

**BUFFALO COUNTY BOARD OF SUPERVISORS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 27, 2011  
9:00 A.M**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, September 27, 2011 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: Joseph Brayton, Horace Dannehl, Kent Greder, Ivan Klein, William McMullen, Sherry Morrow and Richard Pierce. 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 Attorney Shawn Eatherton arrived at 9:55 AM. County Clerk Janice Giffin took all proceedings hereinafter shown while said meeting was open to the public.

Chairman Pierce called for Citizen’s forum and no one was present to address the Board. Emergency Manager Darrin Lewis was present for Elected and Appointed Officials reports.

**REGULAR AGENDA**

Moved by Brayton and seconded by McMullen to approve the September 13, 2011 Board meeting minutes. Upon roll call vote, the following Board members voted “Aye”: Brayton, McMullen, Dannehl, Greder, Klein, Morrow and Pierce. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Klein to accept the Community Action Partnership of Mid-Nebraska R.Y. D. E. Report for August 2011. Upon roll call vote, the following Board members voted “Aye”: Morrow, Klein, Brayton, Dannehl, Greder, McMullen, and Pierce. None voted “Nay”. Motion declared carried.

Moved by McMullen and seconded by Klein to approve the following September 2011 payroll claim totals submitted by the County Clerk. 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: McMullen, Klein, Brayton, Dannehl, Greder, Morrow and Pierce. None voted “Nay”. Motion declared carried.

<b>FUND</b>	<b>NET PAYROLL</b>
GENERAL	378,762.00
ROAD	96,535.05
WEED	10,067.90
TOTAL	485,364.95

Moved by Morrow and seconded by Dannehl to approve the following September 2011 Vendor claim totals submitted by the County Clerk. Upon roll call vote, the following Board members voted “Aye”: Morrow, Dannehl, Brayton, Greder, Klein, McMullen, and Pierce. None voted “Nay”. Motion declared carried

<b>GENERAL FUND</b>			
A & D TECHNICAL SUPPLY	SU	SUPPLIES	351.00
A NEW DAY COUNSELING CENTER	E	TESTIMONY	166.25
ACE HARDWARE	SU	SUPPLIES	34.48
ADAMS CO SHERIFF	E	SVC FEES	19.00
ALAMAR UNIFORMS	SU	UNIFORMS	851.93
ALL MAKES AUTO	E	REPAIRS	952.77
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,728.52
AMERITAS LIFE INSURANCE CORP	I	EMPE RET	63,082.70
MANDI J AMY	RE	REIMBURSE	25.00
AS CENTRAL FINANCE	S	SVC FEES	1,343.99
ASSOCIATED STAFFING	E	TESTING	80.00
ATS	S	REPAIRS	728.20
MICHAEL W BALDWIN	S	LEGAL	1,383.25
BAMFORD INC	S	INSPECTION	315.00
DEAN BATIE	RE	REIMBURSE	8.00
BEAR FRAME	S	MAINTENANCE	229.95
MELODIE TURNER BELLAMY	RE	REIMBURSE	45.00
BLUE CROSS BLUE SHIELD OF NE	I	PREMIUMS	33,058.79

