

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

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, November 9, 2010 at 9:00 A.M and 10:30 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, Timothy Loewenstein, William McMullen, Sherry Morrow and Richard Pierce. Absent: Kent Greder. 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 meeting in advance, thereof. Notice of the meeting was simultaneously given to all Board members; and availability of the agenda was communicated in the advance notice and in the notice 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. Deputy County Attorney Andrew Hoffmeister was present.

Chairman Pierce called for Citizen's forum and no one was present to address the Board.

CONSENT AGENDA

Chairman Pierce stated that the practice of approving the Consent Agenda without a formal motion will change to a roll call vote with everyone recusing themselves from approving any claim for themselves or a member of their family. Chairman Pierce inquired if there was anything which needed to be removed from the Consent agenda. Moved by Morrow and seconded by Dannehl to approve the Consent Agenda as presented. Upon roll call vote, the following Board members voted "Aye" with the disclaimer of recusing themselves on any claim for themselves or for the benefit of any family member: Morrow, Dannehl, Klein, Loewenstein, McMullen and Pierce. Absent: Greder. None voted "Nay".

GENERAL COUNTY BUSINESS

1. Approve November 2, 2010 minutes
2. Accept reports
 - Buffalo County Treasurer October 2010 Fund Balance Report
 - Clerk of the District Court October 2010 Report
 - Veteran's Service Quarterly Report
 - Community Action Partnership of Mid-Nebraska R.Y.D.E Report for September 2010

JUSTICE CENTER PROJECT

Bill Barritt from Beckenhauer Construction was present for updated reports on the Justice Center Project. Barritt reviewed the following Phase 2 Courts Change Orders before action was taken: Change Request 26 in the amount of \$2,905.00; Change Request 27 in the amount of \$3,427.00; Change Request 28 in the amount of \$3,383.00; Change Request 29 in the amount of \$1,893.00. Moved by Dannehl and seconded by Loewenstein to approve the above Change Orders as reviewed. Upon roll call vote, the following Board members voted "Aye": Dannehl, Loewenstein, Klein, McMullen, Morrow and Pierce. Absent: Greder. Motion declared carried.

REGULAR AGENDA

Chairman Pierce reviewed the following correspondence with the Board. Thank you note from the County Attorney's office for the Employee Appreciation Picnic was received. Thank you note from Two Rivers Public Health was noted. Invitation to retirement party for the Fillmore County Assessor and Board member was received. Highway Superintendent forwarded a letter from the residents of Eagle Road regarding safety issues. NIRMA sent an invitation to the awards luncheon and correspondence regarding NIRMA Board membership. Goldberg, Sullivan, McCreery sent correspondence about the water softener for Phase 1B and 2. Central Platte Natural Resources District sent their newsletter. "The Family Day-A Day to Eat Dinner with your Family" reminder was sent from the Center on Addiction and Substance Abuse. Chairman Pierce then called on each Board member for the various committee reports.

Lori M Wilkins, owner/operator of the Sandbar in Pleasanton was present to request the approval of a special designated liquor license for an event on November 27, 2010. After reviewing the County Sheriff's office report, it was moved by Loewenstein and seconded by Dannehl to approve the request. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Klein, McMullen, Morrow and Pierce. Absent: Greder. Motion declared carried.

Moved by Loewenstein and seconded by Morrow to refer the Deed of Conservation Easement between Dennis P. Sherrerd, Trustee, Christine J. Sherrerd, Trustee, Richard M. Clark, Trustee and Platte River Recovery Implementation Foundation to the Planning and Zoning Commission for review and recommendation. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Morrow, Dannehl, Klein, McMullen and Pierce. Absent: Greder. Motion declared carried.

Bruce Sackett, Land Specialist for Platte River Recovery Implementation Foundation, was present to address the Board. The Board had contacted Sackett to answer some questions that had arisen during Citizen's forum on September 14, 2010 Board meeting and he was unable to attend the meeting at that time. Discussion was held on the project. No formal action is necessary.

