

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 26, 2021**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, January 26, 2021 at 9:00 A.M. Chairman McMullen called the meeting to order via Zoom instead of meeting in the Board room due to the weather emergency. The Agenda was amended to recess portions of the meeting including the Communication Towers and Road Equipment Bid openings so that delivery of the bids could be received and the Board of Equalization did not convene until Wednesday, January 27, 2021 since the County Treasurer was not available due to the weather emergency. The following Board members responded to roll call: Timothy Higgins, Myron Kouba, Ronald Loeffelholz, Daniel Lynch, Sherry Morrow and William McMullen. Absent: Ivan Klein. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Public notice of this meeting was published/posted in the Kearney Hub, on the Buffalo County web site, and the bulletin boards located outside the County Clerk's office and County Board Room on January 21, 2021. 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. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public via Zoom.

**REGULAR AGENDA**

Moved by Loeffelholz and seconded by Higgins to approve the January 12, 2021 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and McMullen. Absent: Klein. Motion declared carried.

Moved by Lynch and seconded by Morrow to ratify the following January 15, 2021 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Lynch, Morrow, Higgins, Kouba, Loeffelholz and McMullen. Absent: Klein. Motion declared carried.

<b>GENERAL FUND</b>			
NET PAYROLL			276,190.13
AMERICAN FAMILY LIFE	I	PREMIUMS	1,037.63
RETIREMENT PLANS AMERITAS	R	EMPE RET	46,690.47
BUFFALO CO TREASURER	I	PREMIUMS	113,535.00
FIRST CONCORD	E	FLEX FUNDS	5,125.07
FIRST NATIONAL BANK	T	FEDERAL TAXES	94,413.25
KEARNEY UNITED WAY	E	DONATIONS	104.67
KATHLEEN A LAUGHLIN	E	GARNISH	402.00
MADISON NATIONAL	I	PREMIUMS	943.07
MADISON NATIONAL	I	LT DISABILITY	286.63
MASSMUTUAL	R	DEFERRED COMP	1,175.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,080.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,273.48
PROFESSIONAL CHOICE	E	GARNISH	157.33
STATE OF NE	T	STATE TAXES	15,960.98
VISION SERVICE PLAN	E	EMPE VSP EYE	842.58
<b>ROAD FUND</b>			
NET PAYROLL			55,849.79
AMERICAN FAMILY LIFE	I	PREMIUMS	907.19
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,931.05
BUFFALO CO TREASURER	I	PREMIUMS	2,567.00
FIRST CONCORD	E	FLEX FUNDS	677.42
FIRST NATIONAL BANK	T	FEDERAL TAXES	16,900.82
MADISON NATIONAL	I	PREMIUMS	148.55
MADISON NATIONAL	I	LT DISABILITY	107.53
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	342.00
PRINCIPAL	E	DENTAL	930.88
STATE OF NE	T	STATE TAXES	2,585.58
VISION SERVICE PLAN	R	EMPE VSP EYE	205.22
<b>WEED FUND</b>			
NET PAYROLL			4,917.02
RETIREMENT PLANS AMERITAS	R	EMPE RET	777.30
BUFFALO CO TREASURER	I	PREMIUMS	248.00
FIRST CONCORD	E	FLEX FUNDS	33.33
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,586.39

MADISON NATIONAL	I	LT DISABILITY	3.44
PRINCIPAL	E	DENTAL	60.96
STATE OF NE	T	STATE TAXES	251.69

Moved by Morrow and seconded by Higgins to approve the following transfer of County funds all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Loeffelholz, Lynch and McMullen. Absent: Klein. Motion declared carried.

FROM	100	GENERAL FUND	TO	5400	WEED FUND	\$25,000.00
------	-----	--------------	----	------	-----------	-------------

Moved by Loeffelholz and seconded by Kouba to accept the December 2020 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and McMullen. Absent: Klein. Motion declared carried.

Moved by Morrow and seconded by Lynch to approve Great Western Bank application for Depositories of County Monies and to authorize Buffalo County Treasurer Jean Sidwell to invest the County funds at the approved Great Western Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz and McMullen. Absent: Klein. Motion declared carried.

Zoning Administrator Dennise Daniels reviewed the 2020 Annual Planning and Zoning Report. Moved by Loeffelholz and seconded by Kouba to accept the 2020 Annual Zoning and Floodplain Administrator Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and McMullen. Absent: Klein. Motion declared carried.

Chairman McMullen reviewed the following correspondence. Nebraska Department of Transportation (NDOT) sent the monthly status report update on the Poole South project. The state of Nebraska sent Wood River Dairy, LLC Concentrated Animal Feeding Operation general permit information that becomes active April 1, 2021 and expires March 31, 2026, in regards to the National Pollutant Discharge Elimination System (NPDES). Chairman McMullen called on each Board member present for committee reports and recommendations.

Weed Superintendent Bret Stubbs was present to review the Weed Department Annual State Reports. Moved by Loeffelholz and seconded by Morrow to authorize Chairman McMullen to sign the reports as presented to be filed with the Nebraska Department of Agriculture. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Higgins, Kouba, Lynch and McMullen. Absent: Klein. Motion declared carried.

Skye Lindgreen with District 9 Probation office was present to answer any questions on the Central Nebraska Veterans Treatment Court Interlocal Agreement. After discussion it was moved by Lynch and seconded by Morrow to authorize Chairman McMullen to sign the Central Nebraska Veterans Treatment Court Interlocal Agreement with Hall County, Adams County and the Administrative Office of the Courts and Probation. Upon roll call vote, the following Board members voted "Aye": Lynch, Morrow, Higgins, Kouba, Loeffelholz and McMullen. Absent: Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to approve the following January 2021 vendor claims submitted by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and McMullen. Absent: Klein. Motion declared carried.

<b>GENERAL FUND</b>			
ADVANCED CORRECTIONAL HEALTHCARE	MC	MEDICAL	8,064.17
AKRS EQUIPMENT RAVENNA JOHN DEERE	EQ	REPAIRS	2,275.05
ALL AMERICAN SEWER & DRAIN CLEANING	S	SVC	400.00
ALL MAKES AUTO SUPPLY	S	PARTS	604.30
AMAZON CAPITAL SVCS	E	EXPENSES	720.47
AMERICAN ELECTRIC COMPANY	SU	SUPPLIES	4.06
AMERICAN LEGION FLAG & EMBLEM	SU	SUPPLIES	48.85
MANDI J AMY	RE	REIMBURSE	45.00
APCO INTERNATIONAL	D	DUES	192.00
AT&T MOBILITY	S	PHONE SVCS	1,170.07
ATS	S	SVC	343.82
MICHAEL W BALDWIN	S	LEGAL	570.00
BAMFORD INC	S	REPAIRS	363.68
RICHARD BEECHNER	E	HEALTH BOARD	75.00
MELODIE TURNER BELLAMY	S	LEGAL	541.50
BRAD W BIGELOW	E	HEALTH BOARD	375.00
BISHOP LAW	S	LEGAL	2,586.25
VIJENDRA BOKEN	E	WITNESS	20.00
BOYS TOWN	S	JUV SVCS	467.19
BRAD RODGERS MD	MC	MEDICAL	190.71
JONATHAN R BRANDT	S	LEGAL	6,070.00

NATHAN BRECHT	RE	REIMBURSE	259.48
CHARLES BREWSTER	S	LEGAL	4,807.50
D. BRANDON BRINEGAR	RE	REIMBURSE	16.70
BRUNER FRANK SCHUMACHER	S	LEGAL	9,878.50
BUFFALO CO BOARD OF COMMISSIONERS	E	EXPENSES	1,600.00
BUFFALO CO COMMUNITY PARTNERS	E	EXPENSES	1,020.74
BUFFALO CO ATTORNEY	E	DUBBING FEES	1,005.00
BUFFALO CO ATTORNEY'S OFFICE	RE	REIMBURSE	34.71
BUFFALO CO CLERK	RE	REIMBURSE	1,116.91
BUFFALO CO COURT	E	COURT COSTS	3,182.00
BUFFALO CO SHERIFF	E	EXPENSES	2,902.45
BUILDERS WAREHOUSE	SU	SUPPLIES	293.91
BRAD BUTLER	E	WITNESS	32.08
CANON SOLUTIONS AMERICA	S	MAINTENANCE	436.02
MICHAEL D CARPER	S	LEGAL	1,063.95
RYAN C CARSON	RE	REIMBURSE	45.00
CASH WA DISTRIBUTING	SU	SUPPLIES	165.85
CENTRAL MEDIATION CENTER	S	JUVENILE SVCS	1,600.00
CENTRAL NE CREMATION	E	AUTOPSY	700.00
CENTRAL NE REPORTING, INC	E	TRANSCRIPTION	120.31
CENTURY LUMBER CENTER	S	SUPPLIES	335.34
CENTURY 21 MIDLANDS	RT	RENT	50.00
CHARLESWORTH CONSULTING, LLC	E	CONSULTING	1,050.00
CHARM-TEX INC	S	SUPPLIES	1,276.00
CHARTER COMMUNICATIONS	S	TELE SVCS	468.65
CHARTER COMMUNICATIONS	S	INTERNET	123.28
CHEROKEE BUILDING MATERIALS	SU	SUPPLIES	25.91
CHI HEALTH AT HOME	MC	MEDICAL	80.00
CHI HEALTH GOOD SAMARITAN	MC	MEDICAL	3,900.00
JENNIFER CHURCH	RE	REIMBURSE	45.00
CITY OF KEARNEY	U	UTILITIES	2,641.34
CITY OF KEARNEY	RE	REIMBURSE	1,500.00
CITY OF KEARNEY	B	EXPENSES	94,000.92
CITY OF KEARNEY	EQ	EQUIP	141.48
CLERK OF THE DISTRICT COURT	E	COURT COSTS	2,981.00
CLERK OF THE DISTRICT COURT	E	FEES	272.70
CLERK OF THE DISTRICT COURT	E	POSTAGE	465.00
CLIPPER PUBLISHING	A	PUBLISHING	180.00
COMFY BOWL	EQ	EQUIP	100.00
COMPASS FAMILY SUPPORT	S	JUV SVCS	1,703.75
CONSOLIDATED MANAGEMENT	S	FOOD SVC	24,673.62
COPYCAT PRINTING CENTER	S	SUPPLIES	1,326.72
COUNTRY PARTNERS COOPERATIVE	F	PROPANE	676.25
SHAYLA CRUZ	E	WITNESS	64.16
CULLIGAN	S	SVCS	466.00
DAN'S SANITATION	S	SVCS	15.00
DENNISE DANIELS	RE	REIMBURSE	45.00
DAS ST ACCOUNTING	S	SVC	41.60
DAS STATE ACCTNG-CENTRAL FINANCE	S	NETWORK SVCS	1,340.00
DASH MEDICAL GLOVES	SU	SUPPLIES	2,624.30
DATASPEC	S	SVC	1,347.00
DAWSON CO SHERIFF'S OFFICE	E	SVC FEE	15.07
DAWSON PUBLIC POWER DISTRICT	U	UTILITIES	3,476.25
CHRISTINA DEAN	E	WITNESS	20.00
BONNIE DEAVER	E	WITNESS	20.00
DAMON DEEDS	RE	REIMBURSE	77.08
DEPT OF PATHOLOGY	MC	MEDICAL	675.00
DEWALD DEAVER L'HEUREUX LAW	S	LEGAL	3,475.50
DON WASSON CO	S	REPAIRS	11,004.00
DOUGLAS CO SHERIFF	S	SVC FEE	20.82
DOWHY TOWING & RECOVERY	S	TOWING	717.00
DRONESENSE	E	LICENSE	2,376.00
DUGAN PRINTING & PROMOTIONS	S	SUPPLIES	1,921.59
BRANDON J. DUGAN	RE	REIMBURSE	246.83
EAKES	S	SUPPLIES	3,595.85

SHAWN EATHERTON	RE	REIMBURSE	45.00
EDUCATIONAL SVC UNIT NO 10	S	TECH SUPPORT	20,093.75
ELN, LLC	RT	RENT	180.00
ESCHAT	S	SUBSCRIPTION	315.97
MARSHA FANGMEYER	S	LEGAL	4,492.50
FARMERS AND MERCHANTS BANK	S	BOX RENT	65.00
PAUL FARRELL	RE	REIMBURSE	45.00
KARI FISK	RE	REIMBURSE	45.00
FLEETPRIDE	S	SOFTWARE	3,320.00
FRONTIER	S	TELE SVCS	4,278.94
FURNAS CO SHERIFF	E	SVC FEE	57.93
FYE LAW OFFICE	S	LEGAL	5,602.20
GALLS, LLC	SU	UNIFORM	255.31
GARCIA CLINICAL LABORATORY	MC	MEDICAL	75.00
CYNTHIA GEMBALA HUGG	E	BILL OF EXCEPT	33.75
GRAHAM TIRE CO	S	REPAIR	24.58
ZACHARY K GRAY	S	LEGAL	1,425.00
GREAT PLAINS DENTAL	MC	MEDICAL	135.89
GREAT PLAINS UNIFORMS	SU	EQUIP	1,474.00
HALL CO DISTRICT COURT	E	COPIES	45.75
HALL CO SHERIFF'S OFFICE	S	SVC FEES	93.79
HAWTHORNE JEWELRY	E	RETIREMENT	76.95
ANDREW W HOFFMEISTER	RE	REIMBURSE	45.00
HOLMES PLUMBING & HEATING	SU	SUPPLIES	157.36
HORNER, LIESKE, MCBRIDE & KUHL	E	TRANSPORT	325.00
LISA R HUERTA	RE	REIMBURSE	45.00
INTEGRATED SECURITY SOLUTIONS	S	MAINTENANCE	1,000.00
INTELLICOM COMPUTER	S	EMAIL FILTER	463.75
INTERSTATE ALL BATTERY CENTER	SU	BATTERIES	64.80
JACOBSEN ORR LAW FIRM	S	LEGAL	10,450.75
JUSTICE WORKS LLC	E	SUBSCRIPTION	212.00
KEARNEY HUB	A	PUBLISHING	1,273.96
KEARNEY TOWING & REPAIR CENTER	S	TOWING	958.75
KELLY KENNEDY	RE	REIMBURSE	25.00
NICK KILLOUGH	RE	REIMBURSE	45.00
JEFFREY C KNAPP	S	LEGAL	702.50
KONICA MINOLTA BUSINESS SOLUTIONS	S	MAINTENANCE	3,586.75
KONICA MINOLTA PREMIER FINANCE	EQ	COPIER LEASE	3,571.42
DOUG KRAMER	RE	REIMBURSE	45.00
KRONOS	S	MAINT	1,268.69
NIGEL KUHL	RE	REIMBURSE	250.00
LANCASTER CO SHERIFF	E	SVC FEE	57.64
LANDMARK IMPLEMENT	SU	PARTS	6.66
DR MICHAEL LAWSON	MC	HEALTH BOARD	300.00
PATRICK LEE	RE	REIMBURSE	45.00
LEXISNEXIS RISK SOLUTIONS	E	SUBSCRIPTION	25.00
LIESKE, LIESKE & ENSZ	S	LEGAL	2,153.75
LINCOLN CO SHERIFF	E	SVC FEE	21.03
STEPHEN G LOWE	MC	HEALTH BOARD	2,175.00
LYNN PEAVEY COMPANY	SU	EQUIP	145.50
MALLORY SAFETY & SUPPLY	SU	UNIFORMS	244.95
MALWAREBYTES CORPORATION	S	SOFTWARE	1,241.10
JOHN MARSH	RE	REIMBURSE	45.00
LYNN MARTIN	RE	REIMBURSE	45.00
MASTERS TRUE VALUE	SU	SUPPLIES	47.21
MATTHEW BENDER & CO	E	SUBSCRIPTION	1,239.07
SHARON MAULER	RE	REIMBURSE	45.00
CALEB MAYNARD	E	WITNESS	20.00
ANGELA MCILNAY	RE	REIMBURSE	29.32
MICHAEL MEFFERD	RE	REIMBURSE	45.00
MENARDS	SU	SUPPLIES	1,338.32
MICROFILM IMAGING SYSTEMS	S	EQUIP	1,177.00
MID STATES ORGANIZED CRIME	D	MEMBERSHIP	200.00
MIDDLETON ELECTRIC	S	REPAIRS	4,193.02
MIDWAY CHRYSLER DODGE JEEP	S	REPAIR	79.95

MIDWEST CONNECT	E	MAIL SVCS	13,801.99
MILHOUS INK	S	SVC	1,000.00
BRIAN MILLESON	E	WITNESS	76.93
MIPS INC.	S	SVC	5,760.50
MIRROR IMAGE CAR WASH	E	MAINT	582.95
MOORE FOOT & ANKLE	MC	MEDICAL	140.00
MORRILL CO SHERIFF	E	SVC	18.61
JERAD MURPHY	RE	REIMBURSE	18.98
NANCE CO SHERIFF	E	SVC FEE	60.48
NAVSURFWARCENDIV CRANE	SU	EQUIP	1,800.00
NE PUBLIC HEALTH ENVIRONMENTAL LAB	MC	SVCS	105.00
NE CENTRAL TELEPHONE CO	U	TELE SVCS	331.88
NE CLERK OF DISTRICT COURT ASSN	D	DUES	50.00
NE FLOODPLAIN & STORMWATER	D	MEMBERSHIP	35.00
NE GLASS COMPANY, LLC	S	REPAIR	34.95
NE HEALTH & HUMAN SVCS	E	PATIENT SVCS	1,008.00
NE INSTITUTE OF FORENSIC	E	PATHOLOGY	2,833.00
NE PUBLIC POWER DISTRICT	U	UTILITIES	10,614.66
NE.GOV	E	COPIES	50.00
OPTK NETWORKS	S	INTERNET SVCS	615.00
NEW WEST SPORTS MEDICINE	MC	MEDICAL	670.08
KRISTI NEWMAN	R	REIMBURSE	52.44
ROBERT NORDHUES	RT	RENT	130.00
NORTHEAST NE JUVENILE SER INC	S	JUVENILE SVCS	2,716.25
NORTHWESTERN ENERGY	U	UTILITIES	4,581.91
O'BRIEN STRAATMANN REDINGER	E	TRANSPORT	1,500.00
O'KEEFE ELEVATOR CO	S	MAINT	748.67
OWENS EDUCATIONAL SVCS	S	SVCS FEE	2,090.03
NATE PEARSON	RE	REIMBURSE	45.00
PHELPS CO SHERIFF'S OFFICE	E	SVC FEE	63.50
PLAINS INVESTMENT GROUP	RT	RENT	75.00
PLATINUM AWARDS & GIFTS	SU	SVC	53.45
PLATTE CO SHERIFF DEPT	E	SVC FEE	18.61
PLATTE VALLEY AUTO	E	VEHICLE PURCH	8,950.00
PLATTE VALLEY COMMUNICATIONS	S	MAINT	600.00
POTTAWATTAMIE CO SHERIFF'S OFFICE	E	SVC FEE	41.00
POWER DMS	E	TRAINING	5,136.16
QUILL CORPORATION	SU	SUPPLIES	142.56
R.R.BRINK LOCKING SYSTEMS	SU	PARTS	150.00
KANE M RAMSEY	RE	REIMBURSE	45.00
RAVENNA CHAMBER OF COMMERCE	RE	REIMBURSE	973.78
RAVENNA SANITATION	S	SVCS	795.00
REDMAN'S SHOES	SU	UNIFORM	55.00
REGION III BEHAVIORAL HEALTH SVCS	S	SVCS	38,999.06
ILENE RICHARDSON	R	RETIREMENT	14.00
RYAN SAALFELD	RE	REIMBURSE	45.00
KRISTI SCHIRMER	S	EXPENSES	2,375.00
KIRK SCOTT	RE	REIMBURSE	45.00
SECURITY TRANSPORT SVCS	S	TRANSPORT	1,155.00
VERONICA SEWARD	E	WITNESS	76.93
SHERWIN WILLIAMS	SU	SUPPLIES	29.52
SHREDDING SOLUTIONS	S	SHREDDING	45.00
SIGN CENTER	SU	SIGNS	4,815.60
DEBORAH A SILVERMAN	E	TRANSCRIPTION	58.50
TRENTON SNOW	RT	EQ RENTAL	1,000.00
SOLID WASTE AGENCY LANDFILL	E	LANDFILL	20.58
STAMM ROMERO & ASSOC, P.C.	S	LEGAL	16,489.63
STATE OF NEBR PROBATION DIST 9	AP	BUDGET	5,366.55
STETSON BUILDING PRODUCTS	SU	SUPPLIES	1,500.00
THOMAS S STEWART	S	LEGAL	3,638.20
STITCH 3	SU	UNIFORM	64.00
JOSHUA E SUNDBERG	E	WITNESS	20.00
MICHAEL J SYNEK	S	LEGAL	2,071.03
THOMSON REUTERS - WEST	E	SUBSCRIPTION	452.16
THOMSON REUTERS - WEST	E	SUBSCRIPTION	3,810.41

THOMSON REUTERS-WEST	E	SUBSCRIPTION	635.69
THOMSON REUTERS - WEST	E	SUBSCRIPTION	516.71
THURSTON HEATING & AIR CONDITIONING	S	SVC/REPAIR	177.00
TITAN ENERGY SYSTEMS	S	MAINT	6,421.33
TONNIGES & ASSOCIATES P.C.	S	CONTRACT	14,587.00
TOTAL INTERIORS	S	REPAIRS	3,083.36
PAMELA M TREFFER	RT	RENT	50.00
REBECCA TVRDIK ANDERSON	S	LEGAL	2,175.00
TYE & ROWLING	S	LEGAL	2,461.00
U.S. BANK	E	EXPENSES	13,377.34
USA COMMUNICATION	S	INTERNET	723.90
U.S DEPARTMENT OF AGRICULTURE	AP	BUDGET	6,843.48
USPS - HASLER	E	POSTAGE	1,000.00
VALLEY VIEW MOBILE HOME PARK	RT	RENT	100.00
JERRY A. VAN WINKLE	MC	MEDICAL	1,743.75
VERIZON CONNECT NWF	S	GPS	32.38
VERIZON WIRELESS	S	PHONE SVCS	745.09
VERIZON WIRELESS	S	CELL SVCS	40.01
VERIZON WIRELESS	S	CELL SVCS	1,538.28
VILLAGE OF ELM CREEK	S	INTERNET	64.99
VILLAGE OF MILLER	U	UTILITIES	19.50
VILLAGE UNIFORM	SU	UNIFORM	75.36
VOIGT LAW OFFICE	S	LEGAL	387.50
THE WALDINGER CORPORATION	S	MAINTENANCE	5,798.59
WELLS FARGO	E	EXPENSES	51.03
WELLS FARGO	E	EXPENSES	17.01
WELLS FARGO	E	EXPENSES	632.56
WILKE'S TRUE VALUE	SU	PARTS	89.28
MELISSA L WILLIS	RE	REIMBURSE	45.00
JEFF WIRTH	RE	REIMBURSE	150.00
WPCI	S	MEDICAL	47.50
YANDA'S MUSIC	S	AUDIO EQUIP	419.95
MELANIE R YOUNG	RE	REIMBURSE	45.00
ERIC ZIKMUND	RE	REIMBURSE	45.00
<b>ROAD FUND</b>			
ACE HARDWARE	SU	PARTS	80.14
ALL MAKES AUTO SUPPLY	SU	REPAIRS	640.15
ANDERSEN WRECKING COMPANY	SU	REPAIRS	365.00
AUSSIE HYDRAULICS	S	REPAIRS	6,244.35
ARNOLD MOTOR	SU	PARTS	1,950.86
BAUER BUILT	S	REPAIRS	3,295.80
BLESSING	C	CONCRETE	49,790.45
BOSSELMAN ENERGY	F	FUEL	406.04
CARQUEST AUTO PARTS	SU	REPAIRS	3,322.08
CENTRAL AG AND SHOP SUPPLY	SU	TOOLS	149.85
CERTIFIED POWER	S	REPAIRS	1,337.96
CHS AGRI SVC CENTER	F	FUEL	93.91
CFP-C-T	F	FUEL	127.15
COMFY BOWL	EQ	EQUIP	85.00
CONSTRUCTION RENTAL	SU	REPAIRS	1,574.71
CUMMINS SALES AND SVC	S	REPAIRS	1,982.86
EAKES	SU	SUPPLIES	40.28
ED BROADFOOT & SONS SAND & GRAVEL	G	GRAVEL	22,348.08
FARM PLAN	S	REPAIRS	1,900.00
FARMERS CO-OP ASSOCIATION	F	FUEL	148.67
FASTENAL COMPANY	S	REPAIRS	376.08
FRIESEN CHEVROLET	S	REPAIRS	395.97
GARRETT TIRES & TREADS	S	REPAIRS	874.39
GLASS DOCTOR OF CENTRAL NE	S	EQUIP	100.00
GRAHAM TIRE	S	REPAIR	151.50
HOLMES PLUMBING & HEATING	SU	PARTS	17.78
HUSKER AUTO GROUP	E	TRUCK PURCH	3,577.00
JACK LEDERMAN CO	S	EQUIP	88.88
KEARNEY HUB	AP	PUBLISHING	54.96
KEARNEY TIRE AND AUTO	SU	EQUIP	1,700.60

