

**REORGANIZATION MEETING
BUFFALO COUNTY BOARD OF SUPERVISORS
TUESDAY, JANUARY 11, 2011
9:00 A.M.**

County Clerk Janice Giffin called the Reorganization Meeting of the Buffalo County Board of Supervisors to order. Following the Pledge of Allegiance, the County Board members responded to roll call as follows; Joseph Brayton, Horace Dannehl, Kent Greder, William McMullen, Sherry Morrow and Richard Pierce. Absent: Ivan Klein. County Clerk Giffin announced that a quorum was present to conduct County business and that posting and publishing gave notice of the meeting in advance, thereof. Notice of the meeting was simultaneously given to all members of the Board of Supervisors; and availability of the agenda was communicated in the advance notice and in the notice to the Board of Supervisors 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 of Supervisors is attached to these minutes. In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton was present.

County Clerk Janice Giffin called for the election of a Chairman. McMullen nominated Richard Pierce for Chairman of the Buffalo County Board of Supervisors, which was seconded by Greder. County Clerk Giffin called for nominations three times. There were no further nominations. Moved by McMullen and seconded by Greder that nominations cease and that Richard Pierce be declared the Chairman by acclamation. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Brayton, Dannehl and Morrow. Abstain: Pierce. Absent: Klein. Motion declared carried.

County Clerk Janice Giffin turned the meeting over to Chairman Richard Pierce.

Chairman Pierce called for the election of a Vice Chairman. Moved by McMullen and seconded by Morrow to nominate Horace Dannehl as Vice Chairman of the Buffalo County Board of Supervisors. There were no further nominations. Moved by McMullen and seconded by Morrow that nominations cease and that Horace Dannehl be elected the Vice Chairman by acclamation. Upon roll call vote, the following Board members voted "Aye": McMullen, Morrow, Brayton, Dannehl, Greder and Pierce. Absent: Klein. Motion declared carried.

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

Moved by Morrow and seconded by Dannehl to approve the following list of Depositories for County Monies. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, McMullen and Pierce. Absent: Klein. Motion declared carried.

Bank of the West	Heritage Bank	Farmers & Merchants Bank-Kearney
Exchange Bank of Gibbon	First State Bank	Platte Valley State Bank & Trust
State Bank of Riverdale	Great Western Bank	Town & Country Ravenna
FirsTier Bank of Kearney	FirsTier Bank of Elm Creek	Five Points Bank
Wells Fargo Bank	Geneva State Bank	U.S. Bank

Moved by Morrow and seconded by Greder to authorize Buffalo County Treasurer Jean Sidwell to invest the County funds. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Brayton, Dannehl, McMullen and Pierce. Absent: Klein. Motion declared carried.

Chairman Pierce then made the following Agency Appointments/County Board Representatives.

- Airport Zoning Board-William McMullen
- Buffalo County Community Partners Board of Directors-Joe Brayton
- Buffalo County Economic Development Council-Hoss Dannehl & Richard Pierce
- Buffalo County Extension Board-Kent Greder
- Community Action Partnership of Mid-Nebraska Board-Richard Pierce
- Kearney Area Visitors Bureau Advisory Board-William McMullen
- Mid-NE Individual Services Advisory Board-Ivan Klein
- Region III Governing Board-Sherry Morrow
- Solid Waste Agency-Sherry Morrow
- South Central Economic Development Council-Lynn Rauner
- South Central NE Area Agency on Aging Governing Board-Ivan Klein
- Two River Public Health Department-Richard Pierce
- Cottonmill Park Advisory Board-Joe Brayton

Chairman Pierce then made the following miscellaneous appointments:

- Appointment of County Medical Doctor- the on-call Doctor belonging to the Co. Medical Association
- Legal Newspaper Designations- The Kearney Hub and the Gibbon Reporter
- Buffalo County NIRMA (Nebraska Intergovernmental Risk Management Association) Contact –Jan Giffin

Board of Supervisors Committees

Budget & Finance Committee Sherry Morrow
Bill McMullen
Dick Pierce

Building & Grounds & IT Committee Hoss Dannehl
Sherry Morrow
Jake Greder

Construction Oversight Committee Dick Pierce
Hoss Dannehl
Sherry Morrow

Court & Judicial Committee Joe Brayton
Jake Greder
Ivan Klein

Human Resource/Insurance Jake Greder
Sherry Morrow
Bill McMullen

Law Enforcement/Public Safety Committee Ivan Klein
Jake Greder
Bill McMullen

Road & Bridge Committee Bill McMullen
Hoss Dannehl
Ivan Klein

Weed Committee Ivan Klein,
Hoss Dannehl
Bill McMullen

Veterans Service Committee Joe Brayton
Bill McMullen
Dick Pierce

Zoning Committee Hoss Dannehl
Sherry Morrow
Joe Brayton

Reorganization Committee Bill McMullen
Hoss Dannehl
Dick Pierce

CONSENT AGENDA

Chairman Pierce inquired if there was anything which needed to be removed from the Consent agenda. Moved by Dannehl and seconded by McMullen 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: Dannehl, McMullen, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted “Nay”.