Roger Jasnoch, Director of Visitors Bureau and Ben Holl were present for the next Agenda item. Moved by Dannehl and seconded by Klein to approve Ben Holl as the new Visitors Bureau Board member. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Loewenstein, McMullen, Morrow and Pierce. Absent: Greder. Motion declared carried.

Moved by McMullen and seconded by Klein to accept the bid from Fairbanks of Kearney for one New Holland LS-180 with options to trade in of a 2002 New Holland LS-160 for the amount of \$23,160.00. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Loewenstein, Morrow and Pierce. Absent: Greder. Motion declared carried.

Moved by McMullen and seconded by Dannehl to accept the bid from the Nebraska Truck Center of Grand Island for one new 2011 Freightliner M2-112 Twin Screw Cab and Chassis for the amount of \$90,628.00. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Klein, Loewenstein, Morrow and Pierce. Absent: Greder. Motion declared carried.

Discussion followed on Federal Bridge funds and current projects with Highway Superintendent Ron Sklenar. No action was taken at this time.

Moved by Klein and seconded by Morrow to recess the regular meeting of the Board of Supervisors at 10:22 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. County Assessor Joe Woodward and County Treasurer Jean Sidwell were present.

Moved by Dannehl and seconded by Loewenstein to approve tax list corrections 3699 through 3704 as submitted by County Assessor Joe Woodward. Upon roll call vote, the following Board members voted "Aye": Dannehl, Loewenstein, Klein, McMullen, Morrow and Pierce. Absent: Greder. Motion declared carried.

Moved by Morrow and seconded by McMullen to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Community Action Partnership of Mid Nebraska on two 2010 Ford Expeditions. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Dannehl, Klein and Loewenstein. Abstain: Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Dannehl and seconded by Klein to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Servants of Mary on a 2007 Toyota 4 door. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Loewenstein, McMullen, Morrow and Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Loewenstein and seconded by Morrow to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Christian Heritage Children's Homes on a 2005 Chrysler van. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Morrow, McMullen, Dannehl, Klein and Loewenstein. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by McMullen and seconded by Loewenstein to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Kearney Church of the Nazarene on a 2006 Ford van. Upon roll call vote, the following Board members voted "Aye": McMullen, Loewenstein, Dannehl, Klein, Morrow and Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Dannehl to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Good Samaritan Society of Gibbon on a 2010 Ford van. Upon roll call vote, the following Board members voted "Aye": Klein, Dannehl, Loewenstein, McMullen, Morrow and Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by McMullen and seconded by Dannehl to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Sisters of St. Francis on a 2002 Toyota 4 door. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Klein, Loewenstein, Morrow and Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by McMullen and seconded by Klein to recess the Board of Equalization at 10:28 A.M. and to return to the regular meeting of the Board of Supervisors. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

Don Workman from MAXIMUS Consulting Services was present to discuss the indirect cost recovery contract. No action was taken at this time.

ZONING

Chairman Pierce opened the public hearing for a zoning map amendment requested by Joel Randall on behalf of Randall Land & Cattle Co., Inc. in the SW ¼ of Section 33, Township 10 North, Range 14 West of the 6th p.m., Buffalo County, Nebraska from Agricultural to Agricultural-Residential. Deputy County Attorney Andrew Hoffmeister and Zoning Administrator LeAnn Klein were present. Joel Randall and Kristin Randall were present to review the application and answer questions. Leon Wilson, Sina Martin Lehn and Janice Martin also addressed the Board. This application came to the Board from the Planning and Zoning Commission with the following conditions: limit of 16 lots with one residence per lot and a limit of two access roads off the Ravenna Road. Chairman Pierce closed the public hearing at 11:32 A.M. The decision on this permit is deferred to the November 23, 2010 Board meeting.

Wes Ehlers, Sequoia Consulting Group was present to discuss the indirect cost recovery contract. No action was taken at this time.

Chairman Pierce asked if there was anything else to come before the Board at 12:12 P.M. before he declared the meeting adjourned until the regular meeting on Tuesday, November 23, 2010 at 9:00 A.M.