KELLY SUPPLY COMPANY	S	PARTS	878.99
JOHN WILLIAM KING	R	RETIREMENT	34.62
KONECRANES	S	REPAIRS	1,500.00
LAWSON PRODUCTS	SU	SUPPLIES	1,312.81
LOGAN CONTRACTORS SUPPLY	S	REPAIRS	243.29
MASTERS TRUE VALUE	S	REPAIRS	119.10
MATHESON TRI-GAS	SU	SUPPLIES	59.81
MENARDS	SU	SUPPLIES	930.56
MID NE AGGREGATE	F	GRAVEL	149.24
MIDWEST SVC & SALES CO	EQ	EQUIP	6,969.00
MILLER & ASSOCIATES	S	ENGINEERING	1,527.10
NE ASSN CO ENG, HWY SUPER & SURVEY	D	MEMBERSHIP	50.00
NE TRUCK CENTER INC	S	REPAIRS	71.94
PLATTE VALLEY AUTO	S	REPAIRS	798.90
PLATTE VALLEY COMMUNICATIONS	S	MAINT	34.46
POSTLE INDUSTRIES	SU	SUPPLIES	480.32
POWERPLAN-MURPHY TRACTOR	S	REPAIRS	1,984.04
SAHLING KENWORTH	SU	TOOLS	53.12
SAPP BROS PETRO	EQ	EQUIP	2,600.00
SMITH CO SIDE DUMP TRAILERS	SU	PARTS	1,168.54
SPEEDTECH LIGHTS	EQ	EQUIP	637.71
SUNBELT RENTALS	EQ	EQUIP	598.53
ELF ENTERPRISES	EQ	EQUIP	1,280.00
U.S. BANK	E	EXPENSES	79.09
WILKE'S TRUE VALUE	S	REPAIRS	51.30
WPCI	S	MEDICAL	53.25
<b><u>VISITOR'S PROMOTION FUND</u></b>			
KEARNEY VISITOR'S BUREAU	E	EXPENSES	33,280.00
<b><u>VISITORS'S IMPROVEMENT FUND</u></b>			
KEARNEY VISITOR'S BUREAU	E	EXPENSES	33,281.00
<b><u>DEEDS PRESERVATION &amp; MODERNIZATION</u></b>			
MIPS INC.	S	PRESERVATION	249.00
<b><u>HEALTH INSURANCE FUND</u></b>			
BCBS HEALTH CLAIM EXPENSES	I	MEDICAL	263,607.85
HM LIFE MELLON GLOBAL CASH MGNT	I	STOPLOSS INS	47,055.52
<b><u>INHERITANCE TAX</u></b>			
COMMUNICATION NEXT	E	SVCS	16,950.00
<b><u>NOXIOUS WEED FUND</u></b>			
NE WEED CONTROL ASSOC	D	DUES	210.00
UNIVERSITY OF NE-LINCOLN	E	SUBSCRIPTION	30.00
<b><u>911 EMERGENCY SERVICES</u></b>			
CENTURYLINK	U	911 SVC	1,899.86
CENTURYLINK	U	911 SVCS	1,606.81
DAWSON PUBLIC POWER DISTRICT	U	RENT	1,140.00
FRONTIER	U	911 SVCS	1,539.73
FRONTIER COMMUNICATIONS CORP	U	911 SVCS	318.38
LANGUAGE LINE SVCS	U	TELE SVCS	178.50
NE CENTRAL TELEPHONE CO	U	TELE SVCS 911	109.99
PLATTE VALLEY COMMUNICATIONS	EQ	MAINTENANCE	1,417.67
USA COMMUNICATION	U	INTERNET	281.00

Chairman McMullen called for Citizen’s forum and no one was present.

Chairman McMullen asked if there was anything else to come before the Board at 9:27 A.M. before he declared the meeting recessed until 9:00 A.M. on Wednesday, January 27, 2021.

Chairman McMullen reconvened the meeting on Wednesday, January 27, 2021 at 9:10 A.M. All board members were present and County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public via Zoom.

**REGULAR AGENDA**

County Sheriff Neil Miller and Chief Deputy Dan Schleusener were present for the following bid opening. Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for the Communication Towers. Bids were submitted from Platte Valley Communication. Sheriff Miller and Chief Deputy Schleusener will review the bids and come back with recommendations at the end of today’s meeting.

Moved by Loeffelholz and seconded by Klein to recess the regular meeting of the Board of Commissioners at 9:19 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

### **BOARD OF EQUALIZATION**

Chairman McMullen called the Board of Equalization to order in open session. County Treasurer Jean Sidwell was present.

Moved by Kouba and seconded by Lynch to approve Motor Vehicle Tax Exemption as indicated on the application by the County Treasurer for CHI Health Good Samaritan on the following vehicles: 1994 Chevrolet ½ Ton Pickup, 1995 Ford Bus, 1995 Ford Econoline Van, 1998 Ford Van, 2000 Chevrolet Pickup, 2001 Dodge Ram Pickup, (3) 2002 Ford Vans, 2003 Ford Ambulance, 2003 Pontiac Van, 2003 Ford Bus, 2003 Ford Van, 2003 Ford Ambulance, 2005 Chevrolet ¾ Ton Pickup, 2006 Ford Van, 2007 Ford Explorer, 2008 Ford Ambulance, 2008 Buick, 2010 Chevrolet Ambulance, 2011 Chevrolet Van, 2012 McCoy Miller Ambulance, 2013 Chevrolet Ambulance, 2014 GMC Caravan, 2015 Chevrolet Ambulance and a 2018 Chevrolet Van. Upon roll call vote, the following Board members voted "Aye": Kouba, Lynch, Higgins, Klein, Loeffelholz, Morrow and McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to approve Motor Vehicle Tax Exemption as indicated on the application by the County Treasurer for Christian Student Fellowship for a 2006 Chevy Van and 2018 Ford Transit Van. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Klein, Lynch, Morrow and McMullen. Motion declared carried.

Moved by Morrow and seconded by Kouba to approve Motor Vehicle Tax Exemption as indicated on the application by the County Treasurer for Sonshine World for a 1996 Ford Bus, a 2003 Chevrolet Bus and a 2010 Ford Van. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Lynch and McMullen. Motion declared carried.

Moved by Lynch and seconded by Loeffelholz to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 9:25 A.M. Upon roll call vote, the following Board members voted "Aye": Lynch, Loeffelholz, Higgins, Klein, Kouba, Morrow and McMullen. Motion declared carried.

(Break in meeting Agenda.)

### **REGULAR AGENDA**

At 10:00 A.M. the meeting was reconvened and Highway Superintendent John Maul was present for the following bid openings. Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for a Cab & Chassis Lowboy Tractor and a Cab & Chassis with Dump Body. Bids were submitted from Nebraska Truck Center Inc., Sahling Kenworth Inc. and Hansen International Truck Inc. The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next meeting on February 9, 2021.

Sheriff Miller returned to the meeting with recommendations on the Tower Bids that were submitted. Moved by Morrow and seconded by Lynch to accept the bid from Platte Valley Communication for the Ravenna 180 foot Communication Tower and to reject the bids for the Gibbon Communication Tower. Bid proposals for the Gibbon Communication Tower will be opened on February 9, 2021 and the County Clerk will send another notice of bid openings. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Klein, Kouba, Loeffelholz and McMullen. Motion declared carried.

Chairman McMullen called for Citizen's forum and no one was present.

Chairman McMullen asked if there was anything else to come before the Board at 10:10 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, February 9, 2021.

ATTEST:

\_\_\_\_\_  
William McMullen, Chairman  
Buffalo County Board of Commissioners

\_\_\_\_\_  
Janice I. Giffin  
Buffalo County Clerk

(SEAL)



## JANUARY 29, 2021 PAYROLL

<b>GENERAL FUND</b>			
NET PAYROLL			272,558.29
AMERICAN FAMILY LIFE	I	PREMIUMS	1,037.63
RETIREMENT PLANS AMERITAS	R	EMPE RET	46,130.43
BUFFALO CO TREASURER	I	PREMIUMS	113,535.00
FIRST CONCORD	E	FLEX FUNDS	4,735.07
FIRST NATIONAL BANK	T	FEDERAL TAXES	92,542.46
KEARNEY UNITED WAY	E	DONATIONS	104.67
KATHLEEN A LAUGHLIN	E	GARNISH	402.00
MADISON NATIONAL	I	PREMIUMS	948.95
MADISON NATIONAL	I	LT DISABILITY	298.20
MASSMUTUAL	R	DEFERRED COMP	1,175.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,080.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,242.17
PROFESSIONAL CHOICE RECOVERY	E	GARNISH	157.33
STATE OF NE	T	STATE TAXES	15,565.05
VISION SERVICE PLAN	E	EMPE VSP EYE	843.61
<b>ROAD FUND</b>			
NET PAYROLL			53,977.05
AMERICAN FAMILY LIFE	I	PREMIUMS	907.19
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,635.06
BUFFALO CO TREASURER	I	PREMIUMS	2,567.00
FIRST CONCORD	E	FLEX FUNDS	677.42
FIRST NATIONAL BANK	T	FEDERAL TAXES	16,204.41
MADISON NATIONAL	I	PREMIUMS	148.65
MADISON NATIONAL	I	LT DISABILITY	107.59
NATIONWIDE	R	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	342.00
PRINCIPAL	E	DENTAL	930.96
STATE OF NE	T	STATE TAXES	2,440.77
VISION SERVICE PLAN	E	EMPE VSP EYE	205.46
<b>WEED FUND</b>			
NET PAYROLL			4,916.98
RETIREMENT PLANS AMERITAS	R	EMPE RET	777.30
BUFFALO CO TREASURER	I	PREMIUMS	248.00
FIRST CONCORD	E	FLEX FUNDS	33.33
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,586.39
MADISON NATIONAL	I	LT DISABILITY	3.44
PRINCIPAL	E	DENTAL	61.00
STATE OF NE	T	STATE TAXES	251.69

SHARON K. MAULER  
CLERK OF THE DISTRICT COURT

MONTHLY FEE REPORT  
for the Month of January, 2021

ACCOUNT DESCRIPTION

TOTAL AMOUNT

Filing Fee, Civil	560.00
Filing Fee, Criminal	00.00
Filing Fee, Judgment	375.00
Filing Fee, Criminal Appeal	00.00
Complete Records	646.00
Issuance of Writ	25.00
Reg. Work Comp. Judgment	00.00
Copies	77.75
Postage	00.00
Fax Fees	00.00
Publishing Fees	00.00
Transcript Fee/Seal Cert	00.00
Bad Check Fee	00.00
Bond 10%	1650.00
Bond Forfeiture	00.00
County Court Fees	703.50
Passport Processing Fee	2380.00

Grand Total

\$ 6417.25

Total for January, 2021

6417.25

Total for January thru

6417.25

STATE OF NEBRASKA:  
COUNTY OF BUFFALO:

I, Sharon K. Mauler, 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.



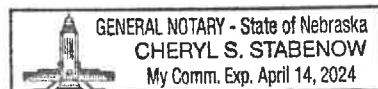
*Sharon K. Mauler*

SHARON K. MAULER  
Clerk of the District Court

Subscribed and sworn to before me the 1 day of February, 2021.

*Cheryl S. Stabenow*

Notary Public



FILED

2-1-2021  
BUFFALO CO CLERK

**Buffalo**  
**FUND BALANCE LISTING**  
**1/31/2021**

Fund	Fund Name	Beginning Balance	Collections	Disbursements	Fund Transfers	Ending Balance
0100	COUNTY GENERAL	5,673,722.57	1,364,513.31	-1,641,376.08	-25,000.00	5,371,859.80
0200	COUNTY ROAD	965,360.27	390,374.90	-308,215.81	0.00	1,047,519.36
0650	HIGHWAY BRIDGE BUYBACK	1,250,561.79	0.00	0.00	0.00	1,250,561.79
0900	VISITOR'S PROMOTION	33,280.75	24,681.95	-33,280.00	0.00	24,682.70
0995	VISITOR'S PROMOTION IMPROVEMENT	33,281.07	24,681.95	-33,281.00	0.00	24,682.02
1150	DEEDS PRESERVATION & MODERNIZATION	142,386.42	3,723.00	-249.00	0.00	145,860.42
1275	HEALTH RESERVE FUND	1,301,762.85	233,505.00	-310,663.37	0.00	1,224,604.48
1500	COUNTY RELIEF	0.00	0.00	0.00	0.00	0.00
1700	COUNTY INSTITUTIONS	0.00	0.00	0.00	0.00	0.00
1900	VETERAN'S AID	35,764.74	235.27	0.00	0.00	36,000.01
2356	STOP PROGRAM	35,319.58	0.00	0.00	0.00	35,319.58
2360	DRUG FORFEITURE	970,079.96	7,065.00	0.00	0.00	977,144.96
2370	FEDERAL EQUITABLE SHARING	177.06	0.00	0.00	0.00	177.06
2500	COUNTY FEDERAL GRANTS	11,417.65	0.00	0.00	0.00	11,417.65
2575	DISASTER FUND	117,332.89	0.00	0.00	0.00	117,332.89
2605	COMMUNITY DEVELOPMENT GRANT	0.00	0.00	0.00	0.00	0.00
2650	RECOVERY ZONE REBATE FUND	7,278.97	0.00	0.00	0.00	7,278.97
2700	INHERITANCE TAX	6,945,756.81	116,444.47	-16,950.00	0.00	7,045,251.28
2850	KENO LOTTERY	0.00	0.00	0.00	0.00	0.00
2913	911 WIRELESS SERVICE FUND	50,064.08	9,909.70	0.00	0.00	59,973.78
3700	COUNTY BOND LEVY	68,032.58	68,217.60	0.00	0.00	136,250.18
3800	RECOVERY ZONE BOND PAYMENT	204,579.78	0.00	0.00	0.00	204,579.78
5400	COUNTY WEED	20,439.99	494.11	-15,996.26	25,000.00	29,937.84
5907	911 EMERGENCY SERVICES	494,778.56	6,847.47	-8,491.94	0.00	493,134.09
6001	STATE GENERAL	274,760.64	448,785.39	-274,760.64	0.00	448,785.39
6002	STATE TITLES	0.00	0.00	0.00	0.00	0.00
6009	STATE SALES TAX MV	676,385.03	704,212.25	-676,385.03	0.00	704,212.25
6016	REVENUE SALES TAX ROAD DEPARTMENT	113.61	0.00	-113.61	0.00	0.00
6021	STATE TIRE TAX	1,005.00	954.00	-1,005.00	0.00	954.00
6101	SD101 SEM GENERAL	136,709.02	26,977.26	-136,709.02	0.00	26,977.26
6102	SD2 GIBBON GENERAL	741,995.29	499,170.25	-741,995.29	0.00	499,170.25
6103	SD119 AMHERST GENERAL	289,134.92	209,640.00	-289,134.92	0.00	209,640.00
6105	SD105 PLEASANTON GENERAL	435,520.90	213,870.64	-435,520.90	0.00	213,870.64
6107	SD7 KEARNEY GENERAL	4,048,888.68	1,659,964.83	-4,048,888.68	0.00	1,659,964.83
6109	SD9 ELM CREEK GENERAL	383,952.52	134,478.01	-383,952.52	0.00	134,478.01
6110	SD100 CENTURA GENERAL	16,762.15	11,976.82	-16,762.15	0.00	11,976.82
6119	SD19 SHELTON GENERAL	290,525.41	161,420.67	-290,525.41	0.00	161,420.67
6144	SD44 ANSLEY GENERAL	0.00	360.33	0.00	0.00	360.33
6169	SD69 RAVENNA GENERAL	699,358.04	168,027.11	-699,358.04	0.00	168,027.11
6201	SD101 SEM K-12 BOND	1,048.71	303.06	-1,048.71	0.00	303.06
6202	SD2 GIBBON K-12 BOND	96,045.09	61,065.34	-96,045.09	0.00	61,065.34
6203	SD119 AMHERST K-12 BOND	11,190.14	7,151.13	-11,190.14	0.00	7,151.13
6205	SD105 PLEASANTON K-12 BOND	84,877.60	36,431.01	-84,877.60	0.00	36,431.01
6207	SD7 KEARNEY K-12 BOND	674,746.04	243,314.06	-674,746.04	0.00	243,314.06
6209	SD9 ELM CREEK K-12 BOND	54,061.59	16,740.77	-54,061.59	0.00	16,740.77
6210	SD100 CENTURA K-12 BOND	0.00	0.00	0.00	0.00	0.00
6219	SD19 SHELTON K-12 BOND	17,355.86	9,283.42	-17,355.86	0.00	9,283.42
6257	SD7 KEARNEY K-12 BOND	0.00	0.00	0.00	0.00	0.00



**JEAN A. SIDWELL**

Buffalo County Treasurer  
Brenda R. Rohrich, Deputy  
1512 Central Avenue  
P.O. Box 1270  
Kearney, Nebraska 68848-1270

---

January 25, 2021

Buffalo County Board of Commissioners  
Courthouse  
Kearney, NE 68847

Dear Supervisors:

The attached exhibits are forwarded for your information in compliance with the Revised Statutes of Nebraska 1943, Sec. 77-1745. In part it reads:

"The County Treasurer shall settle with the County Board.....a statement showing the amount of money collected since last statement, from what source derived, amount of money paid out and for what purpose, together with the vouchers for the same, the amount of taxes due and unpaid and the amount of money on hand belonging to the several funds."

Please be advised that due to the number and amounts of such warrants, it is very impractical to list and include them in this report. However, they are filed in the Clerk's and Treasurer's vaults and may be inspected at any time. The total disbursements and balances for the various funds are part of the Treasurer's semi-annual statement, a copy of which has been attached.

Yours very truly,

A handwritten signature in blue ink that reads "Jean A. Sidwell".

Jean A. Sidwell  
Buffalo County Treasurer

Attachments

**BUFFALO COUNTY TREASURER'S SEMI-ANNUAL REPORT**  
JULY 1, 2020 THROUGH DECEMBER 31, 2020

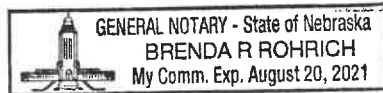
<u>ACCOUNT</u>	<u>PRIOR BALANCE</u>	<u>DEBITS</u>	<u>CREDITS</u>	<u>CURRENT BALANCE</u>
All State Funds	\$1,856,000.29	\$6,669,834.69	-\$7,573,570.70	\$952,264.28
County Funds	\$16,190,666.66	18,306,887.71	-16,202,737.82	\$18,294,816.55
Visitor's Promotion	\$15,874.61	443,641.21	-392,954.00	\$66,561.82
All School Funds	\$1,433,584.78	35,025,679.63	-28,272,247.90	\$8,187,016.51
Special Assessment	\$2,499.86	3,562.00	-3,341.99	\$2,719.87
Municipal Fines	\$225.00	7,274.00	-6,459.00	\$1,040.00
ESU #10	\$11,385.57	439,627.96	-344,147.58	\$106,865.95
Central Comm College	\$70,712.09	2,720,008.60	-2,134,783.13	\$655,937.56
NRD Funds	\$19,244.42	743,008.67	-587,998.82	\$174,254.27
Fire Districts	\$8,913.92	386,159.20	-290,596.64	\$104,476.48
Sanitary Imprvmt Dist	\$296,803.88	25,996.75	-33,090.12	\$289,710.51
City/Village Funds	\$203,866.36	3,368,916.18	-2,869,085.02	\$703,697.52
Agricultural Society	\$12,892.79	497,003.20	-388,954.75	\$120,941.24
Partial Payment	\$57.81	458.75	-498.79	\$17.77
Escrow Funds	\$284,994.54	7,532.87	-214,099.53	\$78,427.88
State Apportionment	\$34,023.96	-5,580.86	0.00	\$28,443.10
Community Rdlpmt Auth	<u>\$2,525.34</u>	<u>1,058,202.63</u>	<u>-957,615.67</u>	<u>\$103,112.30</u>
	\$20,444,271.88	\$69,698,213.19	-\$60,272,181.46	\$29,870,303.61

County Clerk certification of  
unpaid County claims \$0.00

Cash and Investment: 29,870,303.61  
In Lieu 0.00  
29,870,303.61

I, Jean A. Sidwell, duly elected Treasurer of Buffalo County, do hereby certify that the above statement is true and correct to the best of my knowledge and belief.

Subscribed and sworn to me  
this 27th day of January, 2021.



*Brenda R Rohrich*

*Jean A Sidwell*  
Jean A. Sidwell, Buffalo County Treasurer

**TOTAL UNPAID TAXES  
DUE AND/OR DELINQUENT**

As of December 31, 2020

**REAL ESATE AND PERSONAL PROPERTY TAXES**

2020	90,123,298.93
2019	1,863,013.96
2018	11,797.92
2017	19,279.45
2016	56,780.23

<b>BUFFAL CO TREASURER PLEDGED COLLATERAL</b>				<b>NEBRASKA LAND NATIONAL BANK</b>		
Description	Rcpt Number	Book Value	Int Rate	Maturity	Date Pledged	Date Released
Chadron NE GO	157285em5	600,000.00	2	7/15/2025	12/20/2017	2/2/2021
North platte swr ref 2011b	661666eb9	160,000.00	3.05	6/15/2023	3/25/2020	
HAMILTON CO SD 91	407244AZ5	490,000.00	2.55	12/15/2030	12/10/2018	
CRETE NE EDL FACS REV	226493AN4	130,000.00	2.75	2/15/2026	2/28/2019	1/5/2021
GNMA REMIC TRUST 2016-1	38379RDC4	1,001,383.75	2.85	3/16/2057	6/21/2019	
NORTH PLATTE CITY	661615SR6	325,000.00	2.75	6/1/2029	8/20/2019	
BELLEVUE NE NUM BLDG C	79235CX3	500,000.00	5.05	12/15/2027	12/18/2019	
X						



# Buffalo County NE | Redistricting (Standard)

Buffalo County NE

PO Box 1270

Kearney, NE 68848

USA

Lynn Martin

Board Administrator

lmartin@buffalocounty.ne.gov

308-236-1224

Reference: 20210127-120841246

Quote created: January 27, 2021

Quote expires: February 26, 2021

Quote created by: Tyson Larson

tyson@gworks.com

+1 (402) 999-0268

## Products & Services

Item & Description	Quantity	Unit Price	Total
Redistricting Services - Standard Tier Standard level plan for gWorks Redistricting Services.	1	\$8,950.00	\$8,950.00

## Subtotals

One-time subtotal \$8,950.00

**Total \$8,950.00**



## Purchase Terms

### Upon signature of the parties, this Order is a legally enforceable agreement.

This Order shall be in effect as of the last date in the signature boxes below ("Effective Date") and shall continue until the end of the term of the last Service in this Order, unless earlier terminated in accordance with the express termination rights set forth in this Order, if any, and the Master Services Agreement. A Service set forth above shall be in effect from the Effective Date and shall continue for the initial term specified above for such Service, unless earlier terminated in accordance with the express termination rights set forth in this Order, if any, and the Master Services Agreement. Upon expiration of the initial term of the applicable Service, such Service will automatically renew for additional successive renewal periods of equal length as the initial term for such Service, unless earlier terminated in accordance with the express termination rights set forth in this Order, if any, and the Master Services Agreement or unless either party provides the other party written notice of non-renewal no less than thirty (30) days prior to the end of the then-current initial term or renewal term for such Service.

