

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 8, 2020**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 8, 2020 at 9:00 A.M. and 9:30 A.M. Chairman McMullen 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, Sherry Morrow, Dennis Reiter and William McMullen. Absent: Timothy Higgins. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Chairman McMullen 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 is posted at the back of the Board Room. County Clerk Janice Giffin took all proceedings hereinafter shown. County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present.

REGULAR AGENDA

Moved by Loeffelholz and seconded by Kouba to approve the August 25, 2020 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Moved by Morrow and seconded by Reiter to ratify the following August 28, 2020 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Klein, Kouba, Loeffelholz and McMullen. Absent: Higgins. Motion declared carried.

GENERAL FUND			
NET PAYROLL			252,077.23
AMERICAN FAMILY LIFE	I	PREMIUMS	982.51
RETIREMENT PLANS AMERITAS	R	EMPE RET	42,224.94
BUFFALO CO TREASURER	I	PREMIUMS	114,440.50
FIRST CONCORD	E	FLEX FUNDS	4,695.07
FIRST NATIONAL BANK	T	FEDERAL TAX	83,730.78
KEARNEY UNITED WAY	E	DONATIONS	102.67
KATHLEEN A LAUGHLIN	E	GARNISH	356.00
MADISON NATIONAL	I	PREMIUMS	583.48
MADISON NATIONAL	I	LT DISABILITY	310.07
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	1,175.00
NATIONWIDE	I	DEFERRED COMP	330.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	2,824.25
STATE OF NE	T	STATE TAX	13,622.07
VISION SERVICE PLAN	E	EMPE VSP EYE	838.67
ROAD FUND			
NET PAYROLL			53,496.97
AMERICAN FAMILY LIFE	I	PREMIUMS	907.19
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,523.80
BUFFALO CO TREASURER	I	PREMIUMS	2,918.50
FIRST CONCORD	E	FLEX FUNDS	677.42
FIRST NATIONAL BANK	T	FEDERAL TAX	16,118.79
MADISON NATIONAL	I	PREMIUMS	163.77
MADISON NATIONAL	I	LT DISABILITY	120.65
NATIONWIDE	I	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	342.00
NE DEPARTMENT OF REVENUE	E	NE DEPT OF REV	582.96
PRINCIPAL	E	DENTAL	907.67
STATE OF NE	T	STATE TAX	2,368.70
VISION SERVICE PLAN	E	EMPE VSP EYE	225.09
WEED DEPARTMENT			
NET PAYROLL			4,719.98
RETIREMENT PLANS AMERITAS	R	EMPE RET	744.03
BUFFALO CO TREASURER	I	PREMIUMS	248.00
FIRST CONCORD	E	FLEX FUNDS	33.33
FIRST NATIONAL BANK	T	FEDERAL TAX	1,516.40
MADISON NATIONAL	I	LT DISABILITY	3.73
PRINCIPAL	E	DENTAL	41.16
STATE OF NE	T	STATE TAX	234.65

Moved by Morrow and seconded by Klein to accept the Clerk of District Court August 2020 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Kouba, Loeffelholz, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Moved by Klein and seconded by Kouba to approve the fiscal year 2019-2020 inventory statements filed by all of the County Officials except the Building and Grounds Department. Inventory from Building and Grounds has not yet been submitted to the County Clerk, all inventory statements are to be filed with the County Clerk as a public record. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Loeffelholz, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Moved by Reiter and seconded by Kouba to reappoint Rich White and appoint Larry Hardesty to the Board of Adjustment for a three year term. Upon roll call vote, the following Board members voted "Aye": Reiter, Kouba, Klein, Loeffelholz, Morrow and McMullen. Absent: Higgins. Motion declared carried.

Moved by Kouba and seconded by Loeffelholz to approve the payment of flu shots for all Buffalo County Employees. The Board Administrator will notify the employees of the flu shot availability scheduled for September 24, 2020 at three Buffalo County locations. Upon roll call vote, the following Board members voted "Aye": Kouba, Loeffelholz, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Ryan Pierce from The Village 1919 was present to answer questions on their Special Designated Liquor License application for an event to be held on October 1, 2020. After discussion and review of the County Sheriff's report, it was moved by Loeffelholz and seconded by Kouba to approve the Special Designated Liquor License application filed by The Village 1919 for an event located at Baer Studios to be located at 8470 2nd Ave Kearney, Nebraska. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Chairman McMullen reviewed the following correspondence. The Board received information from Genetworx concerning COVID-19 testing. Chairman McMullen called on each Board member present for committee reports and recommendations.

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

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Ethel Skinner and County Treasurer Jean Sidwell were present.

Moved by Klein and seconded by Loeffelholz to approve Tax List Corrections numbered 4700 through 4707 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Kouba, Morrow, Reiter, and McMullen. Absent: Higgins. Motion declared carried.

Moved by Reiter and seconded by Klein to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Evangelical Lutheran Good Samaritan Society (St. Lukes) on a 2014 Dodge Caravan and 2006 Ford F150. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Kouba, Loeffelholz, Morrow and McMullen. Absent: Higgins. Motion declared carried.

Moved by Loeffelholz and seconded by Klein to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for American National Red Cross on a 2000 trailer. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Kouba, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Moved by Kouba and seconded by Loeffelholz to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Good Samaritan Society (St. Johns) on a 2003 GMC Sierra and 2012 Dodge Caravan. Upon roll call vote, the following Board members voted "Aye": Kouba, Loeffelholz, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

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

Break in meeting at 9:15 A.M.

