹² to access Transporter facilities.

MEDICAL MARIJUANA WASTE. Medical Marijuana waste means:

- A. Medical Marijuana is that is unused, unwanted, damaged, defective, expired, or contaminated.¹³
- B. Unused, surplus, returned, or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts, except the term shall not include seeds, roots, stems, stalks and fan leaves,
- C. All product that is deemed to fail laboratory testing and cannot be remediated or decontaminated, or
- D. All products and inventory from medical marijuana licensees that:
 - (i) have gone out of business, and/or
 - (ii) are unable to lawfully transfer or sell the product and inventory to another medical marijuana licensee.¹⁴

Medical Marijuana Waste Disposal Facility means an enclosed building that has as its' purpose the disposal of medical marijuana waste by either incinerating or composing of the waste. For all methods of disposal, a Medical Marijuana Waste Disposal Facility shall not render the

¹⁰ (Reg. 238 002.37)

¹¹ (Reg. 238 017.02), see also Neb. Rev. Stat. § 71-24,107.

¹² (Note temporary storage of cannabis, cannabis products, and cannabis accessories. (238 NE ADC Ch. 1, § 017)

¹³ (Neb. Reg. 238, 002.23)

¹⁴ 442:10-1-4. Definitions, OK ADC 442:10-1-4

medical marijuana unusable having a THC concentration greater than 0.3 percent on a dry weight basis¹⁵ and as an unrecognizable product.

- A. If incineration is used, the disposal facility shall be equipped with air scrubber.
- B. If composting is used, the composting process shall render cannabis waste unusable and the composting process must involve grinding the waste and mixing it with other ground materials so that the resulting mixture is not comprised of more than 50 percent cannabis waste by volume. Acceptable materials for mixing with cannabis waste include, but are not limited to, the following:
 - (i) Compostable mixed waste, such as food waste, yard waste, vegetable greases or oils, or other compostable materials;
 - (ii) Materials that are not compostable mixed with cannabis waste, with materials being comprised of paper waste, plastic waste, cardboard waste, or other not compostable materials.¹⁶

When submitted by application for the special use permit, a Medical Marijuana Waste Disposal facility and its functions may also be combined with a Medical Marijuana Manufacturing Facility.

II. That the definition for “Farm or Farm Operation” be amended to read¹⁷:

“~~Agricultural~~ “Farm or farm operation” means any tract of land over ten acres in area used for or devoted to the commercial production of farm products; (Neb.Rev.Stat. 2-4402)¹⁸

III. To amend Sec. 5.14 to allow medical marijuana cultivation as a use by special permit in the Agricultural Zoning District.

¹⁵ 246-70-030. Definitions., WA ADC 246-70-030

¹⁶ 314-55-097. Cannabis waste disposal and sales--Liquids and solids., WA ADC 314-55-097

¹⁷ SUGGEST STRIKING “AGRICULTURAL” to synchronized Nebraska Law, particularly the Right to Farm Laws. This is the exact same language of that law.

¹⁸ In order for the land to qualify for special valuation, the land shall be agricultural or horticultural land and (a) the land shall consist of five contiguous acres or more or (b) if the land consists of less than five contiguous acres, the owner or lessee of the land shall provide an Internal Revenue Service Schedule F or other suitable tax document reporting a profit or loss from farming for two out of the last three years for such land. Sec. 77-1344. Agricultural or horticultural land; special valuation; when applicable. **(We’re not going with this definition-only do simple change to “farm” definition.)**

Medical Marijuana Cultivation Facility

- IV. To amend Sec. 5.54 regarding uses by special permit in the Commercial Zoning District.

Sec. 5.54 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the C Commercial District if a special use permit for such use has been obtained in accordance with Article 6 of these regulations. (add these uses):

Medical Marijuana Cultivation Facility, when abutting and having access to a paved public road.

Medical Marijuana Manufacturing Facility, when abutting and having access to a paved public road.

Medical Marijuana Transport facility, when abutting and having access to a paved public road.

Medical Marijuana Waste Disposal facility, when abutting and having access to a paved public road.

Medical Marijuana Dispensary Medical Marijuana Dispensary, when abutting and having access to a paved public road.

V. TO ADD AS A SUBCHAPTER "MEDICAL MARIJUANA PROVISIONS"

- A. An application for a Special Use Permit for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Medical Marijuana Dispensary, or Medical Marijuana Distribution Facility(s), i.e., MMB facilities, in addition to the requirements applicable to all Special Use Permit applications, shall include the following:
1. Proof of Insurance/Bond: Medical Marijuana Insurance and Bond Requirements. Any bond(s) required by the State for licensing shall add as additional bonded/insured: Buffalo County.
 2. Copy of State issued license for Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
 3. A security plan depicting the location and configuration of security cameras and surveillance equipment.
 4. A complete description of the products and services to be produced or sold by the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary. (MMB).
 5. A notarized statement acknowledging that the applicant understands applicable federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of Nebraska, and the laws and regulations of the county

applicable thereto concerning the operation of an MMB. The written statement shall also acknowledge that any violation of any laws or regulations of the State of Nebraska or of the county, or any activity in violation of any guidance or directives issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the commencement of any legal proceeding relating to the MMB by federal authorities, may render the license subject to immediate suspension or revocation.

6. A notarized statement that the applicant will hold harmless, indemnify, and defend the county against all claims and litigation arising from the issuance of license and/or a special use permit including any claims and litigation arising from the MMB.
7. A notarized acknowledgement that the applicant is seeking a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit and that the applicant understands and acknowledges that the burden of proving qualifications to receive such a Special Use Permit is at all times on the applicant; that the granting of a Special Use Permit for a MMB is at the discretion of the Buffalo County Board of Commissioners; and that the applicant agrees to abide by the decision of the county Board of Commissioners.
- B. A Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit shall be reviewed annually by the County Zoning Administrator for renewal. The fee for this review/inspection shall be set by the County Board.
- C. Ownership. Vertical ownership of the various medical marijuana facilities and uses is not permitted other than the waste disposal provisions. An applicant may not possess more than one special use permit-type authorized by this Zoning Resolution that concerns Medical Marijuana other than the waste disposal provisions.¹⁹
- D. Once a special use permit is obtained for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary any change in operation of the facility or in ownership shall require prior approval of the Board of County Commissioners without need of referral and review by the Buffalo County Planning Commission.
- E. Any building modifications or alterations, after issuance of the Special Use Permit for MMB facilities must be approved by review of the issued Special Use Permit by the Buffalo County Planning Commission and thereafter, with approval of the Buffalo County Board.
- F. Minimum Distancing and Design Standards. Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Dispensary Facilities, and Medical Marijuana Waste Disposal Facility Minimum Design Standards. All of the foregoing MMB facilities shall meet the following minimum design and distancing requirements:

¹⁹ (Reg. 238 007.01 VERTICAL LICENSING).

Minimum Design Standards:

1. All MMB's, excepting cultivars allowed in the AG District, shall have access to and abut a paved public road.
 2. Each MMB shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment. An odor abatement plan, is more specifically set out in subsection "Odor Abatement".
 3. All MMB's shall store all medical marijuana waste in a secure waste receptacle that is locked with commercial-grade locks prior to disposal or transfer to a medical marijuana waste disposal facility. The receptacle shall be kept in a safe and secure location with limited access.
 4. Windows for any MMB shall remain unobstructed, allowing visibility into the facility. Window tint, decals, or window signage of any kind shall be strictly prohibited.
 5. Each MMB, unless specifically allowed to be combined in function in these zoning provisions, shall be located in a separate, permanent, stand-alone structure and have a minimum six (6) foot high perimeter fence encompassing the MMB facility.
 6. All MMB's except the Dispensary facilities, shall have the perimeter surrounding the MMB facility fenced.
 7. For MMB facility located in the C Zoning District, the entire perimeter of a MMB structure must be well lit with a minimum 2 candle foot measured at fifteen feet around each structure that is a part of the MMB. Every entrance to any MMB shall have a minimum of eight candle foot lighting measured at the entrance with additional exterior lighting at the same cover in a twenty-foot square lighting area that is centered on one side at the entrance. The parking area of the MMB shall have every parking space illuminated with no less than 2 candle foot of lighting.²⁰
 8. All MMB's shall have 24-hour surveillance cameras depicting the entire exterior of the MMB facility. Any Medical Marijuana Dispensary shall additionally have a camera or cameras at the entrance(s) into the Dispensary's structure and exterior surveillance camera depicting vehicles and license plates of each vehicle entering the parking lot or other parking areas.
 9. No outdoor storage of Medical Marijuana shall be permitted.
 10. No MMB shall have facilities that have or provide drive-through, drive-up, or walk-up windows or similar openings to MMB facilities.
- G. PARKING AREAS, unless a more burdensome minimum parking standard is set out in Buffalo County's general zoning resolution, MMB's shall provide:
1. Each Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary shall have at least 1 parking space per 250 square feet of structure.

²⁰ Source: <https://echelonlightingsolutions.com/articles/your-guide-to-the-recommended-footcandles-and-layouts> derived from the Illuminating Engineering Society (IES) published April 2026. It was noted that OSHA's minimum requirements were generally lower in IES recommendations.

2. Each Medical Marijuana Cultivation, shall have at least 1 parking space for every 1000 square feet of plant cultivation area and 1 parking space for every 250 square feet of all other areas of the structure.

H. DISTANCING PROVISIONS:

1. All MMB's shall be no closer than a minimum of 1,320 feet from a public or private preschool, kindergarten, elementary, secondary or high school, public park, public community center, dependent care facility, homeless shelter, youth center, or place of worship.²¹ The 1,320 feet shall be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
 2. A MMB shall be no closer than 300 feet from another MMB, unless the MMB is specifically allowed to be combined for purposes of Medical Marijuana waste disposal, as allowed in these zoning provisions. The 300 feet shall be measured in a straight line from the nearest property line of the licensed location to the nearest property of the licensed premises.
 3. Any MMB shall be no closer than a minimum of 500 feet from any Agricultural Rural Residential-1 (AGR-1) or Rural Residential-2 (AGR-2) zoning district, and/or municipal corporate limit. The 500 feet shall be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
 4. Any parcel having a MMB use shall have no other activity and/or use on the same parcel.
- I. All applicable state standards and requirements shall apply in the design and operations of any Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
- J. Hours of operation: Medical Marijuana Dispensary, or Dispensaries shall have operating hours of no earlier than 8:00 AM or later than 7:00 PM.
- K. Each permitted applicant shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office, prior to the annual renewal of the Special Use Permit.
- L. INITIAL AND ANNUAL REVIEW/INSPECTION:
1. Each permitted MMB facility applicant prior to commencement of MMB use, shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office.
 2. At least annually thereafter, a MMB use facility is subject to inspections from the Buffalo County Zoning Administrator, accompanied by the Buffalo County Sheriff's office.

²¹ State regulations provide distances from "Covered locations. 002.10 COVERED LOCATION. Covered location means any school, business operating under a license issued pursuant to the Nebraska Child Care Licensing Act Neb. Rev. Stat. § 71-1908 to § 71-1923.03, church, hospital, or mental health substance use treatment center as defined by Neb. Rev. Stat. § 71-423. 1,000 for dispensary (004.08); 1,000' for cultivator (005.08; One thousand feet will be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.

- M. The foregoing inspections shall occur during normal county operation of business hours with five (5) business days written notice provided to MMB user.
- N. SPECIAL FEES FOR MMB facilities: An Annual Zoning Review/Inspection Permit Fee as authorized to be set, and subsequently reviewed, by the Buffalo County Commissioners. Thereafter, the Buffalo County Zoning Administrator shall establish an annual permit fee to offset costs associated with policing, site inspections, monitoring, storage of media, and/or regulating medical marijuana facilities involved in the cultivation, propagation, manufacturing, processing, refining, distribution, delivery, supply, sale, disposal, or handling of Medical Marijuana of medical marijuana.
- O. Severability, Exclusions, and Exceptions:
1. The provisions of this chapter do not waive or modify any other provision of this ordinance with which Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary is required to comply. Nothing in this section is intended to authorize, legalize, or permit the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary operation or maintenance of any facility, building, or use which violates any County ordinance or statute of the State of Nebraska regarding public nuisances, Medical Marijuana, or any federal regulations or statutes relating to the use of controlled substances.
 2. This chapter shall be null and void if any determination is made, after the adoption of the ordinance enacting this chapter, by any court of competent jurisdiction, that Nebraska Medical Cannabis Regulation Act as authorized by Nebraska Revised Statute (Neb. Rev. Stat.) § 71-24,111, or as subsequently amended, is invalid, or shall be null and void to the extent any portion of such section is held invalid.
 3. Should any section, subsection, clause or provision of this chapter for any reason be held to be invalid or factually unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter, it being hereby expressly declared that this chapter, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this chapter be declared invalid or unconstitutional.

