

**BUFFALO COUNTY BOARD OF SUPERVISORS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 22, 2010
9:00 A.M.**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, June 22, 2010 at 9:00 A.M. and 10:15 A.M. Chairman Pierce called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Horace Dannehl, Ivan Klein, William McMullen, Sherry Morrow and Richard Pierce. Absent: Kent Greder and Timothy Loewenstein. Chairman Pierce announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room.

Posting and publishing gave notice of the meetings in advance, thereof. Notice of the meetings was simultaneously given to all members of both Boards; and availability of the agenda was communicated in the advance notice and in the notice to both Boards of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board members is attached to these minutes. County Clerk Janice Giffin took all proceedings hereinafter shown while said meeting was open to the public. County Attorney Shawn Eatherton was present. Supervisor Greder arrived at 9:05 A.M.

Chairman Pierce called for Citizen's forum. Doug Wickman, a partner of DNK Wickman, had previously received a letter from the Board of Supervisors asking that a waterway be reopened to a 40' width. Wickman stated that they are working with the Corps of Engineers to remove the unauthorized placement of fill material in a tributary of the Platte River located in the SW1/4 of Section 25, Township 9 North, Range 14, West, Buffalo County. Copies of the letters from the Corps of Engineers are now on file with the Buffalo County Clerk. Marvion Reichert also addressed the Board about drainage issues.

Present for Activity Reports with Elected and Appointed Officials were Extension Educator Carol Schwarz, Emergency Manager Darrin Lewis and Veterans' Service Officer Bill Williams.

CONSENT AGENDA

Chairman Pierce inquired if there was anything which needed to be removed from the Consent agenda. There was nothing to be removed therefore; Chairman Pierce declared the General County Business listed below approved without further hearing.

GENERAL COUNTY BUSINESS

1. Approve minutes for June 8, 2010
2. Accept reports:
 - Detention Center Report for May 2010
 - Veterans Service Office April and May 2010 Reports and Quarterly Report
3. Miscellaneous County business
 - Approve June 2010 Payroll Claims

The following payroll claim totals for June 2010 were submitted by County Clerk Janice Giffin for approval.

FUND	NET PAYROLL
GENERAL	351,396.11
ROAD	83,731.55
WEED	20,251.34
TOTAL	455,379.00

- Approve June 2010 Vendor Claims

County Clerk Janice Giffin submitted the following June claims for approval.

GENERAL FUND			
A & D TECHNICAL	SU	SUPPLIES	290.43
ACE HARDWARE	E	REPAIRS	90.96
ADAMS CO SHERIFF	S	SERVICES	76.65
ALL AMERICAN SEWER	S	REPAIRS	700.00
ALL MAKES	E	REPAIRS	306.70
ALLOY SPECIALTY	S	DEMOLITION SVC	1,455.00
AMATEUR ELECTRONIC	E	SUPPLIES	563.94
AMERICAN FAMILY LIFE	I	PREMIUMS	1,378.14
AMERICAN FIRST AID & SAFETY	SU	SUPPLIES	58.15
AMERITAS LIFE	I	EMPE RET	59,254.86
KAEL ANDERBERY	RE	REIMBURSE	137.00
ANDERSON BROS	S	REPAIRS	1,929.00

AS CENTRAL FINANCE	S	SERVICE	1,343.99
ASK SUPPLY	SU	SUPPLIES	771.19
MICHAEL BALDWIN	RE	REIMBURSE	65.76
MICHAEL W BALDWIN	S	LEGAL	415.50
BAMFORD	S	REPAIRS	190.00
JOHN BEAL	E	WITNESS FEES	20.00
MELODIE TURNER BELLAMY	RE	REIMBURSE	25.00
BLUE CROSS	I	PREMIUMS	117,182.72
BOB BARKER CO	SU	SUPPLIES	882.72
BOB'S SUPER	E	PHOTO FINISH	9.45
ANN L BOSSHAMER	E	MILEAGE	85.50
JONATHAN R BRANDT	S	LEGAL	1,783.75
SIEGFRIED H BRAUER	S	LEGAL	202.50
CHARLES BREWSTER	S	LEGAL	2,512.00
BUFFALO CO ATTORNEY	E	CDS TAPES DVDS	104.00
BUFFALO CO ATTORNEY'S OFFICE	E	PETTY CASH	316.32
BUFFALO CO COURT	E	COURT COST	7,085.54
BUFFALO CO EXTENSION	E	MAY EXPENSE	11,292.43
BUFFALO CO PUBLIC DEFENDER	E	MAY EXPENSE	9,245.21
BUFFALO CO REGISTER OF DEEDS	E	SUPPLIES	87.00
BUFFALO CO SHERIFF	E	EXPENSES	3,271.94
BUFFALO CO TREASURER	E	DELINQ TAXES	81.06
BUFFALO CO TREASURER PETTY CASH	E	POSTAGE	12,000.00
BUILDERS	E	REPAIRS	1,021.37
BUTLER VOIGT AND STEWART	S	LEGAL	655.50
C B M FOOD SVC	S	FOOD SVC	14,437.92
CARPENTER REPORTING	E	REPORTING	396.50
MICHAEL D CARPER	S	LEGAL	1,107.05
CASH WA	SU	SUPPLIES	4,273.01
CENTEC CAST METAL PRODUCTS	SU	SUPPLIES	1,893.78
CENTRAL PATHOLOGY	MC	AUTOPSYS	2,400.00
CHARLESWORTH BENEFITS	E	CONSULTING FEE	1,753.75
CHARTER DATA	U	SVC	3,623.00
CHARTER DIGITAL	U	SVC	540.86
CHIEF	EQ	EQUIPMENT	4,803.15
RYAN CHRAMOSTA	E	WITNESS FEES	20.00
CITY OF KEARNEY	E	BOOKMOBILE	44,050.35
CLERK OF THE DISTRICT COURT	E	POSTAGE	224.00
CLERK OF DISTRICT COURT ASSOC	E	TRAINING	54.00
CLERK OF THE DISTRICT COURT	E	COURT COSTS	2,160.00
CLERK OF THE DISTRICT COURT	E	SUPPLIES	37.04
CLIPPER PUBLISHING	A	PUBLISHING	646.94
COLONIAL SUPPLEMENTAL	I	EMPE COLONIAL	83.67
CONRADS AUTO	E	REPAIRS	602.88
CONTROL MANAGEMENT	S	SVC CALL	550.00
COOPER NOTIFICATION	AP	CONTRACT	9,000.00
COPYCAT PRINTING	SU	SUPPLIES	217.69
COPYCAT PRINTING CENTER	SU	SUPPLIES	174.88
CO ASSESSOR'S ASSOC	E	2011 DUES	50.00
KARIN COVALT	E	MILEAGE	19.10
CROSSROADS FORD	S	REPAIRS	1,602.51
CULLIGAN	S	RENTAL	17.12
CUSTER CO SHERIFF	E	SVC FEES	18.50
D & J ELECTRICAL	S	REPAIRS/NEW IN	5,991.63
DAN SABIN & MARILYN SABIN	U	UTILITIES	53.30
DAVE WAGGONER PLUMBING	S	REPAIRS	103.10
DAWSON CO PUBLIC POWER	U	UTILITIES	2,149.71
GLENDA DEBRIE	RE	REIMBURSE	36.00
DELL MARKETING	EQ	EQUIPMENT	48,100.12
DODGE CO SHERIFF	E	SVC FEES	19.59
DUGAN BUSINESS FORMS	SU	SUPPLIES	3,691.94
EAGLE DENTAL	MC	INMATE MED	241.00
EAKES	SU	SUPPLIES	13,037.78