REGULAR AGENDA

Moved by Loeffelholz and seconded by Kouba to enter into Executive Session at 9:35 A.M. to discuss contract negotiations. In addition to the Board members responding to roll call, County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to move out of Executive Session at 9:45 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Joe Johnson from Olsson & Associates and Mark Liljehorn from USA Communications addressed the Board concerning the project to bury fiber optic cable in Buffalo County. Moved by Loeffelholz seconded by Kouba to approve the Memorandum of Understanding (MOU) with USA Communications, LLC, to authorize the Chairman to sign a letter of support to enter state highway right of way areas and to designate Chairman McMullen as the contact for further communications with USA Communications LLC regarding this project. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

The Board of Commissioners discussed the sharing of costs regarding the C10 (987) Road project located on Navaho Road. KAPPA Ethanol Ravenna LLC CEO Chuck Woodside and City of Ravenna Attorney Mark Eurek addressed the Board. Moved by Loeffelholz and seconded by Kouba to authorize Chairman McMullen to sign the two proposed contracts to be presented to the City of Ravenna with a decision to be made by September 15, 2020. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Kouba, Klein, Reiter and McMullen. Absent: Higgins. Motion declared carried.

Chairman McMullen opened the public hearing for the 2020-2021 One and Six Year Road and Bridge Plan at 10:16 A.M. Deputy County Attorney Andrew Hoffmeister and Highway Superintendent John Maul were present for discussion and review. No one else addressed the Board and the public hearing was closed at 10:20 A.M. Moved by Klein and seconded by Reiter to adopt the One and Six Year Road and Bridge Plan for 2020-2021 as presented. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Kouba, Loeffelholz, Morrow, and McMullen. Absent: Higgins. Motion declared carried.

(Break in meeting at 10:21 A.M.)

Chairman McMullen opened the public hearing for the Buffalo County 2020-2021 Fiscal Year Budget at 10:31 A.M. No one addressed the Board and the hearing was closed at 10:32 A.M.

Moved by Morrow and seconded by Kouba to authorize petty cash funds for the various County Offices with the approval of Resolution 2020-43 Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Klein, Loeffelholz, Reiter and McMullen. Absent: Higgins. Motion declared carried.

RESOLUTION 2020-43

We, the Buffalo County Board of Commissioners, authorize petty cash funds to be operated by the Sheriff's Office in the amount of \$2,500.00, the County Attorney's Office in the amount of \$1,500.00, the Probation Office in the amount of \$50.00, the Public Defender's Office in the amount of \$2,300.00, the Clerk of the District Court Office in the amount of \$1,000.00, Veteran's Service Office in the amount of \$12,000.00; the County Court Office in the amount of \$450.00, Board of Commissioners in the amount of \$2,500.00, Register of Deeds Office in the amount of \$200.00, Treasurer's Office in the amount of \$2,250.00, and the County Clerk's Office in the amount of \$12,000.00.

Moved by Morrow and seconded by Klein to approve the Buffalo County Budget for the fiscal year 2020-2021 with the following Resolution 2020-44. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Kouba, Loeffelholz, Reiter and McMullen. Absent: Higgins. Motion declared carried.

RESOLUTION 2020-44

RESOLUTION OF ADOPTION AND APPROPRIATION

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2020 to June 30, 2021, prepared by the Budget Making Authority, was transmitted to the Buffalo County Board of Commissioners on the 8th day of September 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Buffalo County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2020 to June 30, 2021 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Buffalo County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2020 and ending June 30, 2021.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Chairman McMullen opened the public hearing to approve or modify the Property Tax Request. After review of the Property Tax Request for fiscal year 2020-2021, with no one else addressing the Board, Chairman McMullen closed the hearing at 10:38 A.M. Moved by Morrow and seconded by Klein to approve the Property Tax Request for the fiscal year 2020-2021 with the following Resolution

2020-45. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Kouba, Loeffelholz, Reiter and McMullen. Absent: Higgins. Motion declared carried.

RESOLUTION 2020-45

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of Buffalo County passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Buffalo County resolves that:

1. The 2020-2021 property tax request for the General Fund will be set at \$18,885,064.60
2. The 2020-2021 property tax request for the Veterans Aid Fund will be set at \$5,077.97
3. The 2020-2021 property tax request for the Bond Fund will be set at \$1,526,440.07
4. The total assessed value of property differs from last year's total assessed value by 1%
5. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the total assessed value of property, would be \$.334203 per \$100 assessed value
6. The County proposes to adopt a property tax request that will cause a tax rate to be \$.320831 per \$100 of assessed value
7. Based on the proposed property tax request and changes in other revenue, the total operating budget of Buffalo County will be less than last year's by 1%
8. A copy of this resolution will be certified and forwarded to the County Clerk on or before October 13, 2020

Moved by Loeffelholz and seconded by Klein to amend the previous motion approving the fiscal year 2019-2020 inventory statements to now include the Building and Grounds inventory. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Kouba, Morrow, Reiter and McMullen. Absent: Higgins. Motion declared carried.

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

Chairman McMullen asked if there was anything else to come before the Board at 10:39 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, September 22, 2020.