Upon termination or expiration of a Service: (a) Client shall immediately pay all outstanding amounts it owes to gWorks for such Service as set forth in the table above; (b) Client shall immediately cease using such Service; (c) gWorks may take steps to change, remove, or otherwise block Client's access to such Service; and (d) upon payment in full of all fees owed to it, gWorks shall deliver to Client any Deliverables related to such Service, in their current form as of the effective date of termination or expiration, along with all documentation, Specifications, and Client Materials in gWorks' possession related to such Service. No termination or expiration of a Service, this Order, or the Master Services Agreement will affect Client's obligation to pay all amounts set forth in the table above.

Fees for all one-time professional Services are due and payable as follows: fifty percent (50%) upon Effective Date of this Order and fifty percent (50%) upon completion of the professional Services or upon termination or expiration of this Order, whichever occurs first.

This Order, including all agreements, policies, and documents incorporated herein, contains the entire agreement of the parties with respect to the subject matter hereof and shall supersede any and all prior or contemporaneous discussions, negotiations, agreements, or understandings between the parties, whether written or oral, regarding the subject matter hereof.

This Order may be executed in one or more counterparts, each of which will be deemed to be an original copy of this Order, and all of which, when taken together, will be deemed to constitute one and the same agreement. This Order may be executed and delivered via facsimile, electronic mail, or other electronic transmission methods (including pdf or any electronic signature complying with the U.S. federal ESIGN Act of 2000), and the execution and delivery of this Order by such methods shall be deemed to be valid and effective for all purposes.

This Order is subject to the agreements, policies, and documents set forth below, all of which are incorporated herein by reference. By signing this Order, the Client expressly agrees to all terms and conditions in the agreements, policies, and documents set forth below.

- Master Services Agreement & Terms of Service: <https://www.gworks.com/msatos/>
- Statement of Work: <https://www.gworks.com/redistrictingservicessow/>
- Privacy Policy: <https://www.gworks.com/privacy-policy/>

By signing this Order, the individual signing on behalf of Client certifies and warrants that they are authorized to sign on behalf of the Client, agree to the terms of this Order and any documents incorporated herein and that, upon their signature, this Order and any documents incorporated herein will become the legally binding agreement of the Client.

## Questions? Contact me



Tyson Larson

[tyson@gworks.com](mailto:tyson@gworks.com)

**AGREEMENT**  
**to Establish a Designated Expendable Fund**  
**for the**  
**Buffalo County Recreation Area - Ravenna Lake Improvement Fund**

THIS AGREEMENT is between the Kearney Area Community Foundation, hereinafter referred to as the KACF, and Buffalo County Nebraska, hereinafter referred to as the DONOR.

WITNESS TO:

WHEREAS, the KACF is a nonprofit Nebraska corporation exempt from taxation pursuant to Section 170(b)(1)(A)(vi) of the Internal Revenue Code, and is an appropriate institution within which to establish charitable funds; and,

WHEREAS, the DONOR wants to create a foundation fund to make improvements to the Buffalo County Recreation Area - Ravenna Lake, as further defined in Paragraph #2 PURPOSE below; and,

WHEREAS, the KACF is willing and able to create and administer a fund to receive contributions for such charitable purposes, subject to the terms and conditions hereof;

NOW, THEREFORE, the parties believe the following arrangement is for their mutual advantage and agree as follows:

**1. NAME OF FUND**

The KACF will establish on its books of account and identify on its records a separate fund to be known as the Buffalo County Recreation Area - Ravenna Lake Improvement Fund, hereinafter referred to as the FUND. The KACF will treat the FUND as a component fund of the KACF in accordance with the provisions of federal tax laws relating to component funds of community foundations. The FUND shall include property, which hereafter may be transferred to the KACF from any source for inclusion in the FUND and accepted by the KACF for inclusion in the FUND.

**2. PURPOSE**

The primary purpose of the FUND shall be to make improvements to the Buffalo County Recreation Area - Ravenna Lake, in Ravenna, Nebraska, including, but not limited to, adding a modern restroom/shower facility. The facility will be constructed out of concrete so that it also provides some storm protection capabilities. This fund may also be utilized for future improvements to the Ravenna Lake, as approved by the Buffalo County Board of Commissioners.

**3. GIFTS, GRANTS, BEQUESTS, AND DEVISES**

The DONOR will encourage prospective donors to make contributions to the FUND. All contributions received by the KACF designated for the Fund will be credited to and treated as part of the principal of the FUND in the manner so designated by the donor (i.e., endowment, expendable), and in the event the donor makes no designation then the funds shall be received as an unrestricted expendable contribution. Any individual, corporation, trust, estate, or organization, may make a gift, grant, bequest or devise to the KACF for inclusion in the FUND by a transfer to the KACF of property acceptable to the KACF in whole or in part for the FUND. Approval of any gift, grant, bequest, or devise consisting of real or personal property, other than cash, must be given by the KACF before the DONOR may indicate to the donor acceptance of the same for inclusion in the FUND. All contributions, gifts, bequests and devises to the FUND shall be irrevocable.

**4. DISTRIBUTIONS**

In regard to distributions, the KACF will use the principal and income of the FUND solely for direct expenses, administrative costs, and grant awards as detailed below:

(a.) Direct Expenses:

- i. Direct expenses are those incurred by the KACF for the operation of the FUND and include but are not limited to those expenses incurred for attracting, accepting, transferring or managing property donated to the KACF for the FUND.
- ii. Direct expenses include the writing of checks, postage, copies, and similar supplies and costs for making distributions from the funds.
- iii. Payment of direct expenses shall be made in a timely manner upon receiving a bill from a vendor or upon the KACF incurring such expense. The KACF may reimburse itself from the FUND or bill the DONOR for the direct expense.

(b.) Administrative Costs:

- i. It is understood and agreed that the FUND shall share a fair portion of the total administrative costs of the KACF, and that such administrative costs are those general expenses incurred by the KACF in connection with its general operations. The KACF shall pay to itself, from the FUND, an amount equal to:
  - 1.5% of the total average annual FUND balance, with a minimum of \$160 annually; administrative costs charged against the FUND shall be determined in accordance with the then current Fee Schedule identified by the KACF as the fee structure applicable to funds of this type.
- ii. Administrative costs will be deducted at the same time earnings are allocated according to the established policy of the KACF, whether that be annually, semi-annually or quarterly.

(c.) Grant Awards:

- i. Grant awards are those distributions in support for one or more of the charitable and/or educational purposes set forth in the Articles of Incorporation of the KACF, but only for such purposes as they relate and support the purpose of the FUND as stated in Section #2 above.
- ii. No part of this fund shall be withdrawn or disbursed at any time except with notice to the DONOR, completion of an "Distribution Request Form", and approval of the Board of Directors of the Kearney Area Community Foundation.
- iii. Grant awards from the FUND will be at least \$250; except for scholarships awards which must be a minimum of \$500 (five hundred dollars).
- iv. Grant awards from the FUND will be identified as coming from the "Buffalo County Recreation Area - Ravenna Lake Improvement Fund". If grants are to be awarded anonymously, the DONOR shall so indicate on the Request Form.
- v. All grant awards from the FUND will be processed by the KACF in the same manner in which the KACF makes grants for other charitable purposes, and only as liquid assets are available.

**5. FUND ORIGATION FEE**

There is a one-time origination fee of \$100 at the time the FUND is established. This fee assists the KACF in meeting the cost of the first year's audit expense for the FUND, the cost of creating the fund documents, and establishing the FUND on its books of account. This fee may be invoiced and paid directly or deducted for the FUND balance upon the transfer of assets to establish the FUND.

**6. INVESTMENT OF FUND**

The KACF shall have sole discretion to carry out the purposes of the FUND, including, but not limited to, the power to retain, invest and reinvest the FUND in any manner within the prudent investor standard and the power to commingle the assets of the FUND with those of other FUND for investment purposes.

**7. ACCOUNTING**

The FUND shall be accounted for separately and apart from other gifts to the KACF. The KACF shall submit to the DONOR an annual written report relating to the FUND, either separately or as part of the annual audit. In addition, all books of account and records of the KACF relating to the FUND shall be open for inspection and copying by any authorized representative of the DONOR, during business hours.

**8. CONDITIONS FOR ACCEPTANCE OF FUND**

The DONOR agrees and acknowledges that the establishment of the FUND herein created is made in recognition of, and subject to, the terms and conditions of the Articles of Incorporation and by-laws and policies of the KACF as from time to time may be amended. No provisions of this Agreement shall be construed as obligating the KACF to accept any gift it believes should not be accepted because of the nature of the property given, the conditions attached to the gift, or for any other reasons. Nothing set forth in this Agreement shall obligate the KACF to act contrary to its Articles of Incorporation or by-laws nor in any manner that might reasonably be expected to endanger its standing as a publicly supported organization to which contributions are deductible under the provisions of the United States Internal Revenue Code and the Treasury Department Regulations issued pursuant thereto as it relates to charitable organizations. It is intended that the FUND shall be a component part of the KACF and not a separate trust, and that nothing in this Agreement shall affect the status of the KACF as an organization described in Section 501(C)(3) of the Internal Revenue Code of 1986, as amended, and as an organization which is not a private KACF within the meaning of Section 509(a) of the Code. This Agreement shall be interpreted in a manner consistent with the foregoing intention and so as to conform to the requirements of the foregoing provisions of the federal tax laws and any regulations issued pursuant thereto. The KACF is authorized to amend this Agreement to conform to the provisions of any applicable law or government regulation in order to carry out the foregoing intention. References herein to provisions of the Internal Revenue code of 1986, as amended, shall be deemed references to the corresponding provisions of any future Internal Revenue Code.

**9. INACTIVITY CLAUSE**

In the event that the FUND has had no activity, either deposits or distributions, over a twelve-month period, the KACF shall notify the FUND creators and request a report predicting future activity. If the FUND continues to be inactive for the twelve months following the request, the KACF shall have the discretion to transfer the balance of the FUND to the KACF's Endowment Fund, at which time it will become a permanent part of the KACF's Endowment Fund and will be administered according to policy governing the KACF's Endowment Fund.

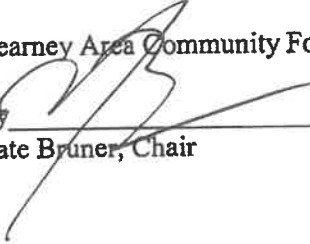
**10. VARIANCE CLAUSE**

If the original purpose or intent for which this FUND was established becomes obsolete or is unable to be met, the KACF has the authority to utilize the funds for a purpose similar to that of the original intent of this FUND as stated in Paragraph #2 herein.

No provisions of this Agreement shall be construed as obligating the KACF to accept any gift it believes should not be accepted because of the nature of the property given, the conditions attached to the gift, or for any other reasons. The KACF shall perform its obligations under this agreement through its staff, governing board and committees, as it deems proper.

IN WITNESS WHEREOF, each party has caused this agreement to be executed in duplicate on its behalf by its authorized officers on the dates indicated below.

Kearney Area Community Foundation

By   
Nate Bruner, Chair

ATTEST:

  
Julie Speirs, Secretary

DATE: 1-27-21

Buffalo County Nebraska

By   
Lynn Martin, Board Administrator

Buffalo County Nebraska

By   
Bill McMullen, Chair  
Board of Commissioners

ATTEST:

  
Judi Sickler  
President/CEO

DATE: 1-27-2021

File with Your County  
Assessor on or  
Before December 31

**Buffalo County**  
**Statement of Reaffirmation of Tax Exemption**  
**for Use When Applying for Continued Exemption by Qualifying Organizations**

**FORM**  
**451A**

Failure to properly complete or timely file this statement will result in a denial of the exemption.

Name of Organization <b>National Audubon Society, Inc.</b>	County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business, if Different than Organization	State Where Incorporated <b>New York</b>	
Name of Owner of Property <b>40 Annelee Ochel</b>	Parcel ID Number <b>720145001</b>	
Street or Other Mailing Address of Applicant <b>225 Varick St, 7<sup>th</sup> Floor</b>	Contact Name <b>Annelee Ochel</b>	Phone Number <b>212-949-3169</b>
City <b>New York, NY</b>	Zip Code <b>10014</b>	Email Address <b>annelee.ochel@audubon.org</b>
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input type="checkbox"/> Religious Organization <input checked="" type="checkbox"/> Charitable Organization		

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

**10-8-14 Lt (118.70 AC)**

**Situs: 44450 Elm Island Rd, Gibbston NE**

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

sign  
here

**Annelee Ochel**  
Authorized Signature

**Rick Mawgen**  
Title

**1/12/2021**  
Date

**Retain a copy for your records.**

**For County Assessor's Use Only**

**1-26-2021**  
Date Received

**Evel M Skinner**  
County Assessor's Signature

### Instructions

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

## Ochel, Annelee

---

**From:** Ochel, Annelee  
**Sent:** Thursday, January 14, 2021 4:00 PM  
**To:** Mary Ann Thompson  
**Subject:** National Audubon Society 451A form-permissive exemption \_Request for Waiver  
**Attachments:** Buffalo County Exemption from Taxes 12 31 2020.pdf

Hi Mary Ann:

Could you forward this onto the Board of Assessors. I'm working from home and do not have access to Audubon's letterhead stationery.

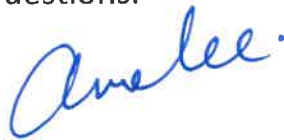
Thanks for all your help.

Dear Board of Assessors:

My sincere apology for the late 451A Exemption filing. Our office is allowing limited access and unfortunately, mail is not being distributed as efficiently as it should. As a not for profit with diminished donations, I respectfully request your consideration to waive penalties we have incurred.

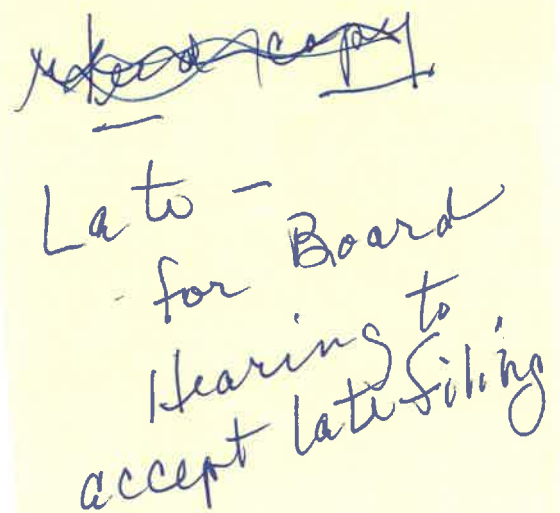
Please let me know if you have any questions.

Best Regards



Annelee Ochel  
Director, Risk Management  
National Audubon Society, Inc.  
225 Varick Street  
New York, NY

212-979-3169 (office)  
917-748-8488 (cell)  
[aochel@audubon.org](mailto:aochel@audubon.org)



~~Handwritten signature~~  
Late -  
for Board  
Hearing to  
accept late filing



File with Your County  
Assessor on or  
Before December 31

# Exemption Application

## for Tax Exemption on Real and Personal Property by Qualifying Organizations

Read instructions on reverse side.

FORM  
**451**

Failure to properly complete or timely file this application will result in a denial of the exemption.

Name of Organization <b>Crossroads Center Inc</b>	County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business if Different than Organization <b>Crossroads Mission Avenue</b>	State Where Incorporated <b>Nebraska</b>	
Name of Owner of Property <b>Crossroads Center Inc</b>	Total Actual Value of Real and Personal Property <b>\$1,257,280.00</b>	Parcel ID Number <b>602486877</b>
Street or Other Mailing Address of Applicant <b>702 W 14th St</b>	Contact Name <b>Al Goetz</b>	Phone Number <b>402.462.6460</b>
City <b>Hastings</b>	State <b>NE</b>	Zip Code <b>68901-3006</b>
Email Address <b>accounting@crossroadsmission.com</b>		

Type of Ownership

☐ Agricultural and Horticultural Society ☐ Educational Organization ☐ Religious Organization ☒ Charitable Organization ☐ Cemetery Organization

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
Daniel Buller	Exec Director	922 N Saint Joseph Ave, Hastings, NE 68901
Brian Levander	President, BOD	3620 W Old Potash Hwy, Grand Island, NE 68803
Gayle Bonnes	Vice Pres, BOD	912 Redwood Rd, Grand Island, NE 68803

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

**GRANDVIEW ESTATES EIGHT ADD EAST PT LT 2 (DEED 2004-7942 2.0246 ACRES)**

**1408 E 39TH ST**

Property described above is used in the following exempt category (please mark the applicable boxes):

☐ Agricultural and Horticultural Society ☐ Educational ☐ Religious ☒ Charitable ☐ Cemetery

Give a detailed description of the primary use of the property and any other uses of the property:

Crossroads will provide transitional housing in approximately 50% of this building starting 1/1/2021. The remaining 50% will be used as transitional housing for individuals on probation or parole after release from incarceration. Crossroads will NOT be renting this building to the Just For Ladies fitness business as of 1/1/2021.

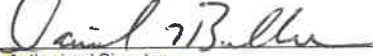
Crossroads offers a four-phase program which develops individuals for self-sufficiency.

All organizations, except for an Agricultural and Horticultural Society, must complete the following questions.

Is all of the property used exclusively as described above? ☒ YES ☐ NO  
Is the property used for financial gain or profit to either the owner, the owner or organization making exclusive use of the property, or private individuals? ☐ YES ☒ NO  
Is a portion of the property used for the sale of alcoholic beverages? ☐ YES ☒ NO  
If Yes, state the number of hours per week \_\_\_\_\_  
Is the property owned or used by an organization which discriminates in membership or employment based on race, color, or national origin? ☐ YES ☒ NO

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

  
Authorized Signature

Executive Director

12/14/2020  
Date

Retain a copy for your records.

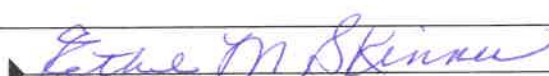
### For County Assessor's Recommendation

☒ Approval

COMMENTS: \_\_\_\_\_

☐ Approval of a Portion

☐ Denied

  
Signature of County Assessor

1/27/2021  
Date

### For County Board of Equalization Use Only

☐ Approved

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

☐ Approval of a Portion

☐ Denied

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 of County Board Member

Date

**County Clerk: A legible copy of this form showing the final decision of the County Board of Equalization must be delivered electronically to the Nebraska Department of Revenue within seven days after the Board's decision.**

File with Your County  
Assessor on or  
Before December 31

# Exemption Application

for Tax Exemption on Real and Personal Property by Qualifying Organizations

Read instructions on reverse side.

FORM  
451

Failure to properly complete or timely file this application will result in a denial of the exemption.

Name of Organization <b>Familias Para Cristo Jesus Hechos 1:8</b>	County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business if Different than Organization	State Where Incorporated <b>Nebraska</b>	
Name of Owner of Property <b>100 E. 8th St.</b>	Total Actual Value of Real and Personal Property <b>\$ 200,000</b>	Parcel ID Number <b>1605316100</b>
Street or Other Mailing Address of Applicant <b>Kearney</b>	Contact Name <b>Nancy Ramirez</b>	Phone Number <b>(308)240-2820</b>
City <b>NE</b>	State <b>68847</b>	Zip Code <b>With 1nancy@gmail.com</b>
Email Address		

Type of Ownership

☐ Agricultural and Horticultural Society ☐ Educational Organization ☒ Religious Organization ☐ Charitable Organization ☐ Cemetery Organization

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
Antonio Lopez	Pastor	1115 "C" Ave. #26 Kearney NE 68847
Nancy Ramirez	Treasurer	2430 Lowell Rd. Gibbon NE 68840
Maria Torrez	Secretary	1115 "C" Ave. #24 Kearney NE 68847

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

South KY ADD KY LTS 191-193 & E 17'  
Ave. A & N 7' OF 8th ST ADJ & W 10' OF ALLEY ADJ

Property described above is used in the following exempt category (please mark the applicable boxes):

☐ Agricultural and Horticultural Society ☐ Educational ☒ Religious ☐ Charitable ☐ Cemetery

Give a detailed description of the primary use of the property and any other uses of the property:

The main goal and purpose for the Christian church, Familias Para Cristo of Kearney, is to reach families for Jesus Christ, aspires to teach individuals and families to live their lives according to the word of God buildin strong families for the community. - childrens bible school - Bible studies - SERVICES SUNDAYS - Youth bible classes - Music Ministry - Help community and its surrounding

All organizations, except for an Agricultural and Horticultural Society, must complete the following questions.

Is all of the property used exclusively as described above? ☒ YES ☐ NO

Is the property used for financial gain or profit to either the owner, the owner or organization making exclusive use of the property, or private individuals? ☐ YES ☒ NO

Is a portion of the property used for the sale of alcoholic beverages? ☐ YES ☒ NO

If Yes, state the number of hours per week **N/A**

Is the property owned or used by an organization which discriminates in membership or employment based on race, color, or national origin? ☐ YES ☒ NO

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 **Nancy Ramirez** **Treasure** **08/26/2020**  
Authorized Signature Title Date

Retain a copy for your records.

## For County Assessor's Recommendation

☒ Approval ☐ Approval of a Portion ☐ Denied

COMMENTS: \_\_\_\_\_

**Ethel M Skinner** **1/27/2021**  
Signature of County Assessor Date

## For County Board of Equalization Use Only

☐ Approved ☐ Approval of a Portion ☐ Denied

If the County Board's determination is different from the County Assessor'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 of County Board Member Date

County Clerk: A legible copy of this form showing the final decision of the County Board of Equalization must be delivered electronically to the Nebraska Department of Revenue within seven days after the Board's decision.



File with Your County  
Assessor on or  
Before December 31

# Exemption Application

for Tax Exemption on Real and Personal Property by Qualifying Organizations

Read instructions on reverse side.

FORM  
451

Failure to properly complete or timely file this application will result in a denial of the exemption.

Name of Organization	County Name	Tax Year
Family of Christ Lutheran Church	Buffalo	2021
Name of Business if Different than Organization	State Where Incorporated	
	Nebraska	
Name of Owner of Property	Total Actual Value of Real and Personal Property	Parcel ID Number
Family of Christ Lutheran Church	\$350.00	601872004-72008
Street or Other Mailing Address of Applicant	Contact Name	Phone Number
1319 5th Ave	Pr. John Gosswein	308-236-7704
City	State	Zip Code
Kearney	Ne	68845
Email Address		
Type of Ownership		
<input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input type="checkbox"/> Charitable Organization <input type="checkbox"/> Cemetery Organization		

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
Randy Straatmann	President	874 V Rd. Kearney, Ne 68847
Ron Carey	Treasurer	3801 14th Ave Kearney, Ne 68845

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

Taylor Addition Lots 9, 10, 11, 12 and 13 Block 2

Property described above is used in the following exempt category (please mark the applicable boxes):

☐ Agricultural and Horticultural Society ☐ Educational ☐ Religious ☐ Charitable ☐ Cemetery

Give a detailed description of the primary use of the property and any other uses of the property:

This land is designated for future building of Family of Christ. It was refused total tax exemption last year due to lack of any building activity. We had several prayer sessions around the sign this year, but were not able to have an event on the land under the covid-19 restrictions. We felt last year's loss of tax exemption status unfair in light of other churches in town historically being untaxed, yet having unbuilt land for years, even decades, while still seeking funding to build.