VI. SPECIAL PROVISIONS REGARDING ODOR ABATEMENT:

Odor Abatement Plan. All applications for MMB use shall (1) prepare and submit to the Special Use Permit Application for review and approval, and (2) implement, an Odor Abatement Plan. The Odor Abatement Plan must prevent odors from emitting beyond the property lines of the MMB. The Odor Abatement Plan shall be implemented prior to the issuance of the special use permit and/or throughout operation of the facility, as applicable. The Odor Abatement Plan must include the following:

1. A floor plan, specifying locations of odor-emitting activity(ies) and emissions.
2. A description of the specific odor-emitting activity(ies) that will occur.
3. A description of the phases (e.g., frequency and length of each phase) of odor-emitting activity(ies).
4. A description of all equipment and methods to be used for reducing odors. A Nebraska-licensed Professional Engineer must review and certify that the equipment and methods to be used for reducing odors are consistent with accepted and available industry-specific best control technologies and methods designed to mitigate odor.
5. Approved odor control systems, subject to certification as required in Subsection d above, may include, but are not limited to:
 - a. Multi-Technology Carbon Filtration. For purposes of this Section, Multi-Technology Carbon Filtration means air filtration technology that utilizes activated carbon, which may include carbon filters, photocatalytic oxidation (PCO) units and/or other equivalent technologies that utilize carbon filtration.
 - b. Other odor controls systems that provide equivalent or greater odor control effectiveness than Multi-Technology Carbon Filtration.
 - c. Vapor phase systems shall not be allowed.
6. Designation of an individual (local contact) who is responsible for responding to odor complaints. The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding any odor complaints.
7. The operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant, as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Zoning Administrator as part of any Zoning Administrator inspections of the cannabis activity, and upon the Zoning Administrator's request. The operator shall maintain the complaint tracking records for a minimum of five years.

8. The Odor Abatement Plan shall be certified by a Nebraska licensed Professional Engineer, indicating that the proposed Odor Abatement Plan will mitigate nuisance odors to below to a minimal odor amount at the operator property boundary.

Brett Mayo, 35215 280th Road, Pleasanton, Nebraska, stepped forward to testify. Mr. Mayo stated that the state regulatory requirements of medical marijuana are moving, but incredibly slowly. He explained that he is currently operating under Sweetwater Hemp. He educated that the process for medical marijuana will be similar to that of hemp. He stated that Sweetwater intends to submit a license for medical marijuana.

Deputy County Attorney Hoffmeister asked if Sweetwater Hemp intended to use the same equipment for medical marijuana as what is being used for the hemp. Mr. Mayo confirmed. He stated that hemp and marijuana are handled the same way. He stated that they are a turnkey facility and are vertically integrated.

Deputy County Attorney Hoffmeister asked if Mr. Mayo viewed marijuana as an agricultural use. Mr. Mayo confirmed. Mr. Mayo stated that in one greenhouse, which is 1,900 square feet, they can grow around 1,200 plants, if they are grown indoor. He added that blackout conditions need to be controlled to get the yield.

Rory Cruise, 27915 Sweetwater Road, Pleasanton, Nebraska, also stepped forward to testify. He identified himself as the CEO of Sweetwater Hemp Company.

Mr. Mayo said that only growing four licenses have been issued and none have been issued in Buffalo County. He said the cannabis commission has not opened up a manufacturing license; but he is hopeful that Sweetwater will receive one.

Deputy County Attorney Hoffmeister asked if Sweetwater has fencing and security and Mr. Mayo and Mr. Cruise confirmed. Mr. Mayo also stated that their facility is entirely enclosed.

Deputy County Attorney Hoffmeister asked if the transporter was fully secured and Mr. Mayo stated that Sweetwater was looking to remove the transporter license. Mr. Mayo also provided an educational background on what is required for his hemp operation from transportation to growing.

Mr. Mayo recommended that the regulations be temporarily shelved until the Cannabis Commission is still writing the regulatory requirements. He stated that he doesn't believe anything should be considered until the law at the state level is completed. Mr. Mayo added that the state of Nebraska will only allow the following in cannabis: tinctures, suppositories, capsules, patches and nebulizers.

Mr. Mayo expanded on his testimony and stated that them, as hemp growers, are regulated by regulations written in 2014 because nothing has been updated.

Alcohol regulations versus medical marijuana regulations were discussed.

Secretary Jeffs stated that Buffalo County has to have regulations in place for medical marijuana to protect the citizens of Buffalo County. Mr. Mayo disagreed.

Mr. Chaney asked if the requirement that a facility abuts and have access to a public road would hamper Sweetwater's ability to move forward. Deputy County Attorney Hoffmeister stated that it would.

Deputy County Attorney Hoffmeister asked if Mr. Cruise maintains 280th Road and Mr. Cruise testified that they do not.

Discussion ensued regarding the road maintenance that leads to the facility.

Discussion occurred where a cannabis operation should be located and how pickup will be regulated by the prescribing doctor.

Traffic patterns were discussed. Mr. Mayo and Mr. Cruise, both reiterated that traffic patterns would not increase on the county road from what is being done presently.

Ron Reece, again, stepped forward to testify. Mr. Reece testified that he is frustrated with the permissibility of other commercial operations and the number of residences cropping up across the county. He added that Sweetwater should be allowed to facilitate their operations, free of encumbrances.

Ren Snow, again, stepped forward to testify. He testified that he is an employee of The Sprout house. He explained that 280th Road is the best-maintained and most accessible road. He said that he believes Sweetwater is a good employer and the facility is much-needed to create more jobs. He also added that safekeeping of the facility is very secure.

James Friesen, again, stepped forward to testify. He stated that he supports Sweetwater and their visions to expand their operation into cannabis. He referenced the complicated conditions to grow the crop. He also highlighted the profitability of the industry. He asked The Commission to make regulations to protect the small operations.

Chairperson Brady asked if anyone wished to comment. No one stepped forward.

Chairperson Brady closed the public hearing at 10:05 p.m.

Mr. Chaney stated the he believed the county needs more education on the industry.

Vice-Chairperson Keep added that Buffalo County needs to get regulations in place. Mr. Kreutzer agreed.

Ms. Jeffs recommended removing "shall have access to and abut a paved public road" for all MMBs except cultivators allowed in the AG District.

Chairperson Brady asked if anyone was in strict opposition of the document itself, and not the requirement to have facilities abut and have access to a paved road. No one spoke.

Deputy County Attorney Hoffmeister stated that the distancing options under 5.54 (H)(1) be reduced from 1,320 feet to 1,000 to be more similar with the regulatory standards of the state.

Mr. Cruise again stepped forward and requested that the 500-foot setback from a residence be reduced. Deputy County Attorney Hoffmeister explained the 500-foot setback is required from the agricultural residential districts.

Deputy County Attorney Hoffmeister asked The Commission if they would like to adjust the hours of operation. After discussion, Secretary Jeffs requested the hours of operation be adjusted from 7:00 p.m. to 11:00 p.m.

After discussion, Secretary Jeffs recommended that Cultivation Facilities and Manufacturing Facilities be added to the Agriculture District and not require that they abut and have access to a paved road. Deputy County Hoffmeister recommended that Cultivation, Manufacturing, Transport, and Waste Disposal Facilities be moved from Commercial to the Agriculture District as a Special Use Permit and not require that they abut a paved road. She added that all other Medical Marijuana Businesses should have access and abut a public road.

Motion was made by Secretary Jeffs, and seconded by Ms. Wolfe to recommend favorably the proposed code amendments to The Buffalo County Zoning Regulations with renumbering as necessary, regarding medical marijuana to the Buffalo County Board of Commissioners, with the following revisions highlighted in red:

“BUFFALO COUNTY, NEBRASKA, RESOLUTION REGARDING REGULATION BY ZONING POWERS OF MEDICAL MARIJUANA:

WHEREAS, the 2025 Nebraska Legislature enacted Nebraska Medical Cannabis Regulation Act, as set out in LB 1, 2025 Legislature, effective February 26, 2025. Thereafter, the Nebraska Medical Cannabis Commission promulgated and adopted temporary regulations concerning the cultivation, processing, distribution, and sale of Medical Marijuana. In fulfillment of the obligations and duties of the County Board as a “local government” under the Nebraska Medical Marijuana laws, this Board establishes a policy whereby all persons, entities or organizations wishing to establish a Medical Marijuana Manufacturing Facility Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility within Buffalo County must apply for and be granted a zoning special use permit for said use, and

WHEREAS, the use, cultivation, manufacturing, production, distribution, possession, and transportation of marijuana remains illegal under federal law, and marijuana remains classified as a "controlled substance" by both Nebraska and federal law. As such, the County Board does not have the authority to, and nothing in this Resolution is intended to, authorize, promote, condone, or aid the production, distribution, or possession of medical marijuana in violation of any applicable law, and

WHEREAS, The County Board intends to regulate the use, acquisition, cultivation, manufacturing, disposal, and transportation of medical marijuana in a manner that is consistent

with the Nebraska law. The zoning regulations adopted in this Resolution are intended to apply to all medical marijuana operations in the county by any medical marijuana business as permitted under state law. This Resolution is intended to regulate land use for state-licensed Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary so that the placement of these facilities will have minimal negative impact and/or other adverse impact(s) on surrounding properties and tax valuations. The regulations are also adopted for the protection and security of the medical marijuana product; to reduce contamination of the product; and to protect the public health, safety, property values, and general welfare of the citizens of Buffalo County, and

WHEREAS, this Board perceives that there is a need to have regular localized review and inspection of Nebraska licensed medical marijuana facilities that can or will be established in this county, and to create a means of reducing the public cost of localized reviews and inspections, and that there is a need to pass some of this cost to the entities that operate and are engaged in the medical marijuana business.

THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT BUFFALO COUNTY ENACTS THE FOLLOWING TO BE INCORPORATED INTO ITS' ZONING REGULATION:

VII. That the following definitions are added into Buffalo County's Zoning Resolution:

"Church" means a building, together with its accessory buildings and uses, maintained and controlled by a body organized to conduct religious worship and used primarily for religious worship and related activities.

"County" means Buffalo County, Nebraska, legally known as County of Buffalo, State of Nebraska, unless specifically otherwise provided.

"Cultivation of marijuana" means the planting and growing of one or more marijuana plant(s) or any part thereof.

Dispose" or "Disposal" of Medical Marijuana waste means the disposition of medical marijuana waste by either a process which renders the waste unusable and unrecognizable through physical destruction or a recycling process.²²

"Farm products" means those plants and animals useful to man and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur. (Neb.Rev.Stat. 2-4402)

²² Chapter 10, Subchapter 1, 442:10-1-4. Definitions, Oklahoma

"Fence", for purposes of medical marijuana, means a barrier constructed of any materials or combination of materials of sufficient strength and dimension to prevent unauthorized entry constructed to a height of no less than six feet. The term "fence" does not include bushes, hedgerows, plastic sheeting, cloth material (tarpaulins), or retaining walls. Prohibited security fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.²³

"Medical Marijuana Greenhouse" means, for purposes of medical marijuana, a structure legally established with all required permits approved, secure from unauthorized entry and completely enclosed with one or more secure locking doors as the only means of ingress and egress, where solely medical marijuana plants are grown.

"Harvest" means, for purposes of medical marijuana, the drying, processing, or storage of marijuana.

"Marijuana" or "cannabis" is used herein interchangeably and means any part of the genus cannabis plant, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Marijuana" or "cannabis" includes marijuana, hashish, and concentrate cannabis. "Marijuana" or "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. "Marijuana" or "cannabis" does not include hemp, as defined in section Sec. 2-503 Neb.Rev.Stat., nor does it include the sterilized seed of the plant which is incapable of germination, or cannabidiol contained in a drug product approved by the federal Food and Drug Administration. (Sec. 71-24,107, Neb.Rev.Stat.

Medical Marijuana: means cannabis, cannabis products, and cannabis accessories intended for use by qualified patients pursuant to any law enacted contemporaneously with the adoption of the Nebraska Medical Cannabis Regulation Act, generally Sec. 71-24,107, Neb.Rev.Stat., or at any time thereafter.

Medical Marijuana accessories means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body²⁴;

²³ Santa Barbara Co Zoning Reg Chapter 35-144U-Cannabis

²⁴ Sec. 71-24,107. Neb.Rev.Stat.