SHAWN EATHERTON	E	MILEAGE	138.00
ECOLAB	S	FLY DEFENSE	80.34
EDUCATIONAL SERVICE UNIT NO 10	AP	SUPPORT	11,611.83
ELITE COURT REPORTING	E	TRANSCRIPTION	106.00
JORDAN ELLIS	E	WITNESS FEES	29.09
EMBROIDERY DESIGNS	SU	SUPPLIES	68.00
KEN ERICKSON	E	MILEAGE	114.00
EUSTIS BODY	S	TOWING	65.00
FAMILY ADVOCACY NETWORK	S	SVC	1,000.00
FARMERS AND MERCHANTS BANK	E	DEPOSIT BOX	100.00
FIRST CARE MEDICAL	MC	INMATE MED	140.00
FIRST CONCORD	I	CAFE ADMN FEES	9,342.79
FIRST CONCORD	I	DEDUCT FEES	3,595.33
FIRST CONCORD	I	TPA ADMN FEES	570.00
FISHER ROOFING	E	GUTTERS	195.00
FORT WESTERN OUTFITTER	EQ	EQUIPMENT	344.00
LARRY FOX	E	MILEAGE	84.95
FRONTIER	U	TELEPHONE	8,152.47
GALLS INC	EQ	EQUIPMENT	360.93
GANZ ROMATZKE AND STAMM	E	PUB DEF EXPENS	12.00
GARRETT TIRES	E	REPAIRS	621.66
JAN GIFFIN	RE	REIMBURSE	142.00
MICHAEL GILMOUR	RE	REIMBURSE	35.00
GOOD SAMARITAN EMERGENCY	MC	INMATE MED	60.48
GOOD SAMARITAN HEALTH SYSTEMS	MC	LAB COSTS	6,035.00
GOVCONNECTION INC	SU	SUPPLIES	5,006.06
GRAHAM TIRE CO	E	REPAIRS	1,062.52
SUSAN GRAY	E	MILEAGE	255.50
GREAT-WEST	I	PREMIUMS	801.04
GROUND CONTROL SYSTEMS	S	SVC	1,188.00
HALL CO CLERK	E	BUDGET ALLOC	4,750.32
HALL CO COURT	E	COPIES	26.25
HALL CO DISTRICT COURT	E	COPIES	4.75
HALL CO SHERIFF	E	SVC FEES	54.67
HARLAND	S	SVC	344.69
HEARTLAND CLEANING SVC	S	CLEANING	95.00
MARDELL HEBB	E	TRAINING	16.57
MARLIN HEIDEN	E	MILEAGE	30.45
TIMOTHY E HOEFT	E	SP PROSECUTOR	275.50
ANDREW W HOFFMEISTER	E	MILEAGE	58.60
HOLMES PLUMBING	S	REPAIRS	194.97
HORNADY	E	AMMUNITION	720.00
LISA R HUERTA	RE	REIMBURSE	25.00
INDEPENDENT APPRAISAL	E	TERC APPRAISAL	450.00
INTL ASSC OF CHIEFS OF POLICE	E	REGISTRATIONS	225.00
INTL CONFERENCE POLICE	D	DUES	125.00
INTERSTATE ALL BATTERY	EQ	EQUIPMENT	89.48
JACK'S UNIFORMS	EQ	EQUIPMENT	1,261.87
JACOBI'S CARPET	E	REPAIRS	174.00
JACOBSEN ORR NELSON LINDSTROM	S	LEGAL	7,472.35
KARRY JENSEN	E	TRAINING	13.90
JERRY'S SPORT CENTER	E	AMMUNITION	155.66
KELLIE JOHN	E	REIMBURSE	123.43
K & K PARTS	SU	SUPPLIES	83.62
K MART PHARMACY	MC	INMATE MED	1,773.58
KEARNEY AREA HUMANE SOCIETY	AP	SHELTER SVC	1,000.00
KEARNEY CENTRE VACUUM	E	REPAIRS	20.00
KEARNEY CLINIC	MC	INMATE MED	776.57
KEARNEY FEDERAL CREDIT UNION	E	DEPOSITS	6,637.41
KEARNEY HUB	A	PUBLISHING	921.57
KEARNEY TOWING	S	TOWING	491.60
KEARNEY UNITED WAY	E	DONATIONS	99.84
WILLIE KEEP	E	MILEAGE	77.00

KELLY ELECTRIC	S	REPAIRS	83.85
KILLION MOTORS	E	VEHICLES	30,450.00
RICHARD KINCAID	RE	REIMBURSE	25.00
IVAN KLEIN	E	MILEAGE	585.00
KNAPP FANGMEYER ASCHWEGE	S	LEGAL	402.40
JEFF KNAPP	S	LEGAL	726.20
JEAN KNEESE	R	RETIREMENT	19.00
KONICA MINOLTA	AP	COPY CHARGES	2,541.93
ANNETTE LAVE	S	CLEANING	110.44
LEXIS NEXIS	S	ONLINE SVC	25.00
LIBERTY SVC	S	CLEANING	738.32
LIPS	SU	SUPPLIES	336.31
STEPHEN G LOWE	S	LEGAL	1,005.00
MADISON NATIONAL LIFE	E	PREMIUMS	362.68
MAIL EXPRESS	E	MAIL SVC	74.64
JOHN MARSH	E	PUBLIC DEFEND	21.18
MARSHALL & SWIFT	A	PUBLICATIONS	461.95
SHARON L MARTIN	E	MILEAGE	42.90
SHARON MAULER	E	MILEAGE	230.50
MICHAEL MEFFERD	RE	REIMBURSE	25.00
WILLIAM E MEIER	EQ	EQUIPMENT	11.00
MENARDS	SU	SUPPLIES	140.52
METHE COMMUNICATIONS	S	INSTALLATIONS	7,296.00
MICROFILM IMAGING	E	SCANNING	285.00
MID AMERICA PAY PHONES	U	PAY PHONES	80.00
MID-WEST ROOFING	S	REPAIRS	12,529.19
MIDLAND TELECOM	EQ	EQUIPMENT	1,094.10
MIDWEST SERVICE	SU	SUPPLIES	310.00
MIPS	S	SVC	2,073.68
MITY-LITE	SU	SUPPLIES	5,839.59
MONTGOMERY CO SHERIFF'S OFFICE	E	SVC FEES	15.00
MORRIS PRESS	SU	SUPPLIES	3,225.76
NACO PLANNING AND ZONING	E	REGISTRATION	35.00
NATIONWIDE RETIREMENT	E	DEFERRED COMP	1,279.64
NE AMERICAN LEGION	E	FLAGS	156.00
NE ASSESSOR ASSOCIATION	E	REGISTRATION	250.00
NE CENTRAL TELEPHONE CO	U	TELEPHONE	311.76
NE CHILD SUPPORT PAYMENT CENT	E	GARNISHMENT	1,266.00
NE CO ATTORNEY'S ASSOC	D	DUES & REGIS	3,240.00
NE CRIME COMMISSION	E	DIRECTORY	90.00
NE DEPT OF MOTOR VEHICLES	E	DRIVE RECORDS	120.00
NE DEPT OF REVENUE	E	REGISTRATION	2,225.00
NE FLOODPLAIN STORMWATER	E	REGISTRATION	40.00
NE PUBLIC POWER	U	UTILITIES	9,536.73
NIRMA	I	INSURANCE	308,134.00
NW SVC	U	UTILITIES	1,768.73
OCE IMAGISTICS	E	MAINTENANCE	116.47
MATTHIAS IOKOYE	AP	CONTRACT	2,833.00
PARKER GROSSART BAHENSKY	S	LEGAL	1,449.02
BARBARA J PEMBERTON RIEGE	E	MILEAGE	19.65
PHELPS CO DISTRICT COURT	E	COPIES	3.25
PITNEY BOWES	E	RENTAL	297.00
PLATTE VALLEY COMMUNICATION	E	REPAIRS	77.46
PLATTE VALLEY MEDICAL GROUP	MC	INMATE MED	54.91
PLATTE VALLEY STATE BANK	T	FED TAXES	118,215.76
MELISSA PRITCHARD	E	TRAINING	203.52
QUALITY INN	E	ROOMS	279.80
QUILL CORP	SU	SUPPLIES	170.60
QWEST	U	TELEPHONE	47.23
RAHE,MANDY	E	WITNESS FEES	20.00
RAVENNA SANITATION	E	LANDFILL	241.94
RED WILLOW CO SHERIFF OFFICE	E	WORK CAMP	405.00
REDMAN'S SHOES	EQ	EQUIPMENT	79.99
REGION III BEHAVIORAL HEALTH	AP	EPC	687.03