GENERAL COUNTY BUSINESS

1. Approve December 28, 2010 Board minutes
2. Accept Reports
 - Buffalo County Treasurer December 2010 Report
 - Clerk of the District Court December 2010 Report
3. Miscellaneous County Business
 - Approve early claims

County Clerk Janice Giffin submitted the following claim for approval.

ROAD FUND		
STATE OF NEBRASKA	FUEL TAX	2,450.00

JUSTICE CENTER PROJECT

Due to the weather, Bill Barritt from Beckenhauer Construction was unable to attend the meeting but sent the following Contract Change Orders 11 and 12 of the Phase 1B Project. Copies were distributed to the Board members at the meeting. Moved by Dannehl and seconded by Morrow to approve Contract Change Order 11 which is a compilation of Change Request 108 and 109. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, McMullen and Pierce. Absent: Klein. None voted "Nay".

Moved by Dannehl and seconded by Morrow to approve Contract Change Order 12 which is a final Change Order and a credit back of \$227,578.87. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, McMullen and Pierce. Absent: Klein. None voted "Nay".

REGULAR AGENDA

Chairman Pierce reviewed the following correspondence with the Board. Newsletters were received from Nebraska Farm Service Agency and Central Platte Natural Resources District. NIRMA quarterly loss reports were received. Commercial Investment Services sent notice of available HUD approved Section 8 housing. KARR Tuckpointing sent notice of building inspection services. Nebraska State Historical Society sent notice that Harmon Park is listed on the National Register of Historic Places.

Moved by Dannehl and seconded by McMullen to authorize Chairman Pierce to sign maintenance agreement with Midwest Engine Services for the Standby Generator at the Jail. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Chairman Pierce then called on each Board member present for committee reports and recommendations

Chairman Pierce stated that on December 28, 2010 a plaque resolution was presented to Supervisor Loewenstein for his years of service to Buffalo County. At that time there were not enough Board members present to formally pass the resolution. Moved by Greder and seconded by Dannehl to approve the following Resolution 2011-01. Upon roll call vote, the following Board members voted "Aye": Greder, Dannehl, McMullen, Morrow and Pierce. Abstain: Brayton. Absent: Klein. None voted "Nay".

RESOLUTION 2011-01

RESOLUTION OF COMMENDATION

WHEREAS, Timothy Loewenstein began his term of office as Buffalo County Supervisor for District 3 on May 22, 1990; and

WHEREAS, Timothy has now served Buffalo County for twenty years

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS that Timothy Loewenstein be commended with a unanimous vote of appreciation for his dedicated and loyal service to Buffalo County for twenty years as Buffalo County Supervisor for District 3.

BE IT FURTHER RESOLVED, that good wishes for health, happiness and prosperity be extended to Timothy Loewenstein from this date forward.

Moved by Morrow and seconded by McMullen to amend the previously approved, July 27, 2010 Board minutes to include the payroll totals which were inadvertently left out by the County Clerk. The Board actually approved the payroll through the consent Agenda but the payroll totals were not listed. County Clerk will insert them into the July 27, 2010 record. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Dannehl, Greder and Pierce. Abstain: Brayton. Absent: Klein. None voted "Nay".

On December 28, 2010 the Board approved the mileage reimbursement rate at 51 cents as recommended by Administrative Services and the County Sheriff rate at 56 cents per mile. Moved by McMullen and seconded by Dannehl to amend the County Sheriff reimbursement mileage rate for serving papers to 54 cents per mile effective January 1, 2011. The regular reimbursement rate will remain at 51 cents per mile. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Doug Kramer, Administrator of Buffalo County Juvenile Services, was present to discuss the Juvenile Service County Aid Grant application with the Nebraska Crime Commission. Moved by Morrow and seconded by McMullen to authorize Chairman Pierce to sign the Nebraska Crime Commission grant application that Kramer has prepared. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Brayton, Dannehl, Greder and Pierce. Absent: Klein. None voted "Nay".