All organizations, except for an Agricultural and Horticultural Society, must complete the following questions.

Is all of the property used exclusively as described above? ☒ YES ☐ NO

Is the property used for financial gain or profit to either the owner, the owner or organization making exclusive use of the property, or private individuals? ☐ YES ☒ NO

Is a portion of the property used for the sale of alcoholic beverages? ☐ YES ☒ NO

If Yes, state the number of hours per week \_\_\_\_\_

Is the property owned or used by an organization which discriminates in membership or employment based on race, color, or national origin? ☐ YES ☒ NO

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

Authorized Signature

Title

Pastor

12/29/20  
Date

Retain a copy for your records.

## For County Assessor's Recommendation

- ☐ Approval
- ☐ Approval of a Portion
- ☒ Denied

COMMENTS:

Vacant lots are not eligible for exemption

Signature of County Assessor

Date

## For County Board of Equalization Use Only

- ☐ Approved
- ☐ Approval of a Portion
- ☐ Denied

If the County Board's determination is different from the County Assessor'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 of County Board Member

Date

County Clerk: A legible copy of this form showing the final decision of the County Board of Equalization must be delivered electronically to the Nebraska Department of Revenue within seven days after the Board's decision.

**Statement of Reaffirmation of Tax Exemption**  
**for Use When Applying for Continued Exemption by Qualifying Organizations**

**FORM**  
**451A**

**Failure to properly complete or timely file this statement will result in a denial of the exemption.**

Name of Organization <b>Berean Fundamental Church of Kearney</b>		County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business, if Different than Organization <b>Cornerstone Berean Church</b>		State Where Incorporated <b>Nebraska</b>	
Name of Owner of Property		Parcel ID Number <b>580056005</b>	
Street or Other Mailing Address of Applicant <b>1004 30th Ave.</b>		Contact Name <b>Mike Leigh</b>	Phone Number <b>308 293 7928</b>
City <b>Kearney</b>	State <b>NE</b>	Zip Code <b>68845</b>	Email Address <b>mike.e.leigh@gmail.com</b>
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input type="checkbox"/> Charitable Organization			
Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles: <b>9-8-16 TR N1/2 NE1/4</b>			

**Situs: 1004 30th Ave Kearney, NE**

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

**sign  
here**

*Mike Leigh*  
Authorized Signature

Treasurer

12/8/20

Title

Date

**Retain a copy for your records.**

**For County Assessor's Use Only**

*12-8-2020*  
Date Received

*E. J. Krueger*  
County Assessor's Signature

**Instructions**

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

**Statement of Reaffirmation of Tax Exemption**  
for Use When Applying for Continued Exemption by Qualifying Organizations

**FORM  
451A**

Failure to properly complete or timely file this statement will result in a denial of the exemption.

Name of Organization <i>First Church of God</i>	County Name <i>Buffalo</i>	Tax Year 2021
Name of Business, if Different than Organization	State Where Incorporated <i>Nebraska</i>	
Name of Owner of Property <i>4310 17<sup>th</sup> Ave</i>	Parcel ID Number <i>600130300</i>	
Street or Other Mailing Address of Applicant <i>Kearney</i>	Contact Name <i>Rev Charlie Gable</i>	Phone Number <i>308-708-0440</i>
City <i>NE</i>	Zip Code <i>68845</i>	Email Address <i>orgable40@hotmail.com</i>

Type of Ownership

☐ Agricultural and Horticultural Society ☐ Educational Organization ☒ Religious Organization ☐ Charitable Organization

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

*City L05 KY 27-9-16 E 577.83 OF S 753.86 OF NE 1/4 SE 1/4 EXC Colonial Estates Place*

SITUS: *4310 17<sup>th</sup> Ave Kearney, NE*

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

sign  
here

*Rev. Charlie Gable*  
Authorized Signature

*Senior Pastor*  
Title

*12/21/20*  
Date

Retain a copy for your records.

**For County Assessor's Use Only**

*12-31-2020*  
Date Received

*Ester M. Skinner*  
County Assessor's Signature

**Instructions**

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

File with Your County  
Assessor on or  
Before December 31

# Statement of Reaffirmation of Tax Exemption for Use When Applying for Continued Exemption by Qualifying Organizations

FORM  
**451A**

Failure to properly complete or timely file this statement will result in a denial of the exemption.

Name of Organization <b>First Presbyterian Church of Kearney</b>	County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business, if Different than Organization	State Where Incorporated <b>Nebraska</b>	
Name of Owner of Property <b>First Presbyterian Church of Kearney</b>	Parcel ID Number <b>606534747</b>	
Street or Other Mailing Address of Applicant <b>4511 6th Avenue</b>	Contact Name <b>Charles Pickens</b>	Phone Number <b>308-237-7459</b>
City <b>Kearney</b>	State <b>NE</b>	Zip Code <b>68847</b>
Email Address <b>finance@fpckearney.org</b>		
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input type="checkbox"/> Charitable Organization		

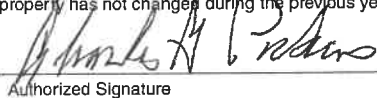
Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

Windsor Estates, 7th Addition KY, Block 3, Lot 17 (8.182 acres)

Situs: 4511 6th Ave

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

sign  
here

  
Authorized Signature

Title

Treasurer

11/24/2020

Date

Retain a copy for your records.

For County Assessor's Use Only

11-30-2020  
Date Received

  
County Assessor's Signature

## Instructions

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.



**Statement of Reaffirmation of Tax Exemption**  
**for Use When Applying for Continued Exemption by Qualifying Organizations**

**FORM**  
**451A**

**Failure to properly complete or timely file this statement will result in a denial of the exemption.**

Name of Organization <b>Grace Fellowship Inc.</b>		County Name <b>Buffalo</b>	Tax Year <b>2021</b>
Name of Business, if Different than Organization		State Where Incorporated <b>Nebraska</b>	
Name of Owner of Property		Parcel ID Number <b>600130200</b>	
Street or Other Mailing Address of Applicant <b>4305 19th Ave</b>		Contact Name <b>Katie Adam</b>	Phone Number <b>308-236-7257</b>
City <b>Kearney</b>	State <b>NE</b>	Zip Code <b>68845</b>	Email Address <b>grace@kearneygrace.com</b>
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input type="checkbox"/> Charitable Organization			

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

**Grace Fellowship Addition Lot 1**

**Situs: 4305 19th Ave Kearney, NE**

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

**sign  
here**

Authorized Signature

Title

President

12/01/2020  
Date

**Retain a copy for your records.**

**For County Assessor's Use Only**

12-7-2020  
Date Received

  
County Assessor's Signature

**Instructions**

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

**Statement of Reaffirmation of Tax Exemption**  
for Use When Applying for Continued Exemption by Qualifying Organizations

**FORM  
451A**

Failure to properly complete or timely file this statement will result in a denial of the exemption.

Name of Organization <i>Grace Lutheran Church</i>		County Name <i>Buffalo</i>	Tax Year <i>2021</i>
Name of Business, if Different than Organization		State Where Incorporated <i>Nebraska</i>	
Name of Owner of Property		Parcel ID Number <i>100222000</i>	
Street or Other Mailing Address of Applicant <i>PO Box 218</i>		Contact Name	Phone Number <i>308-388-2040</i>
City <i>Pleasanton</i>	State <i>NE</i>	Zip Code <i>68866</i>	Email Address <i>grace.lutheran@frontier.net.net</i>
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input type="checkbox"/> Charitable Organization			
Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:			

*36-12-16  
PT SW 1/4 SW 1/4 (1.628 AC)*

SITUS:

*Land only*

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

**sign  
here**

*[Signature]*  
Authorized Signature

*Head Elder*  
Title

*12/06/20*  
Date

**Retain a copy for your records.**

**For County Assessor's Use Only**

*12-14-2020*  
Date Received

*[Signature]*  
County Assessor's Signature

**Instructions**

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

**Statement of Reaffirmation of Tax Exemption**  
for Use When Applying for Continued Exemption by Qualifying Organizations

**FORM  
451A**

Failure to properly complete or timely file this statement will result in a denial of the exemption.

Name of Organization <u>Zion Evangelical Lutheran Church</u>	County Name <u>Buffalo</u>	Tax Year <u>2021</u>
Name of Business, if Different than Organization <u>In care of Marshall Pochlen</u>	State Where Incorporated <u>Nebraska</u>	
Name of Owner of Property <u>4251 S. Wiseman Rd</u>	Parcel ID Number <u>300166010</u>	
Street or Other Mailing Address of Applicant <u>Shelton</u>	Contact Name <u>Marshall Pochlen</u>	Phone Number <u>308-380-5185</u>
City <u>Shelton</u>	State <u>Ne</u>	Zip Code <u>68876</u>
	Email Address	

Type of Ownership  
☐ Agricultural and Horticultural Society ☐ Educational Organization ☒ Religious Organization ☐ Charitable Organization

Legal description of real property and general description of all depreciable tangible personal property, except licensed motor vehicles:

Shepherd acres Lot 2 (3.59) 22-11-13 pr. View NW 1/4

SITUS: 53125 Grand Island Rd  
Shelton, NE 68876

I hereby state that I am the authorized representative of the organization owning the property described above and that the use of this property has not changed during the previous year.

**sign  
here**

Marshall Pochlen  
Authorized Signature

Treasurer  
Title

12-18-2020  
Date

**Retain a copy for your records.**

**For County Assessor's Use Only**

12-18-2020  
Date Received

Scott M. Skane  
County Assessor's Signature

### Instructions

**Who May File.** An organization that owns real or tangible personal property, except licensed motor vehicles, and is seeking continuation of a property tax exemption must file this Statement of Reaffirmation of Tax Exemption, Form 451A, if:

1. The property is owned by and used exclusively for agricultural and horticultural societies; or
2. The property is:
  - a. Owned by educational, religious, or charitable organizations, or any organization for the exclusive benefit of any educational, religious, or charitable;
  - b. Used exclusively for educational, religious, or charitable;
  - c. Not owned or used for financial gain or profit to either the owner or user;
  - d. Not used for the sale of alcoholic beverages for more than 20 hours per week; AND
  - e. Not owned or used by an organization which discriminates in membership or employment based on race, color, or national origin.

An organization must file an exemption application, Form 451, if new property is acquired or if the property is converted to exempt use.

**When And Where To File.** The Form 451A must be filed on or before December 31 prior to each intervening year, those years not evenly divisible by four, with the county assessor of the county where the property is subject to tax.

**Late Filings/Waivers.** If an organization fails to file a Form 451A on or before December 31, it may file the Form 451A on or before June 30, with the county assessor, to maintain the tax exempt status of the property. Filing by this date nullifies any previous action by the county board of equalization denying the exempt status. If a late filing is made, the county assessor must assess a penalty against the organization in the amount of 10% of the tax that would have been assessed had the statement not been filed or \$100, whichever is less, for each calendar month or fraction thereof for which the filing of the statement missed the December 31 deadline. The penalty may not be waived.

**Specific Instructions.** The completed Form 451A must be retained by the county assessor.

**Date: January 31<sup>st</sup> 2021**

**To: Buffalo County Board**

**Subject: Tax List Corrections**

**The attached Tax List Corrections are being presented to you for approval.**

**Approved by action of the County Board on This \_\_\_\_\_ Day of  
\_\_\_\_\_, 2021**

\_\_\_\_\_  
**Chairman**

**2 – Personal Property – 1 add to tax list for 2020 as new farm & 1 remove for tax roll for 2020 as business sold**

**7 – Real Estate – 1 remove from tax roll as double assessed, 2 chg of value due to Terc decisions, 3 chg of homestead percentage from 0 to 100% & 1 chg of homestead percentage from 100% to 0**

**9 Corrections presented for the Month of January 2021**



# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 640012010 - RE

Date: 01-05-2021

No: 4747

Name and Address:  
CARGILL, INC.

Description of Property:  
CITY LDS GIB 13-9-14 PT TAX LOT 10 (1.24  
AC)

Tax Year: 2020

District: 1200 School: 10-0002  
1200 GIBBON CITY

P.O. BOX 5626  
MINNEAPOLIS, MN 55440-5626

Stmnt No: 3154

\* Tax Credit of 33.52 consists of 33.52 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	32,800	2.12597900	697.32	33.52	0	0.00	0.00	331.90	331.90	663.80
Corrected Amount	0	2.12597900	0.00	0.00	0	0.00	0.00	0.00	0.00	0.00
Additional Amount										
Deducted Amount	32,800		697.32	33.52				331.90	331.90	663.80

Reason for Correction: REMOVE FROM TAX ROLL AS PARCEL WAS ASSESSED ON A DIFFERENT PARCEL

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

640012010

By \_\_\_\_\_

Deputy

# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 390000067 - PP

Date: 01-08-2021

No: 4748

Name and Address:  
ARCHVIEW LLC

Description of Property:

Tax Year: 2020

District: 900 School: 10-0007  
900 TAX DISTRICT

PO BOX 864  
KEARNEY, NE 68848

Stmnt No: 1980

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit	Exemption Value	Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	90,094	1.71224400	1,542.64	0.00	0	0.00	0.00	771.32	771.32	1,542.64
Corrected Amount										
Additional Amount										
Deducted Amount										

Reason for Correction: ADD TO TAX ROLL FOR 2020

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

1 000000 0000 0000 0000 0000 0000 0000 0000 0000 0000  
390000067

By \_\_\_\_\_ Deputy

# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 310002226 - PP

Date: 01-08-2021

No: 4749

Name and Address:  
**VINTAGE TITLE & ESCROW CO., INC.**

Description of Property:  
**(SCHEDULE NOT SIGNED FOR 2020)**

Tax Year: 2020

District: 1000 School: 10-0007  
1000 KEARNEY CITY

**208 W 29TH ST #B**  
**KEARNEY, NE 68845**

Stmnt No: 1862

	Actual Valuation	Tax Rate	Consolidated Tax	Farmer Credit	Exemption Value	Exemption Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	8,693	1.83185200	159.24	0.00	0	0.00	0.00	79.62	79.62	159.24
Corrected Amount	0	1.83185200	0.00	0.00	0	0.00	0.00	0.00	0.00	0.00
Additional Amount										
Deducted Amount	8,693		159.24					79.62	79.62	159.24

Reason for Correction: REMOVE FROM TAX ROLL FOR 2020 - BUSINESS WAS SOLD IN 2019 - CLERICAL ERROR

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

310002226

By \_\_\_\_\_

Deputy

# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 560621000 - RE

Date: 01-08-2021

No: 4750

Name and Address:  
FREBURG, NANCY S &

Description of Property:  
20-9-16 S1/2 S1/2 N1/2 SE1/4 SE1/4 (5A)

Tax Year: 2018

District: 900 School: 10-0007  
900 TAX DISTRICT

HOFFMEISTER, ANDREW W  
PO BOX 295  
KEARNEY, NE 68848-0295

Stmnt No: 6378

\* Tax Credit of 129.76 consists of 129.76 in Non-Ag, and 0.00 in Agland.

\* Tax Credit of 108.14 consists of 108.14 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	150,000	1.70127300	2,551.92	129.76	0	0.00	0.00	1,211.08	1,211.08	2,422.16
Corrected Amount	125,000	1.70127300	2,126.60	108.14	0	0.00	0.00	1,009.23	1,009.23	2,018.46
Additional Amount										
Deducted Amount	25,000		425.32	21.62				201.85	201.85	403.70

Reason for Correction: CHG OF VALUE DUE TO TERC CASE #18R-0020

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

560621000

By \_\_\_\_\_  
Deputy

# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 020071005 - RE (020071005)

Date: 01-15-2021

No: 4751

Name and Address:  
**BOUCHER, DENNIS N & LINDA L**

Description of Property:  
**SEARS ADMINISTRATIVE SUB LOT 1  
6-12-13 PT S1/2 NW1/4**

Tax Year: 2020  
**255 School: 10-0069**  
District: 255 TAX DISTRICT

**48910 375TH RD  
RAVENNA, NE 68869**

Stmnt No: 2209

\* Tax Credit of 95.48 consists of 95.48 in Non-Ag, and 0.00 in Agland.  
\* Tax Credit of 63.42 consists of 95.48 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	93,410	1.19871100	1,119.72	95.48	0	0.00	0.00	512.12	512.12	1,024.24
Corrected Amount	93,410	1.19871100	1,119.72	63.42	88,120	1,056.30	0.00	0.00	0.00	0.00
Additional Amount					88,120	1,056.30				
Deducted Amount				32.06				512.12	512.12	1,024.24

Reason for Correction: CHANGE OF HOMESTEAD FROM 0% TO 100% DUE TO CLERICAL ERROR

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

020071005

By \_\_\_\_\_  
Deputy

# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 605096876 - RE

Date: 01-20-2021

No: 4752

Name and Address:  
ROTH, PAUL L & CAROL M

Description of Property:  
RAPP ADD LOT 2, BLK 3

Tax Year: 2020  
1000 School: 10-0007  
District: 1000 KEARNEY CITY

1016 12TH AVE  
KEARNEY, NE 68845

Stmnt No: 18207

\* Tax Credit of 218.56 consists of 218.56 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	213,825	1.83185200	3,916.96	218.56	0	0.00	0.00	1,849.20	1,849.20	3,698.40
Corrected Amount	213,825	1.83185200	3,916.96	218.56	178,455	3,269.04	0.00	214.68	214.68	429.36
Additional Amount					178,455	3,269.04				
Deducted Amount								1,634.52	1,634.52	3,269.04

Reason for Correction: CHANGE OF HOMESTEAD FROM 0% TO 100% DUE TO CLERICAL ERROR

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

605096876

By \_\_\_\_\_  
Deputy

## Tax List Correction

## BUFFALO County, Nebraska

Property ID: 603787454 - RE

Date: 01-20-2021

No: ~~4752~~ 4753

**Name and Address:**  
**ROTH, CAROL A**

**Description of Property:**  
**MEADOW LARK MANOR CONDO II UNIT 9A**  
**FMLY LOT 2 MEADOWLARK MANOR**

Tax Year: 2020

**1000 School: 10-0007**

**District:** 1000 KEARNEY CITY

**11 CANAL HEIGHTS DR  
KEARNEY, NE 68845**

Stmnt No: 18195

\* Tax Credit of 139.02 consists of 139.02 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	136,015	1.83185200	2,491.60	0.00	136,015	2,491.60	0.00	0.00	0.00	0.00
Corrected Amount	136,015	1.83185200	2,491.60	139.02	0	0.00	0.00	1,176.29	1,176.29	2,352.58
Additional Amount				139.02				1,176.29	1,176.29	2,352.58
Deducted Amount					136,015	2,491.60				

Reason for Correction: CHANGE OF HOMESTEAD VALUE FROM 100% TO 0% DUE TO CLERICAL ERROR

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**

John Skinner

**County Assessor - County Clerk**

603787454

By \_\_\_\_\_

## Deputy



## BUFFALO County, Nebraska

No: 4754

**District:** 1000 KEARNEY CITY

Stmnt No: 9272

\* Tax Credit of 5,164.06 consists of 5,164.06 in Non-Ag, and 0.00 in Agland.

**Reason for Correction:** **CHANGE OF VALUE DUE TO TERC CASE 18C-0144 FOR 2018 TAX YEAR**

Ethel Skinner

**County Assessor - County Clerk**

By \_\_\_\_\_ Deputy



# Tax List Correction

**BUFFALO County, Nebraska**

Property ID: 605168330 - RE

Date: 01-29-2021

No: 4755

Name and Address:  
**STOMBAUGH, SHIRLEY M**

Description of Property:  
**ST. JAMES SUB ARROWHEAD VILLAGE CONDOS -  
UNIT C-5**

Tax Year: 2020  
1000 School: 10-0007  
District: 1000 KEARNEY CITY

**110 E 39TH ST C-5  
KEARNEY, NE 68847**

Stmnt No: 20711

\* Tax Credit of 166.84 consists of 166.84 in Non-Ag, and 0.00 in Agland.

	Actual Valuation	Tax Rate	Consolidated Tax	Tax Credit *	Homestead Value	Homestead Credit	Penalty Tax	1st Half	2nd Half	Total Tax
Original Amount	163,220	1.83185200	2,989.96	166.84	0	0.00	0.00	1,411.56	1,411.56	2,823.12
Corrected Amount	163,220	1.83185200	2,989.96	0.00	163,220	2,989.96	0.00	0.00	0.00	0.00
Additional Amount					163,220	2,989.96				
Deducted Amount				166.84				1,411.56	1,411.56	2,823.12

Reason for Correction: CHANGE OF HOMESTEAD FROM 0% TO 100% DUE TO 458T

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

605168330

By \_\_\_\_\_ Deputy

File with Your  
County Treasurer

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

**FORM**  
**457**

Name of Organization <b>FIRST UNITED METHODIST CHURCH OF KEARNEY, NE</b>		Tax Year <b>2020</b>	
Name of Owner of Property <b>FIRST UNITED METHODIST CHURCH OF KEARNEY, NE</b>		County Name <b>BUFFALO</b>	State Where Incorporated <b>NEBRASKA</b>
Street or Other Mailing Address <b>4500 LINDEN DRIVE</b>		Contact Name <b>ALAN W. DAVIS</b>	Phone Number <b>(308) 237-3158</b>
City <b>KEARNEY</b>	State <b>NE</b>	Zip Code <b>68847</b>	Email Address <b>aland@kearneyfirstumc.org</b>

Type of Ownership  
☐ Agricultural and Horticultural Society ☐ Educational Organization ☒ Religious Organization ☐ Charitable Organization ☐ Cemetery Organization

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
JIM FIALA	PRESIDENT	1723 EAST 47TH STREET PLACE, KEARNEY, NE 68847
SHARRON ALTMAIER	SECRETARY	6111 AVENUE R, KEARNEY, NE 68847
DEAN BATIE	TREASURER	24 CAMELOT WAY, KEARNEY, NE 68845

**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
CHEV (18305090007)	2008	CARGO VAN	1GBFG154281192099	01/2020

Motor Vehicle described above is used in the following exempt category (please mark the applicable boxes):

☐ Agricultural and Horticultural Society ☐ Educational ☒ Religious ☐ Charitable ☐ Cemetery

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

VANS ARE USED EXCLUSIVELY FOR MINISTRY PURPOSES, INCLUDING TRANSPORTING YOUTH, TRANSPORTING FOOD/CLOTHING TO EAST LAWN FOOD & CLOTHING MINISTRY, TRANSPORTING HOMEBOUND INDIVIDUALS TO/FROM WORSHIP AND TRANSPORTING MEMBERS TO VARIOUS CHURCH FUNCTIONS.

Are the motor vehicles used exclusively as indicated?