BOB BARKER COMPANY	E	COMMISSARY	845.26
BOB'S SUPER STORE	E	PHOTO FINISH	33.20
BOCKSTADTER LAW OFFICE	S	LEGAL	429.50
LONNIE BOHN	RE	REIMBURSE	18.87
BRIAN BOSSHAMER	RE	REIMBURSE	63.50
JONATHAN R BRANDT	E	LEGAL	1,812.78
CHARLES BREWSTER	S	LEGAL	4,443.55
BUFFALO CO TREAS/HEALTH RESERVE	I	HEALTH RESERVE	90,949.49
BUFFALO CO ATTORNEY	E	COURT CASES	354.00
BUFFALO CO ATTORNEY'S OFFICE	E	PETTY CASH	462.70
BUFFALO CO PUBLIC DEFENDER	E	AUG EXP	5,045.75
BUFFALO CO REGISTER OF DEEDS	SU	SUPPLIES	93.00
BUFFALO CO SHERIFF	E	SHERIFF FEES	4,409.26
BUFFALO CO TREASURER	T	DEL TAX	245.78
BUFFALO CO TREASURER PETTY CASH	E	POSTAGE	7,648.34
BUFFALO OUTDOOR POWER	S	REPAIRS	184.76
BUILDERS HOW TO WAREHOUSE	SU	SUPPLIES	134.40
MEGAN BURDA	RE	REIMBURSE	61.70
MICHAEL S BURKE	S	EVALUATION	587.42
BUTLER VOIGT AND STEWART PC	S	LEGAL	247.50
C B M FOOD SVC	S	FOOD SVC	16,635.52
CAMPBELL & LEVINE	E	POWERMATE	16.50
CARPENTER REPORTING	E	DEPOSITIONS	266.80
MICHAEL D CARPER	S	LEGAL	1,233.50
CASH WA DISTRIBUTING	SU	SUPPLIES	1,011.85
CDW GOVERNMENT CENTERS	EQ	EQUIPMENT	482.25
CENTRAL NE CREMATION	E	FEES	650.00
CENTRAL PATHOLOGY	MC	INMATE	33.41
CENTRAL PLATTE NRD	E	AGREEMENT	3,450.00
CENTURYLINK	U	TELEPHONE	47.23
CHARLESWORTH BENEFITS, L.C.	S	CONSULTING	740.00
CHARTER DATA COMMUNICATIONS	U	FIBER SVC	3,087.47
CHARTER DIGITAL COMMUNICATIONS	U	TELEPHONE	263.54
CITY OF KEARNEY	E	BOOKMOBILE	124,374.07
CLERK OF THE DISTRICT COURT	SU	SUPPLIES	41.91
CLERK OF THE DISTRICT COURT	E	COURT COSTS	1,527.00
CLERK OF THE SUPREME COURT	E	COURT COSTS	300.00
COLONIAL SUPPLEMENTAL	I	EMPE COLONIAL	83.67
RYAN CONNER	RE	REIMBURSE	7.00
CONRADS AUTO CENTER	S	REPAIRS	634.98
CONTINUUM WORLDWIDE	S	SCANNING	139.00
CORNHUSKER STATE INDUSTRIES	E	REFURBISH	1,050.00
CULLIGAN	RT	RENT	157.98
CUSTER CO SHERIFF	E	SERVICE FEES	48.72
D & J ELECTRICAL SVCS	S	REPAIRS	166.90
D & S LIGHTING	SU	SUPPLIES	275.15
DAN'S SANITATION	S	UTILITIES	15.50
DAVENPORT COURT REPORTING	E	BILL EXCEPTION	136.50
DAWSON CO COURT	E	COPIES	7.50
DAWSON CO PUBLIC POWER	U	UTILITIES	3,608.59
GLENDA DEBRIE	RE	REIMBURSE	45.39
DELL MARKETING	EQ	EQUIPMENT	1,034.98
DENNIS H NACHTIGAL, DDS	MC	INMATE	85.00
DEPARTMENT OF CORRECTIONAL SVCS	S	INMATE	725.04
DEPARTMENT OF PATHOLOGY	E	ANALYSIS	125.00
DESIGN SPECIALTIES	EQ	EQUIPMENT	249.60
DON WASSON CO	E	CARPET LAYING	220.00
DOUGLAS CO COURT	E	COPIES	3.25
DOUGLAS CO SHERIFF	E	SVC FEES	63.96
DOWHY TOWING	S	TOWING	758.00
EAKES OFFICE	SU	SUPPLIES	4,052.53
SHAWN EATHERTON	RE	REIMBURSE	185.76
ECOLAB	S	FLY DEFENSE	84.50
EDUCATIONAL SERVICE UNIT NO 10	AP	SUPPORT	10,333.34