Bond Underwriter Tom Chapman from Raymond James and Associates was present to discuss the possibility of refinancing the 2008 General Obligation Bonds that were issued to finance the Justice Center Project. Curtis Christensen, legal counsel from the Kutak Rock law firm prepared and submitted a draft resolution for approval. Moved by McMullen and

seconded by Morrow to approve Resolution 2011-02, which is a 48 page document for refinancing the 2008 Bond issue. Resolution 2011-02 is available for public inspection in the County Clerk's office during regular business hours. A copy is also on file with the Board Administrator. Upon roll call vote, the following Board members voted "Aye": McMullen, Morrow, Brayton, Dannehl, Greder and Pierce. Absent: Klein. None voted "Nay".

Highway Superintendent Ron Sklenar was present for the following Agenda items. Moved by McMullen and seconded by Dannehl to set bid date of February 8, 2011 for Maintenance Asphalt Overlay Projects. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Moved by McMullen and seconded by Morrow to set bid date of February 8, 2011 for C10 (1407) Shelton South project. Upon roll call vote, the following Board members voted "Aye": McMullen, Morrow, Brayton, Dannehl, Greder and Pierce. Absent: Klein. None voted "Nay".

Moved by McMullen and seconded by Greder to set January 25, 2011 at 10:00 A.M. for the One and Six Year Road and Bridge Board Review. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Brayton, Dannehl, Morrow and Pierce. Absent: Klein. None voted "Nay".

Moved by McMullen and seconded by Brayton to set date of February 8, 2011 for Buffalo County One and Six Year Public Hearing. Upon roll call vote, the following Board members voted "Aye": McMullen, Brayton, Dannehl, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Moved by McMullen and seconded by Dannehl to recess the regular meeting of the Board of Supervisors at 10:30 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 McMullen to approve tax list correction 3705 as submitted by County Assessor Joe Woodward. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Moved by Dannehl and seconded by McMullen to approve tax list correction 3706 through 3724 as submitted by County Assessor Joe Woodward. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Brayton, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay".

Moved by Morrow and seconded by Brayton to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for First United Methodist Church on a 2001 Chevrolet van. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Dannehl, Greder, McMullen and Pierce. Absent: Klein. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by McMullen to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for American Red Cross on a 1998 Plymouth van. Upon roll call vote, the following Board members voted "Aye": Brayton, McMullen, Dannehl, Greder, Morrow and Pierce. Absent: Klein. None voted "Nay". Motion declared carried.

Moved by Greder 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 2003 Ford Taurus. Upon roll call vote, the following Board members voted "Aye": Greder, Dannehl, Brayton, McMullen, Morrow and Pierce. Absent: Klein. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Morrow to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Good Samaritan Health Systems on the following vehicles: 1998 Ford, 1999 Ford, 1999 Dodge, 2000 Ford, three 2002 Fords, three 2003 Fords, 2003 Pontiac, two 2005 Dodges, 2006 Dodge, 2006 Ford, 2007 Ford, 2008 Ford and 2010 Chevrolet. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Brayton, Dannehl, McMullen and Pierce. Absent: Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Dannehl to recess the Board of Equalization at 10:36 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.

ZONING

Chairman Pierce opened the public hearing at 11:00 A.M. for a zoning map amendment requested by Gale Luther on behalf of Wayne Patrick & Catherine Luther in part of the N1/2 of Section 19, Township 9 North, Range 18 West of the 6th p.m., Buffalo County, Nebraska from Agricultural to Agricultural-Residential. Deputy County Attorney Andrew Hoffmeister was present to review what the Planning and Zoning Commission recommended. Applicants Gale Luther and Pat Luther were

present and the following three Exhibits were entered into the record: Exhibit 1, seven pictures of the property; Exhibit 2 five pictures of samples homes that have been built by Gale Luther and Exhibit 3 an aerial map of the current property from the United States Department of Agriculture Farm Service Agency. Justin Sindt was present to address the Board. Sindt has property adjacent to the proposed map amendment and voiced his concerns about the request. Chairman Pierce closed the public hearing at 11:35 A.M.

Moved by Greder and seconded by McMullen to table the decision until the January 25, 2011 Board meeting. Greder stated that he would like a chance to view the property in question and because of the weather was unable to do this prior to this meeting. Upon roll call vote, the following Board members voted "Aye": Greder, McMullen, Brayton, Dannehl, Morrow and Pierce. Absent: Klein. None voted "Nay". Motion declared carried.

Chairman Pierce asked if there was anything else to come before the Board at 11:37 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, January 25, 2011 at 9:00 A.M.