Medical Marijuana Business (MMB)” means a registered and/or licensed Medical Marijuana Manufacturing Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility.²⁵

Medical Marijuana Dispensary: Medical Marijuana Dispensary means a registered establishment licensed to possess, sell or transfer medical cannabis to qualified patients or caregivers.²⁶ All Dispensaries shall be located in a structure affixed to a permanent foundation with all sales or transfers occurring within this structure.

Medical Marijuana Cultivation Facility: A Medical Marijuana Cultivation Facility means a registered establishment licensed to cultivate cannabis plants for production of Medical Marijuana that is purposed to be sold through a Medical Marijuana dispensary for human consumption or sold as nursery stock to another Medical Marijuana Cultivation Facility. The facility shall be comprised of a wholly enclosed structure, usually described as a greenhouse. The sole purpose of a Medical Marijuana Cultivation Facility shall be to grow and harvest Medical Marijuana. The cultivation facility is allowed to dispose of medical marijuana waste²⁷ created or derived from plants within the Cultivation Facility. Prior to transport medical marijuana waste from the Facility, the plant material waste shall be rendered unusable and unrecognizable. The Cultivation Facility and waste where the plants are grown and waste processed shall be secured in the area from unauthorized entry and enclosed with one or more secure locking doors as the only means of ingress and egress.

Medical Marijuana Manufacturing Facility: Medical Marijuana Product Manufacturing Facility means an establishment licensed to process cannabis, conduct extractions, and manufacture cannabis products for sale or transfer to dispensaries, but cannot sell or transfer cannabis plants or cannabis products to qualified patients or caregivers.²⁸ The manufacturing process includes the packaging or repackaging of cannabis products; the

²⁵ 63 O.S. § 427.2 (OSCN 2026), Oklahoma Medical Marijuana and Patient Protection Act, MMB wording is in part cited from Definitions located in “Narcotic Drugs, Chapter 15 O.S.

²⁶ (Regulation 238. 002.14)

²⁷ 014.11 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL. A cultivator must maintain a written record of all medical cannabis waste disposed of in accordance with this chapter. 014.12 DISPOSAL REQUIREMENTS. A cultivator shall store, secure, manage, and record medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations. Before transport of plant material waste, the cultivator shall render the plant material waste unusable and unrecognizable. 014.13 DISPOSAL REQUIREMENT EXCEPTIONS. The following materials are not considered medical cannabis waste and do not require treatment to render the materials unusable and unrecognizable, provided that the cannabis does not contain any cannabis flower or leaves with any visible trichomes: (A) root balls, soil, or growing media; and

²⁸ (Reg. 238, 0002.28)

labeling or relabeling of cannabis products; and the remediation of failed harvest batches or cannabis product batches.²⁹

A Medical Marijuana Manufacturing facility and its functions may also be combined with a Medical Marijuana Waste Disposal Facility.

Medical Marijuana Qualifying Patient: A person who has been diagnosed with a debilitating medical condition by a physician licensed to practice medicine in the State of Nebraska and who has in that person's possession a current, valid photo identification issued by the State of Nebraska or the United States of America and a current, valid document issued by the Nebraska Department of Health to that person and authorizing that person to possess and use Medical Marijuana.

Medical Marijuana Registered Designated Caregiver: An individual who is registered with the Nebraska Department of Health who agrees to manage the well-being of a Medical Marijuana Qualifying Patient with respect to the Medical Marijuana Qualifying Patient's medical use of Marijuana.

Medical Marijuana Transporter. Transporter means a registered establishment licensed to transport medical cannabis, medical cannabis products, and medical cannabis accessories between medical cannabis licensees, provide logistical services for medical cannabis licensees, or store for transportation purposes medical cannabis in a medical marijuana facility described in this Resolution.³⁰ A Transporter may only possess cannabis for transport to or from: a licensed dispensary, a licensed product manufacturer, a licensed cultivator, medical marijuana waste disposal facility, or another licensed transporter.³¹

Medical Marijuana Transporter Facility means an enclosed structure used by Medical Marijuana Transporter to store vehicles used to transport medical cannabis, medical cannabis products, and medical cannabis accessories between medical cannabis licensees or medical marijuana waste facilities; provide logistical services for medical cannabis licensees; or store, for transportation purposes, medical cannabis in a medical marijuana facility described in this Resolution. All storage of medical cannabis for transportation shall take place at the premise identified in the transporter license. Transporter facilities and the equipment involved in transport shall not possess Medical Marijuana for more 72-hours duration at any one time. Also, Transporter facilities and equipment involved in transport, must be secured to reasonably prevent access to any cannabis plants or products by animals, or individuals who are not authorized agents of the Transporter or otherwise authorized by law³² to access Transporter facilities.

²⁹ (4 CA ADC § 15000 California)

³⁰ (Reg. 238 002.37)

³¹ (Reg. 238 017.02), see also Neb. Rev. Stat. § 71-24,107.

³² (Note temporary storage of cannabis, cannabis products, and cannabis accessories. (238 NE ADC Ch. 1, § 017)

MEDICAL MARIJUANA WASTE. Medical Marijuana waste means:

- E. Medical Marijuana ~~is~~ that is unused, unwanted, damaged, defective, expired, or contaminated.³³
- F. Unused, surplus, returned, or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts, except the term shall not include seeds, roots, stems, stalks and fan leaves,
- G. All product that is deemed to fail laboratory testing and cannot be remediated or decontaminated, or
- H. All products and inventory from medical marijuana licensees that:
 - (iii) have gone out of business, and/or
 - (iv) are unable to lawfully transfer or sell the product and inventory to another medical marijuana licensee.³⁴

Medical Marijuana Waste Disposal Facility means an enclosed building that has as its' purpose the disposal of medical marijuana waste by either incinerating or composing of the waste. For all methods of disposal, a Medical Marijuana Waste Disposal Facility shall not render the medical marijuana unusable having a THC concentration greater than 0.3 percent on a dry weight basis³⁵ and as an unrecognizable product.

- A. If incineration is used, the disposal facility shall be equipped with air scrubber.
- B. If composting is used, the composting process shall render cannabis waste unusable and the composting process must involve grinding the waste and mixing it with other ground materials so that the resulting mixture is not comprised of more than 50 percent cannabis waste by volume. Acceptable materials for mixing with cannabis waste include, but are not limited to, the following:
 - (iii) Compostable mixed waste, such as food waste, yard waste, vegetable greases or oils, or other compostable materials;
 - (iv) Materials that are not compostable mixed with cannabis waste, with materials being comprised of paper waste, plastic waste, cardboard waste, or other not compostable materials.³⁶

When submitted by application for the special use permit, a Medical Marijuana Waste Disposal facility and its functions may also be combined with a Medical Marijuana Manufacturing Facility.

³³ (Neb. Reg. 238, 002.23)

³⁴ 442:10-1-4. Definitions, OK ADC 442:10-1-4

³⁵ 246-70-030. Definitions., WA ADC 246-70-030

³⁶ 314-55-097. Cannabis waste disposal and sales--Liquids and solids., WA ADC 314-55-097

VIII. That the definition for “Farm or Farm Operation” be amended to read³⁷:

“~~Agricultural~~ “Farm or farm operation” means any tract of land over ten acres in area used for or devoted to the commercial production of farm products; (Neb.Rev.Stat. 2-4402)³⁸

- IX. To amend Sec. 5.14 to allow medical marijuana cultivation as a use by special permit in the Agricultural Zoning District.

Medical Marijuana Cultivation Facility

Medical Marijuana Cultivation Facility, when abutting and having access to a paved public road.

Medical Marijuana Manufacturing Facility, when abutting and having access to a paved public road.

Medical Marijuana Transport facility, when abutting and having access to a paved public road.

Medical Marijuana Waste Disposal facility, when abutting and having access to a paved public road.

- X. To amend Sec. 5.54 regarding uses by special permit in the Commercial Zoning District.

Sec. 5.54 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the C Commercial District if a special use permit for such use has been obtained in accordance with Article 6 of these regulations. (add these uses):

~~Medical Marijuana Cultivation Facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Manufacturing Facility, when abutting and having access to a paved public road.~~

³⁷ SUGGEST STRIKING “AGRICULTURAL” to synchronized Nebraska Law, particularly the Right to Farm Laws. This is the exact same language of that law.

³⁸ In order for the land to qualify for special valuation, the land shall be agricultural or horticultural land and (a) the land shall consist of five contiguous acres or more or (b) if the land consists of less than five contiguous acres, the owner or lessee of the land shall provide an Internal Revenue Service Schedule F or other suitable tax document reporting a profit or loss from farming for two out of the last three years for such land. Sec. 77-1344. Agricultural or horticultural land; special valuation; when applicable. **(We’re not going with this definition- only do simple change to “farm” definition.)**

~~Medical Marijuana Transport facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Waste Disposal facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Dispensary~~ Medical Marijuana Dispensary, ~~when shall abutting and having~~ have access to a ~~paved~~ public road.

XI. TO ADD AS A SUBCHAPTER "MEDICAL MARIJUANA PROVISIONS"

- P. An application for a Special Use Permit for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or ~~Medical Marijuana Dispensary~~ Medical Marijuana Dispensary, or Medical Marijuana Distribution Facility(s), i.e., MMB facilities, in addition to the requirements applicable to all Special Use Permit applications, shall include the following:
1. Proof of Insurance/Bond: Medical Marijuana Insurance and Bond Requirements. Any bond(s) required by the State for licensing shall add as additional bonded/insured: Buffalo County.
 2. Copy of State issued license for Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
 3. A security plan depicting the location and configuration of security cameras and surveillance equipment.
 4. A complete description of the products and services to be produced or sold by the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary. (MMB).
 5. A notarized statement acknowledging that the applicant understands applicable federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of Nebraska, and the laws and regulations of the county applicable thereto concerning the operation of an MMB. The written statement shall also acknowledge that any violation of any laws or regulations of the State of Nebraska or of the county, or any activity in violation of any guidance or directives issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the commencement of any legal proceeding relating to the MMB by federal authorities, may render the license subject to immediate suspension or revocation.
 6. A notarized statement that the applicant will hold harmless, indemnify, and defend the county against all claims and litigation arising from the issuance of license and/or a special use permit including any claims and litigation arising from the MMB.
 7. A notarized acknowledgement that the applicant is seeking a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit and that the applicant understands and

acknowledges that the burden of proving qualifications to receive such a Special Use Permit is at all times on the applicant; that the granting of a Special Use Permit for a MMB is at the discretion of the Buffalo County Board of Commissioners; and that the applicant agrees to abide by the decision of the county Board of Commissioners.

- Q. A Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit shall be reviewed annually by the County Zoning Administrator for renewal. The fee for this review/inspection shall be set by the County Board.
- R. Ownership. Vertical ownership of the various medical marijuana facilities and uses is not permitted other than the waste disposal provisions. An applicant may not possess more than one special use permit-type authorized by this Zoning Resolution that concerns Medical Marijuana other than the waste disposal provisions.³⁹
- S. Once a special use permit is obtained for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary any change in operation of the facility or in ownership shall require prior approval of the Board of County Commissioners without need of referral and review by the Buffalo County Planning Commission.
- T. Any building modifications or alterations, after issuance of the Special Use Permit for MMB facilities must be approved by review of the issued Special Use Permit by the Buffalo County Planning Commission and thereafter, with approval of the Buffalo County Board.
- U. Minimum Distancing and Design Standards. Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Dispensary Facilities, and Medical Marijuana Waste Disposal Facility Minimum Design Standards. All of the foregoing MMB facilities shall meet the following minimum design and distancing requirements:
Minimum Design Standards:
11. All MMB's, excepting ~~cultivars~~ MMBs allowed in the AG District, ~~shall~~ ~~abutting~~ and ~~having~~ ~~have~~ access to a ~~paved~~ public road.
 12. Each MMB shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment. An odor abatement plan, is more specifically set out in subsection "Odor Abatement".
 13. All MMB's shall store all medical marijuana waste in a secure waste receptacle that is locked with commercial-grade locks prior to disposal or transfer to a medical marijuana waste disposal facility. The receptacle shall be kept in a safe and secure location with limited access.
 14. Windows for any MMB shall remain unobstructed, allowing visibility into the facility. Window tint, decals, or window signage of any kind shall be strictly prohibited.

³⁹ (Reg. 238 007.01 VERTICAL LICENSING).

