

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 12, 2023**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 12, 2023 at 9:00 A.M. and 9:30 A.M. Chairperson Klein called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Timothy Higgins, Myron Kouba, Ronald Loeffelholz, Bill Maendele, Sherry Morrow and Ivan Klein. Daniel Lynch arrived at 9:03 A.M. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Public notice of this meeting was published/posted in the Kearney Hub, on the Buffalo County web site, and the bulletin boards located outside the County Clerk's office and County Board Room on September 7, 2023. Chairperson Klein announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and posted at the back of the Board Room. County Clerk Heather Christensen took all proceedings hereinafter shown; while the convened meeting was open to the public.

REGULAR AGENDA

Moved by Higgins and seconded by Maendele to approve the August 22, 2023 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Maendele, Kouba, Loeffelholz, Morrow and Klein. Absent: Lynch. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to ratify the following August 25, 2023 and the September 8, 2023 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Maendele and Klein. Absent: Lynch. Motion declared carried.

AUGUST 25, 2023

GENERAL FUNDS			
NET PAYROLL			311,567.85
AMERICAN FAMILY LIFE	I	PREMIUMS	1,277.09
RETIREMENT PLANS AMERITAS	R	EMPE RET	51,973.66
BUFFALO CO TREASURER	I	PREMIUMS	131,848.50
EMPOWER ANNUITY INS	R	DEFERRED COMP	1,150.00
FIRST CONCORD	E	FLEX FUNDS	5,071.76
FIRST NATIONAL BANK	T	FEDERAL TAXES	104,201.44
KEARNEY UNITED WAY	E	DONATIONS	61.00
MADISON NATIONAL	I	PREMIUMS	1,138.14
MADISON NATIONAL	I	LT DISABILITY	299.23
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	325.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,463.46
STATE OF NE	T	STATE TAXES	17,884.12
VISION SERVICE PLAN	E	EMPE VSP EYE	1,170.33
ROAD FUNDS			
NET PAYROLL			62,316.78
AMERICAN FAMILY LIFE	I	PREMIUMS	747.72
RETIREMENT PLANS AMERITAS	R	EMPE RET	9,516.40
BUFFALO CO TREASURER	I	PREMIUMS	3,798.50
FIRST CONCORD	E	FLEX FUNDS	914.92
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,081.20
MADISON NATIONAL	I	PREMIUMS	204.32
MADISON NATIONAL	I	LT DISABILITY	114.05
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	1,081.20
STATE OF NE	T	STATE TAXES	2,778.29
VISION SERVICE PLAN	E	EMPE VSP EYE	320.05
WEED FUNDS			
NET PAYROLL			5,344.66
RETIREMENT PLANS AMERITAS	R	EMPE RET	840.87
BUFFALO CO TREASURER	I	PREMIUMS	281.00
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,696.82
MADISON NATIONAL	I	LT DISABILITY	3.69