RELIABLE	SU	SUPPLIES	206.66
ILENE RICHARDSON	R	RETIREMENT	14.00
JOHN RODRIGUEZ	S	REPAIRS	5,400.00
ROSS SCHROEDER & GEORGE	S	LEGAL	5,632.45
RTS BUSINESS HOLDINGS, INC	E	CAR WASH	4.50
SAHLING KENWORTH	E	REFUND	10.00
SARPY CO SHERIFF	E	SVC FEES	10.31
MANDI J SCHWEITZER	RE	REIMBURSE	25.00
KURT SIEDSCHLAW	S	LEGAL	437.25
LEONARD SKOV	E	MILEAGE	12.00
TRENTON SNOW	RE	REIMBURSE	793.00
TRENTON SNOW, L.L.C.	RT	EQUIPMENT RENT	350.00
SNS SALES	E	SHREDDING	220.96
SOFTCHOICE CORP	EQ	EQUIPMENT	697.95
SOFTWARE UNLIMITED	EQ	EQUIPMENT	2,284.00
MONTY SOLOMON	RE	REIMBURSE	25.00
SOLUTIONONE	EQ	EQUIPMENT	19,172.40
MARGARET A SPANGLER	E	CANVAS BOARD	24.00
SPECTRAREP	EQ	EQUIPMENT	3,500.00
STATE OF NE	T	STATE TAXES	17,181.45
PAUL STEINBRINK SR	E	MILEAGE	24.00
GWEN STENGEL	E	MILEAGE	122.50
SUPER SHINE	SU	SUPPLIES	289.04
MICHAEL J SYNEK	S	LEGAL	1,014.77
THE HARTFORD	E	DEFERRED COMP	1,825.00
THE LOCKMOBILE	EQ	EQUIPMENT	2.00
THE MOORE GROUP	E	REGISTRATION	549.00
TIME CLOCK PLUS	EQ	EQUIPMENT	5,268.99
TURNER BODY	S	REPAIRS	838.90
REBECCA L TVRDIK	S	LEGAL	1,650.00
TYE & RADEMACHER	S	LEGAL	23.75
U S POSTMASTER	E	BOX RENT/STAMP	699.75
U SAVE PHARMACY	MC	INMATE MED	32.70
U.S. BANK	SU	SUPPLIES	15,969.43
VERIZON WIRELESS	U	TELEPHONE	141.57
VERIZON WIRELESS	U	TELEPHONE	1,154.57
VERIZON WIRELESS	U	TELEPHONE	144.57
VERIZON WIRELESS	U	TELEPHONE	143.70
VERIZON WIRELESS	U	TELEPHONE	142.57
VERIZON WIRELESS	U	TELEPHONE	178.88
VERIZON WIRELESS	U	TELEPHONE	389.36
VERIZON WIRELESS	U	TELEPHONE	123.82
VERIZON WIRELESS	U	TELEPHONE	138.97
VERIZON WIRELESS	U	TELEPHONE	178.88
VERIZON WIRELESS	U	TELEPHONE	187.87
VIDEO SERVICE OF AMERICA	SU	SUPPLIES	82.04
VILLAGE OF MILLER	U	UTILITIES	19.50
VILLAGE UNIFORM	S	CLEANING	105.92
WALGREENS	MC	MEDICATIONS	11.88
WALMART VISION	MC	INMATE MED	65.00
WARREN T PLUMBING	S	REPAIRS	1,026.87
WEST PAYMENT CENTER	E	SUBSCRIPTIONS	2,163.98
WEST PAYMENT CENTER	E	SUBSCRIPTIONS	350.00
CRAIG WIETJES	E	MILEAGE	38.00
WILKE DONOVAN'S TRUE VALUE	SU	SUPPLIES	9.80
LLOYD WILKE	E	MILEAGE	67.15
MELISSA L WILLIS	RE	REIMBURSE	25.00
JEFFREY M WIRTH	S	LEGAL	1,844.16
LOYE WOLFE	E	MILEAGE	97.50
SARAH WORTHING	E	WITNESS FEES	20.00
WILLIAM WRIGHT	RE	REIMBURSE	69.99
YEAGLEY SWANSON MURRAY LLC	S	LEGAL	2,100.43
MELANIE R YOUNG	RE	REIMBURSE	25.00
ZIMMERMAN PRINTERS	SU	SUPPLIES	491.95

ROAD FUND			
ACE HARDWARE	E	REPAIRS	3,368.69
ACE IRRIGATION	SU	SUPPLIES	53,408.98
ALL MAKES	E	REPAIRS	464.90
AMERICAN FAMILY LIFE	I	PREMIUMS	1,561.34
AMERITAS LIFE	I	EMPE RET	13,408.49
ANDERSEN WRECKING	E	REPAIRS	50.00
ARROW SEED	SU	SUPPLIES	2,974.27
ASK SUPPLY	SU	SUPPLIES	1,394.80
AXMANN TRANSPORTATION	G	GRAVEL	7,582.98
BLUE CROSS	I	PREMIUMS	4,056.54
BOSELMAN ENERGY	F	DIESEL FUEL	74,863.44
BROADFOOT SAND	G	GRAVEL	27,846.00
BRUNER'S SAND	G	GRAVEL	2,030.00
BUFFALO CO COURT	E	GARNISHMENT	323.64
BUILDERS	E	SUPPLIES	46.65
CENTRAL AUTO	S	REPAIRS	260.83
CENTRAL FIRE & SAFETY	SU	SUPPLIES	42.75
CENTRAL HYDRAULIC SYSTEM	E	REPAIRS	3,076.26
CHS AGRI SERVICE	F	FUEL	109.45
COMFY BOWL	E	EQUIPMENT RENT	75.00
ROBIN CROSS	S	CLEANING	694.00
DIAMOND VOGEL	EQ	EQUIPMENT	1,343.95
EAKES	SU	SUPPLIES	377.10
ED BROADFOOT SAND	G	GRAVEL	16,080.86
ENNIS PAINT	E	REPAIRS	47,550.00
FAIRBANKS INTERNATIONAL	E	REPAIRS	19,250.10
FARM PLAN KEARNEY IMPLEMENT	E	REPAIRS	1,251.99
FARMER'S CO-OP	E	REPAIRS	130.00
FASTENAL	SU	SUPPLIES	71.92
FIDDELKE HEATING	S	REPAIRS	5,726.00
FIRST CONCORD	E	FLEX FUNDS	1,252.33
GARRETT TIRES	E	REPAIRS	22,652.62
GRAHAM TIRE	E	REPAIRS	51.50
GREAT-WEST	I	PREMIUMS	24.16
GREGG,JOYCE	SU	SUPPLIES	54.00
HOLMES PLUMBING	S	REPAIRS	522.48
INLAND TRUCK PARTS	E	REPAIRS	316.90
JACK LEDERMAN	SU	SUPPLIES	188.40
K & K PARTS	SU	SUPPLIES	1,411.75
KEARNEY FEDERAL CREDIT UNION	E	DEPOSITS	2,595.00
KEARNEY HUB	A	PUBLISHING	180.98
KEARNEY UNITED WAY	E	DONATIONS	15.00
LAWSON PRODUCTS	G/SU	GRAVEL/SUPPLY	6,131.32
LAZY A TRUCKING	G	GRAVEL	5,909.80
LINWELD	SU	SUPPLIES	4,488.31
ELWOOD LUCE	R	RETIREMENT	11.00
MADISON NATIONAL LIFE	E	LT DISABILITY	174.44
MCNEIL FENCING	S	REPAIRS	2,144.90
MEAD LUMBER	SU	SUPPLIES	913.28
MENARDS	E	REPAIRS	99.95
MID NE AGGREGATE	G	GRAVEL	8,538.07
MIDLANDS CONTRACTING	E	CONCRETE	53,900.00
MIDWEST SERVICE	SU	SUPPLIES	32,470.82
MILLER & ASSOCIATES	S	ENGINEERING	31,828.13
MR AUTOMOTIVE CARQUEST	E	REPAIRS	1,062.33
MUHLBACH SEEDS	E	REPAIRS	55.00
NASSAU ROCKMOUNT	E	REPAIRS	1,439.18
NATIONWIDE RETIREMENT	E	DEFERRED COMP	1,060.00
NCS EQUIPMENT	E	STEEL	1,300.50
NE MACHINERY	E	REPAIRS	19,095.91
NE SALT & GRAIN	G	GRAVEL	28,436.41
THE NEW SIOUX CITY IRON	E	STEEL	2,218.80
NOLLER ELECTRIC	S	REPAIRS	6,298.40