15. Each MMB, unless specifically allowed to be combined in function in these zoning provisions, shall be located in a separate, permanent, stand-alone structure and have a minimum six (6) foot high perimeter fence encompassing the MMB facility.
16. All MMB's except the Dispensary facilities, shall have the perimeter surrounding the MMB facility fenced.
17. For MMB facility located in the C Zoning District, the entire perimeter of a MMB structure must be well lit with a minimum 2 candle foot measured at fifteen feet around each structure that is a part of the MMB. Every entrance to any MMB shall have a minimum of eight candle foot lighting measured at the entrance with additional exterior lighting at the same cover in a twenty-foot square lighting area that is centered on one side at the entrance. The parking area of the MMB shall have every parking space illuminated with no less than 2 candle foot of lighting.⁴⁰
18. All MMB's shall have 24-hour surveillance cameras depicting the entire exterior of the MMB facility. Any Medical Marijuana Dispensary shall additionally have a camera or cameras at the entrance(s) into the Dispensary's structure and exterior surveillance camera depicting vehicles and license plates of each vehicle entering the parking lot or other parking areas.
19. No outdoor storage of Medical Marijuana shall be permitted.
20. No MMB shall have facilities that have or provide drive-through, drive-up, or walk-up windows or similar openings to MMB facilities.
- V. PARKING AREAS, unless a more burdensome minimum parking standard is set out in Buffalo County's general zoning resolution, MMB's shall provide:
 3. Each Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary shall have at least 1 parking space per 250 square feet of structure.
 4. Each Medical Marijuana Cultivation, shall have at least 1 parking space for every 1000 square feet of plant cultivation area and 1 parking space for every 250 square feet of all other areas of the structure.
- W. DISTANCING PROVISIONS:
 5. All MMB's shall be no closer than a minimum of ~~1,320~~ 1,000 feet from a public or private preschool, kindergarten, elementary, secondary or high school, public park, public community center, dependent care facility, homeless shelter, youth center, or place of worship.⁴¹ The ~~1,320~~ 1,000 feet shall be measured in a straight line from the

⁴⁰ Source: <https://echelonlightingsolutions.com/articles/your-guide-to-the-recommended-footcandles-and-layouts> derived from the Illuminating Engineering Society (IES) published April 2026. It was noted that OSHA's minimum requirements were generally lower in IES recommendations.

⁴¹ State regulations provide distances from "Covered locations. 002.10 COVERED LOCATION. Covered location means any school, business operating under a license issued pursuant to the Nebraska Child Care Licensing Act Neb. Rev. Stat. § 71-1908 to § 71-1923.03, church, hospital, or mental health substance use treatment center as defined by Neb. Rev. Stat. § 71-423. 1,000 for dispensary (004.08); 1,000' for cultivator (005.08; One thousand feet will be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.

- nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
6. A MMB shall be no closer than 300 feet from another MMB, unless the MMB is specifically allowed to be combined for purposes of Medical Marijuana waste disposal, as allowed in these zoning provisions. The 300 feet shall be measured in a straight line from the nearest property line of the licensed location to the nearest property of the licensed premises.
 7. Any MMB shall be no closer than a minimum of 500 feet from any Agricultural Rural Residential-1 (AGR-1) or Rural Residential-2 (AGR-2) zoning district, and/or municipal corporate limit. The 500 feet shall be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
 8. Any parcel having a MMB use shall have no other activity and/or use on the same parcel.
- X. All applicable state standards and requirements shall apply in the design and operations of any Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
- Y. Hours of operation: Medical Marijuana Dispensary, or Dispensaries shall have operating hours of no earlier than 8:00 AM or later than ~~7:00~~ 11:00 PM.
- Z. Each permitted applicant shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office, prior to the annual renewal of the Special Use Permit.
- AA. INITIAL AND ANNUAL REVIEW/INSPECTION:
3. Each permitted MMB facility applicant prior to commencement of MMB use, shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office.
 4. At least annually thereafter, a MMB use facility is subject to inspections from the Buffalo County Zoning Administrator, accompanied by the Buffalo County Sheriff's office.
- BB. The foregoing inspections shall occur during normal county operation of business hours with five (5) business days written notice provided to MMB user.
- CC. SPECIAL FEES FOR MMB facilities: An Annual Zoning Review/Inspection Permit Fee as authorized to be set, and subsequently reviewed, by the Buffalo County Commissioners. Thereafter, the Buffalo County Zoning Administrator shall establish an annual permit fee to offset costs associated with policing, site inspections, monitoring, storage of media, and/or regulating medical marijuana facilities involved in the cultivation, propagation, manufacturing, processing, refining, distribution, delivery, supply, sale, disposal, or handling of Medical Marijuana of medical marijuana.
- DD. Severability, Exclusions, and Exceptions:
4. The provisions of this chapter do not waive or modify any other provision of this ordinance with which Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary is required to comply. Nothing in this section is intended to authorize, legalize, or permit the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical

Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary operation or maintenance of any facility, building, or use which violates any County ordinance or statute of the State of Nebraska regarding public nuisances, Medical Marijuana, or any federal regulations or statutes relating to the use of controlled substances.

5. This chapter shall be null and void if any determination is made, after the adoption of the ordinance enacting this chapter, by any court of competent jurisdiction, that Nebraska Medical Cannabis Regulation Act as authorized by Nebraska Revised Statute (Neb. Rev. Stat.) § 71-24,111, or as subsequently amended, is invalid, or shall be null and void to the extent any portion of such section is held invalid.

6. Should any section, subsection, clause or provision of this chapter for any reason be held to be invalid or factually unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter, it being hereby expressly declared that this chapter, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this chapter be declared invalid or unconstitutional.

DRAFT

XII. SPECIAL PROVISIONS REGARDING ODOR ABATEMENT:

Odor Abatement Plan. All applications for MMB use shall (1) prepare and submit to the Special Use Permit Application for review and approval, and (2) implement, an Odor Abatement Plan. The Odor Abatement Plan must prevent odors from emitting beyond the property lines of the MMB. The Odor Abatement Plan shall be implemented prior to the issuance of the special use permit and/or throughout operation of the facility, as applicable. The Odor Abatement Plan must include the following:

1. A floor plan, specifying locations of odor-emitting activity(ies) and emissions.
2. A description of the specific odor-emitting activity(ies) that will occur.
3. A description of the phases (e.g., frequency and length of each phase) of odor-emitting activity(ies).
4. A description of all equipment and methods to be used for reducing odors. A Nebraska-licensed Professional Engineer must review and certify that the equipment and methods to be used for reducing odors are consistent with accepted and available industry-specific best control technologies and methods designed to mitigate odor.
5. Approved odor control systems, subject to certification as required in Subsection d above, may include, but are not limited to:
 - a. Multi-Technology Carbon Filtration. For purposes of this Section, Multi-Technology Carbon Filtration means air filtration technology that utilizes activated carbon, which may include carbon filters, photocatalytic oxidation (PCO) units and/or other equivalent technologies that utilize carbon filtration.
 - b. Other odor controls systems that provide equivalent or greater odor control effectiveness than Multi-Technology Carbon Filtration.
 - c. Vapor phase systems shall not be allowed.
6. Designation of an individual (local contact) who is responsible for responding to odor complaints. The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding any odor complaints.
7. The operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant, as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Zoning Administrator as part of any Zoning Administrator inspections of the cannabis activity, and upon the Zoning Administrator's request. The operator shall maintain the complaint tracking records for a minimum of five years.

8. The Odor Abatement Plan shall be certified by a Nebraska licensed Professional Engineer, indicating that the proposed Odor Abatement Plan will mitigate nuisance odors to below to a minimal odor amount at the operator property boundary.

Upon roll call vote, the following Board members voted “Aye”: Brady, Jeffs, Wolfe, Chaney and Sedlacek, Kreutzer, Keep, and Vacek.

Voting “Nay”: None.

Abstain: None.

Absent: Stubblefield.

Motion carried.

Deputy County Attorney Davis notated that the change of venue included the following postings: a sign on every entrance of every exterior door of the campus, amended agenda, and a tent sign at the entrance of the Buffalo County Justice Center. Secretary Jeffs also noted that the change of venue was notated on the official Buffalo County, Nebraska Facebook Page.

Old Business

Minutes

Motion was made by Vice-Chairperson Keep and seconded by Mr. Kreutzer to approve the June 18, 2026 meeting minutes, with the following revisions: remove the word “the” from paragraph four, line two, last word of that line, of the last page of the document. It should read, “...Zoning Administrator Daniels highlighted a proposed extra-territorial jurisdictional subdivision, Arbor View Fifth and the proposed response. The Commission reviewed the letter and found ~~“the”~~ it to be satisfactory...”

Upon roll call vote, the following Board members voted “Aye”: Brady, Jeffs, Wolfe, Chaney and Sedlacek, Kreutzer, Keep, and Vacek.

Voting “Nay”: None.

Abstain: None.

Absent: Stubblefield.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reported that the Termination for Special Use Permit Application to operate a ready-mix concrete plant, filed by Shane Roach located at 4785 Keystone Road, on part of tax parcel 660289100, described as a tract of land situated in part of Government Lot Two (2), now known as part of Lot One (1) Roach Administrative Subdivision, located in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska was approved by the Board of Commissioners on July 14, 2026.

Zoning Administrator Daniels also reported that the Application for Zoning Map Amendment, filed by Shane Roach, for property described as a tract being part of Lot One (1), Roach Administrative Subdivision, a subdivision located in part of Government Lot Two (2) of Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to rezone approximately 1.38 Acres, more or less, from Agriculture (AG) to Industrial (I) was approved by the Board of Commissioners on July 14, 2026.

Zoning Administrator Daniels reported that the code amendments to The Buffalo County Subdivision Regulations, with renumbering as necessary, under “Exhibit E”, The Subdivision Agreement for Road Maintenance, to add a return address to the front page of the document for recording purposes and to correct the resolution template on the notary was approved by The Board of Commissioners on July 14, 2026.

Zoning Administrator Daniels reviewed two Kearney County Notices for an application for mineral extraction.

Chairperson Brady announced commendation and certificate for Loye Wolfe, who has been a member of the Buffalo County Planning Commission for 27 years. Chairperson Brady thanked Ms. Wolfe for her significant contributions and always being present.

Next Meeting

The next meeting is scheduled for August 20, 2026. Zoning Administrator Daniels stated that she has not received any applications for public review, as of that evening.

Adjourn

Chairperson Brady adjourned the meeting at 10:29 P.M.

Scott Brady, Chairperson
Buffalo County Planning Commission

Tammy Jeffs, Secretary
Buffalo County Planning Commission

Zoning Agenda

Item #1

Proposed Data Center/Energy Storage Suggested Amendments

Amend the proposed Buffalo County Zoning Regulations, with amendments noted in strikethrough for deletion of, and underlining for added and renumbering as necessary, as shown below:

Amend to add in definitions:

Stationary Energy Storage System(s), that are also known as Battery Electrical Storage System(s) (BESS). These facilities are for the use of storage of electrical energy usually comprised of batteries for storage of 20 kWh or more of electricity¹ based upon manufacturer specifications housed in any ~~of~~ one ~~or~~ more structures that can be situated as stand-alone and/or in an enclosed structure(s).

Add the following verbiage, under Article 6 (potentially Section 6.9):

6.9 Stationary Energy Storage Systems Special Requirements

- A. The key components of the system shall be submitted as part of the application, to include stamped engineering plans to include, but not be limited to footing standards and fire protection.
- B. BESS facilities shall minimally be enclosed by a perimeter secure fence that consists of a minimum eight-foot-high fence with a locking gate.
- C. A clearly visible warning sign shall be placed on the fence informing individuals of potential voltage hazards.
- D. The facility may also include customary accessory uses such as an office use.
- E. For cooling functions the Stationary Energy Storage System, if the System uses water as a cooling source, shall utilize closed loop water cooling apparatus.
- F. The facility, in its' design and use, shall include air handlers, temporary power generators, material storage area(s), air to air cooling, if used, as needed to support sustained operations of the Energy Storage System's infrastructure.
- G. The center or facility is allowed to have outdoor storage facilities.
- H. All Stationary Energy Storage Systems shall also be minimally situated in well lighted, secured, areas, with signage indicating the facilities street address and emergency telephone numbers.

Amend definition of Data Center to read as follows:

“3.3117 DATA CENTER: A data center(s) or other facility(ies) used to house computer systems and associated components, such as telecommunications and storage systems, coding systems, power supplies and systems for managing property performance (including standby power generators used for emergency power situations), and equipment used for the transformation,

¹ Sec. 855, National Fire Protection Association. Note that a Tesla car, by that manufacturer's website can furnished with a 50 to 100 kWh battery. Tesla sells at home energy storage units, usually located on exterior wall that are in the 13.5-15 kWh range. Amazon has 10 kWh units for sale. My guess is that a larger energy storage banks can be available.

transmission, distribution or management of electricity (including substations), internet-related equipment and services, data communications connections, environmental controls and security devices, structures and site features and related uses. This shall also include the operation of specialized computer equipment for the purpose of mining one or more blockchain-based cryptocurrencies, such as Bitcoin. Typical physical characteristics of cryptocurrency mining include specialized computer hardware for mining operations as well as equipment to cool the hardware and operating space. For the purposes of the associated regulations, cryptocurrency mining does not include the exchange of cryptocurrency or any other type of virtual currency nor does it encompass the use, creation, or maintenance of all types of peer-to-peer distributed ledgers.” A Data Storage System use may be combined with a Stationary Energy Storage System(s), that are also known as Battery Electrical Storage System(s) (BESS) use on the same or abutting parcel.