PRINCIPAL	E	DENTAL	61.00
STATE OF NE	T	STATE TAXES	269.62

SEPTEMBER 8, 2023

GENERAL FUND			
NET PAYROLL			318,291.38
AMERICAN FAMILY LIFE	I	PREMIUMS	1,297.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	53,724.16
BUFFALO CO TREASURER	I	PREMIUMS	136,708.50
EMPOWER ANNUITY INS	R	DEFERRED COMP	1,150.00
FIRST CONCORD	E	FLEX FUNDS	5,509.26
FIRST NATIONAL BANK	T	FEDERAL TAXES	107,525.94
KEARNEY UNITED WAY	E	DONATIONS	61.00
MADISON NATIONAL	I	PREMIUMS	1,150.38
MADISON NATIONAL	I	LT DISABILITY	305.41
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	325.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
PRINCIPAL	E	DENTAL	3,583.32
STATE OF NE	T	STATE TAXES	18,516.25
VISION SERVICE PLAN	E	EMPE VSP EYE	1,099.87
ROAD FUND			
NET PAYROLL			61,437.81
AMERICAN FAMILY LIFE	I	PREMIUMS	747.72
RETIREMENT PLANS AMERITAS	R	EMPE RET	9,529.53
BUFFALO CO TREASURER	I	PREMIUMS	3,798.50
FIRST CONCORD	E	FLEX FUNDS	914.92
FIRST NATIONAL BANK	T	FEDERAL TAXES	17,869.53
MADISON NATIONAL	I	PREMIUMS	202.89
MADISON NATIONAL	I	LT DISABILITY	113.92
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	1,081.08
STATE OF NE	T	STATE TAXES	2,745.38
VISION SERVICE PLAN	E	EMPE VSP EYE	287.95
WEED FUND			
NET PAYROLL			5,344.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	840.87
BUFFALO CO TREASURER	I	PREMIUMS	281.00
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,696.82
MADISON NATIONAL	I	LT DISABILITY	3.68
PRINCIPAL	E	DENTAL	60.96
STATE OF NE	T	STATE TAXES	269.62

Chairperson Klein presented the following Sheriff's employees their certifications from the August 22, 2023 Board meeting: Corrections Officer Charity Tuttle for 10 years of service, Jail Lieutenant Chad Hunt for 25 years of service and Communications Officer Susan Everett for 42 years of service.

Sheriff Neil Miller was present for the Swearing in of Deputy Nicholas Leith.

County Attorney Shawn Eatherton arrived at 9:08 A.M.

Sheriff Miller was present to discuss Law Enforcement Services between the City of Gibbon and Buffalo County Sheriff's Office. No one else addressed the Board. Moved by Maendele and seconded by Loeffelholz to authorize Chairperson Klein to sign the Memorandum of Understanding (MOU) for Law Enforcement Services between the City of Gibbon and Buffalo County Sheriff's Office. Upon roll call vote, the following Board members voted "Aye": Maendele, Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Lynch to approve the early claim submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

GENERAL FUND		
D&IGJS FAMILY FARMS	TOWER LEASE	\$3,339.74

Moved by Morrow and seconded by Lynch to accept the Buffalo County Treasurer August 2023 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to accept the Clerk of District Court August 2023 Fee Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Maendele to accept the July 2023 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Maendele, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

Chairperson Klein read into the record the certification of inventory statements. Moved by Morrow and seconded by Lynch to approve the fiscal year 2022-2023 inventory statements filed by all of the County Officials. All inventory statements will be filed with the County Clerk as a public record. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz, Maendele and Klein. Motion declared carried.

Deputy County Attorney Andrew Hoffmeister arrived at 9:14 A.M.

Facilities Director Steve Gaasch presented the Wilkins Professional Architectural Services Proposal. No one else addressed the Board. After discussion it was moved by Morrow and seconded by Kouba to approve the Wilkins Professional Architectural Services Proposal. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

Facilities Director Gaasch was present to discuss additional playground equipment for the Buffalo County Recreation Area-Ravenna Lake. No one else addressed the Board. Moved by Kouba and seconded by Higgins to approve the purchase of additional playground equipment for the Buffalo County Recreation Area-Ravenna Lake. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Kouba and seconded by Higgins to approve the payment of flu shots for all Buffalo County Employees. The Board Administrator will notify the employees of the flu shot availability scheduled for September 26, 2023. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Loeffelholz, Lynch, Maendele, Morrow and Klein. Motion declared carried.