☒ YES ☐ NO

If No, give percentage of exempt use:

%

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**

*Alan W Davis*  
Authorized Signature

SENIOR PASTOR

Title

*1-22-21*  
Date

**For County Treasurer Recommendation**

☒ Approval

☐ Approval of a Portion

☐ Denial

Comments: \_\_\_\_\_

*Dean A Schwelt*  
Signature of County Treasurer

*1-24-21*  
Date

**For County Board of Equalization Use Only**

☐ Approval

☐ Approval of a Portion

☐ 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 of County Board Member

\_\_\_\_\_  
Date

File with Your  
County Treasurer

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

FORM  
**457**

Name of Organization <b>The Salvation Army</b>			Tax Year <b>2021</b>	
Name of Owner of Property			County Name <b>Buffalo</b>	State Where Incorporated <b>Illinois</b>
Street or Other Mailing Address <b>1719 Central Ave.</b>			Contact Name <b>Envoy Steven Dahl</b>	Phone Number <b>308-293-3886</b>
City <b>Kearney</b>	State <b>NE</b>	Zip Code <b>68847</b>	Email Address <b>steven.dahl@usc.salvationarmy.org</b>	
Type of Ownership <input type="checkbox"/> Agricultural and Horticultural Society <input type="checkbox"/> Educational Organization <input checked="" type="checkbox"/> Religious Organization <input checked="" type="checkbox"/> Charitable Organization <input type="checkbox"/> Cemetery Organization				

Name	Title of Officers, Directors, or Partners	Address, City, State, Zip Code
David E. Hudson	Chairman of the Board	5550 Prairie Stone Parkway, Hoffman Estates, IL 60192
F. Brad Bailey	President	5550 Prairie Stone Parkway, Hoffman Estates, IL 60192
Steven Howard	Vice President	5550 Prairie Stone Parkway, Hoffman Estates, IL 60192

**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 TRAVERSE	2019	LT	1GNERGKW6KJ228742	2019
CHEVY EXPRESS VAN	2006	G30	1GAHG39U961218195	2006

Motor Vehicle described above is used in the following exempt category (please mark the applicable boxes):

☐ Agricultural and Horticultural Society    ☐ Educational    ☒ Religious    ☒ Charitable    ☐ Cemetery

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

RELIGIOUS AND SOCIAL SERVICES COMMUNITY CENTER CLIENTS AND EMPLOYEE TRANSPORTATION.

Are the motor vehicles used exclusively as indicated?

☒ YES    ☐ NO

If No, give percentage of exempt use:

\_\_\_\_\_%

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**

Authorized Signature

Title

Date

**For County Treasurer Recommendation**

☒ Approval

☐ Approval of a Portion

☐ Denial

Comments: \_\_\_\_\_

Signature of County Treasurer

Date

**For County Board of Equalization Use Only**

☐ Approval

☐ Approval of a Portion

☐ 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 of County Board Member

Date

Cris and Heidi Hehner  
10235 Thorpe Avenue  
Overland MO, 63114

Buffalo County Board Of Commissioners  
PO Box 1270  
Kearney NE, 68847

Let me introduce myself. My name is Cris Hehner and I grew up on a family farm north of Pleasanton Nebraska. I am going to retire the end of this year and intend to move back to the family farm. I have purchased 10 acres from the family farm LLC with the intent of building a new house on it. We have an architect in Kearney currently laying out the design. I hope to start construction later this summer.

The 10.15 acre property where the house will be located is ¼ mile north of 355<sup>th</sup> road on Grove road. Grove road north of 355<sup>th</sup> road is a minimum maintenance road. To provide year around access to the property for building the house and for me and my wife to live there it will need to be upgraded. I have included a survey of the property for reference.


I would like to find out what Buffalo County can do to improve the road and what I need to do as well.

Where the house will be constructed was a farm stead 50 years ago and has a farm lane entrance. Electricity is still supplied the farm stead as an electric stock water well is located there. It is used by the D. Klein Farms Inc. for the cattle they have there in the summer.

Longer term my intent is to start a small vineyard on the property.

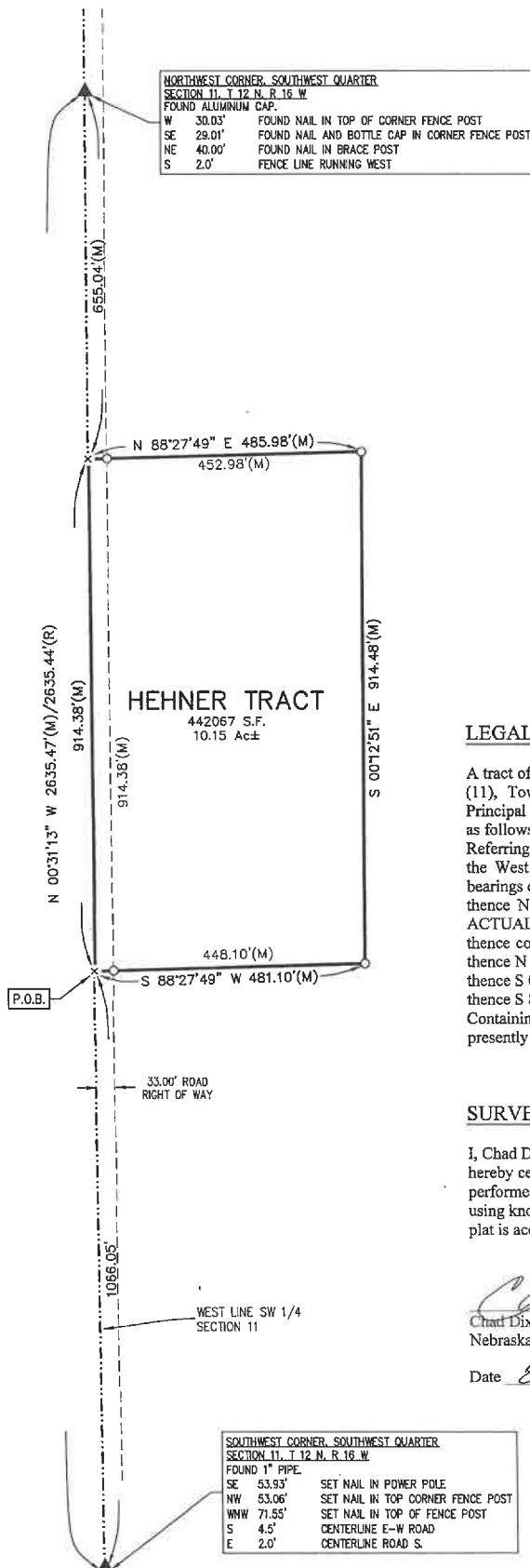
You can contact me as detailed below.

Sincerely

A handwritten signature in dark ink, appearing to read "Cris Hehner" with a stylized flourish.

Cris and Heidi Hehner  
10235 Thorpe Avenue  
Overland MO. 63114  
Cris cell phone 314-574-2911  
Cris office phone 314-654-0870  
Heidi cell phone 314-853-4263  
Cris e-mail [cris.hehner@mnk.com](mailto:cris.hehner@mnk.com)  
Heidi e-mail [hchehner@hotmail.com](mailto:hchehner@hotmail.com)

**-HEHNER SURVEY-**  
 PART OF THE SW 1/4, SECTION 11, T 12 N, R 16 W, 6th P.M.,  
 BUFFALO COUNTY, NEBRASKA.



G:\Projects\130\130-LS\2018\130-LS-046-18 Lance Hehner\Old-Dwg\Design Drawings\Survey Design\EX\_BASE HEHNER.dwg

SAVED: 8/16/2018 7:58 AM

PLOTTED: 8/16/2018 7:58 AM

## RYDE Transit - Buffalo County - Kearney 2021-2022

### Expenses

Personnel	\$	520,618.00		
Office Space	\$	45,000.00		
Postage	\$	350.00		
Communications	\$	16,000.00		
Travel	\$	2,695.00		
Memberships	\$	250.00		
Medical	\$	400.00		
Advertising	\$	1,000.00		
Contract Services	\$	-		
Printing/Office Supplies	\$	3,300.00		
Insurance	\$	48,000.00		
Maintenance/Repairs	\$	12,375.00		
Gas	\$	65,200.00		
Program Supplies	\$	21,940.00		
<b>Total Expenses</b>			\$	<b>737,128.00</b>

### Revenue

Donations	\$	43,000.00		
Contract Services	\$	-		
<b>Total Revenue</b>			\$	<b>43,000.00</b>

<b>Federal Funds</b>			\$	<b>428,630.00</b>
----------------------	--	--	----	-------------------

<b>State Funds</b>			\$	<b>132,749.00</b>
--------------------	--	--	----	-------------------

### Local Match

Buffalo County	\$	66,700.00		
Mid Corporate Transportation	\$	25,000.00		
Contract Services	\$	38,849.00		
Title XX/AMR	\$	2,200.00		
<b>Total Local Match</b>			\$	<b>132,749.00</b>

<b>Total Revenues</b>			\$	<b>737,128.00</b>
-----------------------	--	--	----	-------------------

# RESOLUTION

RESOLUTION # \_\_\_\_\_

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the RYDE Transit-Community Action Partnership of Mid Nebraska desires to apply for said funds to provide public transportation in (transit system's service area).

NOW        THEREFORE,        BE        IT        RESOLVED;        the  
\_\_\_\_\_ (authorizing board or mayor) hereby  
instructs the RYDE Transit to apply for said funds.

Said funds are to be used for the RYDE Transit transportation operations in the FY 2021-2022 Application for Public Transportation Assistance.

Moved by \_\_\_\_\_

Seconded by \_\_\_\_\_

AFFIRMATIVE VOTE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
GOVERNING BODY CHAIRPERSON OR MAYOR

Attested by: \_\_\_\_\_  
AUTHORIZED OFFICIAL

Local Funding Amount Match for 2021-2022:        \$66,700.00    BC



## 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](mailto:zoning@buffalocounty.ne.gov)

---

### ZONING AGENDA ITEM #1

---

**FROM:** Dennise Daniels, Zoning Administrator

**MEETING DATE:** February 9, 2021

**AGENT:** Mitch Humphrey, Licensed Land Surveyor, on behalf of Steven R. Martin, Judi A. Martin, & Joshua R. Martin

**SUBJECT:** Application for Zoning Map Amendment, for property described as a tract of land located in part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 3.25 acres, of which approximately 0.17 acres are presently being used for road purposes on the South side, from Agriculture (AG) to Agricultural – Residential (AGR).

Discussion:

Per Zoning Regulations, Section 11.3, the Board of Commissioners must review any zoning amendments, after recommendation of the Planning & Zoning Commission. The applicant is seeking approximately 3.25 acres to be rezoned from Agriculture (AG) to Agricultural – Residential (AGR).

This property is located west of Highway 183, north of 85<sup>th</sup> Road. Parcel ID: 500164000.

If rezoning is approved, it is the intent of the owners to subdivide the property, as shown in Zoning Agenda #2, as proposed “Martin Administrative Subdivision”, “Lot 1. If both the rezone and administrative subdivision are approved, the owner intends to remove the existing residence and construct a new residence. Please note: a new residence must be constructed minimal distances from a livestock confinement operation per Section 5.12 (6). M&M Feeders, which is a Class III Livestock Facility, is located within the designated one-mile perimeter. Please review the Administrative Note located in this section for more information.



Considerations:

- a. That such change in zoning designation would have minimal adverse effect on surrounding properties.
- b. That the intended use of the Agricultural – Residential (AGR) District is consistent with property use in the surrounding area.
- c. This amendment is consistent with the growth and development of Buffalo County and the overall Comprehensive Plan adopted by Buffalo County, Nebraska, and
- d. The subject property is situated close to already existing public improvements, such as sufficient utilities so that the map amendment with its attendant changes in uses will not cause additional public costs to function effectively.

The Agriculture (AG) to Agricultural – Residential (AGR) rezone application went in front of the Planning and Zoning Commission on January 21, 2021.

Motion was made by Keep and seconded by Vacek, to pass the Zoning Map Amendment for Steven R, Judi A. & Joshua R. Martin, to the Board of Commissioners, with a favorable recommendation.

Voting “Aye”: were Vacek, Vest, Wolfe, Brady, Biehl, Jeffs, Keep, & Schmidt.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

No opposition was received in opposition of this application,

## **ZONING AGENDA ITEM #2**

---

**FROM:** Dennise Daniels, Zoning Administrator

**MEETING DATE:** February 9, 2021

**AGENT:** Mitch Humphrey, Licensed Land Surveyor, on behalf of Steven R. Martin, Judi A. Martin, Joshua R. Martin & Colleen R. Martin

**SUBJECT:** Application for Administrative Subdivision, “Martin Administrative Subdivision”, for property described as a tract of land located in part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska.

### Discussion:

According to Subdivision Regulations, Section 3.02 (Administrative Subdivision), when a tract of land 10.00 acres or less is split, the applicant(s) must file an Administrative Subdivision.

The proposed subdivision, “Martin Administrative Subdivision”, is arranged with one lot, containing approximately 3.05 acres and is situated west of Highway 183 and north of 85<sup>th</sup> Road. Parcel ID is: 500164000. Zoning District: Agriculture (AG), but the applicant has requested a rezone for a portion of parcel 500164000, to Agricultural – Residential (AGR) as shown in Zoning Agenda #1.

No opposition was received regarding “Martin Administrative Subdivision”.

### Attachments:

- Administrative Subdivision Application
- Administrative Subdivision Survey
- Administrative Subdivision Legal Description
- Remnant Acres
- Proof of Title
- Locational/Zoning/Floodplain Map
- Aerial Map

## ZONING AGENDA ITEM #3

---

**FROM:** Dennise Daniels, Zoning Administrator

**MEETING DATE:** February 9, 2021

**SUBJECT:** Amendment of Zoning Regulation code amendments regarding areas of construction and exemptions of Accessory Buildings under Section 8.1 ~~AND adding Accessory Use by Special Use Permit, in the Agriculture (AG) and Agricultural Residential (AGR) Districts, under Sections 5.14 and 5.34, when specific provisions as to location and size do not apply.~~

Discussion:

The Planning and Zoning Commission reviewed the code amendments on January 21, 2021, brought forth by The Board of Commissioners and their recommendations are listed below.

1. **Original Proposed Code Amendment #1:** Zoning Regulations, Section 8.1, Change language in the following sentence: “Accessory buildings and structures shall not occupy more than thirty percent of the ~~required~~ area of the side and rear yard”.

Planning and Zoning Commission Favorably Recommends, motion made by Keep and seconded by Biehl: “Accessory building and structures shall not occupy more than thirty percent of the ~~required~~ area of the side, front and rear yards. Any accessory building and/or structure shall have a minimum yard setback as required within the zoning district. Attached garages are considered part of principal building.”

Voting “Aye”: were Wolfe, Biehl, Jeffs, Keep, Schmidt, Vacek, Jeffs, & Vest.

Voting “Nay”: None.

Abstain: None.

Absent: None.

No opposition to the change.

2. **Original Proposed Code Amendment #2:** Zoning Regulations, Section 5.14 & Section 5.34, under the Agriculture (AG) & Agricultural – Residential (AGR) Districts, Adding Accessory Use Structures and Uses by Special Use Permit, when the specific provision as to location and size of the allowed accessory use and/or structure by right do not apply, but the proposed accessory use and/or structure is in compliance all applicable minimum yard setbacks. Allow renumbering where necessary.

Planning and Zoning Commission Unfavorably Recommends, motion made by Jeffs and seconded by Vacek: Accessory use and/or structures in front yard, when done through the special permit process in the AGR and AG Districts.

Voting “Aye”: were Biehl, Jeffs, Keep, Schmidt, Vacek, Vest, & Wolfe.

Voting “Nay”: None.

Abstain: None.

Absent: None.

No opposition to the change.

3. **Original Proposed Code Amendment #3:** “Any accessory building and structure and/or use comprised of one hundred and twenty (120) square feet or less is exempted from the need to obtain a zoning permit, but must comply with all applicable zoning district minimum yard setbacks.”

Planning and Zoning Commission Favorably Recommends, motion by Vest and seconded by Wolfe: “Any accessory building and structure and/or use comprised of two hundred (200) square feet or less is exempted from the need to obtain a zoning permit, but must comply with all applicable zoning district minimum yard setbacks.”

Voting “Aye”: were Jeffs, Keep, Schmidt, Vacek, Vest, Wolfe, & Biehl.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

No opposition was received regarding the proposed amendments by The Planning and Zoning Commission,



## **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](mailto:zoning@buffalocounty.ne.gov)

### **Administrative Note**

Board of Commissioners:

The minutes from the regular January 21, 2021, Planning and Zoning Commission Meeting are attached, for your review.

The Planning and Zoning Commission's full recommendations, regarding the rezone, applied for by Steven R. Martin, Judi A. Martin, and Joshua R. Martin, from Agriculture (AG) to Agricultural-Residential (AGR) AND the code amendments regarding accessory structures, are also listed within the minutes.

It should be noted that the Robert and Brenda Bendfeldt Rezone, also listed in the minutes, will be heard on February 23, 2021, in conjunction with the recently submitted proposed administrative subdivision.

If you have additional questions, please contact me.

Sincerely,

Dennise Daniels  
Zoning Administrator

MINUTES OF PLANNING & ZONING COMMISSION  
JANUARY 21, 2021  
BUFFALO COUNTY COURTHOUSE VIA ZOOM  
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. 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 & Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Chairperson Scott Brady opened the meeting at 7:00 p.m. via ZOOM, with a quorum present on January 21, 2021.

Chairperson Brady announced that, after the resignation of member, John Keeney, the Board of Commissioners appointed Kurt Schmidt, to the Planning and Zoning Commission, at the regular December 8, 2020, Board of Commissioners' meeting.

In Attendance: Scott Brady, Willie Keep, Randy Vest, Francis Biehl, Loye Wolfe, Tammy Jeffs, Marc Vacek & Kurt Schmidt.

Quorum was met.

Also attending were: Deputy County Attorney Andrew Hoffmeister, Zoning Administrator Dennise Daniels, and several members of the public.

Zoning Administrator Daniels began the Re-Organizational Meeting of Officers. Zoning Administrator Daniels called for nominations for Chairperson. A motion was made by Vest, seconded by Keep, to nominate Scott Brady. No additional nominations were made. A motion was made by Vacek, seconded by Wolfe, to cease nominations.

Upon roll call vote, the following Board members voted "Aye": Jeffs, Schmidt, Vest, Biehl, Keep, Vacek, Wolfe, & Brady.

Voting "Nay":

None. Abstain: None.

Absent: None.

Motion carried. Nominations were ceased.

Zoning Administrator Daniels announced roll call to cast a unanimous ballot for Scott Brady as Chairperson.

Upon roll call vote, the following Board members voted "Aye": Jeffs, Schmidt, Vest, Biehl, Keep, Vacek, & Wolfe.

Voting "Nay": None.

Abstain: Brady.

Absent: None.



Motion carried.

Chairperson Brady called for nominations for Vice-Chairperson. A nomination was made by Vacek, seconded by Biehl, to nominate Willie Keep for Vice-Chairperson. No additional nominations were made. A motion was made by Vest, seconded by Jeffs, to cease nominations.

Upon roll call vote, the following Board members voted "Aye": Brady, Jeffs, Schmidt, Vest, Biehl, Keep, Vacek, Wolfe, & Brady.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Nominations were ceased.

Chairperson Brady requested a motion to cast a unanimous ballot for Willie Keep as Vice-Chairperson. A motion made by Biehl, seconded by Vest.

Upon roll call vote, the following Board members voted "Aye": Schmidt, Vest, Biehl, Vacek, & Wolfe, Jeffs, & Brady.

Voting "Nay": None.

Abstain: Keep.

Absent: None.

Motion carried.

Chairperson Brady called for nominations for Secretary. A nomination was made by Vacek, seconded by Keep, to nominate Loye Wolfe for secretary. No additional nominations were made. A motion was made by Vacek, seconded by Schmidt, to cease nominations.

Upon roll call vote, the following Board members voted "Aye": Brady, Jeffs, Schmidt, Vest, Biehl, Keep, Vacek, Wolfe, & Brady.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

Nominations were ceased.

Chairperson Brady requested a motion to cast a unanimous ballot for Loye Wolfe as Secretary. A motion made by Jeffs, seconded by Biehl.

Upon roll call vote, the following Board members voted “Aye”: Biehl, Keep, Vacek, Brady, Jeffs, Brady, Schmidt, & Vest.

Voting “Nay”: None.

Abstain: Wolfe.

Absent: None.

Motion carried.

Chairperson Brady announced The Open Meetings Act and The Governor’s Executive Order to suspend the Open Meetings Act, to allow public meetings to be conducted via ZOOM. Agendas were available if anyone wished to have one.

The public forum was opened at 7:11 p.m. The public forum closed at 7:11 p.m.

**Zoning Map Amendment: Robert & Brenda Bendfeldt**

Chairperson Brady announced item 6(a), and opened the public hearing at 7:12 p.m. for a Zoning Map Amendment Application. The purpose of the hearing is to hear public comments on an Application for Zoning Map Amendment, filed by Trenton Snow, licensed land surveyor, on behalf of Robert & Brenda Bendfeldt, for property described as a tract of land located in part of the North Half of the Northwest Quarter & accretions, Section 13, Township 8 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 7.16 acres from AG – Agriculture to AGR – Agricultural Residential.

Trenton Snow, Licensed Land Surveyor, introduced himself as the agent to Robert & Brenda Bendfeldt. He stated that the proposed tract is owned by the Bendfeldts’, and the entire property that is owned, will be rezoned. There are currently two houses located on the property and is situated along Kilgore Road and west of Highway 10.

Robert and Brenda Bendfeldt introduced themselves and Mr. Bendfeldt provided a history of this parcel of land. He stated that the property was previously owned by his in-laws and it was purchased from their estates approximately three years ago. Their son currently lives in one house and the other house is currently being rented to another couple. He stated that they intend to subdivide the property to, perhaps, sell in future. At this point, they currently have no plans for the property, except to have it subdivided.

Deputy County Attorney Hoffmeister asked if the Bendfeldts intend to construct additional housing on this property. The Bendfeldts stated that they do not. Deputy County Attorney Hoffmeister stated that each proposed lot is already three acres and each has a house.

Deputy County Attorney Hoffmeister addressed Mr. Snow and asked if Kilgore Road was a 66-foot road. Mr. Snow stated that he believed it was a 66-foot road and explained that it was not a dedicated road, but a deeded road. He went on to say that if the property does become subdivided, the right-of-way that will be dedicated to the county is 40 feet.

Deputy County Attorney Hoffmeister asked if this property was located within 3/8 of a mile to paved road, on South Highway 10. Mr. Snow confirmed and went on to say that nothing

additional will be changed. Deputy County Attorney Hoffmeister stated that ownership may change, but density will not. Mr. Snow confirmed and explained that the lots are already developed and there will be no additional development.

Mr. Snow requested inquiries of The Commission. Chairperson Brady confirmed that the owners intend to rezone the property (7.16 acres) as part of a change in ownership and then subdivide the tracts into two lots. Mr. Snow stated that the owners wish to subdivide the property, but do not intend to change ownership at this time. The subdivision is primarily to sell a portion of the property to their son, if he wants to purchase the house that he currently resides in. Mr. Snow explained that the owners intend to rezone the property from Agriculture (AG) to Agricultural – Residential (AGR) because the existing two houses are in too close proximity for the administrative subdivision. Deputy County Attorney Hoffmeister explained that if the owners cease to be related, then one of the houses, if one gets destroyed, the other cannot be rebuilt. Mr. Bendfeldt stated he understood and he had no concerns.

Chairperson Brady stated that, based on the presentation, he didn't believe that there would be any significant changes to this property, other than, perhaps, an ownership change. Mr. Bendfeldt and Mr. Snow both confirmed. Mr. Snow stated that traffic, density, and the look of the property would not change.

Chairperson Brady addressed the public requesting any objections to the rezone. Zoning Administrator Daniels stated she received no correspondences regarding this rezone.

Chairperson Brady said that he has no concerns regarding the rezone and closed the public hearing at 7:19 p.m. He, then, addressed The Commission, and asked if anyone on The Commission would like to provide any additional comments or concerns. Vice-Chairperson Keep stated that he had no concerns with this project.