Add the following verbiage, under Article 6 (potentially Section 6.10):

6.9 Data Center Special Requirements

- A. The facility may ~~also~~ include customary accessory uses such as an office use.
- B. For cooling functions of the Data Center, if the Center uses water as a cooling source, it shall utilize closed loop water cooling apparatus.
- C. The facility, in its’ design and use, shall include air handlers, temporary power generators, material storage area(s), air to air cooling, if used, as needed to support sustained operations of the digital infrastructure.
- D. The center or facility is allowed to have outdoor, on-site power and data storage facilities with total outdoor storage area(s) not exceeding an area that exceeds fifteen (15) percent of the enclosed area of the center or facility, ~~and associated utility infrastructure.~~
- E. All Data Storage Systems shall minimally be situated in fenced, well lighted, secured, areas with signage indicating emergency telephone numbers.

Add into definitions Sec. 70-670(5) amendments effective 7/18/2026. This in essence, to will allow private generation of electricity on-site for consumer usage.

Data Center/ Stationary Energy Storage or (BESS) Electric Substation: A high-voltage electric system facility used to switch on-site generators, equipment, and circuits or lines in and out of a public utility system, change AC voltages from one level to another, or change alternating current to direct current or direct current to alternating current. Data Center/ Stationary Energy Storage or (BESS) ~~Electric or~~ Substation Electric Substations may only be constructed in conjunction with and adjacent to a Data Center or a Stationary Energy Storage or Battery Energy Storage System (BESS) Facility.

Amend definitions to include definition of word “public”

“PUBLIC” means:

1. As to ownership and/or operation of a use, “public”, means that the owner and/or operator of the use is an entity whose governance is determined by ballots for public elections on Buffalo County ballots.
2. As to access upon the property by people, the word “public”, means open to the use by the general public for nominal charge and/or without charge.

Amend existing language:

AG

To amend Sec. 5.12(6) adding the word “public” to uses by right in the AG District, to read as follows:

5.12 (6) “Public Uses: Including fire stations, public schools, public utilities and public utility distribution systems.

RC

To amend Sec. 5.27(1) adding the word “public” to uses by right in the AG District, to read as follows:

5.27 (1) “The minimum lot area for RC uses shall be eighty (80) acres. By special permit this lot size may be reduced for Public Uses: Including fire stations, public elementary and high schools, public utilities and public utility distribution systems. All improved uses, other than general farming, ranching, pasturing, etc., shall be on a parcel abutting an improved county road (above minimum maintenance road) (Resolution 07-13-2021).

AGR - 1

To amend Sec. 5.34 to add word “public” to use by special use permit in AGR-1 District:
5.34 (19) Public utilities and public utility distribution systems (Resolution 8-10-04);

AGR – 2

To amend Sec. 5.44 to add word “public” for use by special use permit in AGR-2 District:
5.44(8) Public utilities and public utility distribution systems

Commercial

To amend Sec. 5.52(28) to add word “public” for uses by right in Commercial District

28. Public utilities, including shops and offices.

Amend Sec. 5.54 to delete Data Center as a use by Special Permission in Commercial District:

~~Data Center;~~

Industrial

Amend Sec. 5.62 to delete Data Center as a use by right in Industrial District:

3. Animal hospitals;
4. Arborist Services;
5. Auction houses (Resolution 6-9-20);
6. Automobile sales and services;
7. Automotive/Truck wash facilities;
8. Building material sales and ready-mix concrete plants;
9. Butchering facility handling less than 2,500 Animal Equivalent Units per year as defined in Section 6.6. (Resolution 04-12-2022);
- ~~10. Data Center;~~

Amend Sec. 5.63 to add as use(s) by Special Permission in the Industrial District:

Data Center, if abutting and having access to paved public road.

Stationary Energy Storage System, commonly referred to as Battery Energy Storage System (BESS), if abutting and having access to paved public road.

Discussion on setbacks from AGR – 1, AGR – 2, inhabited residences.

Zoning Agenda

Item #2

Proposed Amendment

Amend the proposed Buffalo County Zoning Regulations, Section 6.6 (J) (2), with amendments noted in strikethrough for deletion of, and underlining for added and renumbering as necessary, as shown below:

“2. No manure disposal by spraying, injecting, ~~or~~ spreading, or storage on land shall be closer than thirteen hundred and twenty (1,320) feet to an inhabited residence without written consent by the property owner of the residence. This restriction shall not apply to lands upon which the confinement or feedlot is located (Resolution 6-12-07).”

Zoning Agenda

Item #3

“BUFFALO COUNTY, NEBRASKA, RESOLUTION REGARDING REGULATION BY ZONING POWERS OF MEDICAL MARIJUANA:

WHEREAS, the 2025 Nebraska Legislature enacted Nebraska Medical Cannabis Regulation Act, as set out in LB 1, 2025 Legislature, effective February 26, 2025. Thereafter, the Nebraska Medical Cannabis Commission promulgated and adopted temporary regulations concerning the cultivation, processing, distribution, and sale of Medical Marijuana. In fulfillment of the obligations and duties of the County Board as a “local government” under the Nebraska Medical Marijuana laws, this Board establishes a policy whereby all persons, entities or organizations wishing to establish a Medical Marijuana Manufacturing Facility Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility within Buffalo County must apply for and be granted a zoning special use permit for said use, and

WHEREAS, the use, cultivation, manufacturing, production, distribution, possession, and transportation of marijuana remains illegal under federal law, and marijuana remains classified as a "controlled substance" by both Nebraska and federal law. As such, the County Board does not have the authority to, and nothing in this Resolution is intended to, authorize, promote, condone, or aid the production, distribution, or possession of medical marijuana in violation of any applicable law, and

WHEREAS, The County Board intends to regulate the use, acquisition, cultivation, manufacturing, disposal, and transportation of medical marijuana in a manner that is consistent with the Nebraska law. The zoning regulations adopted in this Resolution are intended to apply to all medical marijuana operations in the county by any medical marijuana business as permitted under state law. This Resolution is intended to regulate land use for state-licensed Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary so that the placement of these facilities will have minimal negative impact and/or other adverse impact(s) on surrounding properties and tax valuations. The regulations are also adopted for the protection and security of the medical marijuana product; to reduce contamination of the product; and to protect the public health, safety, property values, and general welfare of the citizens of Buffalo County, and

WHEREAS, this Board perceives that there is a need to have regular localized review and inspection of Nebraska licensed medical marijuana facilities that can or will be established in this county, and to create a means of reducing the public cost of localized reviews and inspections, and that there is a need to pass some of this cost to the entities that operate and are engaged in the medical marijuana business.

THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT BUFFALO COUNTY ENACTS THE FOLLOWING TO BE INCORPORATED INTO ITS’ ZONING REGULATION:

- I. That the following definitions are added into Buffalo County’s Zoning Resolution:

"Church" means a building, together with its accessory buildings and uses, maintained and controlled by a body organized to conduct religious worship and used primarily for religious worship and related activities.

“County” means Buffalo County, Nebraska, legally known as County of Buffalo, State of Nebraska, unless specifically otherwise provided.

"Cultivation of marijuana" means the planting and growing of one or more marijuana plant(s) or any part thereof.

Dispose" or "Disposal" of Medical Marijuana waste means the disposition of medical marijuana waste by either a process which renders the waste unusable and unrecognizable through physical destruction or a recycling process.¹

“Farm products” means those plants and animals useful to man and includes, but is not limited to, forages and sod crops, grains and feed crops, dairy and dairy products, poultry and poultry products, livestock, including breeding and grazing, fruits, vegetables, flowers, seeds, grasses, trees, fish, apiaries, equine and other similar products, or any other product which incorporates the use of food, feed, fiber, or fur. (Neb.Rev.Stat. 2-4402)

"Fence", for purposes of medical marijuana, means a barrier constructed of any materials or combination of materials of sufficient strength and dimension to prevent unauthorized entry constructed to a height of no less than six feet. The term "fence" does not include bushes, hedgerows, plastic sheeting, cloth material (tarpaulins), or retaining walls. Prohibited security fencing materials include razor wire, tarps, dust guard fencing, privacy netting, or woven or non-woven polyethylene plastic.²

"Medical Marijuana Greenhouse" means, for purposes of medical marijuana, a structure legally established with all required permits approved, secure from unauthorized entry and completely enclosed with one or more secure locking doors as the only means of ingress and egress, where solely medical marijuana plants are grown.

"Harvest" means, for purposes of medical marijuana, the drying, processing, or storage of marijuana.

"Marijuana" or "cannabis" is used herein interchangeably and means any part of the genus cannabis plant, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. “Marijuana” or “cannabis” includes marijuana, hashish, and concentrate cannabis. "Marijuana" or "cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination. "Marijuana" or "cannabis" does not include hemp, as defined in section Sec. 2-503 Neb.Rev.Stat., nor does it include the sterilized

¹ Chapter 10, Subchapter 1, 442:10-1-4. Definitions, Oklahoma

² Santa Barbara Co Zoning Reg Chapter 35-144U-Cannabis

seed of the plant which is incapable of germination, or cannabidiol contained in a drug product approved by the federal Food and Drug Administration. (Sec. 71-24,107, Neb.Rev.Stat.

Medical Marijuana: means cannabis, cannabis products, and cannabis accessories intended for use by qualified patients pursuant to any law enacted contemporaneously with the adoption of the Nebraska Medical Cannabis Regulation Act, generally Sec. 71-24,107, Neb.Rev.Stat., or at any time thereafter.

Medical Marijuana accessories means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, composting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body³;

Medical Marijuana Business (MMB)” means a registered and/or licensed Medical Marijuana Manufacturing Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Waste Disposal facility, Medical Marijuana Dispensary, and/or Medical Marijuana Distribution Facility.⁴

Medical Marijuana Dispensary: Medical Marijuana Dispensary means a registered establishment licensed to possess, sell or transfer medical cannabis to qualified patients or caregivers.⁵ All Dispensaries shall be located in a structure affixed to a permanent foundation with all sales or transfers occurring within this structure.

Medical Marijuana Cultivation Facility: A Medical Marijuana Cultivation Facility means a registered establishment licensed to cultivate cannabis plants for production of Medical Marijuana that is purposed to be sold through a Medical Marijuana dispensary for human consumption or sold as nursery stock to another Medical Marijuana Cultivation Facility. The facility shall be comprised of a wholly enclosed structure, usually described as a greenhouse. The sole purpose of a Medical Marijuana Cultivation Facility shall be to grow and harvest Medical Marijuana. The cultivation facility is allowed to dispose of medical marijuana waste⁶ created or derived from plants within the Cultivation Facility.

³ Sec. 71-24,107. Neb.Rev.Stat.

⁴ 63 O.S. § 427.2 (OSCN 2026), Oklahoma Medical Marijuana and Patient Protection Act, MMB wording is in part cited from Definitions located in “Narcotic Drugs, Chapter 15 O.S.

⁵ (Regulation 238. 002.14)

⁶ 014.11 DISPOSAL OF MEDICAL CANNABIS AND PLANT MATERIAL. A cultivator must maintain a written record of all medical cannabis waste disposed of in accordance with this chapter. 014.12 DISPOSAL REQUIREMENTS. A cultivator shall store, secure, manage, and record medical cannabis waste and plant material waste in accordance with all applicable federal, state, and local regulations. Before transport of plant material waste, the cultivator shall render the plant material waste unusable and unrecognizable. 014.13 DISPOSAL REQUIREMENT EXCEPTIONS. The following materials are not considered medical cannabis waste and do not

Prior to transport medical marijuana waste from the Facility, the plant material waste shall be rendered unusable and unrecognizable. The Cultivation Facility and waste where the plants are grown and waste processed shall be secured in the area from unauthorized entry and enclosed with one or more secure locking doors as the only means of ingress and egress.

Medical Marijuana Manufacturing Facility: Medical Marijuana Product Manufacturing Facility means an establishment licensed to process cannabis, conduct extractions, and manufacture cannabis products for sale or transfer to dispensaries, but cannot sell or transfer cannabis plants or cannabis products to qualified patients or caregivers.⁷ The manufacturing process includes the packaging or repackaging of cannabis products; the labeling or relabeling of cannabis products; and the remediation of failed harvest batches or cannabis product batches.⁸

A Medical Marijuana Manufacturing facility and its functions may also be combined with a Medical Marijuana Waste Disposal Facility.