ZONING

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

Chairperson Klein opened the public hearing at 9:20 A.M. for an Administrative Subdivision filed by Trenton Snow, Registered Land Surveyor, on behalf of Daniel L. Saathoff and Karen S. Saathoff, to be known as "Cherry Valley". This property is located in part of the Northeast Quarter of the Southwest Quarter of Section Fifteen (15), Township Eleven (11) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Trenton Snow was present to review the application and answer questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:23 A.M. Moved by Loeffelholz and seconded by Higgins to approve the Administrative Subdivision to be known as "Cherry Valley" with the following Resolution 2023-45. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-45

WHEREAS, Trenton Snow, licensed land surveyor, on behalf of Daniel L. Saathoff and Karen S. Saathoff, hereinafter referred to as "applicants", has filed for an Administrative Subdivision to be known as "Cherry Valley", with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 12, 2023, this Board conducted a public hearing now and finds:

1. The proposed "Cherry Valley" is in the Agriculture (AG) Zoning District for Buffalo County, Nebraska.
2. The remaining portion of the subdivided tract, presently owned by Daniel L. Saathoff and Karen S. Saathoff, referred to as Parcel 200119250, and situated in part of the Northeast Quarter of the Southwest Quarter and Railroad Right-of-Way, North of Highway, Section Fifteen (15), Township Eleven (11) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, complies with the minimum lot size of this zoning district; any remnant property not subdivided and owned by Daniel L. Saathoff and Karen S. Saathoff, amounts to roughly 12 acres.
3. The proposed plat for this subdivision fulfills Buffalo County's Subdivision Resolution requirements for administrative subdivisions specifically allowed under Section 3.02, together with other provisions applicable, thereto.
4. Buckeye Road is a county-maintained, open public road and it abuts the subdivision on its east side. The width of Buckeye Road meets this county's minimum width standards.
5. Title search paperwork has been provided to the Buffalo County Attorney's Office and that office has cleared title as concerns Buffalo County's interests based upon the title search documents delivered to that office by applicant.
6. This proposed administrative subdivision should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of "Cherry Valley", an administrative subdivision being located in part of the Northeast Quarter of the Southwest Quarter and part of Railroad Right-of-Way, North of Highway, in Section Fifteen (15), Township Eleven (11) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Chairperson Klein opened the public hearing at 9:23 A.M. for a review of the special use permit to operate a dog boarding facility, for tax parcel 380081010 approved under Resolution 2022-49 on December 13, 2022. Mark Morten and his attorney Nick Ridgeway of Jacobsen Orr Law Firm were present to answer questions. Proceedings were taken by Deputy County Clerk Rachelle Warner from 9:42 A.M. and 9:45 A.M. Chairperson Klein asked if there were any one who wished to speak, Michael Rost resident of Buffalo County, spoke against the Special Use Permit, Jessica Morten raised her hand in favor. No one else addressed the Board and Chairperson Klein closed the hearing at 9:47 A.M. Moved by Higgins and seconded by Kouba to revoke the Special Use Permit Resolution 2022-49, for Mark Morten, tax parcel 380081010, and described as 29235 145th Road, Kearney, Nebraska, and described as Part of the Northwest Quarter of the Northwest Quarter, situated in Section Twenty-five (25), Township Ten (10) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska with the following Resolution 2022-49A. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Lynch, Loeffelholz and Klein. "Nay": Maendele and Morrow. Motion declared revoked.

RESOLUTION 2022- 49A

WHEREAS, on September 19, 2022, Mark Morten filed an Application for Special Use Permit, with the Buffalo County Clerk and/or Zoning Administrator, to operate a dog-boarding facility, inventoried on the zoning records of Buffalo County as Permit #2022-080. This operation was to be situated on the following legal description:

A tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 25, Township 10 North, Range 16 West of the 6th p.m., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northeast Corner of the Northwest Quarter of the Northwest Quarter of said Section 25; thence Southerly on the East line of said Northwest Quarter of the Northwest Quarter a distance of 916.55 feet to a point, said point being 407.0 feet North of the Southeast Corner of the Northwest Quarter of the Northwest Quarter of said section; thence Westerly parallel with and 407.0 feet Northerly of the South line of said Northwest Quarter of the Northwest Quarter a distance of 617.84 feet; thence Northerly a distance of 916.66 feet to a point that intersects on the North line of the Northwest Quarter of the Northwest Quarter of said Section; thence Easterly on the North line of said Northwest Quarter of the Northwest Quarter a distance of 617.84 feet to the place of beginning. Containing 13.00 acres, more or less, of which 0.47 acres, more or less, are presently being used for road purposes on the North side.