Motion was made to pass the Zoning Map Amendment for Robert & Brenda Bendfeldt to the Board of Commissioners with a favorable recommendation, moved by Vest, seconded by Biehl.

Voting "Aye": were Keep, Schmidt, Vacek, Vest, Wolfe, Brady, Biehl & Jeffs.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

**Zoning Map Amendment: Steven R, Judi A. & Joshua R. Martin**

Chairperson Brady announced item 6(b), and opened the public hearing at 7:22 p.m. for a Zoning Map Amendment Application, filed by Mitch Humphrey, licensed land surveyor, on behalf of Steven R. Martin, Judi A. Martin, & Joshua R. Martin, for property described as a tract of land located in part of the Southeast Quarter of the Southeast Quarter of Section 8, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has

requested to rezone approximately 3.25 acres, of which approximately 0.17 acres are presently being used for road purposes on the South side, from Agriculture (AG) to Agricultural – Residential (AGR).

Mitch Humphrey, licensed land surveyor, introduced himself as the agent on behalf of Steven R. Martin, Judi A. Martin, & Joshua R. Martin. Colleen Martin, wife of Joshua R. Martin, is in attendance. He stated the applicants wish to rezone the property as stated, situated Highway 183 and old Highway 183, now named Turkey Creek Road. The Martin Family currently owns a large acreage north of Elm Creek, approximately three miles. Zoning Administrator Daniels shared the GIS mapping of the site, for the public and The Commission. Mr. Humphrey stated that Steve and Judi Martin currently reside in the parcel southwesterly of the proposed rezone. Joshua & Colleen currently reside in the area that is the proposed rezone. Joshua would like to split off a small portion from the larger tract that he currently owns with his parents. He would eventually, rebuild a new house and remove the existing residence. There will be no increase in density.

Mr. Humphrey referenced Buffalo County Code regarding the construction of a new residence, within the designated perimeter of a livestock confinement operation, M&M Feeders. He stated that the owners/operators of M&M Feeders have submitted a letter of acceptance for the rezone and new residence. Since the applicant intends to construct a new residence and there is no intent to create a development, the owner/operator of the livestock confinement operation have no concerns for this application.

Mr. Humphrey stated that the applicants wish to rezone the property, due to Steve & Judi Martin's residence and Josh & Colleen Martin's residence being within too close proximity for the Agriculture (AG) District codes.

Mr. Humphrey stated that he has submitted the documentation for the administrative subdivision to follow the rezone at the Buffalo County Commissioners' Meeting, should the rezone be favorably recommended by The Commission. Mr. Humphrey asked if Zoning Administrator Daniels had received any opposition in regards to the rezone. Zoning Administrator Daniels confirmed that she had not received any opposition.

Deputy County Attorney Hoffmeister stated that he would like to have a couple things noted to The Commission and asked if there was any information available regarding the number of head for M&M Feeders. Zoning Administrator Daniels referenced her list of facilities and stated that it was last recorded at 3,000 head.

Deputy County Attorney Hoffmeister referenced the Future Land Use Map, and said that the Comprehensive Plan does not designate this area of Buffalo County as a residential area. He explored several areas near this proposed rezone that have already been rezoned, due to an increase in density. He recommended The Commission consider rezoning this area to Agricultural – Residential (AGR) in the Comprehensive Plan renewal. He explained that the letter from the livestock operation is required to protect the owner/operator from any future development around it, as well as the homeowners from the expansion of a livestock operation.

He stated the letter is helpful for The Commission's review, because a house within the livestock operation's designated perimeter, cannot be built without the letter of acceptance from the facility. Additionally, in the Agriculture (AG) District, houses must be spaced 1,000 feet apart and only 4 houses per quarter section are allowed.

Deputy County Attorney described that this application would not increase density and should be considered, due to the density of this area and the good accesses.

Deputy County Attorney Hoffmeister asked Zoning Administrator Daniels when the rezone would be heard by The Board of Commissioners. Zoning Administrator Daniels stated it would go in front of the Board on February 9, 2021. Deputy County Attorney Hoffmeister clarified for The Commission that the owners need the rezone, to build a new house, and eliminate any future concerns regarding financing for any interested parties.

Chairperson Brady confirmed with Deputy County Attorney Hoffmeister that there would be no significant changes. Deputy County Attorney Hoffmeister confirmed and stated that this area already has significant density. Discussion occurred regarding the increasing density of the area north of Elm Creek.

Chairperson Brady asked if there were any other concerns. He went on to say that if the livestock operation has submitted a letter of acceptance, then he has no concerns with the rezone. Chairperson Brady asked Mr. Humphrey if it is the applicants' intent is to remain there permanently. Mr. Humphrey confirmed.

Chairperson again addressed the public to see if there were any questions or concerns.

Chairperson Brady closed the hearing at 7:36 p.m.

Chairperson Brady addressed The Commission and asked if they had any additional thoughts. Mr. Biehl spoke that the access is excellent and the livestock operation has submitted documentation accepting the applicants' intent. Secretary Wolfe also stated that she appreciated the letter that the owner/operator of the livestock operation provided to The Commission and appreciated the Martins being transparent about their intent.

Motion was made to pass the Zoning Map Amendment for Steven R, Judi A. & Joshua R. Martin to the Board of Commissioners with a favorable recommendation, moved by Vice-Chairperson Keep, seconded by Mr. Vacek.

Voting "Aye": were Vacek, Vest, Wolfe, Brady, Biehl, Jeffs, Keep, & Schmidt.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

**Code Amendment #1:**

Chairperson Brady announced part of item 6(c), opened a public hearing at 7:40 p.m. on Code Amendments of Zoning Regulations regarding areas of construction and exemptions of Accessory Buildings under Section 8.1 AND adding Accessory Use by Special Use Permit, in the Agriculture (AG) and Agricultural – Residential (AGR) Districts, under Sections 5.14 and 5.34, when specific provisions as to location and size do not apply.

The first proposed amendment would be for Zoning Regulations, Section 8.1 to change language in the following sentence: “Accessory buildings and structures shall not occupy more than thirty percent of the ~~required~~ area of the side and rear yard”.

Chairperson Brady asked Deputy County Attorney Hoffmeister to address The Commission regarding this amendment. Deputy County Attorney Hoffmeister stated that Jason Wozniak, former Zoning Administrator for Buffalo County, approached The Board of Commissioners regarding some concerns about parts of the code. Deputy County Attorney Hoffmeister stated, in February 2020, there was a code amendment that went in front of The Board for garages. Garages, which were not fully defined, were supposed to have been kept 10 feet back from the right-of-way. Since that has been removed, several people have applied for accessory permits and it was noticed that they are not allowed to be constructed anywhere, but in the rear yard. Other counties, such as Hall, Dawson, Kearney Counties’ codes reviewed and none of these counties allow accessory structures in the front yard. Commissioner Loeffelholz, after hearing from several constituents, approached Deputy County Attorney Hoffmeister regarding the concern for allowing accessory structures in the other areas. He stated that corner lots rarely have “rear yards”, and to change the code to allow for situations like this. He stated that it could be beneficial to allow construction in the side yard and front yard via Special Use Permit, if applicable setbacks apply. His intent was to allow the neighbors to come forth with their opinions regarding structures in the front yard.

Deputy County Attorney Hoffmeister addressed a member of the public, Kevin Duncan. He referenced a parcel that Mr. Duncan had applied for via Zoning Permit, and was denied due to the location of the structure not being in the rear yard. He stated that one neighbor came in front of the Board of Adjustment and stated their opinions on the project. The neighbors expressed concern that they didn’t want accessory buildings in the front yard and would potentially take away from the house. Deputy County Attorney Hoffmeister reviewed Seward County’s allowance of front yard accessory structures.

Deputy County Attorney Hoffmeister referenced another Board of Adjustment hearing regarding an individual, who wanted to put up a building in the front yard. He stated that, in this case, it was allowed, because the structure was small and would not be affixed.

Deputy County Attorney Hoffmeister asked Jason Wozniak and Kevin Duncan to comment on the proposed amendments. Jason Wozniak stated that he believes it needs to be reviewed because setbacks would already be met. He stated that several houses in Buffalo County already have them in side yards and could potentially increase the value of property due to a high-end



accessory structure placed next to it. Deputy County Attorney Hoffmeister stated he agreed, especially in corner lot situations.

He asked Kevin Duncan to review a parcel, in which he was looking to erect a building on parcel 580157065. Mr. Duncan stated that this particular parcel had a ravine down the center of the parcel, so construction of an accessory building in the rear yard was not feasible. Discussion occurred regarding this proposed property's factors.

Mr. Duncan and Mr. Wozniak asked Deputy County Attorney Hoffmeister to clarify the location of the front yard. Zoning Administrator Daniels drew out the location on the front yard using GIS imagery to assist Deputy County Attorney Hoffmeister's definition. Discussion occurred regarding what could be considered as a "front yard".

Jason Wozniak asked Deputy County Attorney Hoffmeister if it is allowed to construct an accessory building in the Agricultural – Residential (AGR) District, without a house. Deputy County Attorney Hoffmeister stated that they cannot, because it is an accessory use without a principal use. He stated that an accessory building should accompany a house. He reviewed factors such as abandonment and commercial uses that could occur when accessory uses are allowed without a principal use. However, if a person wanted to construct an accessory building to live in while they construct the principal structure, that is up to the discretion of the Zoning Administrator.

Kevin Duncan addressed The Commission and stated that if the structure would have been constructed within the City of Kearney's jurisdiction, it would be allowed. He referenced the Board of Adjustment hearing from Deputy County Attorney Hoffmeister's previous statement, and explained that the neighbors were concerned the building would be placed a different direction, to block the views. Deputy County Attorney Hoffmeister stated that a Special Use Permit would be a good alternative to allow it.

Chairperson Brady stated that the city and the county are different and city regulations should not always be considered when taking into account amendments of county regulations. He recommended using Special Use Permits in all other situations, other than rear yard. Deputy County Attorney Hoffmeister stated that he believes we should loosen the codes a little.

Deputy County Attorney Hoffmeister presented another amendment regarding the exemption of buildings less than 120 square feet. Under the proposed amendment, these smaller structures will be allowed without a Zoning Permit but must meet minimum setbacks. He said that he welcomes any recommendation from The Commission.

Chairperson Brady asked if other communities around Kearney have similar codes as the City of Kearney. Deputy County Attorney Hoffmeister said he was unsure about the smaller communities. He said, that with the recent inquiries regarding front yards, and the variances with The Board of Adjustment, the codes may need to be reviewed. He stated that Special Use Permits for front yard is not perfect and can be difficult to enforce.

Mr. Duncan reviewed other properties across Buffalo County that have existing accessory structures in the front and sides yards. Discussion occurred regarding why it has been allowed to occur.

Deputy County Attorney stated that side and rear yards would not be objectionable. He stated that he preferred not to use Special Use Permits, but isn't sure how else to handle the issue of front-yard building. He stated that this would be an excellent opportunity for public review.

Mr. Wozniak asked how the 30% density of buildings would be calculated. Deputy County Attorney reviewed the process. Mr. Wozniak went on to reference several parcels that had houses built towards the back of the property line, due to topography and views. He stated that it would be difficult to construct an accessory structure in the rear yard with houses situated like parcels 580721332 & 580721331. Vice-Chairperson Keep agreed. Deputy County Attorney reiterated that a building in the front yard would be allowable, just through Special Use Permitting. He stated that Buffalo County should have a more consistent rule for accessory uses in the front yard.

Mr. Wozniak, then, requested Zoning Administrator Daniels move the GIS image to where there are a significant amount of accessory structures, along Cottonmill & 85<sup>th</sup> Road. Mr. Wozniak stated that he didn't believe those structures changed the characteristics of the neighborhood. He stated that property owners want accessory buildings for their RVs, boats, atvs, etc. Deputy County Attorney stated that he understood, but the principal use of this area is residential.

Mr. Wozniak asked Zoning Administrator Daniels to move the GIS image to 85<sup>th</sup> Deer Country Estates off 85<sup>th</sup> & Cottonmill Road. Several of these parcels were reviewed.

Chairperson Brady asked Zoning Administrator Daniels how many requests she receives for front yard construction. Zoning Administrator Daniels states that she gets up to 3-5 requests a week. Deputy County Attorney Hoffmeister expressed concern on why this issue must be addressed. He stated that it is incredibly important that Buffalo County adjust our regulations to adapt to the changing requests, and not deter from the house for emergency vehicles.

Mitch Humphrey offered a recommendation: creating a Planned District Overlay Concept, with the ability to analyze any deviations from code. Deputy County Attorney Hoffmeister stated that he would prefer to stay with Special Use Permits. Mr. Humphrey stated that a Planned District Overlay would prevent these types of issues. He stated that properties could be rezoned for an overlay and the owners would provide a site & building plan to The Board of Commissioners. Deputy County Attorney Hoffmeister asked Mr. Humphrey if this is approved through the Zoning Administrator and Mr. Humphrey stated that it would go through Planning and Zoning and The Board of Commissioners. Mr. Duncan said he thought that would be a good alternative, due to the topography of Buffalo County. Mr. Humphrey stated that each property could be reviewed on a case-by-case basis.

Chairperson Brady stated that he believed it was time to make a decision, instead of what potentially could be considered. Vice-Chairperson Keep asked if the Planned District would be requested at the time that the subdivision is filed. Mr. Humphrey stated that it could, or be reviewed

on an individual basis. Deputy County Attorney Hoffmeister stated that the Buffalo County Code is not ready for that kind of option. Mr. Humphrey agreed.

Vice Chairperson Keep asked for clarification on Buffalo County's definition of front yard. Deputy County Attorney Hoffmeister clarified.

Secretary Wolfe recommended a 10% of the setback variable option. Mr. Wozniak recommended changing the definition of the front yard to say "not block the house". Deputy County Attorney Hoffmeister stated that neither of those options is feasible.

Deputy County Attorney Hoffmeister addressed The Commission and asked if any of the members had issues with adding the word "side" to the code. No concerns were expressed.

Deputy County Attorney Hoffmeister, then, asked The Commission if any of the members had issues with 120 square foot exemption. No concerns were expressed.

Deputy County Attorney Hoffmeister asked if they agreed with allowing front yard construction via a Special Use Permit. There does not appear to be a consensus among the members.

Deputy County Attorney Hoffmeister requested to handle the exemption amendment.

Jori Pearson, with Morton Buildings, stated that he would like the opportunity to explore projects on individual basis, much like Mr. Duncan's project. He stated that he would like to see consistency in how these projects are being handled.

Chairperson Brady closed the public hearing at 8:45 p.m. and opened up discussion for The Commission.

Mr. Biehl asked the purpose of the front yard restriction. Deputy County Attorney Hoffmeister stated that it is to protect the general appearance of the neighborhood and the spirit of the district. Deputy County Attorney Hoffmeister suggested allowing construction of 30% of the area of the side, front, & rear yards. Discussion occurred how to be objective regarding how the 30% was defined and Chairperson Brady stated that The Commission needs to make objective decisions, not subjective.

Mr. Schmidt added that the examples that were presented could make a difference where owners intend to place their accessory structures.

Chairperson Brady asked for a motion to change language in Section 8.1, in the following sentence: "Accessory buildings and structures shall not occupy more than thirty percent of the area of the side and rear yard."

Vice-Chairperson Keep made a motion to change the language as "Accessory buildings and structures shall not occupy more than thirty percent of the ~~required~~ area of the front, side and rear yards." Deputy County Attorney requested clarification. Vice-Chairperson Keep stated that it

would be the combined area of the lot and to change the language of Section 8.1 to read: “the ~~required~~ area of the front, side & rear yards.” Mr. Biehl seconded that motion.

Motion was made to amend Section 8.1 “Accessory buildings and structures shall not occupy more than thirty percent of the ~~required~~ area of the front, side and rear yards.”

Voting “Aye”: were Wolfe, Biehl, Jeffs, Keep, Schmidt, Vacek, Jeffs, & Vest.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

### **Code Amendment #2:**

Chairperson Brady announced part of item 6(c), opened a public hearing at 8:58 p.m. on Zoning Regulations, Section 5.14, under the Agricultural District, Add Accessory Use Structures and Uses by Special Use Permit, when the specific provision as to location and size of the allowed accessory use and/or structure by right do not apply, but the proposed accessory use and/or structure is in compliance all applicable minimum yard setbacks. Allow renumbering where necessary.

Deputy County Attorney Hoffmeister wanted to remind The Commission that since they recommended the allowance of accessory structures for construction in the front yard, in the previous motion, that additional consideration for this code amendment may not be necessary. He stated that any outliers regarding construction outside of the previously recommended amendments, would be automatically be reviewed as a variance with the Board of Adjustment, if The Commission wished to recommend that. Secretary Wolfe asked Zoning Administrator Daniels how many variances she thinks that she would receive with the newly recommended code amendments. Zoning Administrator Daniels stated that she would receive very few.

Mr. Vacek asked Deputy County Attorney Hoffmeister to define variance, to which Deputy County Attorney Hoffmeister did and he provided examples. Secretary Wolfe asked who approves variances and Deputy County Attorney Hoffmeister explained that The Board of Adjustment reviews and approves them. He stated that, perhaps, the variance application for other outliers may be acceptable and Mr. Vacek agreed. Mr. Vest also agreed and stated that he didn’t believe this amendment would be necessary after the previously recommended code amendment. Secretary Wolfe also agreed.

Chairperson Brady requested any additional commentary. Mr. Biehl requested clarification on how Buffalo County would handle other outliers. Deputy County Attorney Hoffmeister stated that they would be handled by the Board of Adjustments.

Chairperson Brady closed the public hearing at 9:10 p.m. and sought a motion for the proposed code amendment.

Motion was made by Jeffs and seconded by Vacek to recommend unfavorably the code amendment, not for adoption, of Section 5.14, under the Agricultural District (AGR District similar section reference is discussed later in minutes) to add Accessory Use Structures and Uses by Special Use Permit when the specific provision as to location and size of the allowed accessory use and/or structure by right do not apply, but the proposed accessory use and/or structure is in compliance all applicable minimum yard setbacks, the Buffalo County Board of Commissioners.

Voting "Aye": were Biehl, Jeffs, Keep, Schmidt, Vacek, Vest, & Wolfe.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

### **Code Amendment #3:**

Chairperson Brady announced part of item 6(c), opened a public hearing at 9:11 p.m. on exemptions of Accessory Buildings under Section 8.1.

Deputy County Attorney Hoffmeister introduced this amendment. He stated that any accessory structures under 120 square feet are minimalistic and should not require a Zoning Permit. Mr. Schmidt requested clarification from Deputy County Attorney Hoffmeister that these proposed structures would still require a foundation and Deputy County Attorney Hoffmeister confirmed that it must be affixed to a permanent foundation.

Chairperson Brady asked Deputy County Attorney Hoffmeister if The Commission is reviewing a code amendment to provide exemption from Zoning Permit for structures 120 square feet or less. Deputy County Attorney Hoffmeister confirmed and also added that minimum setbacks must be met. Chairperson Brady agreed with the amendment.

Mr. Schmidt introduced 200 square feet as the minimum square footage for exemption. Deputy County Attorney Hoffmeister asked The Commission the size of a standard single car garage. Vice-Chairperson Keep stated that he thought it was 12' x 24'. Mr. Schmidt stated that the 200 square foot may be more appropriate, as structures this size are becoming easier to buy and to move. Kevin Duncan, from the public, added that a standard single car garage was 10' x 20'. Deputy County Attorney Hoffmeister stated that 200 square feet may be a better option.

Mr. Biehl asked if the proposed structures must still have a foundation. Deputy County Attorney stated that they need a foundation, by code. Mr. Biehl asked if the city of Kearney requires a permit. Discussion occurred what the city code requires for smaller structures. Mr. Biehl stated that he felt this exemption would be good option.

Secretary Wolfe stated that she preferred Mr. Schmidt's recommendation of 200 square feet. Mr. Schmidt reiterated that he believes more of these sheds will start appearing. Secretary Wolfe

added that she agreed, and The Commission needs to support the rural way of life. Mr. Vacek agreed with the 200 square feet recommendation.

Mr. Biehl asked for clarification on how 200 square feet was established. Deputy County Attorney Hoffmeister stated that it was to be large enough for storage, but smaller than a garage.

Chairperson Brady closed the public hearing at 9:30 p.m. and sought a motion for the proposed code amendment.

Motion was made by Vest and seconded by Wolfe, to recommend favorably the code amendment for exemption for the need of a Zoning Permit, for Accessory Buildings, less than 200 square feet, under Section 8.1, but still require minimum setbacks be applicable.

Voting "Aye": were Jeffs, Keep, Schmidt, Vacek, Vest, Wolfe, & Biehl.

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.

Zoning Administrator Daniels asked The Commission how they wished to handle the amendment of Section 5.34, Zoning Regulations, under the Agricultural – Residential (AGR) District, as it didn't appear that a recommendation was made.

For clarification purposes, Chairperson Brady asked The Commission if it is acceptable to add the proposed code amendment Section 5.34 (Agricultural – Residential {AGR} District), as part of the recommended denial, for both Agriculture (AG) and Agricultural – Residential (AGR) Zoning Districts. Chairperson Brady asked The Commission if anyone had any concerns regarding this clarification. No opposition occurred.

### **Old Business**

### **Minutes**

Motion was made by Biehl, seconded by Vacek, to approve the minutes of the November 19, 2020, as presented.

Voting yes: Keep, Vacek, Vest, Wolfe, Biehl, & Jeffs.

Voting no: None.

Abstain: Schmidt.

Absent: None.

Motion carried.

Zoning Administrator Daniels notified The Commission that the Application for Appointment, discussed at the November 19, 2020, Planning and Zoning Meeting, was within the packets. She



requested that The Commission review the application and provide any feedback. The application was reviewed.

Discussion occurred how many members were currently rural and urban. Deputy County Attorney Hoffmeister clarified that the majority on The Commission must be rural. At this time, The Commission currently has four rural and four urban members. The final applicant/appointee must be a rural candidate.

Zoning Administrator Daniels reported that she advertised in the Shelton Clipper for two weeks, during the month of December, for a Planning and Zoning Commission opening and received no response. She also explained that a copy of the newspaper print and a larger copy was within The Commission's packet, for review.

### **New Business**

Zoning Administrator Daniels also announced that the 2020 Zoning & Floodplain Report was issued in the Planning & Zoning Commission's packets. She reviewed some highlights from the report.

### **Report on Previous Hearings**

Zoning Administrator Daniels reported on past recommendations of the Planning and Zoning Commission, after Board of Commissioner's public hearings:

JRAYD, L.L.C Special Use Permit was approved by The Board of Commissioners on December 8, 2020.

The Board of Commissioners approved the Special Permit, applied for by Brent & Kinzy Carmody, on December 8, 2020.

The Code Amendments, under Section 5.34, regarding Adding Solar Systems by Special Use Permit & Remove Mini Storage Facilities, was approved by the Board of Commissioners on the December 8, 2020.

The Subdivision Regulations, under Section 4.06, regarding block requirements was approved by the Board of Commissioners December 8, 2020.

### **New Business, Correspondence & Other Business**

#### **ETJ Subdivisions Correspondences**

Zoning Administrator Daniels stated that the City of Kearney submitted the Final Annexation for property located South of 56<sup>th</sup> Street between the Kearney East Expressway and Airport Road, West of Airport Road, North and West of Cessna Street, West of Piper Avenue, North of Patriot Boulevard, East of Cherry Avenue and Kearney East Expressway, that was reviewed at the November 19, 2020, Planning and Zoning Meeting.

Zoning Administrator Daniels also reviewed the Fountain Hills Twelfth Addition Extra-Territorial Jurisdiction correspondence.

**Next Meeting**

The next meeting will be conducted February 18, 2021, if needed.