Medical Marijuana Qualifying Patient: A person who has been diagnosed with a debilitating medical condition by a physician licensed to practice medicine in the State of Nebraska and who has in that person's possession a current, valid photo identification issued by the State of Nebraska or the United States of America and a current, valid document issued by the Nebraska Department of Health to that person and authorizing that person to possess and use Medical Marijuana.

Medical Marijuana Registered Designated Caregiver: An individual who is registered with the Nebraska Department of Health who agrees to manage the well-being of a Medical Marijuana Qualifying Patient with respect to the Medical Marijuana Qualifying Patient's medical use of Marijuana.

Medical Marijuana Transporter. Transporter means a registered establishment licensed to transport medical cannabis, medical cannabis products, and medical cannabis accessories between medical cannabis licensees, provide logistical services for medical cannabis licensees, or store for transportation purposes medical cannabis in a medical marijuana facility described in this Resolution.⁹ A Transporter may only possess cannabis for transport to or from: a licensed dispensary, a licensed product manufacturer, a licensed cultivator, medical marijuana waste disposal facility, or another licensed transporter.¹⁰

Medical Marijuana Transporter Facility means an enclosed structure used by Medical Marijuana Transporter to store vehicles used to transport medical cannabis, medical

require treatment to render the materials unusable and unrecognizable, provided that the cannabis does not contain any cannabis flower or leaves with any visible trichomes: (A) root balls, soil, or growing media; and

⁷ (Reg. 238, 0002.28)

⁸ (4 CA ADC § 15000 California)

⁹ (Reg. 238 002.37)

¹⁰ (Reg. 238 017.02), see also Neb. Rev. Stat. § 71-24,107.

cannabis products, and medical cannabis accessories between medical cannabis licensees or medical marijuana waste facilities; provide logistical services for medical cannabis licensees; or store, for transportation purposes, medical cannabis in a medical marijuana facility described in this Resolution. All storage of medical cannabis for transportation shall take place at the premise identified in the transporter license. Transporter facilities and the equipment involved in transport shall not possess Medical Marijuana for more 72-hours duration at any one time. Also, Transporter facilities and equipment involved in transport, must be secured to reasonably prevent access to any cannabis plants or products by animals, or individuals who are not authorized agents of the Transporter or otherwise authorized by law¹¹ to access Transporter facilities.

MEDICAL MARIJUANA WASTE. Medical Marijuana waste means:

- A. Medical Marijuana ~~is~~ that is unused, unwanted, damaged, defective, expired, or contaminated.¹²
- B. Unused, surplus, returned, or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts, except the term shall not include seeds, roots, stems, stalks and fan leaves,
- C. All product that is deemed to fail laboratory testing and cannot be remediated or decontaminated, or
- D. All products and inventory from medical marijuana licensees that:
 - (i) have gone out of business, and/or
 - (ii) are unable to lawfully transfer or sell the product and inventory to another medical marijuana licensee.¹³

Medical Marijuana Waste Disposal Facility means an enclosed building that has as its' purpose the disposal of medical marijuana waste by either incinerating or composing of the waste. For all methods of disposal, a Medical Marijuana Waste Disposal Facility shall not render the medical marijuana unusable having a THC concentration greater than 0.3 percent on a dry weight basis¹⁴ and as an unrecognizable product.

- A. If incineration is used, the disposal facility shall be equipped with air scrubber.
- B. If composting is used, the composting process shall render cannabis waste unusable and the composting process must involve grinding the waste and mixing it with other ground materials so that the resulting mixture is not comprised of more than 50 percent cannabis waste by volume. Acceptable materials for mixing with cannabis waste include, but are not limited to, the following:

¹¹ (Note temporary storage of cannabis, cannabis products, and cannabis accessories. (238 NE ADC Ch. 1, § 017)

¹² (Neb. Reg. 238, 002.23)

¹³ 442:10-1-4. Definitions, OK ADC 442:10-1-4

¹⁴ 246-70-030. Definitions., WA ADC 246-70-030

- (i) Compostable mixed waste, such as food waste, yard waste, vegetable greases or oils, or other compostable materials;
- (ii) Materials that are not compostable mixed with cannabis waste, with materials being comprised of paper waste, plastic waste, cardboard waste, or other not compostable materials.¹⁵

When submitted by application for the special use permit, a Medical Marijuana Waste Disposal facility and its functions may also be combined with a Medical Marijuana Manufacturing Facility.

II. That the definition for “Farm or Farm Operation” be amended to read¹⁶:

“~~Agricultural~~ “Farm or farm operation” means any tract of land over ten acres in area used for or devoted to the commercial production of farm products; (Neb.Rev.Stat. 2-4402)¹⁷

III. To amend Sec. 5.14 to allow medical marijuana cultivation as a use by special permit in the Agricultural Zoning District.

Medical Marijuana Cultivation Facility

Medical Marijuana Cultivation Facility, when abutting and having access to a paved public road.

Medical Marijuana Manufacturing Facility, when abutting and having access to a paved public road.

Medical Marijuana Transport facility, when abutting and having access to a paved public road.

Medical Marijuana Waste Disposal facility, when abutting and having access to a paved public road.

¹⁵ 314-55-097. Cannabis waste disposal and sales--Liquids and solids., WA ADC 314-55-097

¹⁶ SUGGEST STRIKING “AGRICULTURAL” to synchronized Nebraska Law, particularly the Right to Farm Laws. This is the exact same language of that law.

¹⁷ In order for the land to qualify for special valuation, the land shall be agricultural or horticultural land and (a) the land shall consist of five contiguous acres or more or (b) if the land consists of less than five contiguous acres, the owner or lessee of the land shall provide an Internal Revenue Service Schedule F or other suitable tax document reporting a profit or loss from farming for two out of the last three years for such land. Sec. 77-1344. Agricultural or horticultural land; special valuation; when applicable. **(We’re not going with this definition- only do simple change to “farm” definition.)**

- IV. To amend Sec. 5.54 regarding uses by special permit in the Commercial Zoning District.

Sec. 5.54 PERMITTED SPECIAL USES: A building or premises may be used for the following purposes in the C Commercial District if a special use permit for such use has been obtained in accordance with Article 6 of these regulations. ~~(add these uses):~~

~~Medical Marijuana Cultivation Facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Manufacturing Facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Transport facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Waste Disposal facility, when abutting and having access to a paved public road.~~

~~Medical Marijuana Dispensary~~ Medical Marijuana Dispensary, when ~~shall~~ abutting and ~~having~~ have access to a ~~paved~~ public road.

V. TO ADD AS A SUBCHAPTER "MEDICAL MARIJUANA PROVISIONS"

- A. An application for a Special Use Permit for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or ~~Medical Marijuana Dispensary~~ Medical Marijuana Dispensary, or Medical Marijuana Distribution Facility(s), i.e., MMB facilities, in addition to the requirements applicable to all Special Use Permit applications, shall include the following:
1. Proof of Insurance/Bond: Medical Marijuana Insurance and Bond Requirements. Any bond(s) required by the State for licensing shall add as additional bonded/insured: Buffalo County.
 2. Copy of State issued license for Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
 3. A security plan depicting the location and configuration of security cameras and surveillance equipment.
 4. A complete description of the products and services to be produced or sold by the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary. (MMB).
 5. A notarized statement acknowledging that the applicant understands applicable federal laws, any guidance or directives issued by the U.S. Department of Justice, the laws of the State of Nebraska, and the laws and regulations of the county applicable thereto concerning the operation of an MMB. The written statement shall also acknowledge that any violation of any laws or regulations of the State of Nebraska or of the county, or any activity in violation of any guidance or directives

issued by the U.S. Department of Justice, in such place of business, or in connection therewith, or the commencement of any legal proceeding relating to the MMB by federal authorities, may render the license subject to immediate suspension or revocation.

6. A notarized statement that the applicant will hold harmless, indemnify, and defend the county against all claims and litigation arising from the issuance of license and/or a special use permit including any claims and litigation arising from the MMB.
7. A notarized acknowledgement that the applicant is seeking a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit and that the applicant understands and acknowledges that the burden of proving qualifications to receive such a Special Use Permit is at all times on the applicant; that the granting of a Special Use Permit for a MMB is at the discretion of the Buffalo County Board of Commissioners; and that the applicant agrees to abide by the decision of the county Board of Commissioners.
- B. A Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary Special Use Permit shall be reviewed annually by the County Zoning Administrator for renewal. The fee for this review/inspection shall be set by the County Board.
- C. Ownership. Vertical ownership of the various medical marijuana facilities and uses is not permitted other than the waste disposal provisions. An applicant may not possess more than one special use permit-type authorized by this Zoning Resolution that concerns Medical Marijuana other than the waste disposal provisions.¹⁸
- D. Once a special use permit is obtained for a Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary any change in operation of the facility or in ownership shall require prior approval of the Board of County Commissioners without need of referral and review by the Buffalo County Planning Commission.
- E. Any building modifications or alterations, after issuance of the Special Use Permit for MMB facilities must be approved by review of the issued Special Use Permit by the Buffalo County Planning Commission and thereafter, with approval of the Buffalo County Board.
- F. Minimum Distancing and Design Standards. Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Dispensary Facilities, and Medical Marijuana Waste Disposal Facility Minimum Design Standards. All of the foregoing MMB facilities shall meet the following minimum design and distancing requirements:
Minimum Design Standards:

¹⁸ (Reg. 238 007.01 VERTICAL LICENSING).

1. All MMB's, excepting ~~cultivars~~ MMBs allowed in the AG District, ~~shall~~ ~~abutting~~ and ~~having have~~ access to a ~~paved~~ public road.
 2. Each MMB shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment. An odor abatement plan, is more specifically set out in subsection "Odor Abatement".
 3. All MMB's shall store all medical marijuana waste in a secure waste receptacle that is locked with commercial-grade locks prior to disposal or transfer to a medical marijuana waste disposal facility. The receptacle shall be kept in a safe and secure location with limited access.
 4. Windows for any MMB shall remain unobstructed, allowing visibility into the facility. Window tint, decals, or window signage of any kind shall be strictly prohibited.
 5. Each MMB, unless specifically allowed to be combined in function in these zoning provisions, shall be located in a separate, permanent, stand-alone structure and have a minimum six (6) foot high perimeter fence encompassing the MMB facility.
 6. All MMB's except the Dispensary facilities, shall have the perimeter surrounding the MMB facility fenced.
 7. For MMB facility located in the C Zoning District, the entire perimeter of a MMB structure must be well lit with a minimum 2 candle foot measured at fifteen feet around each structure that is a part of the MMB. Every entrance to any MMB shall have a minimum of eight candle foot lighting measured at the entrance with additional exterior lighting at the same cover in a twenty-foot square lighting area that is centered on one side at the entrance. The parking area of the MMB shall have every parking space illuminated with no less than 2 candle foot of lighting.¹⁹
 8. All MMB's shall have 24-hour surveillance cameras depicting the entire exterior of the MMB facility. Any Medical Marijuana Dispensary shall additionally have a camera or cameras at the entrance(s) into the Dispensary's structure and exterior surveillance camera depicting vehicles and license plates of each vehicle entering the parking lot or other parking areas.
 9. No outdoor storage of Medical Marijuana shall be permitted.
 10. No MMB shall have facilities that have or provide drive-through, drive-up, or walk-up windows or similar openings to MMB facilities.
- G. PARKING AREAS, unless a more burdensome minimum parking standard is set out in Buffalo County's general zoning resolution, MMB's shall provide:
1. Each Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary shall have at least 1 parking space per 250 square feet of structure.
 2. Each Medical Marijuana Cultivation, shall have at least 1 parking space for every 1000 square feet of plant cultivation area and 1 parking space for every 250 square feet of all other areas of the structure.
- H. DISTANCING PROVISIONS:

¹⁹ Source: <https://echelonlightingsolutions.com/articles/your-guide-to-the-recommended-footcandles-and-layouts> derived from the Illuminating Engineering Society (IES) published April 2026. It was noted that OSHA's minimum requirements were generally lower in IES recommendations.