WHEREAS, on November 17, 2022, the Buffalo County Planning and Zoning Commission conducted a public hearing on such Special Use Permit and on a 6-3 vote with no absences or abstentions, voted to forward this application to the Buffalo County Commissioners, with a favorable recommendation, and

WHEREAS, on December 13, 2022, the Buffalo County Board Commissioners, held a public hearing on this Special Use Permit and by simple majority, on a 5 to 2 vote, approved the applicant's Special Use Permit a operate a dog-boarding facility on the subject property, as submitted in the application and subject to the conditions set forth in Resolution No. 2022-49 and

WHEREAS, on or about May 10, 2023, The Buffalo County Zoning Administrator was made aware that no substantial and continuous construction of the use/structures had been made within the allotted time, as required under Resolution No. 2022-49. During a drive by inspection, on that same day, the zoning administrator found other violations or irregularities, as shown below:

1. Construction to an existing structure without a permit.
2. Failure to commence construction on dog kennel structure authorized in special use permit, which was presented to be a stand-alone building.
3. The dogs were to be housed in a stand-alone structure. The dogs appear to be housed in a non-permitted addition, which was not considered or approved under Resolution 2022-49. This alters the distancing of the kennel from adjoining landowners.
4. There does appear to be a new pond, that was nonexistent in the aerial photograph, which is attached, and now exists in the floodplain portion of the applicant's property and, also, not authorized.

WHEREAS, as provided by Buffalo County's Zoning Regulation Resolution, this Board reserves the power to revoke any special use permit that has been issued by this Board for the failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance. If the Zoning Administrator or any two members of this Board find at any time that the terms, conditions and requirements of this special use permit have not been complied with, or that any phase thereof has not been completed within the time required under said special use permit or any amendment thereto, the Zoning Administrator or any two members of this Board shall report this fact to the County Commissioners, and thereafter this Board may conduct review of compliance by public hearing with notice given to applicant(s) and/or entity using the subject property. Following such public meeting this Board may take any action it may deem necessary to secure compliance including revocation and termination of this special use permit.

WHEREAS, on August 8, 2023, during the regular meeting of the Buffalo County Board of Commissioners, the zoning administrator provided a report of the violations or irregularities, founded during her drive-by inspections conducted on May 10, 2023 and June 20, 2023. During that meeting, The Buffalo County Board of Commissioners voted, by simple majority, to schedule a public review of the above-stated Special Use Permit for the regular meeting of The Buffalo County Board of Commissioners on September 12, 2023.

WHEREAS, on September 12, 2023, The Buffalo County Board of Commissioners held a public hearing, after providing notice, to determine whether this Board should cancel the Special Use Permit authorized in Resolution No. 2022-49, due to the failure to comply with said terms, conditions and requirements, as set out in said Resolution. The report, revised to show the removal of the violation of a free-standing structure, which was situated another parcel, was revisited. During that meeting, the revised report was labelled as Exhibit #1. Furthermore, testimony, regarding opposition of the reinstatement of the Special Use Permit, was heard.