NORTHERN SAFETY	EQ	EQUIPMENT	88.38
PEERLESS MACHINE & MFG	E	REPAIRS	5,495.37
PLATTE VALLEY COMMUNICATION	S	REPAIRS	38.73
PLATTE VALLEY STATE BANK	T	FED TAXES	27,437.44
POWERPLAN	E	REPAIRS	11,837.00
RAVENNA NEWS	A	PUBLISHING	33.50
RAVENNA REDI MIX	E	REPAIRS	369.00
READY MIXED CONCRETE	E	REPAIRS	178.50
REDMAN'S SHOES	EQ	EQUIPMENT	80.00
SAHLING KENWORTH	S	REPAIRS	2,545.71
SAPP BROS	SU	SUPPLIES	6,588.95
SHELTON TOWNSHIP	S	MAINTENANCE	16,000.00
STATE OF NE	T	STATE TAXES	3,794.55
SWARCO REFLEX	S	REPAIRS	7,798.00
T & F SAND	G	GRAVEL	10,936.05
TEXAS REFINERY CORP	EQ	EQUIPMENT	1,058.00
TOOL DOCTOR	E	REPAIRS	40.61
TRACTOR SUPPLY	E	REPAIRS	28.98
PAMELA M TREFFER	E	REPAIRS	55.62
U S POSTMASTER	E	POSTAGE	540.00
U.S. BANK	SU	SUPPLIES	258.97
VONTZ PAVING	S	ASPHALTIC	841,417.40
WALTERS ELECTRIC	S	REPAIRS	133.99
WERNER CONSTRUCTION	S	ASPHALT	961,092.91
WESTERN PATHOLOGY	I	INSURANCE	126.00
WILKE CONTRACTING	S	CONCRETE	149,969.25
WILKE DONOVAN TRUE VALUE	E	REPAIRS	14.57
WILKE DONOVAN'S TRUE VALUE	SU	SUPPLIES	5.13
WINTER EQUIPMENT	SU	SUPPLIES	7,770.81
<u>VISITOR'S PROMOTION FUND</u>			
KEARNEY VISITOR'S BUREAU	AP	JUNE EXPENSES	28,100.00
<u>VISITOR'S PROMOTION FUND</u>			
KEARNEY VISITOR'S BUREAU	AP	JUNE EXPENSES	27,900.00
<u>EMERGENCY RELIEF FUND</u>			
BLACK HILLS STAGE LINE	E	BUS FARE	160.00
BOOGAARTS	E	SUNDRIES	98.00
BOSSERMANS PUMP & PANTRY #40	F	FUEL	518.00
COLDWELL BANKER	RT	RENT	210.00
THOMAS J ELLIS	RT	RENT	210.00
GOOD SHEPHERD	E	CREMATION	835.00
DALLAS HARRING	RT	RENT	100.00
K MART	E	SUNDRIES	43.59
KEVIN KRULL	RT	RENT	200.00
DORIS E LYNCH	RT	RENT	210.00
LEROYCE MARGRITZ	RT	RENT	210.00
MARGARET A. MORRIS	RT	RENT	150.00
PLATTE VALLEY MEDICAL GROUP	MC	MEDICAL	240.90
SUN MART PHARMACY #765	MC	PRESCRIPTIONS	4.00
WALGREENS	MC	PRESCRIPTIONS	370.79
<u>INSTITUTIONS FUND</u>			
NE HEALTH & HUMAN SVC	AP	PATIENT BILLIN	651.00
<u>STOP PROGRAM FUND</u>			
BUFFALO CO COURT	E	COURT COSTS	1,008.00
EAKES	SU	SUPPLIES	3,412.29
<u>INHERITANCE TAX FUND</u>			
BAIRD HOLM ATTORNEYS AT LAW	E	BOND CLOSING	10,000.00
2003 SKY WRITING SVC	E	SERVICES	158,711.22
MILLER & ASSOCIATES	E	ENGINEERING	37,594.20
MOODY'S INVESTORS SERVICE	E	CLOSING COSTS	6,200.00
WOLD PRINTING SERVICES	E	PRINTING	1,823.74
<u>COUNTY BOND</u>			
METHE COMMUNICATIONS	C	CONSTRUCTION	870.00
<u>WEED DISTRICT</u>			
ACE HARDWARE	E	REPAIRS	238.87

ALL MAKES	E	REPAIRS	845.36
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	14.86
AMERITAS LIFE INSURANCE	E	EMPE RET	1,020.94
ASK SUPPLY	SU	SUPPLIES	1,436.10
BLUE CROSS	I	PREMIUMS	691.97
CROP PRODUCTION SVC	E	CHEMICAL	14,404.25
CROSSROADS FORD	S	REPAIRS	166.65
CASEY DREW	D	DUES	45.00
JEFF ECKHOUT	D	DUES	45.00
FIRST CONCORD	E	FLEX FUNDS	300.00
GARRETT TIRES	S	REPAIRS	638.74
GRAHAM TIRE	S	TIRES	329.00
GREAT-WEST	I	PREMIUMS	1.51
K & K PARTS	E	REPAIRS	319.19
KEARNEY TOWING	S	EQUIPMENT	433.90
KEARNEY UNITED WAY	E	DONATIONS	24.00
KILLION MOTORS	E	REPAIRS	6.98
MADISON NATIONAL LIFE	E	LT DISABILITY	10.45
MARLATT MACHINE SHOP	E	REPAIRS	224.24
MIDWAY CHEVROLET	S	REPAIRS	1,655.55
MR AUTOMOTIVE CARQUEST	E	REPAIRS	12.18
PLATTE VALLEY COMMUNICATION	U	REPAIRS	460.05
PLATTE VALLEY STATE BANK	T	FED TAXES	7,689.70
SCHABEN INDUSTRIES	EQ	EQUIPMENT	2,545.54
STATE OF NE	T	STATE TAXES	1,261.03
TRACTOR SUPPLY	E	REPAIRS	56.53
U S POSTMASTER	E	POSTAGE	396.00
U.S. BANK	SU	SUPPLIES	13.20
UNITED SUPPLIERS	E	CHEMICAL	3,128.00
VAN DIEST SUPPLY	E	CHEMICAL	19,633.30
911 EMERGENCY SERVICE			
ADVANCED TECHNOLOGY SYSTEMS	U	MAINTENANCE	270.00
ALL MAKES OFFICE EQUIP	EQ	EQUIPMENT	1,662.00
AT&T	U	TELEPHONE	1.94
COMPUTER HARDWARE INC	EQ	EQUIPMENT	3,500.00
DATAMAXX APPLIED TECHNOLOGIES	U	MAINTENANCE	3,730.00
FRONTIER	U	TELEPHONE	1,729.05
MOTOROLA INC.	EQ	EQUIPMENT	1,919.20
NE CENTRAL TELEPHONE CO	U	TELEPHONE 911	151.76
PLATTE VALLEY COMMUNICATION	S	REPAIRS	1,523.50
QWEST	U	911 SERVICE	2,227.24

JUSTICE CENTER PROJECT

Buster Beckenhauer from Beckenhauer Construction was present for updated reports on the Justice Center Project. Beckenhauer presented the Contract Change Order 10 of the Phase 1B Project. No formal action was necessary as this is a compilation of previously approved Change Order Requests. Beckenhauer presented the Guaranteed Maximum Price (GMP) to the Board.

Moved by Dannehl and seconded by Morrow to approve the Phase 2 Courts Guaranteed Maximum Price of \$9,028,691.00. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Greder, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

REGULAR AGENDA

Moved by McMullen and seconded by Morrow to move into Executive Session at 9:27 A.M. to discuss contract negotiations. In addition to Board members responding to roll call, County Attorney Shawn Eatherton was present. Upon roll call vote, the following Board members voted "Aye": McMullen, Morrow, Dannehl, Greder, Klein and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by Morrow and seconded by Greder to return to the open meeting at 9:34 A.M. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Dannehl, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Chairman Pierce reviewed the following correspondence with the Board. South Central Economic Development District sent notice of dues for the upcoming year. Nebraska Commission on Law Enforcement and Criminal Justice sent the annual evaluation of the Buffalo County Jail. Contryman Associates sent correspondence offering auditing and budget preparation services. City of Kearney

sent notice of Annexation of Spruce Hollow Estates Fifth Addition. Central Platte Natural Resources District and Buffalo County Community Partners sent their respective newsletter. City of Kearney sent request of annual joint meeting to prepare the 2010-2011 budget. Information on VA Compensation and Pension Dollars for Nebraska Counties was received. Chairman Pierce then called on each Board member present for the various committee reports and recommendations.