1. All MMB's shall be no closer than a minimum of ~~1,320~~ 1,000 feet from a public or private preschool, kindergarten, elementary, secondary or high school, public park, public community center, dependent care facility, homeless shelter, youth center, or place of worship.²⁰ The ~~1,320~~ 1,000 feet shall be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
2. A MMB shall be no closer than 300 feet from another MMB, unless the MMB is specifically allowed to be combined for purposes of Medical Marijuana waste disposal, as allowed in these zoning provisions. The 300 feet shall be measured in a straight line from the nearest property line of the licensed location to the nearest property of the licensed premises.
3. Any MMB shall be no closer than a minimum of 500 feet from any Agricultural Rural Residential-1 (AGR-1) or Rural Residential-2 (AGR-2) zoning district, and/or municipal corporate limit. The 500 feet shall be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.
4. Any parcel having a MMB use shall have no other activity and/or use on the same parcel.
- I. All applicable state standards and requirements shall apply in the design and operations of any Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary.
- J. Hours of operation: Medical Marijuana Dispensary, or Dispensaries shall have operating hours of no earlier than 8:00 AM or later than ~~7:00~~ 11:00 PM.
- K. Each permitted applicant shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office, prior to the annual renewal of the Special Use Permit.
- L. INITIAL AND ANNUAL REVIEW/INSPECTION:
 1. Each permitted MMB facility applicant prior to commencement of MMB use, shall obtain an inspection of the property from the Buffalo County Zoning Administrator, accompanied by Buffalo County Sheriff's Office.
 2. At least annually thereafter, a MMB use facility is subject to inspections from the Buffalo County Zoning Administrator, accompanied by the Buffalo County Sheriff's office.
- M. The foregoing inspections shall occur during normal county operation of business hours with five (5) business days written notice provided to MMB user.
- N. SPECIAL FEES FOR MMB facilities: An Annual Zoning Review/Inspection Permit Fee as authorized to be set, and subsequently reviewed, by the Buffalo County

²⁰ State regulations provide distances from "Covered locations. 002.10 COVERED LOCATION. Covered location means any school, business operating under a license issued pursuant to the Nebraska Child Care Licensing Act Neb. Rev. Stat. § 71-1908 to § 71-1923.03, church, hospital, or mental health substance use treatment center as defined by Neb. Rev. Stat. § 71-423. 1,000 for dispensary (004.08); 1,000' for cultivator (005.08; One thousand feet will be measured in a straight line from the nearest property line of the covered location to the nearest perimeter wall of the licensed premises.

Commissioners. Thereafter, the Buffalo County Zoning Administrator shall establish an annual permit fee to offset costs associated with policing, site inspections, monitoring, storage of media, and/or regulating medical marijuana facilities involved in the cultivation, propagation, manufacturing, processing, refining, distribution, delivery, supply, sale, disposal, or handling of Medical Marijuana of medical marijuana.

O. Severability, Exclusions, and Exceptions:

1. The provisions of this chapter do not waive or modify any other provision of this ordinance with which Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary is required to comply. Nothing in this section is intended to authorize, legalize, or permit the Medical Marijuana Cultivation Facility, Medical Marijuana Manufacturing Facility, Medical Marijuana Transporter, Medical Marijuana Waste Disposal facility, and/or Medical Marijuana Dispensary operation or maintenance of any facility, building, or use which violates any County ordinance or statute of the State of Nebraska regarding public nuisances, Medical Marijuana, or any federal regulations or statutes relating to the use of controlled substances.
2. This chapter shall be null and void if any determination is made, after the adoption of the ordinance enacting this chapter, by any court of competent jurisdiction, that Nebraska Medical Cannabis Regulation Act as authorized by Nebraska Revised Statute (Neb. Rev. Stat.) § 71-24,111, or as subsequently amended, is invalid, or shall be null and void to the extent any portion of such section is held invalid.
3. Should any section, subsection, clause or provision of this chapter for any reason be held to be invalid or factually unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter, it being hereby expressly declared that this chapter, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this chapter be declared invalid or unconstitutional.

VI. SPECIAL PROVISIONS REGARDING ODOR ABATEMENT:

Odor Abatement Plan. All applications for MMB use shall (1) prepare and submit to the Special Use Permit Application for review and approval, and (2) implement, an Odor Abatement Plan. The Odor Abatement Plan must prevent odors from emitting beyond the property lines of the MMB. The Odor Abatement Plan shall be implemented prior to the issuance of the special use permit and/or throughout operation of the facility, as applicable. The Odor Abatement Plan must include the following:

1. A floor plan, specifying locations of odor-emitting activity(ies) and emissions.
2. A description of the specific odor-emitting activity(ies) that will occur.
3. A description of the phases (e.g., frequency and length of each phase) of odor-emitting activity(ies).
4. A description of all equipment and methods to be used for reducing odors. A Nebraska-licensed Professional Engineer must review and certify that the equipment and methods to be used for reducing odors are consistent with accepted and available industry-specific best control technologies and methods designed to mitigate odor.
5. Approved odor control systems, subject to certification as required in Subsection d above, may include, but are not limited to:
 - a. Multi-Technology Carbon Filtration. For purposes of this Section, Multi-Technology Carbon Filtration means air filtration technology that utilizes activated carbon, which may include carbon filters, photocatalytic oxidation (PCO) units and/or other equivalent technologies that utilize carbon filtration.
 - b. Other odor controls systems that provide equivalent or greater odor control effectiveness than Multi-Technology Carbon Filtration.
 - c. Vapor phase systems shall not be allowed.
6. Designation of an individual (local contact) who is responsible for responding to odor complaints. The local contact shall be available by telephone on a 24-hour basis to respond to calls regarding any odor complaints.
7. The operator shall implement a complaint tracking system for all complaints that the operator receives, which includes a method for recording the following information: contact information of the complainant, as well as a description of the location from which the complainant detected the odors; time that the operator received the complaint; description of the complaint; description of the activities occurring on site when the complainant detected the odors; and actions the operator implemented in order to address the odor complaint. The operator shall provide the complaint tracking system records to the Zoning Administrator as part of any Zoning Administrator inspections of the cannabis activity, and upon the Zoning Administrator's request. The operator shall maintain the complaint tracking records for a minimum of five years.

8. The Odor Abatement Plan shall be certified by a Nebraska licensed Professional Engineer, indicating that the proposed Odor Abatement Plan will mitigate nuisance odors to below to a minimal odor amount at the operator property boundary.”

Zoning Agenda

Item #4

AG & AGR – 1 District

The application, disposal, storage, and stockpiling of manure by spraying, injecting, spreading, storing, or stockpiling shall be permitted within the Agriculture (AG) District and Agricultural – Residential 1 (AGR – 1) District, subject to the provisions of this section.

If the Buffalo County Zoning Administrator receives one (1) complaint at one location within 1,320 feet of an inhabited residence property owner, concerning manure application, disposal, storage, or stockpiling about the same applying landowner within any twelve (12) consecutive month period, the Zoning Administrator shall provide written notice to the applying landowner.

Within thirty (30) calendar days following the date of the written notice, the applying landowner shall do at least one (1) of the following, as it applies to the complaint:

1. Cease the application activity; or
2. Remove or spread any manure storage or stockpile associated with the complaints.

Failure to comply within the thirty (30) calendar-day period shall result in the county taking appropriate actions, including, but limited to a fine of five hundred dollars (\$500.00) per day for each day the violation continues or until compliance is achieved.

If, after the written notice is sent by the Zoning Administrator, and the Zoning Administrator receives another complaint during the 12 consecutive months, the applying landowner shall not apply, store, or stockpile manure for the remainder of the 12 months from the date of the first complaint. Failure to comply shall result in the county taking appropriate actions, including, but limited to a fine of five hundred dollars (\$500.00) per day for each day the violation continues or until compliance is achieved.

AGR-2 District

Manure Application, Storage, and Stockpiling

No manure disposal by spraying, injecting, spreading, storing, or stockpiling may occur in the Agricultural – Residential 2 (AGR- 2) District but not within one thousand three hundred twenty (1,320) feet of an inhabited residence unless the applying landowner has obtained the prior written consent of the owner of the residence. This setback requirement shall not apply to any residence for which the applying landowner has ownership.

If manure is sprayed, injected, spread, stored, or stockpiled within one thousand three hundred twenty (1,320) feet of an inhabited residence owned by a non-applying landowner in the AGR – 2 District without required written consent, and the Buffalo County Zoning Administrator receives a complaint, the Zoning Administrator shall provide written notice to the applying landowner.

Within thirty (30) calendar days following the date of the written notice, the applying landowner shall do at least one (1) of the following:

1. Obtain a written waiver from all affected non-applying landowner(s) within 1,320 feet;
2. Cease the application activity, if applicable; or
3. Remove any manure storage or stockpile associated with the complaints, if applicable.

Failure to comply within the thirty (30) calendar-day period shall result in the county taking appropriate actions, including, but not limited to a fine of five hundred dollars (\$500.00) per day for each day the violation continues or until compliance is achieved.

Date: July 31st, 2026

To: Buffalo County Board

Subject: Tax List Corrections

Approved by action of the County Board: on This _____ Day of _____, 2026.

Chairperson

5 – Personal Property

- #5237 – Accelerate 2026 taxes – Sold all equipment Jan 2026
- #5238 – Void 2025 taxes – Business sold (Bird Rides); New owner (Pheenix Ush) filed for 2025
- #5239 – Accelerate 2026 taxes – Business filed bankruptcy (Bitcoin Depot)
- #5240 – Remove penalty for 2025 – Schedule was proven to be timely filed, penalty applied in error
- #5241 – Accelerate 2026 taxes – Business is closing – most all equipment sold after Jan 1st 2026

5 Correction for the month of July 2026

Tax List Acceleration

BUFFALO County, Nebraska

Property ID: 710003031 - PP

Date: 07-15-2026

No: 5237

Name and Address:
ROOT DEEP LAWN CARE, LLC

Description of Property:

Tax Year: 2025

1000 School: 10-0007

District: 1000 KEARNEY CITY

2220 7TH AVENUE
KEARNEY, NE 68845

Stmnt No: 1770

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit		Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount										
Corrected Amount										
Additional Amount	9,841	1.66252400	163.62	0.00		0.00	0.00	81.81	81.81	163.62
Deducted Amount										

Reason for Acceleration: ACCELERATE 2026 TAXES - MOVING, SOLD ALL EQUIPMENT JAN 2026

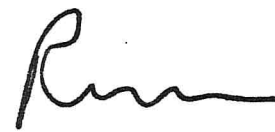
I hereby direct the County Treasurer of BUFFALO County to accept this Official Acceleration made for the above named party and description and to issue his receipt in payment of the accelerated tax as shown above.

ALL ACCELERATIONS MADE ON THE TAX ROLL MUST BE SHOWN IN RED.

Approved by action of the County Board

this _____ day of _____, _____

Chairman



County Assessor - County Clerk


710003031

By _____
Deputy

Tax List Correction

BUFFALO County, Nebraska

Property ID: 310002917 - PPDate: 07-15-2026

No: **5238**

Name and Address:
BIRD RIDES, INC

Description of Property:
KEARNEY
SCHEDULE NOT SIGNED 2025

Tax Year: 2025

1000 School: 10-0007

District: 1000 KEARNEY CITY

2500 WESTFIELD DR STE 202
ELGIN, IL 60124

Stmnt No: 184

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit		Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	8,736	1.66252400	145.24	0.00		0.00	36.32	90.78	90.78	181.56
Corrected Amount	0	1.66252400	0.00	0.00		0.00	0.00	0.00	0.00	0.00
Additional Amount										
Deducted Amount	8,736		145.24				36.32	90.78	90.78	181.56

Reason for Correction: VOID 2025 TAXES - BUSINESS SOLD; NEW BUSINESS (PHEENIX USH) FILED FOR 2025

I hereby direct the County Treasurer of BUFFALO County to accept this Official Correction made for the above named party and description and to issue his receipt in payment of the corrected tax as shown above.

ALL CORRECTIONS MADE ON THE TAX ROLL MUST BE SHOWN IN RED.

Approved by action of the County Board

this _____ day of _____, _____

Chairman



County Assessor - County Clerk

310002917

By _____ Deputy

Tax List Acceleration

BUFFALO County, Nebraska

Property ID: 310009000 - PP

Date: 07-21-2026

No: 5239

Name and Address:
BITCOIN DEPOT OPERATING, LLC

Description of Property:
KEARNEY

Tax Year: 2025

1000 School: 10-0007

District: 1000 KEARNEY CITY

2870 PEACHTREE RD #327
ATLANTA, GA 30305

Stmnt No: 1771

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit		Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount										
Corrected Amount										
Additional Amount	6,424	1.66252400	106.80	0.00		0.00	0.00	53.40	53.40	106.80
Deducted Amount										

Reason for Acceleration: ACCELERATE 2026 TAXES - BUSINESS FILED BANKRUPTCY

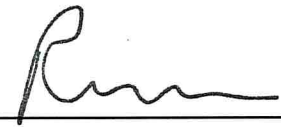
I hereby direct the County Treasurer of BUFFALO County to accept this Official Acceleration made for the above named party and description and to issue his receipt in payment of the accelerated tax as shown above.