**Final Thoughts:**

Zoning Administrator Daniels stated that she would mailing out documents that would need the chairperson's and the secretary's signatures.

Zoning Administrator Daniels also stated that Mileage Rates for the IRS have changed, as of 1/1/2021 and is now \$0.56; it was \$0.575.

Zoning Administrator Daniels added that the NPZA Conference, normally scheduled in March has been moved to September 15-17, 2021. She assured The Commission that when she receives more information regarding the conference, the information will be provided.

**Adjourn**

Chairperson Brady adjourned the meeting at 9:48 p.m.

# Zoning Agenda

Item #1

8-9-18  
Elm Creek

**APPLICATION FOR A CHANGE OF ZONING  
BUFFALO COUNTY, NEBRASKA**

**Filing Fee: \$75.00 plus estimated cost of publication made payable to Buffalo County.**  
Form must be filled out completely before acceptance of this application for processing. **Please print.**  
Date 11-23-2020

Applicant's Name See Attached Sheet Telephone # 308-237-3785

Applicant's Address See Attached Sheet Owner's and Agent's Addresses Zip Code \_\_\_\_\_

Present Use of Subject Property Rural Residential and Agrucultural

Desired Use of Subject Property Re-Zone That Portion Presently Used as Residential to AGR.

Present Zoning Agrucultural Requested Zoning AGR for the existing residence

Legal Description of Property Requested to be Rezoned See Attached Sheet

Area of Subject Property, Square Feet and/or Acres 3.25 Acres

How are Adjoining Properties Used (Actual Use)

North Agricultural

South Agricultural

East Agricultural

West Agricultural

If Exhibits are furnished, please describe and enumerate. Furnish plot or site plan showing existing and proposed structures, easements, water courses, curb cutbacks, etc.

**Justification**

You must justify your request. Questions 1 through 4 must be answered completely. Use additional sheets if needed.

1. What is the general character of the area? Describe.  
See Attached Sheet
2. Can soil conditions support the kinds of development in the proposed zoning district? What is the soil classification of the area?  
See Attached Sheet
3. What type of sewer and water system will be used?  
Individual septic and water well as is presently being used for the existing residential structure.
4. How will the proposed zoning district affect traffic in the area?  
The traffic will not change or increase. The existing home will be removed upon construction of a new home nearby.

**The Zoning Administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.**

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner \_\_\_\_\_ Signature of Agent [Signature]

Printed Name \_\_\_\_\_ Printed Name MITCHELL W. HUMPHREY

Buffalo Surveying Corp  
11/23/2020

Buffalo County Zoning  
1512 Central Ave.  
PO Box 1270  
Kearney, NE 68848  
308-233-5640

Office Use Only  
Permit Number 2020-85  
Amount 115- Receipt # 974654  
Floodplain Yes or No (No) 11/25/20 LS  
Date \_\_\_\_\_ Initial \_\_\_\_\_

OFFICE USE ONLY

Permit # 2020-85

Fee Received 115-

Receipt # 974654

Date 1/21/2021

Approved X  
Disapproved \_\_\_\_\_

  
Chair, Buffalo County Planning Commission

Date \_\_\_\_\_

Approved \_\_\_\_\_  
Disapproved \_\_\_\_\_

\_\_\_\_\_  
Chair, Buffalo County Board of Commissioners

## **ATTACHMENT TO THE APPLICATION OF CHANGE OF ZONING**

### Applicant's Name and Addresses:

Steven R. Martin	Joshua R. Martin
Judi A. Martin	5320 85th Road
5150 85th Road	Elm Creek, NE 68836
Elm Creek, NE 68836	

### **LEGAL DESCRIPTION**

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88°55'07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 219.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04°11'27" W a distance of 591.80 feet; thence N 88°55'07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00°10'58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning. Containing 3.25 acres, more or less, of which 0.17 acres, more or less are presently being used for road purposes on the South side.



### **Justification**

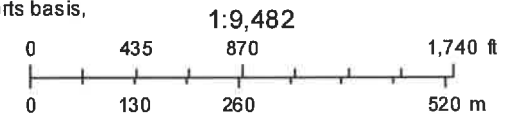
- 1. What is the general character of the property?:** The property is a rural house site located on a total of 22.44 acres, with the northerly portion being pasture land.
- 2. Can the soil conditions support the kinds of development in the proposed zoning district? What is the soil classification of the area?:** The soil conditions support the existing development being the residential structure and outbuildings. According to the U.S. Dept. of Agriculture, NRCS, the soil classification is Coly, Uly & Hobbs soils (2544), and, Uly silt loam (2823).
- 3. What type of sewer and water system will be used?:** Individual septic and water well as is presently being used for the existing residential structure.
- 4. How will the proposed zoning district affect the traffic in the area?:** The traffic will not change or increase. The existing home will be removed upon construction of a new home nearby.



October 6, 2020  
09:40 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

-  Parcels
-  Sections







## 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](mailto:zoning@buffalocounty.ne.gov)

### Administrative Note

Board of Commissioners:

Per Section 5.12 (6) of the Zoning Regulations, the Agriculture District allows Single Family dwellings to be constructed on an improved road and must be located minimal distances from a livestock confinement facility/operation in conformance with Section 6.4 not of the same property.

The applicants intend to remove the current house and construct a new house at 5320 85<sup>th</sup> Road, if the rezone is approved. The construction of a new house within a 1-mile perimeter, of a Class III Livestock Facility (M&M Feeders), requires a letter of consent from the surface landowner within the stated radius of the designated perimeter, per Section 6.4 (1). Since the demo/construction of a new house is directly correlated with the rezone, I have submitted this for your review.

If you have additional questions, please contact me.

Sincerely,

Dennise Daniels  
Zoning Administrator

January 6, 2020

Dennise Daniels  
Buffalo County Zoning Administrator  
P.O. Box 1270  
Kearney, NE 68848-1270

RE: Rezoning and one lot administrative subdivision requested by Steve and Judi Martin, and Joshua and Colleen Martin on a tract being part of the SE 1/4 of Section 8, Township 9 North, Range 18 West, Buffalo County (5320 85th Rd)

Dear Dennise:

We are the land owner or operator of a livestock confinement facility/operation located near the Martin property. Our land is located about 460 feet east of their property on the south side of 85th Road, with the confinement operation (6485 85th Road) located about 1700 feet east of their property on the south side of 85th Road.

We approve of the plan to rezone and subdivide off 1 lot so Josh and Colleen Martin can replace their existing house with a new home located near the existing one. It is our understanding the existing house will be removed after the new one is constructed.

Sincerely,

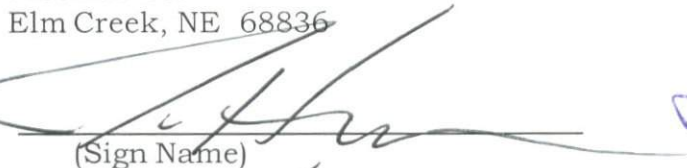
Land Owner  
Donevieve R. Ourada  
5616 4th Ave., Apt 120  
Kearney, NE 68845

  
(Signe Name)

Date 1-11-2021

By:   
(Print Name and Title)

Livestock Confinement/Facility Operator  
M & M Feeders  
P.O. Box 269  
Elm Creek, NE 68836

  
(Sign Name)

Date 1-11-2021

By:   
(Print Name and Title)

Administrative Note: Proposed Administrative Subdivision

I, Mitchell W. Humphrey, President of Buffalo Surveying Corporation, do hereby certify that, Buffalo Surveying Corporation surveyed "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, as shown on the above plat, William R. Gwin, Party Chief, that the lot is well and accurately staked off and marked, the dimensions of the lot is as shown on the above plat, the lot bears its own number, and that survey was made with reference to known and recorded monuments.

BUFFALO SURVEYING CORPORATION

Mitchell W. Humphrey, President  
Nebr. Registered Land Surveyor No. 492



MARTIN ADMINISTRATIVE SUBDIVISION  
AN ADIMNSTRATIVE SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION EIGHT (8), TOWNSHIP NINE (9) NORTH, RANGE  
EIGHTEEN (18) WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA.

LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88°55'07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 219.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04°11'27" W a distance of 591.80 feet; thence N 88°55'07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00°10'58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning. Containing 3.25 acres, more or less, of which 0.17 acres, more or less are presently being used for road purposes on the South side.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that Steven R. Martin and Judi A. Martin, husband and wife, and Joshua R. Martin and Colleen R. Martin, husband and wife being the sole owners, of the land described hereon, have caused the same to be surveyed, subdivided and platted and designated as surveyed "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and said owners hereby ratify and approve the disposition of their property as shown on the above plat, and hereby dedicate to the use and benefit of the public, the street right-of-way and utility easements as shown on said plat, and acknowledge said addition to be made with the free consent and in accord with the desires of said owners.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Steven R. Martin, husband  
of Judi A. Martin

\_\_\_\_\_  
Judi A. Martin, wife  
of Steven R. Martin

\_\_\_\_\_  
Joshua R. Martin, husband  
of Colleen R. Martin

\_\_\_\_\_  
Colleen R. Martin, wife  
of Joshua R. Martin

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Steven R. Martin, husband of Judi A. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Judi A. Martin, wife of Steven R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Joshua R. Martin, husband of Colleen R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Colleen R. Martin, wife of Joshua R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA, in regular session with quorum present, that the plat of "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) 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,

Moved by: \_\_\_\_\_  
(Print Name)

Seconded by: \_\_\_\_\_  
(Print Name)

that the foregoing resolution be adopted. Said Motion carried on \_\_\_\_\_ vote(s).

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

I, Janice I. Giffin, County Clerk in and for Buffalo County, Nebraska, being duly qualified, do hereby certify that the above is a true and correct copy of the resolution as passed by the Buffalo County Board of Commissioners on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

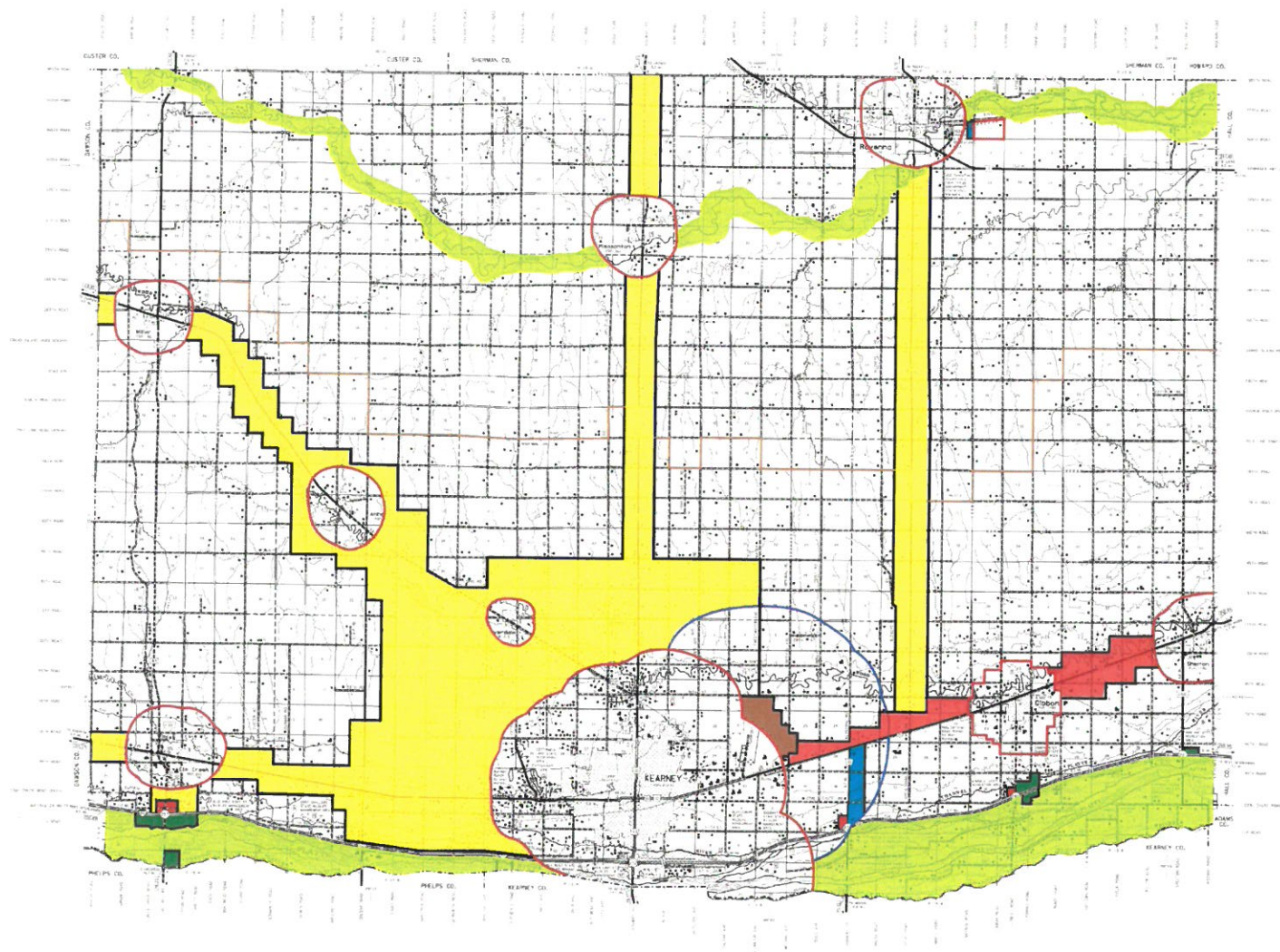
\_\_\_\_\_  
Janice I. Giffin, County Clerk





# FUTURE LAND USE MAP

## BUFFALO COUNTY, NEBRASKA



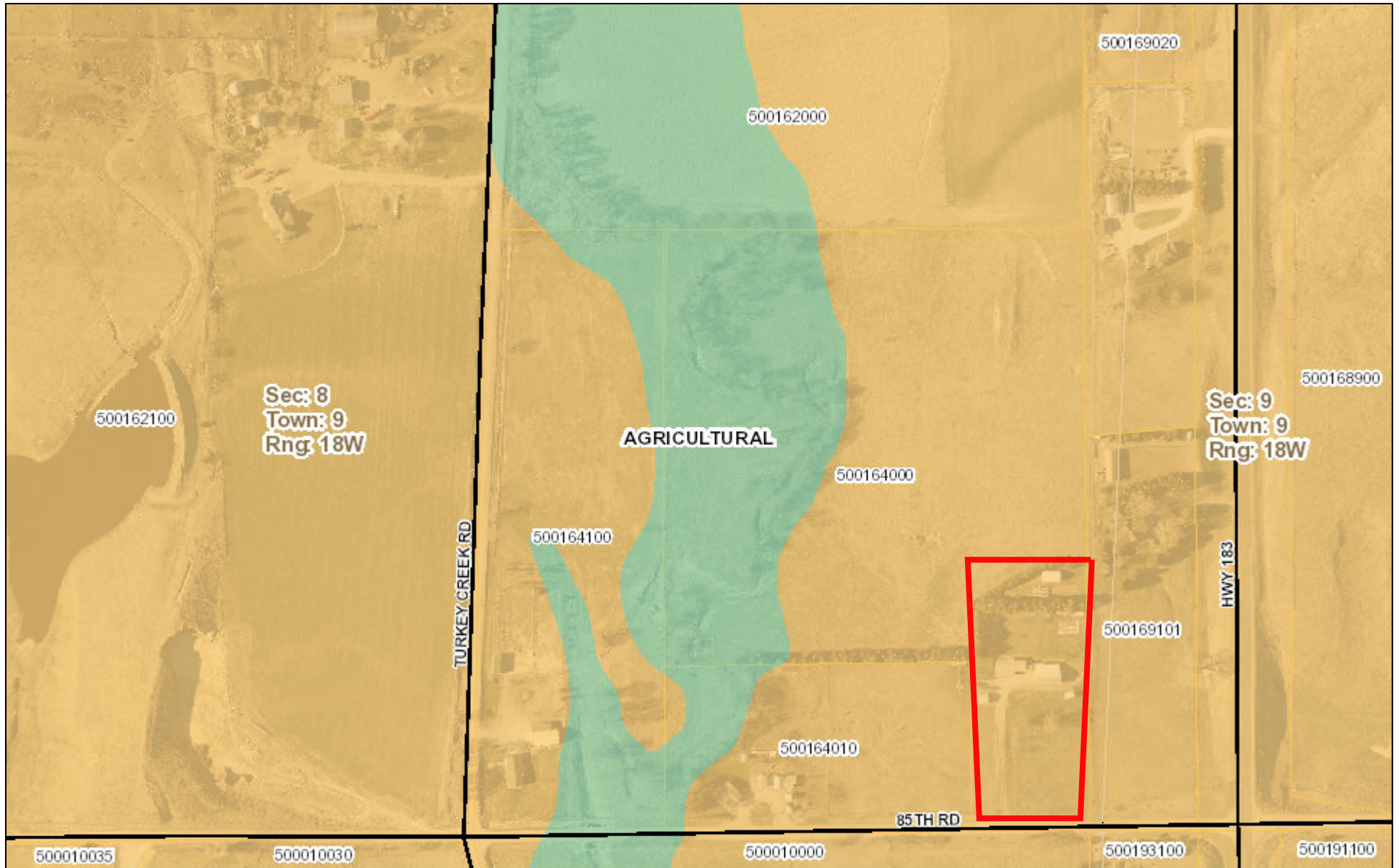
### LEGEND

- MUNICIPAL PLANNING JURISDICTION
- MUNICIPAL AIRPORT JURISDICTION
- AGRICULTURAL CONSERVATION DISTRICT
- AGRICULTURAL PRODUCTION
- RURAL RESIDENTIAL
- INTENSIVE AGRICULTURAL
- COMMERCIAL
- PARKS/RECREATION
- KEARNEY MUNICIPAL AIRPORT
- LINE OF TOPOGRAPHICAL CHANGE

**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

\* Lincoln, Nebraska \* 402.464.5383 \*  
 ILLUSTRATION 4.2



# Martin Locational/Zoning/Floodplain



December 14, 2020  
11:38 AM



DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,680




-  Labeled Streets
-  Special Use

## Floodplain

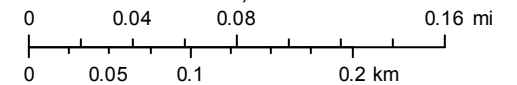
-  1% Annual Chance Flood Hazard

-  Regulatory Floodway
-  0.2% Annual Chance Flood Hazard
- Area not Included

## County Zoning

-  AGRICULTURAL
-  AGRICULTURAL-RESIDENTIAL
-  COMMERCIAL

-  INDUSTRIAL
-  Parcels
-  Sections





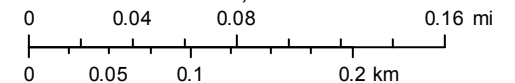


December 14, 2020  
11:39 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,680

- Labeled Streets
- Sections
- Special Use
- Parcels





# Zoning Agenda

Item #2

Elm Creek  
8-9-18

APPLICATION FOR LAND DEVELOPMENT IN ACCORDANCE WITH BUFFALO  
COUNTY SUBDIVISION REGULATIONS

Buffalo County Zoning Office  
1512 Central Ave., PO Box 1270 Kearney, NE 68848  
308-233-5640 www.buffalogov.org

Type of Plat Administrative Sub X Preliminary Plat \_\_\_\_\_ Final Plat \_\_\_\_\_  
Vacation of Plat \_\_\_\_\_ Variance \_\_\_\_\_

The zoning administrator, who may be accompanied by others, is hereby authorized to enter upon the property during normal working hours for the purpose of becoming familiar with the proposed situation.

Subdivision name: Martin Administrative Subdivision Date 01-19-2021

Owner's name: Steven R. Martin and Judi A. Martin, and Joshua R. Martin and Colleen R. Martin

Owner's home address: See Attached Sheet

Telephone number(home): \_\_\_\_\_ (daytime) Mitch Humphrey - 308-237-3785

Developer's name: Steven R. Martin and Judi A. Martin, and Joshua R. Martin and Colleen R. Martin

Developer's address: See Attached Sheet

Engineer's name and address: Buffalo Surveying Corp., Mitch Humphrey, P.O. Box 905, Kearney, NE 68848-0905

List all people who own, have liens and other interest N/A

Present use of property: Rural Residential

Desired use of property: Rural Residential Present Zoning AGR

Legal Description of property: See Attached Sheet.

Area of property(square feet and/or acres) 3.25 Acres, more or less.

Number of lots or parcels: One (1)

School District Elm Creek Fire District Elm Creek

Please attach exhibits (plat, easements, water courses, surveyor's certificate with legal description, copy of covenants, DEQ permits, etc if applicable)

The above requested information is, to the best of my knowledge, true and accurate.

Signature of Owner: \_\_\_\_\_ Printed Name Mitchell W. Humphrey  
Buffalo Surveying Corp.

Or agent: \_\_\_\_\_ 01/19/2021

Preliminary Plat approval date: \_\_\_\_\_

Action Taken:

P & Z Recommendation: \_\_\_\_\_ approved \_\_\_\_\_ disapproved Date: \_\_\_\_\_

County Commissioners \_\_\_\_\_ approved \_\_\_\_\_ disapproved Date: \_\_\_\_\_

Office Use Only	
Permit Number	<u>0021-002</u>
Filing Fee	<u>STO - Receipt # 974662</u>
Zoning Classification	<u>AG</u>
Floodplain Yes or No	<u>11/9/20 LS</u>
8/09	Date Initial

Attachment to the Application for Subdivision  
Project: Martin Administrative Subdivision  
Prepared by: Buffalo Surveying Corp.  
Date: January 19, 2021

## MARTIN ADMINISTRATIVE SUBDIVISION

### LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88°55'07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 229.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04°11'27" W a distance of 591.80 feet; thence N 88°55'07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00°10'58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning. Containing 3.25 acres, more or less, of which 0.17 acres, more or less are presently being used for road purposes on the South side.

#### Address of Owners:

Steven R. Martin  
Judi A. Martin  
5150 85th Road  
Elm Creek, NE 68836

Joshua R. Martin  
Coleen R. Martin  
5320 85th Road  
Elm Creek, NE 68836

Attachment to the Application for Subdivision  
Project: Martin Administrative Subdivision  
Prepared by: Buffalo Surveying Corp.  
Date: January 19, 2021

## MARTIN ADMINISTRATIVE SUBDIVISION

### LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88°55'07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 229.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04°11'27" W a distance of 591.80 feet; thence N 88°55'07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00°10'58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning. Containing 3.25 acres, more or less, of which 0.17 acres, more or less are presently being used for road purposes on the South side.

#### Address of Owners:

Steven R. Martin  
Judi A. Martin  
5150 85th Road  
Elm Creek, NE 68836

Joshua R. Martin  
Coleen R. Martin  
5320 85th Road  
Elm Creek, NE 68836

MARTIN ADMINISTRATIVE SUBDIVISION  
AN ADMINSTRATIVE SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION EIGHT (8), TOWNSHIP NINE (9) NORTH, RANGE  
EIGHTEEN (18) WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA.