Moved by Morrow and seconded by Klein to transfer \$32,000.00 to the Inheritance Fund (2700), \$1,000,000.00 to the Road Fund (200), and \$65,000.00 to the Weed Fund (5400) all from the General Fund (100) and all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Dannehl, Greder, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by Morrow and seconded by McMullen to transfer \$1,468,000.00 to the Road fund (200) from the Inheritance Fund (2700) and all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Dannehl, Greder, Klein and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by Morrow and seconded by Dannehl to approve the following Resolution 2010-36 for 2009-2010 fiscal year Budget shortages. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Greder, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-36

WHEREAS, five Buffalo County departments have exceeded their approved Budget for the 2009-2010 fiscal year; and

WHEREAS, funds are needed to balance the Budget for Buffalo County for the fiscal year 2009-2010 at the close of said fiscal year on June 30, 2010.

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS, to balance the Budget for Buffalo County for the fiscal year 2009-2010 that \$11,000.00 be transferred to the Data Processing Budget, \$5,000.00 be transferred to the Public Defender Budget, \$60,000.00 be transferred to the Building and Grounds Budget, \$8,000.00 be transferred to the Communications Budget, and \$35,000.00 be transferred to the Jail Budget; with transfers to be made from the General Miscellaneous budget.

Moved by Morrow and seconded by Greder to amend the policy for County Employee meal reimbursement rates. This document will include in state and out of state rates that will be effective July 1, 2010. Board Administrator will distribute this policy to all County Officials. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Dannehl, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

The need for Buffalo County to create a fund to account for wireless 911 Service revenue and expenditures was discussed. Moved by Morrow and seconded by Dannehl that a particularly identified fund be created under authority of Resolution 2010-37. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Greder, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-37

WHEREAS, Buffalo County for some time has utilized Telephone 911 fees for funding of the emergency services in this County provided through Buffalo County Public Safety Answering Point (PSAP) commonly known as the Dispatch Center located in the City of Kearney/Buffalo County Law Enforcement Center and other locations administered through the Law Enforcement Center, and

WHEREAS, with the advent of increasing use of wireless telephone services, the Nebraska Legislature in 2006 passed LB 1222. That bill created a mechanism for determining funds available to each PSAP and for distribution of funds to PSAPs as determined to be eligible by the rules and regulations of the Nebraska Public Service Commission, and

WHEREAS, in early 2010 the Nebraska Public Service Commission adopted rules and regulations concerning distribution of Wireless 911 funds to be distributed to PSAPs and how such funds were to be used by PSAPs together with guidelines for the accounting of wireless 911 funds under guidance from the Nebraska Auditor of Public Accounts, and

WHEREAS, after consultation with the State Auditor's Office and review of the Public Service Commission's applicable rules, the Board finds that it is necessary to establish one fund derived from 911 Enhanced Wireless Service monies with the fund not needing to be maintained in a separate bank account but only accounted for separately.

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS THAT Buffalo County creates Fund 2913 named "911 Enhanced Wireless Service Fund".

Moved by Greder and seconded by McMullen to approve Resolution 2010-38 to establish a group health care benefits fund. Upon roll call vote, the following Board members voted "Aye": Greder, McMullen, Dannehl, Klein, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-38

A RESOLUTION ESTABLISHING A GROUP HEALTH CARE BENEFITS FUND FOR ELIGIBLE EMPLOYEES, THEIR ELIGIBLE DEPENDENTS, AND OTHER ELIGIBLE PERSONS.

WHEREAS, the County desires to establish a partially self-insured health care benefit fund to provide health and dental care coverage for eligible employees and other eligible persons.

WHEREAS, the Board of County Supervisors by this Resolution, creates a "Health Benefit Reserve Fund", hereinafter referred to as "Fund". "Benefit Plan" means the group health and dental benefit program(s) as accepted by the Board. The County as directed by the Board shall establish the accounts necessary to make payment for health and dental services provided for in the Plan's Description of Benefits.

WHEREAS, the purpose of the Fund is to provide an opportunity for the Board to retain both terminal liability and reserve funds during positive claim years, maintain funds in the event payments exceed expected funding levels in any give period, while being able to obtain and fund for claim experiences on the Board provided group Health and Dental plans for participating employees and their dependents.

WHEREAS, the Fund may consist of County monies as well as Employee monies through contribution requirements as established by the Board. These funds are being reserved as necessary, in the exercise of sound and prudent judgment in the sole judgment of this Board, to cover potential cost of health care benefits for the participating members of the County's Benefit Plan.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY SUPERVISORS OF BUFFALO COUNTY, NEBRASKA, THAT BUFFALO COUNTY SHALL:

1. For an effective period beginning July 1, 2010, and annually reviewed thereafter, negotiate with a health insurance vendor to evaluate a Minimum Premium program or other funding model as deemed necessary by the Board.
2. Recognize that there is a "worst case scenario" that has added County funds at risk in any given plan year.
3. Place monies in the Fund in order to establish any deposit or minimum balance necessary with vendors/providers.
4. Make monthly contributions to the Fund at the approved level each year as determined by the Board, similar to paying a health insurance premium.
5. Be responsible for the deductible difference for employees and their participating family members between \$500 and \$1,500 while using an independent Third Party Administrator to adjudicate these claims. Monies placed by the County in the Fund are used for this deductible corridor. The County will evaluate the necessity of funding this corridor annually based on experience, plan design and future funding projections.
6. Use the IRC Safe Harbor provision as a guideline for administration and funding, beginning with a goal of reaching and maintaining up to 30% of the estimated annual premium (approximately \$475,000 for 2010/2011 budget year). The Board is fully aware that this funding may take several years to achieve.
7. Use any savings of the Minimum Premium plan to help build the Fund.
8. Use the Fund mainly for the Terminal Liability exposure should future moves be made in plan funding.
9. Recognize the risk factors involved in this plan and the need to have these funds remain designated for Benefits or directly related services (wellness, clinical, consultants, partially self-funded programs, etc.)
10. Keep interest on the Fund remain within the Fund, if deemed practical in the judgment of this Board.
11. Have the ability to withdraw or lower contributions to the Fund once minimum funding is established, cognizant that buying down premiums in one year may impact future funding so as to perhaps not use all excess funding in any one period.
12. Have the ability to modify contribution and funding levels as necessary to meet budgetary constraints as well as plan modifications.
13. Work with the Insurance Committee to evaluate positive fund balances and how those dollars can best be used to help offset future expenses and/or promote wellness activities for County employees.
14. Use excess funds that are not needed in the Reserve Fund at the discretion of the Board, recognizing that some of these monies are provided by employees for participation in the dental program as well as having dependents as part of the benefit program.

FURTHER RESOLVED that the Board currently intends to continue the benefits provided by this health and dental Benefit Plan, the Board reserves the right, at any time and for any reason or no reason at all, to change, amend, interpret, modify, withdraw or add benefits or terminate the Benefit Plan, in whole or in part and in its sole discretion, without prior notice to or approval by eligible employees, their eligible dependents, and other eligible persons, unless such coverage or benefit are otherwise required by Federal or State law or regulation. The Board may at its sole discretion delegate to the Plan Administrator the authority to change, amend, interpret or modify the Benefit Plan.

FURTHER RESOLVED that this Resolution constitutes the entire Benefit Plan Fund provision. No person or entity has authority to make oral changes or amendments to the Benefit Plan of Fund and it can only be amended, modified, or terminated in accordance with Board protocol.