WHEREAS, following public hearing on the issue, this Board determines that, based on the violations and irregularities, as presented by The Buffalo County Zoning Administrator on August 8, 2023, her report (Exhibit #1) and by testimony and documents given before this Board in public meeting this date that:

1. No substantial construction activity commenced within the timelines, i.e. 120 days after approval of the special use permit, as stated in Resolution No. 2022-49.
2. Additional construction activity, not previously permitted, commenced on another structure on the premises when Mr. Morton built an enclosed addition to that structure.
3. No signage as required by Resolution No 2022-49 has been placed on the property.
4. At present, Mr. Morton has 3 (three) of his own dogs and 4 (four) dogs, that are not his, housed in the kennel located on-premises.
5. The testimony in opposition was well taken in that this Board notes that dog kenneling uses can have a negative effect on surrounding properties, some of which are zoned Agricultural Residential.
6. The permit authorized in Resolution No. 2022-49 should not be amended as proposed by Mr. Morton.
7. The special use permit granted in Resolution No. 2022-49 should be revoked for the above-stated reasons.

NOW THEREFORE, BE IT RESOLVED THAT BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS by a majority vote (5-2) of its members for the foregoing reasons, cancels the Special Use Permit, inventoried as Permit #2022-080 and approved under Resolution No. 2022-49.

RESOLVED FURTHER that a copy of this Resolution shall be filed against the subject property as described above.

Chairperson Klein opened the public hearing at 9:53 A.M. for Code Amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, in Section 3.3156, creating subcategories and outlining requirements of rooftop setbacks for Roof-Attached Solar Energy Systems. Deputy County Attorney Hoffmeister was present to review and answer any questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:58 A.M. Moved by Loeffelholz and seconded by Kouba to accept the Code Amendments to The Buffalo County Zoning Regulations, with renumbering as necessary, in Section 3.3156, creating subcategories and outlining requirements of rooftop setbacks for Roof-Attached Solar Energy Systems with the following Resolution 2023-46. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

RESOLUTION 2023-46

WHEREAS, on August 17, 2023, the Buffalo County Planning and Zoning Commission held a public hearing for an amendment to Section 3.3156, Buffalo County Zoning Regulations, with renumbering as necessary, creating subcategories and outlining requirements of rooftop setbacks for Roof-Attached Solar Energy Systems.

That Commission voted unanimously, with one absence, to recommend that this Board adopt the proposed amendment, and

WHEREAS, no protests have been filed with the Buffalo County Clerk against such proposed amendments, and

WHEREAS, on September 12, 2023, this Board conducted a public hearing concerning proposed amendments to Buffalo County's Zoning Regulations and no parties appeared to oppose such proposed amendment,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the following amendment is adopted with amending language generally shown by underlining as additions and strikethrough as deletion, as reflected below, and renumbering as necessary:

Amend Section 3.3156:

- a. Residential: The Solar Energy System's collector surface and mounting devices that attach a solar energy system(s) to the roof of a dwelling use structure. It shall have a minimum a 3-foot open space on the roof from the side edges, hip(s), and ridge(s) of the roof, and not cause a height increase of the structure to which it is attached. The system cannot be greater than twenty-four (24) inches between the roof and highest edge of the surface of the Solar Energy System (SES) measured perpendicularly from any part of the roof. (Resolution 02-11-2020)

- b. Non-Residential: The Solar Energy System's collector surface and mounting devices that attach a solar energy system(s) to the roof of a structure that is not used as a dwelling.

Zoning Administrator Daniels presented the Trileaf Corporation proposed telecommunication project known as "Trileaf Project #731659". After Discussion it was moved by Loeffelholz and seconded by Lynch to approve Trileaf Corporation proposed telecommunication project known as "Trileaf Project #731659", located in part of the Southeast Quarter of Section 17, Township 9 North, Range 18 West of the 6th P.M., Buffalo County Nebraska. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