ALL ACCELERATIONS MADE ON THE TAX ROLL MUST BE SHOWN IN RED.

Approved by action of the County Board

this _____ day of _____, _____

Chairman



County Assessor - County Clerk


310009000

By _____
Deputy

Tax List Correction

BUFFALO County, Nebraska

Property ID: 317200225 - PP

Date: 07-22-2026

No: 5240

Name and Address:
MIDLANDS CONTRACTING INC

Description of Property:

Tax Year: 2025

900 School: 10-0007

District: 900 TAX DISTRICT

**PO BOX 1065
KEARNEY, NE 68848-1065**

Stmnt No: 1092

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit		Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	2,168,300	1.50956000	32,731.80	0.00		0.00	1,906.14	17,318.97	17,318.97	34,637.94
Corrected Amount	2,168,300	1.50956000	32,731.80	0.00		0.00	0.00	16,365.90	16,365.90	32,731.80
Additional Amount										
Deducted Amount							1,906.14	953.07	953.07	1,906.14

Reason for Correction: REMOVE 10% PENALTY FOR 2025 - SCHEDULE WAS PROVEN TO BE TIMELY FILED

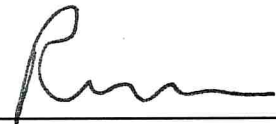
I hereby direct the County Treasurer of BUFFALO County to accept this Official Correction made for the above named party and description and to issue his receipt in payment of the corrected tax as shown above.

ALL CORRECTIONS MADE ON THE TAX ROLL MUST BE SHOWN IN RED.

Approved by action of the County Board

this _____ day of _____, _____

Chairman



County Assessor - County Clerk


317200225

By _____
Deputy

Tax List Acceleration

BUFFALO County, Nebraska

Property ID: 318502291 - PP

Date: 07-31-2026

No: 5241

Name and Address:
BURKE, MICHAEL PSY & ASSOCIATES PC

Description of Property:

Tax Year: 2025

1000 School: 10-0007

District: 1000 KEARNEY CITY

**3720 AVE A STE E
KEARNEY, NE 68847**

Stmnt No: 1772

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit		Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount										
Corrected Amount										
Additional Amount	2,333	1.66252400	38.80	0.00		0.00	0.00	19.40	19.40	38.80
Deducted Amount										

Reason for Acceleration: ACCELERATE 2026 TAXES - BUSINESS IS CLOSING

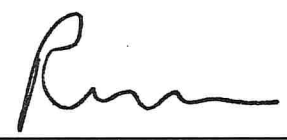
I hereby direct the County Treasurer of BUFFALO County to accept this Official Acceleration made for the above named party and description and to issue his receipt in payment of the accelerated tax as shown above.

ALL ACCELERATIONS MADE ON THE TAX ROLL MUST BE SHOWN IN RED.

Approved by action of the County Board

this _____ day of _____, _____

Chairman



County Assessor - County Clerk


318502291

By _____
Deputy

2026 Cemetery Report						
Parcel ID	NBHD	Cemetery Name	Legal Description	Title/Deed City	Title Name	Status
140057001	46	Black Hill Creek Cemetery	6-12-17 PT NW1/4 NW1/4	AMHERST	Black Hill Creek Cemetery- c/o Sara Zimmer	No Change
200042000	46	Armada Cemetery	9-11-18 TR IN NW1/4 NW1/4 (5.75 AC)	AMHERST	Armada Cemetery Association- c/o George Day	No Change
220048050	46	Immanuel Lutheran Cemetery	20-11-17 PT SW1/4 SW1/4 EXC NORTH 20' (10 AC)	AMHERST	Trinity Lutheran Church- c/o Dennis Abels	No Change
440117000	46	Old Stanley Cemetery	22-10-17 PTS SE1/4 SW1/4 & SW1/4 SW1/4 (4 AC)	AMHERST	Old Stanley Cemetery- c/o Steve Harmony	No Change
440116500	46	Old Stanley Cemetery	22-10-17 PT SE1/4 SW1/4 (1.0 AC)	AMHERST	Grand Precinct Cemetery Association	Split / Expanded
460072010	46	Fairview Cemetery	32-10-18 SM TR IN NE1/4	ELM CREEK	Fairview Cemetery- c/o Kent Buchanan	No Change
480002000	46	Elm Creek Cemetery	VIL LDS EC 28-9-18 PT SW1/4 NW1/4	ELM CREEK	Elm Creek Village	No Change
480032000	46	Elm Creek Catholic Cemetery	VIL LDS EC 28-9-18 NE CORN OF SE1/4 NE1/4 330' X 330'	ELM CREEK	Immaculate Conception Church- c/o Father Joseph	No Change
660154110	46	Gibbon Riverside Cemetery	15-9-14 TRACT IN NE1/4	GIBBON	City of Gibbon	No Change
200052500	46	Watertown Cemetery	14-11-18 PT NW1/4 (1.55 AC)	KEARNEY	Watertown Cemetery- Buffalo County	No Change
280184000	46	Burgess Cemetery	28-11-14 PT NE CORNER NE1/4 (1 AC)	KEARNEY	Burgess Cemetery- c/o Roger Bissell	No Change
360145145	46	Prairie Center Cemetery	18-10-15 TR IN SE1/4SE1/4 (4.262 AC)	KEARNEY	Prairie Center Cemetery- c/o Dale Stengel (Sexton)	No Change
380140000	46	Pioneer Cemetery	4-10-16 PT S1/2SE1/4SW1/4 (1.5 AC)	KEARNEY	Evangelical Lutheran Church- c/o Jeff Richter	No Change
540002000	46	Riverdale Cemetery	TR IN SW1/4 SW1/4 NW1/4 5-9-16 297' X 128' & 18 RODS X 18 RODS & 115'X425'	KEARNEY	Riverdale Cemetery Association- c/o Richard Prascher	No Change
580721000	46	Dove Hill Cemetery	30-9-16 PT OF LT 2 242' X 209'	KEARNEY	Dove Hill Cemetery- Buffalo County	No Change
600120000	46	Kearney Cemetery	PARKVIEW MANOR SUB LOT 59 & W20'VAC AVE I ADJ & CITY LDS KY 25-9-16 PT S1/2 NE1/4 & PT SE1/4 (79.4 AC +/-)	KEARNEY	City of Kearney	No Change
620012200	46	Poor Farm Cemetery	2-9-15 SE1/4 SE1/4 SE1/4	KEARNEY	Warren & Roberta Solomon	No Change
100092000	46	Pleasant Valley Cemetery	18-12-16 TR IN NW CORN NW1/4 NE1/4 (10 AC)	PLEASANTON	Pleasant Valley Cemetery- c/o Reese Shafto	No Change
240139000	46	Peake Lutheran Cemetery	30-11-16 TR IN SE1/4 (1.387 ACRES)	PLEASANTON	Grace Lutheran Church- c/o Norman Erickson	No Change
240154001	46	Fairmont Pioneer Cemetery	34-11-16 PT OF SE1/4 SE1/4	PLEASANTON	Fairmont Pioneer Cemetery- c/o Justin Albers	No Change
260169000	46	St. John's Cemetery	33-11-15 PT NW1/4 18 RDS X 22 RDS	PLEASANTON	Grace Lutheran Church- c/o Jon Hand	No Change
280200001	46	Pleasant Ridge Cemetery (DOW)	30-11-14 SMALL CONTINOUS TR IN NE & NW &SW1/4 (3.895 ACRES)	RAVENNA	Pleasant Ridge Cemetery- c/o Derek Wedemeyer	No Change
020144000	46	Sodtown Cemetery	32-12-13 PT NW1/4 SW1/4 (3 AC)	RAVENNA	Sodtown Cemetery- c/o Dennis Basnett	No Change
060054000	46	Highland Cemetery	6-12-14 PT SE1/4 SE1/4 CEMETERY (3 AC)	RAVENNA	City of Ravenna	No Change
060055001	46	Protestant Cemetery	7-12-14 PT NE1/4 (10 AC)	RAVENNA	Protestant Cemetery- c/o City of Ravenna	No Change
080032100	46	Sweetwater Lutheran Cemetery	5-12-15 PT OF NE1/4SE1/4 (2.25 AC)	RAVENNA	Sweetwater Lutheran Cemetery- c/o Dale Johnson	No Change
100160000	46	St Mary's Catholic Cemetery	26-12-16 TR IN SW1/4 SE1/4 PLEASANTON CEMETERY (2 AC)	RAVENNA	St Mary's Catholic Cemetery- c/o Richard Piontkowski	No Change
260064050	46	Majors Cemetery	15-11-15 TR IN SE CORNER OF NE1/4NE1/4 (3 AC)	RAVENNA	Majors Cemetery- c/o Kenneth Bock	No Change
280047000	46	St Wenceslaus	23-11-14 PT NW1/4 NW1/4 (3 AC)	RAVENNA	Bohemian National Catholic Cemetery- c/o Dale Kriha	No Change
280149000	46	St Joseph Cemetry	21-11-14 TR IN NW1/4 NE1/4 (38 RODS BY 12 RODS)	RAVENNA	Diocese of Grand Island-St Joseph Cemete- c/o Richard Piontkowski	No Change
360140111	46	St Mary's Catholic-Prairie Center Cemetery	7-10-15 TR IN NW1/4 NE1/4 (2.5 AC)	RAVENNA	St Mary's Catholic-Prairie Center- c/o Richard Piontkowski	No Change
300132151	46	Zion Lutheran Cemetery	3-11-13 TR IN SE1/4NE1/4 (.5 ACRE)	SHELTON	Zion Lutheran Cemetery Trust Fund	No Change

File with Your
County Treasurer

Application for Exemption
from Motor Vehicle Taxes by Qualifying Organizations
• Read instructions on reverse side.

FORM
457

Name of Organization AMERICAN NATIONAL RED CROSS	Tax Year 2026	Value of Motor Vehicles 25000
Name of Owner of Property AMERICAN NATIONAL RED CROSS	County Name BUFFALO	State Where Incorporated NE
Street or Other Mailing Address 520 W 48TH ST	Contact Name TINA LYONS	Phone Number 4029609973
City KEARNEY, NE 68845	State	Zip Code
Email Address TINA.LYONS@REDCROSS.ORG		
Type of Ownership: ☐ Agricultural and Horticultural Society ☐ Educational ☐ Religious ☒ Charitable ☐ Cemetery ☐ For-profit Nursing Facilities		
Charitable Organizations: Motor Vehicle described above is used in the following exempt category (please mark the applicable boxes): ☐ Agricultural and Horticultural Society ☐ Educational ☐ Religious ☒ Charitable ☐ Cemetery		
Charitable and For-Profit Organizations, please answer the following: Are the motor vehicles used exclusively as indicated? (see instructions) ☒ YES ☐ NO If No, give percentage of exempt use: _____ %		
For-profit Nursing/Assisting Living Facilities, please select the applicable box: ☐ Nursing Facility ☐ Skilled Nursing Facility ☐ Assisted-Living Facility What percentage of occupied beds have been provided to Medicaid beneficiaries over the most recent three-year period? _____ %		

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
TINA LYONS	FLEET MANAGER	3838 DEWEY AVE OMAHA, NE 68123

Description of the Motor Vehicles
• Attach an additional sheet, if necessary.

Motor Vehicle Make	Model Year	Body Type	Vehicle ID Number	Registration Date or Date of Acquisition, if Newly Purchased
CHEVY EQUINOX (50543)	2019	PASSENGER CAR/SUV	2GNAXHEV2K6137879	9/30/2026

Give a detailed description of the use of the motor vehicle:

THESE VEHICLES ARE USED TO STORE AND TRANSPORT SUPPLIES NEEDED FOR EMERGENCY SHELTERING.

Under penalties of law, I declare that I have examined this exemption application and, to the best of my knowledge and belief, it is correct and complete. I also declare that I am duly authorized to sign this exemption application.

sign
here

Tina Lyons
Authorized Signature

FLEET MANAGER

Title

8/1/2026

Date

For County Treasurer Recommendation

☒ Approval

☐ Denial

Comments: _____

Bunda R. Rohrich
Signature of County Treasurer

8-3-26
Date

For County Board of Equalization Use Only

☐ Approved

☐ Denied

If the County Board's determination is different from the County Treasurer's recommendation, an explanation is required.

I declare that to the best of my knowledge and belief, the determination made by the County Board of Equalization is correct pursuant to the laws of the State of Nebraska.

[Signature]
Signature of County Board Member

Date

Please retain a copy for your records.