Moved by Klein and seconded by Morrow to ratify June 12, 2010 sale of surplus property. Details of this sale, including the selling price of each item sold was presented. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Dannehl, Greder, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by McMullen and seconded by Klein to authorize Chairman to sign letters to American Auto and Auto One regarding the routine practice of parking unlicensed vehicles in the public parking lots. The Building and Grounds Committee will investigate the parking situation and bring back further recommendations to this Board. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Greder, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by McMullen and seconded by Greder to reappoint Bill Crosier to the Veterans' Service Committee for a three year term. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Dannehl, Klein, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

Discussion on interlocal agreement with the Educational Service Unit 10 for Information Technology support services followed. Moved by Greder and seconded by Klein to table this Agenda item until the July 13, 2010 Board meeting when the agreement is complete. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Dannehl, McMullen, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

Deputy County Attorney Andrew Hoffmeister reviewed the petition to vacate or abandon portion of Odessa Alley abutting the west lot lines of Lots 174-186. Moved by Dannehl and seconded by McMullen to approve the following Resolution 2010-39. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Greder, Klein, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-39

WHEREAS, a Petition to vacate a road, alley, or other public way has been properly filed for the following described road, alley, and/or public way:

All of the alley abutting the west lot lines of Lots 174 through 186, inclusive, including, as to Lot 186, the north Seventeen (17) feet of vacated Strong Avenue abutting 186 that was vacated by prior County Board Resolution filed on Roll 88, Page 3601 in records of Buffalo County Register of Deeds, together with all the alley north and west of the northwest lot corner of Lot 187 in the unincorporated Village of Odessa, Buffalo County, Nebraska.

And,

WHEREAS, the Buffalo County Highway Superintendent has made a study and has recommended that said alley be vacated; and

WHEREAS, offer was made by Buffalo County to relinquish this alley to Odessa Township and this Township, due to expiration of lawful time to respond, has declined to accept this alley should Buffalo County vacate or abandon this alley; and

WHEREAS, by prior Resolution, this Board established June 8, 2010, at 10:00 o'clock, a.m. as the date and time for public hearing for this Board to consider whether the alley in question should be abandoned or vacated with notice as provided by law, and

WHEREAS, the required notice of the public hearing to consider the proposed vacation or abandonment occurred when the Notice of Public Meeting was published for three consecutive weeks and notices of the public hearing were given to owners of the land adjoining the alley to be vacated or abandoned by registered or certified mail no less than two weeks in advance of the hearing, and

WHEREAS, on June 8, 2010, this Board conducted a public hearing to consider if it should vacate or abandon this portion of the alley. No one present objected to its vacation or abandonment.

WHEREAS, at conclusion of the public hearing held June 8, 2010, the Board set June 20, 2010, at 10:00 o'clock a.m., the first public hearing following the public hearing, as date and time for decision by this Board, as an agenda item, to consider and take action to vacate or abandon or refuse vacation or abandonment of this portion of the alley as in the judgment of this board and the public good may require, and

WHEREAS on May 7, 2010, in Resolution #2010-27 this Board vacated Strong Avenue generally between Lots 186 and 187 together with the alley abutting those two lots along Strong Avenue with the intent that the public alley would not extend north of the northwestern corner of Lot 187 as originally laid out and this resolution should be consistent with Resolution #2010-27, and

WHEREAS, the Buffalo County Board of Supervisors finds that:

1. The County Road Superintendent has recommended vacation or abandonment of the alley in question.
2. The Odessa Township Board when offered the alley in question refused to accept this alley.
3. The alley in question that is proposed to be abandoned is not within the zoning jurisdiction of the zoning jurisdiction of a city of the metropolitan, primary, or first class.
4. All necessary public publications and notices to adjoining landowners have been given.
5. The alley in question is not a road that is used for access to isolated land. The alley's west boundary abuts land once platted that was vacated in 1899 by Board action recorded in Book 65, Page 608. When that vacation occurred the west half of the alley in question reverted to the properties to the west.
6. No conditions or reservations should be retained by the public as concerns this alley if it is vacated or abandoned, other than the continued occupation of any public utilities that now occupy the public right-of-way.
7. No public purpose would be served to keep the alley open.

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS BY ADOPTION OF THIS RESOLUTION BY A NO LESS THAN A TWO-THIRDS MAJORITY VOTE that the above described public alley shall be and hereby is vacated and abandoned by the County of Buffalo, State of Nebraska and that it shall revert to private ownership entirely to the owner(s) of Lots 174 to 186, inclusive, subject however to the continued occupation, if any, of any public utility now occupying the now abandoned and vacated alley and that as concerns Lots 186 and 187, for the alley extending into vacated Strong Avenue, that portion of the alley shall be divided equally with the north one-half reverting to Lot 186 and south one-half reverting to Lot 187.

Moved by Dannehl and seconded by Morrow to accept the petition to vacate road right of way, described as all that portion of undeveloped 70th Road which would lie between Sections 13 and 24 in Shelton Township, Buffalo County, Nebraska from Shelton Road east one mile to Wiseman Road. This petition will be forwarded to the Highway Superintendent to conduct a study and report back to this Board. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Greder, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by Klein and seconded by Greder to recess the regular meeting of the Board of Supervisors at 10:24 A.M. and reconvene as a Board of Equalization. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

BOARD OF EQUALIZATION

Chairman Pierce called the Board of Equalization to order in open session for the scheduled Property Valuation Protest Hearings. County Assessor Joe Woodward, Deputy County Assessor Joe Barber and Field Appraiser Nora Borer were present. All proceedings hereinafter shown were recorded and taken by County Clerk Janice Giffin and the 2009 Property Valuation Protest Hearings were conducted as follows:

NAME	PROTEST NUMBER	PARCEL NUMBER	PRESENT
Roland C & Marilyn Whitney	100001	520203100	Roland and Marilyn Whitney
Pamela J & William Houchin	100002	420017000	No one present
Carol Robinson	100003	651107878	No one present
Ricardo & Nicole Garcia	100004	540037000	Ricardo Garcia
Ernest Sperry	100005	850000679	No one present
Codner JT 4	100006	640552000	No one present
Todd L Sawicki	100009	606176111	Todd Sawicki
Neva Knerl	100010	60276000	No one present
Hazel J Buchanan	100011	480313000	Hazel Buchanan
Lanny Johnson	100013	603162003	Lanny Johnson
Anthony Torres	100014	680388000	No one present
Robert K Van Horn	100015	605418000	Robert Van Horn
Lacy Avery & Tony Ahrens	100016	480333804	No one present
David F & Chynthia R Malone	100017	606230000	David Malone
Esther Wingert	100007	520131110	Esther Wingert
Esther Wingert	100008	520131000	Esther Wingert

Board of Equalization was recessed until the July 13, 2010 Property Valuation Protest Hearings.

ZONING

Chairman Pierce opened the Zoning Agenda items at 11:03 A.M. Deputy County Attorney Melodie Bellamy, Deputy County Attorney Andrew Hoffmeister and Zoning Administrator LeAnn Klein were present. The following Resolution 2010-40 and Resolution 2010-41 for approval of Deed of Conservation Easements were prepared by Cathleen Allen for Central Platte Natural Resources District. Moved by Greder and seconded by McMullen to approve Resolution 2010-40. Upon roll call vote, the following Board members voted "Aye": Greder, McMullen, Dannehl, Klein, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-40

A RESOLUTION APPROVING CONSERVATION EASEMENT FOR THE CENTRAL PLATTE NATURAL RESOURCES DISTRICT

WHEREAS, GARY MIKE HUBBARD and MARIAN HUBBARD, Husband and Wife, are the owners of the following described real estate, to-wit:

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) and part of Government Lots One (1), Two (2) and Three (3) all located in Section Ten (10), Township Eight (8) 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 said Section 10 and assuming the East line of said Southeast Quarter as bearing N 01°36'53" W and all bearings contained herein are relative thereto; thence N 01°36'53" W on the aforesaid East line a distance of 291.02 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 01°36'53" W on the aforesaid course a distance of 433.26 feet; thence N 77°19'40" W a distance of 875.24 feet; thence N 81°32'38" W a distance of 919.3 feet; thence N 82°20'48" W a distance of 677.0 feet; thence N 87°52'51" W a distance of 737.8 feet; thence N 86°06'35" W a distance of 1414.08 feet; thence N 84°00'23" W a distance of 742.86 feet to a point on the West line of said Government Lot 1; thence S 00°19'25" W on the aforesaid West line a distance of 1264.22 feet to the Southwest corner of said Government Lot 1; thence N 85°29'05" E a distance of 3974.63 feet; thence S 85°51'43" E a distance of 1381.8 feet to the place of beginning. Containing 102.73 acres, more or less,

and

WHEREAS, the Central Platte Natural Resources District is desirous of obtaining a conservation easement from GARY MIKE HUBBARD and MARIAN HUBBARD, Husband and Wife, on real estate legally described hereinabove and GARY MIKE HUBBARD and MARIAN HUBBARD, Husband and Wife, are desirous of selling a conservation easement to the Central Platte Natural Resources District on the real estate legally described hereinabove; and