REGULAR AGENDA

After discussion and review of the County Sheriff's report, it was moved by Maendele and seconded by Higgins to approve the Special Designated Liquor License applications filed by B&B Research and Investments LLC; Trade Name: Village 1919, DBA: The Village for events to be held on September 30, 2023 and October 6, 2023 at "The Farm" located at 51460 100th Road Shelton, NE 68876. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Following discussion and review of the County Sheriff's report, it was moved by Lynch and seconded by Higgins to approve the Special Designated Liquor License applications filed by The Wandering Well for events to be held on September 30, 2023 and October 6, 2023 at "Knobel Barn" located at 3070 Odessa Road Kearney, NE 68845. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Chairperson Klein reviewed the following correspondence. City of Kearney sent a letter regarding the City of Kearney Planning Commission Agenda for September 15, 2023. Nebraska Association of County Officials sent a reminder letter about the Central District election of a county board member from our respective district for a two-year period. City of Kearney sent a letter about the Annexation of The Meadows First Addition. Buffalo County Community Partners sent two letters thanking the Board for their partnership that helps them improve the community and encourages donations. Nebraska Intergovernmental Risk Management Association (NIRMA) sent two letters regarding the NIRMA Annual Membership Meeting and Luncheon & Divided Distribution October 20, 2023, at Younes Conference Center North Kearney and the Nomination / Election of NIRMA Board Members. Kinship Pointe-Northridge sent an event calendar for September 2023.

Moved by Loeffelholz and seconded by Higgins to recess the regular meeting of the Board of Commissioners at 10:07 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

BOARD OF EQUALIZATION

Chairperson Klein called the Board of Equalization to order in open session. County Treasurer Brenda Rohrich and County Assessor representative Terri Gonzalez were present.

Moved by Lynch and seconded by Maendele to approve the Motor Vehicle Tax Exemption as indicated on the application by the County Treasurer Rohrich for Hope Evangelical Church Free Church for a 2001 Chevrolet 11 Passenger Shuttle Bus, a 2002 Dodge 15 Passenger Van, a 2008 Chevrolet 15 Passenger Shuttle Bus and a 2012 Chevrolet 15 Passenger Shuttle Bus. Upon roll call vote, the following Board members voted "Aye": Lynch, Maendele, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

Moved by Maendele and seconded by Higgins to approve Tax List Corrections numbered 4988 through 4990 submitted by County Assessor Roy Meusch. Upon roll call vote, the following Board members voted "Aye": Maendele, Higgins, Kouba, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:09 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

ROAD DEPARTMENT

Highway Superintendent John Maul was present for the following agenda items.

Chairperson Klein instructed County Clerk Christensen to open and read aloud the submitted bids for Project No. C10 (1006) Gibbon Road Clay Topping. Bids were submitted from the following companies: Adams Construction Co. Highway Superintendent Maul and the Road Committee will review the bids and come back with recommendations at the next meeting on September 26, 2023.

Moved by Lynch and seconded by Loeffelholz to set bid date of Tuesday, October 10, 2023 at 10:00 A.M. for three Box Culvert Projects C10 (990) Sodontown Road north of 310th Road; C10 (995) 235th Road west of Gibbon Road and C10 (1450) 115th Road half mile west of Evergreen Road. Upon roll call vote, the following Board members voted "Aye": Lynch, Loeffelholz, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

Moved by Lynch and seconded by Higgins to set bid date of Tuesday, October 10, 2023 at 10:00 A.M. for Bridge Project C10 (209) Sioux Road just north of 295th Road. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

REGULAR AGENDA

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

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

Chairperson Klein opened a public hearing at 10:26 A.M. for the Buffalo County fiscal year 2023-2024 budget. Buffalo County Board Administrator Lynn Martin presented an overview of the budget summarizing the proposed revenues and expenditures with a comparison to the prior year's budget and is on file with the County Clerk. No one else addressed the Board and Chairperson Klein closed the hearing at 10:29 A.M. The Board will make final decision on Buffalo County 2023-2024 Fiscal Year Budget at September 26, 2023 Board meeting.

Chairperson Klein asked if there was anything else to come before the Board at 10:30 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, September 26, 2023.

ATTEST:

Ivan H. Klein, Chairperson
Buffalo County Board of Commissioners

Heather A. Christensen
Buffalo County Clerk

(SEAL)