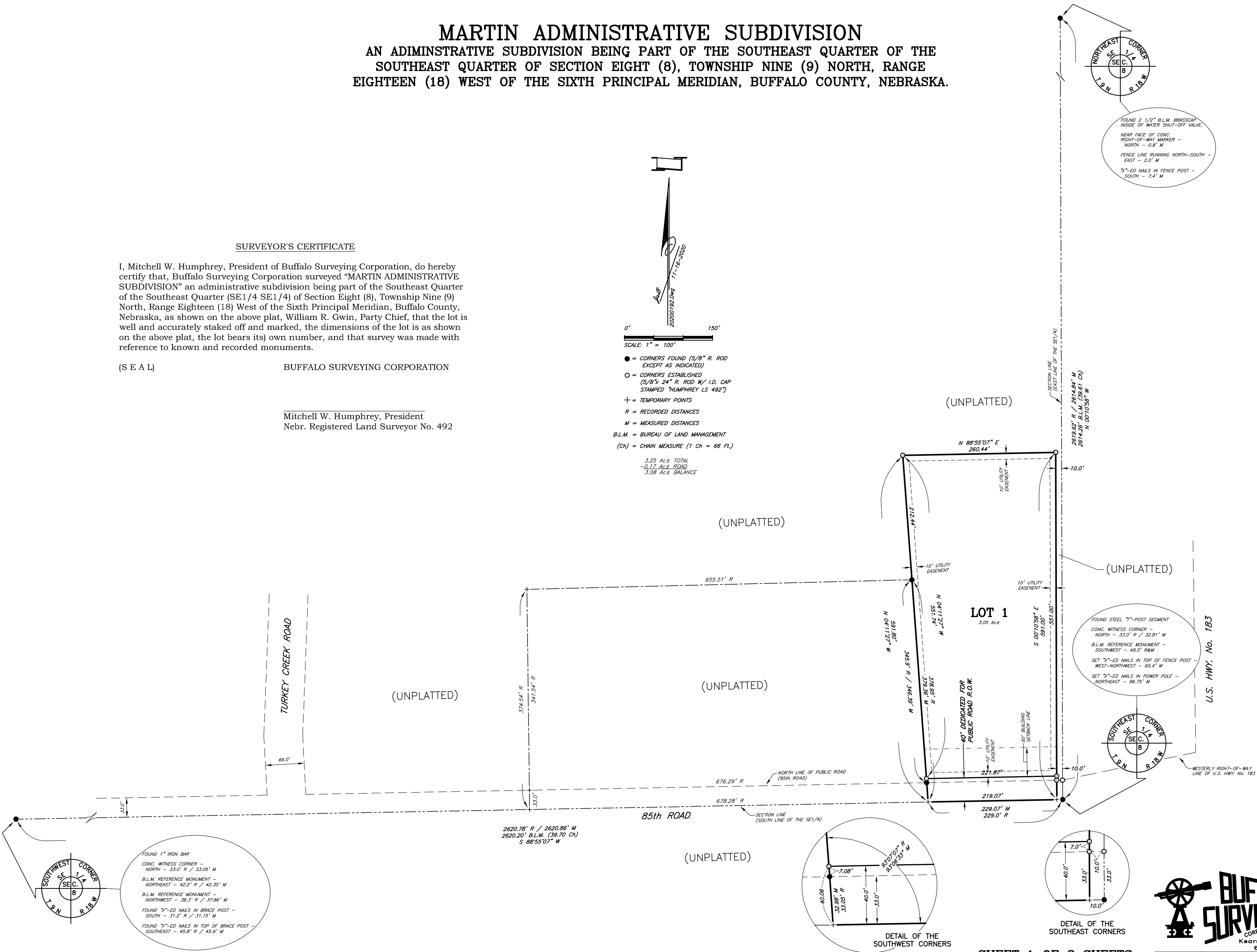
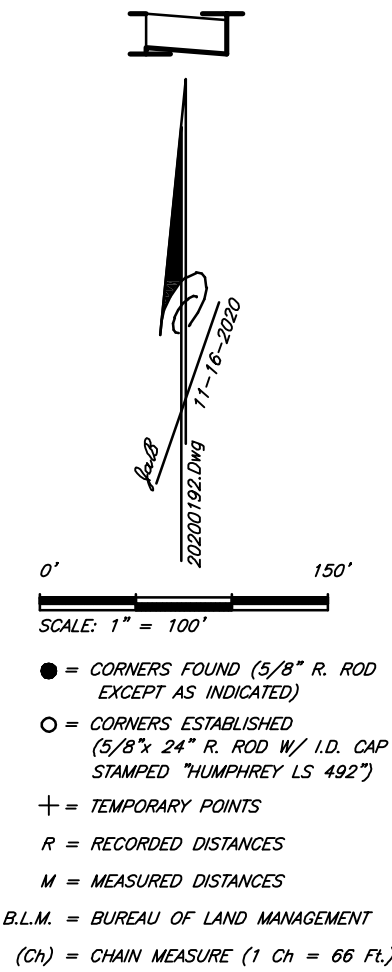
SURVEYOR'S CERTIFICATE

I, Mitchell W. Humphrey, President of Buffalo Surveying Corporation, do hereby certify that, Buffalo Surveying Corporation surveyed "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, as shown on the above plat, William R. Gwin, Party Chief, that the lot is well and accurately staked off and marked, the dimensions of the lot is as shown on the above plat, the lot bears its) own number, and that survey was made with reference to known and recorded monuments.

(S E A L)

BUFFALO SURVEYING CORPORATION

Mitchell W. Humphrey, President  
Nebr. Registered Land Surveyor No. 492



MARTIN ADMINISTRATIVE SUBDIVISION  
AN ADIMNSTRATIVE SUBDIVISION BEING PART OF THE SOUTHEAST QUARTER OF THE  
SOUTHEAST QUARTER OF SECTION EIGHT (8), TOWNSHIP NINE (9) NORTH, RANGE  
EIGHTEEN (18) WEST OF THE SIXTH PRINCIPAL MERIDIAN, BUFFALO COUNTY, NEBRASKA.

LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88°55'07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88°55'07" W a distance of 219.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04°11'27" W a distance of 591.80 feet; thence N 88°55'07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00°10'58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning. Containing 3.25 acres, more or less, of which 0.17 acres, more or less are presently being used for road purposes on the South side.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that Steven R. Martin and Judi A. Martin, husband and wife, and Joshua R. Martin and Colleen R. Martin, husband and wife being the sole owners, of the land described hereon, have caused the same to be surveyed, subdivided and platted and designated as surveyed "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, and said owners hereby ratify and approve the disposition of their property as shown on the above plat, and hereby dedicate to the use and benefit of the public, the street right-of-way and utility easements as shown on said plat, and acknowledge said addition to be made with the free consent and in accord with the desires of said owners.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Steven R. Martin, husband  
of Judi A. Martin

\_\_\_\_\_  
Judi A. Martin, wife  
of Steven R. Martin

\_\_\_\_\_  
Joshua R. Martin, husband  
of Colleen R. Martin

\_\_\_\_\_  
Colleen R. Martin, wife  
of Joshua R. Martin

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Steven R. Martin, husband of Judi A. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Judi A. Martin, wife of Steven R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Joshua R. Martin, husband of Colleen R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Colleen R. Martin, wife of Joshua R. Martin.

(S E A L)

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_.

RESOLUTION NO. \_\_\_\_\_

BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA, in regular session with quorum present, that the plat of "MARTIN ADMINISTRATIVE SUBDIVISION" an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Eight (8), Township Nine (9) 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,

Moved by: \_\_\_\_\_  
(Print Name)

Seconded by: \_\_\_\_\_  
(Print Name)

that the foregoing resolution be adopted. Said Motion carried on \_\_\_\_\_ vote(s).

STATE OF NEBRASKA )  
 ) ss:  
COUNTY OF BUFFALO )

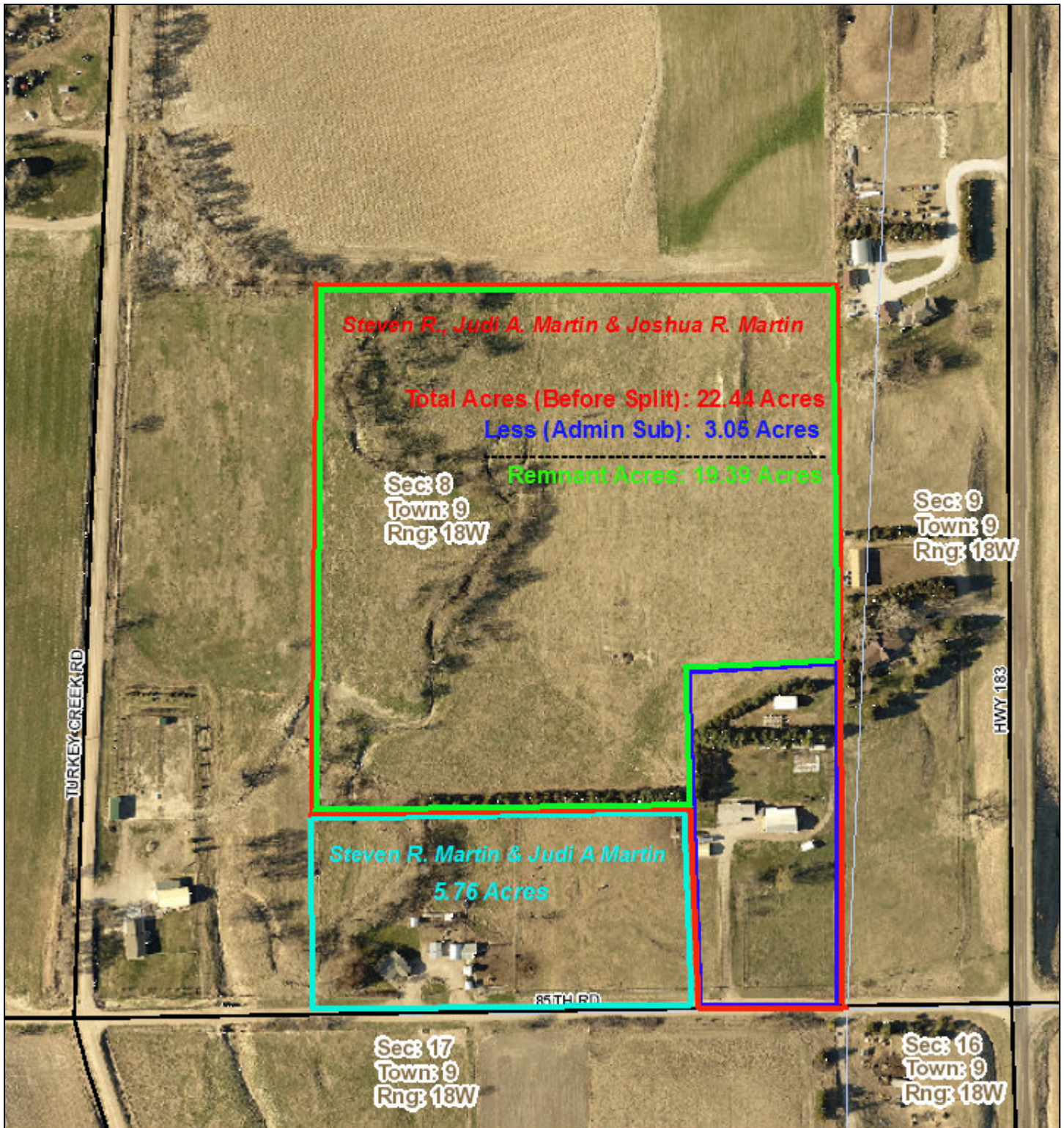
I, Janice I. Giffin, County Clerk in and for Buffalo County, Nebraska, being duly qualified, do hereby certify that the above is a true and correct copy of the resolution as passed by the Buffalo County Board of Commissioners on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Janice I. Giffin, County Clerk







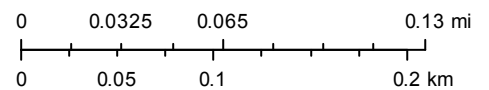
February 1, 2021

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

Legend

- Labeled Streets
- ... Special Use
- ... Sections

1:3,922





# NEBRASKA TITLE COMPANY

SERVICE BEYOND EXPECTATION

## LIMITED TITLE REPORT

**FILE NO: NTK0006067**

**TO: Buffalo Surveying Corp.  
Mitch Humphrey**

Nebraska Title Company, authorized to engage in the business of abstracting in the State of Nebraska under Certificate of Authority No. 56, hereby certifies that the records of Buffalo County, Nebraska have been carefully examined with reference to the following described property, and from such examination finds as follows:

### LEGAL DESCRIPTION:

A tract of land being part of the Southeast Quarter of the Southeast Quarter of Section Eight (8), Township Nine (9) North, Range Eighteen (18) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of the Southeast Quarter of Section 8 and assuming the South line of the Southeast Quarter as bearing S 88° 55' 07" W and all bearings contained herein are relative thereto; thence on the South line of the Southeast Quarter of said Section 8, S 88° 55' 07" W a distance of 10.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing on the South line of the Southeast Quarter of said Section 8, S 88° 55' 07" W a distance of 219.07 feet; thence leaving the South line of the Southeast Quarter of said Section 8, N 04° 11' 27" W a distance of 591.80 feet; thence N 88° 55' 07" E a distance of 260.44 feet to a point 10.0 feet westerly of the East line of the Southeast Quarter of said Section 8; thence S 00° 10' 58" E parallel with and 10.0 feet westerly of as measured at right angles from the East line of the Southeast Quarter of said Section 8 a distance of 591.00 feet to the place of beginning.

Address: 5320 85th Road, Elm Creek, NE 68836

### GRANTEE IN LAST DEED OF RECORD:

[Steven R. Martin and Judi A. Martin, and Joshua R. Martin](#)

### UNRELEASED LIENS OF RECORD:

- a. Deed of Trust (With Future Advances) executed by Dale L. Martin & Vonnie I. Marin, husband & wife, Trustor to First State Bank, Trustee and Beneficiary, in the stated amount of \$15,000.00, dated April 26, 1994, recorded May 2, 0194, on [Roll 94, Page 7033](#). (Includes other land)

### JUDGMENTS OR TRANSCRIPTS OF JUDGMENTS:

None of Record

### TAXES/ASSESSMENTS:

2019 and all prior years - paid in full  
2020 in the amount of \$959.06 - not paid.  
First half becomes delinquent May 1, 2021;  
Second half becomes delinquent September 1, 2021.  
Parcel ID No.: [500164000](#) (22.44 acres)  
Assessed Value: \$632,240.00

- a. Special assessments not yet certified to the Office of the County Treasurer.




(Note: No special assessments are shown in the Office of the County Treasurer at date hereof.)

**EASEMENTS AND RESTRICTIONS OF RECORD:**

- a. Easement to Western Public Service Co. recorded July 23, 1930 in [Misc. Book M, Page 75](#); Assignment to Consumers Public Power District recorded June 3, 1942 in [Misc. Book Q, Page 380](#); Assignment to Dawson County Public Power District recorded October 23, 2000 as [Inst. 2000-7528](#).
- b. Easement for Electric Lines to Western Public Service Company recorded September 5, 1930 in [Misc. Book M, Page 88](#); Assignment to Consumers Public Power District recorded June 3, 1942 in [Misc. Book Q, Page 380](#); Assignment to Dawson County Public Power District recorded October 23, 2000 as [Inst. 2000-7528](#).

**Effective Date: November 30, 2020 at 8:00 am**

**Nebraska Title Company**

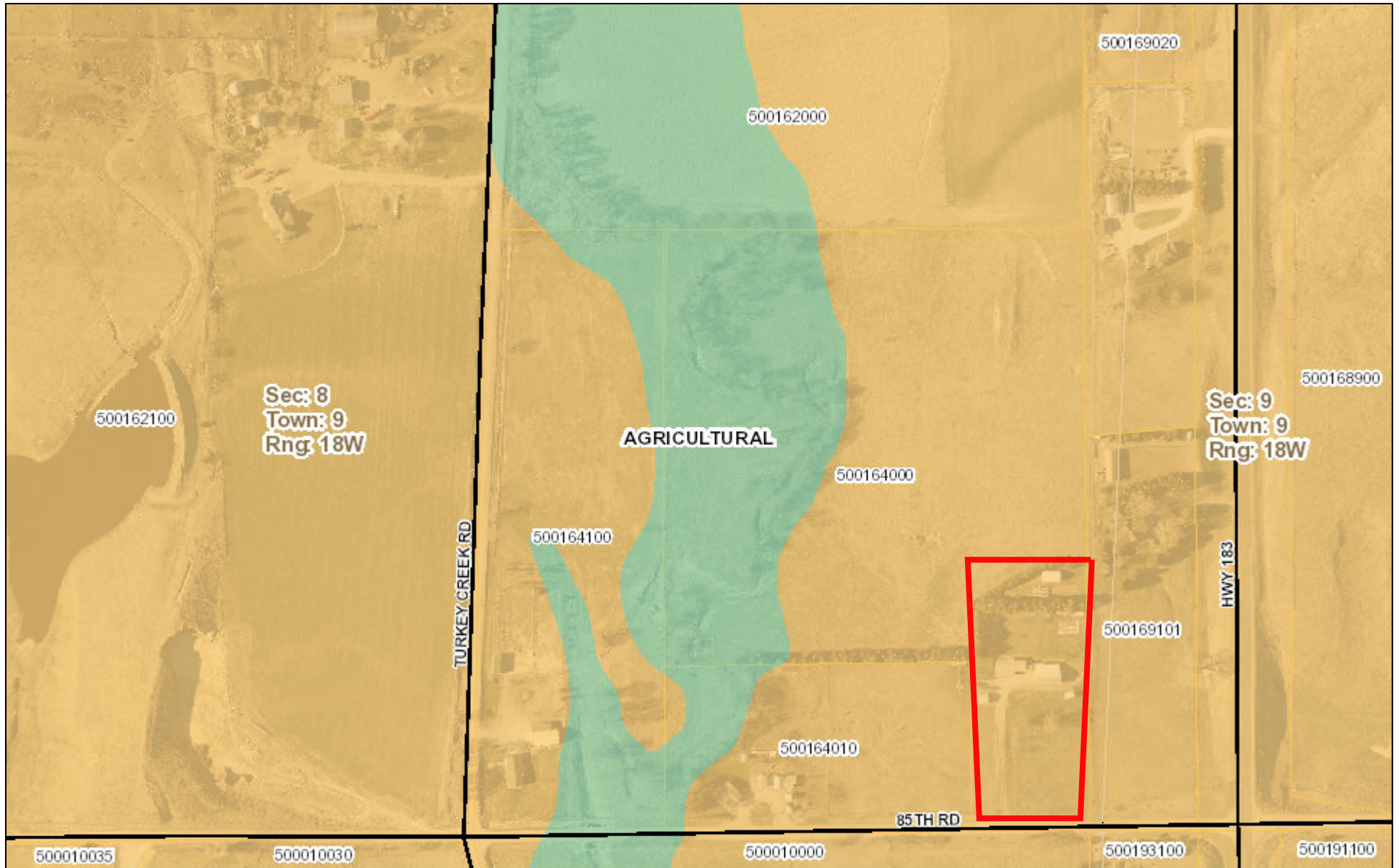
By   
Registered Abstracter

**Please direct inquiries to:** Kaitlin Greene

**NOTE: THIS IS AN INFORMATIONAL TITLE REPORT**

**This report is not a guarantee or warranty of title, nor is it an abstract of title, nor is this a commitment to provide, nor does it provide title insurance. Liability hereunder is expressly limited to the sum of \$1,000.00.**



# Martin Locational/Zoning/Floodplain



December 14, 2020  
11:38 AM




DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,680




-  Labeled Streets
-  Special Use

## Floodplain

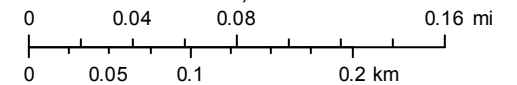
-  1% Annual Chance Flood Hazard

-  Regulatory Floodway
-  0.2% Annual Chance Flood Hazard
-  Area not Included

## County Zoning

-  AGRICULTURAL
-  AGRICULTURAL-RESIDENTIAL
-  COMMERCIAL

-  INDUSTRIAL
-  Parcels
-  Sections





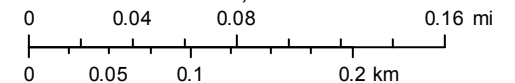


December 14, 2020  
11:39 AM

DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:4,680

- Labeled Streets
- Sections
- Special Use
- Parcels



# Zoning Agenda

Item #3

**Simple solution (11-24-20) after Wozniak talk with Board:**

**Amend to add word “side” in accessory use general applicable provision.**

**Add as a special use provision for AGR/AG Districts to:**

**Accessory uses, when specific provisions as to location and size of allowed accessory use by right do not apply but the proposed accessory use and/or structure is in compliance all applicable minimum yard setbacks.**

Board suggested amendment for review: 8.1 be amended to read:

## 8.1 ACCESSORY BUILDING

Buildings and structures may be erected and land may be used for purposes, which are clearly incidental to, and customarily and commonly associated with the main permitted use of the premises. Such accessory buildings, structures and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat or glare which is injurious, damaging, unhealthful or disturbing to adjacent property, or the users thereof, and shall be on the premises of the main use.

Accessory buildings and structures shall not occupy more than thirty percent of the ~~required area for~~ of the side and rear yard. Any accessory building and/or structure shall have a minimum yard setback as required within the zoning district. Attached garages are considered part of principal building. (Resolution 02-11-2020)

Any accessory building and structure and/or use comprised of one hundred twenty (120) square feet or less is exempted from the need to obtain a zoning permit, but must comply will all applicable zoning district minimum yard setbacks.

Add as use by special use permit:

**Add as a special use for AGR/AG Districts:**

**Accessory uses and/or structures, when the specific provisions as to location and size of the allowed accessory use and/or structure by right do not apply, but the proposed accessory use and/or structure is in compliance all other applicable minimum yard setbacks.**



## **Planning and Zoning Commission Recommendations**

The Planning and Zoning Commission reviewed the code amendments on January 21, 2021, brought forth by The Board of Commissioners and their recommendations are listed below.

1. **Original Proposed Code Amendment #1:** Zoning Regulations, Section 8.1, Change language in the following sentence: “Accessory buildings and structures shall not occupy more than thirty percent of the ~~required~~ area of the side and rear yard”.

Planning and Zoning Commission Favorably Recommends, motion made by Keep and seconded by Biehl: “Accessory building and structures shall not occupy more than thirty percent of the ~~required~~ area of the side, front and rear yards. Any accessory building and/or structure shall have a minimum yard setback as required within the zoning district. Attached garages are considered part of principal building.”

Voting “Aye”: were Wolfe, Biehl, Jeffs, Keep, Schmidt, Vacek, Jeffs, & Vest.

Voting “Nay”: None.

Abstain: None.

Absent: None.

No opposition to the change.

2. **Original Proposed Code Amendment #2:** Zoning Regulations, Section 5.14 & Section 5.34, under the Agriculture (AG) & Agricultural – Residential (AGR) Districts, Adding Accessory Use Structures and Uses by Special Use Permit, when the specific provision as to location and size of the allowed accessory use and/or structure by right do not apply, but the proposed accessory use and/or structure is in compliance all applicable minimum yard setbacks. Allow renumbering where necessary.

Planning and Zoning Commission Unfavorably Recommends, motion made by Jeffs and seconded by Vacek: Accessory use and/or structures in front yard, when done through the special permit process in the AGR and AG Districts.

Voting “Aye”: were Biehl, Jeffs, Keep, Schmidt, Vacek, Vest, & Wolfe.

Voting “Nay”: None.

Abstain: None.

Absent: None.

No opposition to the change.

3. **Original Proposed Code Amendment #3:** “Any accessory building and structure and/or use comprised of one hundred and twenty (120) square feet or less is exempted from the need to obtain a zoning permit, but must comply with all applicable zoning district minimum yard setbacks.”



Planning and Zoning Commission Favorably Recommends, motion by Vest and seconded by Wolfe: “Any accessory building and structure and/or use comprised of two hundred (200) square feet or less is exempted from the need to obtain a zoning permit, but must comply with all applicable zoning district minimum yard setbacks.”

Voting “Aye”: were Jeffs, Keep, Schmidt, Vacek, Vest, Wolfe, & Biehl.

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

No opposition to the change.