WHEREAS, Central Platte Natural Resources District and GARY MIKE HUBBARD and MARIAN HUBBARD, Husband and Wife, have submitted a request to Buffalo County for the approval of a conservation easement on the real estate legally described hereinabove; and

WHEREAS, pursuant to NEB. REV. STAT. §76-2,112 (2009), on June 8, 2010, the Buffalo County Board of Supervisors forwarded the easement request to the Buffalo County Planning and Zoning Commission for their review and recommendations regarding the conformity of the proposed acquisition to comprehensive planning for the area; and

WHEREAS, also pursuant to NEB. REV. STAT. §76-2,112 (2009) on June 17, 2010, the Buffalo County Planning and Zoning Commission recommended approval of the easement at their regularly scheduled meeting; and

WHEREAS, this Board on June 22, 2010 conducted a public hearing on the granting of this easement and no parties spoke in disfavor of granting this easement, and

NOW, THEREFORE, BE IT RESOLVED by the Buffalo County Board of Supervisors that this Board approves grant of the designated conservation easement on the real estate legally described hereinabove and more specifically set forth in the Deed of Conservation Easement which more particularly describes the property as:

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) and part of Government Lots One (1), Two (2) and Three (3) all located in Section Ten (10), Township Eight (8) 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 said Section 10 and assuming the East line of said Southeast Quarter as bearing N 01°36'53" W and all bearings contained herein are relative thereto; thence N 01°36'53" W on the aforesaid East line a distance of 291.02 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 01°36'53" W on the aforesaid course a distance of 433.26 feet; thence N 77°19'40" W a distance of 875.24 feet; thence N 81°32'38" W a distance of 919.3 feet; thence N 82°20'48" W a distance of 677.0 feet; thence N 87°52'51" W a distance of 737.8 feet; thence N 86°06'35" W a distance of 1414.08 feet; thence N 84°00'23" W a distance of 742.86 feet to a point on the West line of said Government Lot 1; thence S 00°19'25" W on the aforesaid West line a distance of 1264.22 feet to the Southwest corner of said Government Lot 1; thence N 85°29'05" E a distance of 3974.63 feet; thence S 85°51'43" E a distance of 1381.8 feet to the place of beginning. Containing 102.73 acres, more or less.

Together with conditions of the easement and other matters as more particularly described and set forth in the Deed of Conservation Easement which this Board by reference thereto incorporates into this Resolution as if fully set forth herein, should be, and hereby is, approved.

RESOLVED FURTHER, that proponent or proponents of the easement is authorized to file copy of the Resolution against described properties and/or attach copy of this Resolution to any deed, easement, and/or other document associated with it, should they so desire.

Moved by Dannehl and seconded by Greder to approve Resolution 2010-41. Upon roll call vote, the following Board members voted "Aye": Dannehl, Greder, Klein, McMullen, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

RESOLUTION 2010-41

A RESOLUTION APPROVING CONSERVATION EASEMENT FOR THE CENTRAL PLATTE NATURAL RESOURCES DISTRICT

WHEREAS, GARY MIKE HUBBARD and SHAWN PEDRO HUBBARD a/k/a SHAWN HUBBARD, TRUSTEES OF THE AVIS L. MOLES TESTAMENTARY TRUST AND THE HAROLD M. MOLES TESTAMENTARY TRUST, are the owners of the following described real estate, to-wit:

A tract of land located in Section Three (3), Township Eight (8) North, Range Eighteen (18), West of the 6th P.M. in Buffalo County, Nebraska, more particularly described as follows: All of Lot Three (3), except the tract of 15.07 acres lying east and north of Elm Creek, and heretofore deeded to Raymond L. Hart; all of Lot Four (4); all of the South Half of the Northwest Quarter (S½NW¼) except the tract of 25.74 acres lying east of Elm and Buffalo Creeks in the east half

thereof, and heretofore deeded to Raymond L. Hart; the irregular tract situated in the Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄) and being that portion lying South of Buffalo Creek, and being all of the said Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄) not heretofore deeded to Raymond L. Hart; all of Lot Five (5); all of Lot Six (6), except the tract consisting of 2.67 acres lying north of Buffalo Creek heretofore deeded to Raymond L. Hart; all of Lot Seven (7) lying west of Buffalo Creek, and being all of Lot Seven (7) not heretofore deeded to Raymond L. Hart; expressly subject, however, as to said Lots Five (5), Six (6) and Seven (7), to the irregular tracts along the south side thereof heretofore conveyed or condemned; and except a tract described in Return of Appraisers filed at Book 42, Page 223 of the Miscellaneous Records of Buffalo County, Nebraska,

and

WHEREAS, the Central Platte Natural Resources District is desirous of obtaining a conservation easement from GARY MIKE HUBBARD and SHAWN PEDRO HUBBARD a/k/a SHAWN HUBBARD, TRUSTEES OF THE AVIS L. MOLES TESTAMENTARY TRUST AND THE HAROLD M. MOLES TESTAMENTARY TRUST, on real estate legally described hereinabove and GARY MIKE HUBBARD and SHAWN PEDRO HUBBARD a/k/a SHAWN HUBBARD, TRUSTEES OF THE AVIS L. MOLES TESTAMENTARY TRUST AND THE HAROLD M. MOLES TESTAMENTARY TRUST, are desirous of selling a conservation easement to the Central Platte Natural Resources District on the real estate legally described hereinabove; and

WHEREAS, Central Platte Natural Resources District and GARY MIKE HUBBARD and SHAWN PEDRO HUBBARD a/k/a SHAWN HUBBARD, TRUSTEES OF THE AVIS L. MOLES TESTAMENTARY TRUST AND THE HAROLD M. MOLES TESTAMENTARY TRUST, have submitted a request to Buffalo County for the approval of a conservation easement on the real estate legally described hereinabove; and

WHEREAS, pursuant to NEB. REV. STAT. §76-2,112 (2009), on June 8, 2010, the Buffalo County Board of Supervisors forwarded the easement request to the Buffalo County Planning and Zoning Commission for their review and recommendations regarding the conformity of the proposed acquisition to comprehensive planning for the area; and

WHEREAS, also pursuant to NEB. REV. STAT. §76-2,112 (2009) on June 17, 2010, the Buffalo County Planning and Zoning Commission recommended approval of the easement at their regularly scheduled meeting; and

WHEREAS, this Board on June 22, 2010 conducted a public hearing on the granting of this easement and no parties spoke in disfavor of granting this easement, and

NOW, THEREFORE, BE IT RESOLVED by the Buffalo County Board of Supervisors that this Board approves grant of the designated conservation easement on the real estate legally described hereinabove and more specifically set forth in the Deed of Conservation Easement which more particularly describes the property as:

A tract of land located in Section Three (3), Township Eight (8) North, Range Eighteen (18), West of the 6th P.M. in Buffalo County, Nebraska, more particularly described as follows: All of Lot Three (3), except the tract of 15.07 acres lying east and north of Elm Creek, and heretofore deeded to Raymond L. Hart; all of Lot Four (4); all of the South Half of the Northwest Quarter (S¹/₂NW¹/₄) except the tract of 25.74 acres lying east of Elm and Buffalo Creeks in the east half thereof, and heretofore deeded to Raymond L. Hart; the irregular tract situated in the Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄) and being that portion lying South of Buffalo Creek, and being all of the said Southwest Quarter of the Northeast Quarter (SW¹/₄NE¹/₄) not heretofore deeded to Raymond L. Hart; all of Lot Five (5); all of Lot Six (6), except the tract consisting of 2.67 acres lying north of Buffalo Creek heretofore deeded to Raymond L. Hart; all of Lot Seven (7) lying west of Buffalo Creek, and being all of Lot Seven (7) not heretofore deeded to Raymond L. Hart; expressly subject, however, as to said Lots Five (5), Six (6) and Seven (7), to the irregular tracts along the south side thereof heretofore conveyed or condemned; and except a tract described in Return of Appraisers filed at Book 42, Page 223 of the Miscellaneous Records of Buffalo County, Nebraska.

Together with conditions of the easement and other matters as more particularly described and set forth in the Deed of Conservation Easement which this Board by reference thereto incorporates into this Resolution as if fully set forth herein, should be, and hereby is, approved.

RESOLVED FURTHER, that proponent or proponents of the easement is authorized to file copy of the Resolution against described properties and/or attach copy of this Resolution to any deed, easement, and/or other document associated with it, should they so desire.

Thereafter the Board continued discussion and consideration of Application for Zoning Map amendment as submitted by M3 Properties LLC. Previously on June 8, 2010, the Board conducted a public hearing on the application. At request of the Board Mr. Hoffmeister, Deputy Buffalo County Attorney; Leanne Klein, Buffalo County Zoning Administrator; Craig Bennett and Mike Rost for the applicant were called upon to give additional information to the Board. Also additional information was given by Anita Loveless. Thereafter, Klein moved, and McMullen seconded that the following resolution be adopted by the Board. Upon roll call vote, the following Board members voted "Aye": Klein, McMullen, Greder, Morrow and Pierce. Nay: Dannehl. Absent: Loewenstein. Motion declared carried.

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WHEREAS, M3 Properties, LLC filed application with the Buffalo County Clerk and/or Zoning Administrator requesting for Zoning Map amendment. Such application, as originally filed, requests a change of roughly 28-acres now zoned Agricultural Residential (AGR) to Agricultural (AG) district for real estate hereinafter described as "subject property", and

WHEREAS, on May 20, 2010, the Buffalo County Planning and Zoning Commission following public hearing with notice as required, recommended approval of Applicant's proposed Zoning Map amendment by a 7-0 vote, and

WHEREAS, no protest(s) against such zoning map amendment were filed with the Buffalo County Clerk within 7 days of the conclusion of the Commission's public hearing as allowed under Sec. 11.4, and

WHEREAS, when the Board conducted its public hearing and considered the application, the Board took notice of Buffalo County's Comprehensive Plan and Zoning Regulations, and

WHEREAS, on June 8, 2010, this Board conducted a public hearing considering this request to amend zoning map and finds:

1. The minutes of the Planning and Zoning meeting and application together with attachments as submitted should be and hereby are incorporated herein in their entirety as if set forth herein.
2. Applicant has submitted a survey to better describe the subject property that is identified in the Zoning Map Amendment now on file.
3. The subject property on its south side abuts Nebraska State Highway #40. The north boundary of the subject property roughly abuts the Wood River. Situated to the west of the subject property is a single family dwelling and a farmstead. Other than this one dwelling, the subject property is surrounded by commercial agricultural uses consistent with the Agricultural District. The subject property is situated about one and one-half miles northwest of the Village of Riverdale. The District Map boundary between the AGR and AG District runs along the north section line of the subject property. The subject property does not abut the AG District but the westernmost and northernmost boundaries of it are no more than approximately four hundred yards from the zoning district boundary.
4. Applicant submitted to the Board an initial plan of development for the subject property consisting of bulk storage of grain. That is a use by right in the Agricultural (AG) District. The Board appreciates such planning, but knows that applicant is not bound by such plans if the zoning map is amended. A zoning map amendment from AGR and AG allows all permissible uses in the Agricultural (AG) Zoning District.
5. The Buffalo County Planning and Zoning Commission suggested no conditions to be placed upon the property as a condition to amend zoning map.
6. The requested zoning map amendment and the uses that would follow would have minimal adverse affect on surrounding properties with consideration given to properties and surrounding areas. The subject property abuts a two-lane State highway. The evidence given to the Board at public hearing indicated that this highway was used by approximately 3,440 vehicles per day. Buffalo County Comprehensive Plan on Table 6.1 indicates this highway in 1996 had a daily traffic count of 1,480 and 1998 of 1,725. Also because the subject property is located partially in a flood plain and it is close to a river, it cannot be used for confined animal feeding operations at a greater number than could exist in the AGR District, even if it could be allowed to exist. The subject property, although zoned AGR since Buffalo County has adopted zoning, has been listed for sale and although partially sold as the subject property, it has not developed into rural residential housing. The Board believes that this lack of intensification of use probably because the subject property is partially within a flood plain and it lies low to the highway next to it. These conditions are not desirable for rural residential land use other than general farming. The requested map amendment from AGR to AG District potentially could allow other more intensive uses allowed by special permit in the AG District. However, the Board feels that if such special use applications were to occur, then the Board could place more land use conditions as to how the property could be developed to keep the uses compatible with the neighborhood.
7. The anticipated use, bulk grain storage, was objected to by surrounding property owners at the June 22, 2010 meeting. It was noted that if a bulk grain storage facility were to be located to the west of the parties' houses, i.e. north of Highway #40 and west of Evergreen Road, the facility could be placed at such location as a use by right in the AG zoning district.
8. The request for zoning map amendment for the subject property is consistent with the overall comprehensive plan adopted by Buffalo County, Nebraska.

WHEREAS, this Board has reviewed Applicant's application for zoning map amendment and incorporates such application into this resolution with real estate survey description as resubmitted as if fully set forth herein as the same is filed with the County Clerk and/or Zoning Administrator, and

WHEREAS, only a simple majority vote of members of the Board of Supervisors is needed to adopt the requested Map Amendment, and

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS that the application for zoning map amendment for changing the subject property from the Agricultural Residential (AGR) to Agricultural (A) District as requested by applicant is approved, and

BE IT FURTHER RESOLVED that the Buffalo County Zoning Map originally adopted on or about September 10, 2002, shall be amended to reflect adoption of this resolution and copy of this resolution shall be filed against the subject property, and

BE IT FURTHER RESOLVED that the "subject property" is and shall be described as:

A tract of land being part of Government Lots 5, 6, and 8, Section Thirty-One (31), Township Ten (10) North, Range Sixteen (16) West, of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of said Government Lot 8 and assuming the East line of said Lot as bearing N 01°06'23" W and all bearings shown hereon are relative thereto; thence N 01°06'23" W on said East line a distance of 499.14 feet to a point on the Northeasterly Right-of-Way line of Nebraska State Highway Number 40 and the POINT-OF-BEGINNING; thence continuing N 01°06'23" W on said East line a distance of 850.65 feet to the centerline of the Wood River; thence S 81°32'27" W along said centerline a distance of 194.19 feet; thence N 70°47'08" W continuing along said centerline a distance of 176.22 feet; thence N 58°41'06" W continuing along said centerline a distance of 178.35 feet; thence N 44°49'19" W continuing along said centerline a distance of 226.68 feet; thence N 44°25'36" W continuing along said centerline a distance of 277.98 feet; thence N 23°04'58" W continuing along said centerline a distance of 323.79 feet; thence N 63°42'13" W continuing along said centerline a distance of 77.22 feet; thence S 87°21'03" W continuing along said centerline a distance of 216.12 feet; thence S 74°39'40" W

continuing along said centerline a distance of 101.67 feet; thence S 49°05'35" W continuing along said centerline a distance of 128.67 feet; thence S 77°40'21" W continuing along said centerline a distance of 110.94 feet; thence N 44°37'41" W continuing along said centerline a distance of 129.93 feet; thence S 04°40'26" W leaving said centerline a distance of 259.74 feet to a 5/8" rebar; thence S 46°59'25" E a distance of 158.86 feet to a 5/8" rebar; thence S 79°44'42" E a distance of 176.43 feet to a 5/8" rebar; thence S 36°56'16" E a distance of 32.60 feet to a 5/8" rebar; thence S 19°39'48" W a distance of 333.28 feet to a 5/8" rebar on the Northeasterly Right-of-Way line of Nebraska State Highway Number 40; thence S 60°00'26" E continuing on said Northeasterly Right-of-Way line a distance of 1746.52 feet to the point of beginning. Containing 28.50 acres, more or less.

Moved by McMullen and seconded by Klein to move into Executive Session at 11:34 A.M. to discuss contract negotiations. In addition to Board members responding to roll call, Deputy County Attorney Andrew Hoffmeister was present. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Greder, Morrow and Pierce. Absent: Loewenstein. Motion declared carried.

Moved by Greder and seconded by Morrow to return to the open meeting at 11:45 A.M. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Dannehl, Klein, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Chairman Pierce noted that the Road Department requested that one of the previously approved checks written to Werner Construction be reduced by \$5,626.02. Moved by Greder and seconded by Klein to authorize the County Clerk to change the amount of the claim accordingly. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Dannehl, Morrow, McMullen and Pierce. Absent: Loewenstein. Motion declared carried.

Chairman Pierce asked if there was anything else to come before the Board at 11:46 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, July 13, 2010 at 9:00 A.M.