EGAN SUPPLY	SU	SUPPLIES	28.71
ELECTION SYSTEMS & SOFTWARE	E	BALLOTS	3,590.33
ELECTRONIC SYSTEMS, INC.-2	S	MAINTENANCE	120.00
KERRY ELSEN	RE	REIMBURSE	102.86
JENNIFER EPP	RE	REIMBURSE	45.00
ESSAM'S DECORATING	E	CARPET	500.40
EUSTIS BODY SHOP	S	TOWING	423.00
FIDDELKE HEATING	S	REPAIRS	690.00
FILLMORE CO SHERIFF	E	SVC FEES	18.50
FIRST CONCORD BENEFITS	I	ADMN FEES	8,310.67
FIRST CONCORD BENEFITS	I	INSURANCE	8,231.17
FIRST CONCORD BENEFITS	I	DEDUCT ADMIN	748.00
FORT KEARNEY SHOOTING	E	MEMBERSHIP FEE	3,375.00
FRONTIER	U	TELEPHONE	12,052.19
GARRETT TIRES	S	REPAIRS	145.15
GFI USA	E	SUPPORT	4,315.40
MICHAEL GILMOUR	RE	REIMBURSE	60.00
GOOD SAMARITAN HOSPITAL	MC	INMATE	6,646.32
GRAHAM TIRE	S	REPAIRS	213.84
GRAND ISLAND DERMATOLOGY	MC	INMATE	102.86
GREAT PLAINS RADIOLOGY	MC	INMATE	107.16
GREAT-WEST	I	PREMIUMS	734.28
GREENWALL BRUNER	S	LEGAL	2,747.58
HALL CO COURT,DISTRICT NINE	E	COPIES	23.75
HALL CO DISTRICT COURT	E	COPIES	3.75
HALL CO SHERIFF	E	SVC FEES	171.77
HAND PARTNERSHIP	RT	TOWER RENTAL	7,200.00
HARLAND	SU	SUPPLIES	140.51
ANDREW W HOFFMEISTER	RE	REIMBURSE	25.00
HOLMES PLUMBING	S	REPAIRS	511.92
HOMETOWN LEASING	S	MAINTENANCE	424.12
LISA R HUERTA	E	COPIES	29.82
MITCH HUXOLL	RE	REIMBURSE	25.00
IPMA-HR	E	TESTING	473.00
JACK LEDERMAN CO	E	CONSTRUCTION	1,201.00
JACOBSEN ORR NELSON LINDSTROM	S	LEGAL	8,030.65
KELLIE JOHN	E	MILEAGE	45.90
K MART PHARMACY	MC	INMATE	824.72
KEARNEY ANESTHESIA ASSOC	MC	INMATE	141.92
KEARNEY AREA ANIMAL SHELTER	S	SERVICES	1,000.00
KEARNEY CLINIC	MC	INMATE	968.47
KEARNEY CO SHERIFF	E	SVC FEES	36.45
KEARNEY CYCLING	S	REPAIRS	68.93
KEARNEY FEDERAL CREDIT UNION	E	DEPOSITS	6,701.11
KEARNEY HUB	A	PUBLISHING	1,285.45
KEARNEY ORTHOPEDIC & FRACTURE	MC	INMATE	75.46
KEARNEY QUALITY SEW AND VAC	E	REPAIRS	61.95
KEARNEY TOWING	S	TOWING	377.20
KEARNEY UNITED WAY	E	DONATIONS	139.00
KEARNEY YAMAHA	E	MAINTENANCE	443.70
KEEFE COMMISSARY NETWORK SALES	SU	SUPPLIES	3,102.97
KELLY ELECTRIC	S	REPAIRS	135.00
KNAPP FANGMEYER ASCHWEGE BESSE	S	LEGAL	482.32
JEFF KNAPP	S	LEGAL	491.14
JEAN KNEESE	R	RETIREMENT	19.00
KONICA MINOLTA BUSINESS	AP	MAINTENANCE	2,316.92
L & S TIRE AND TOWINC	S	TOWING	149.00
LANCASTER CO SHERIFF	E	SERVICE FEES	6.59
LANCASTER CO YOUTH SVC CENTER	E	COURT COSTS	1,829.00
LASERTEC OF NE	SU	SUPPLIES	678.64
PATRICK LEE	RE	REIMBURSE	45.00
LIBERTY SVCS	S	CLEANING	1,038.49
LINCOLN CO COURT	E	COPIES	4.75
LINCOLN CO SHERIFF	E	SVC FEES	26.78

STEPHEN G LOWE	S	LEGAL	656.25
MADISON NATIONAL LIFE	I	PREMIUMS	409.29
MARRIOTT HOTELS	E	LODGING	72.00
JOHN MARSH	E	SECRETARY EXP	930.67
SHARON MAULER	E	MILEAGE	48.40
MICHAEL MEFFERD	RE	REIMBURSE	25.00
JOHN C MEIDLINGER	S	EVALUATIONS	1,200.00
MENARDS	E	REPAIRS	156.75
MERRICK CO SHERIFF	E	SVC FEES	18.00
METHE COMMUNICATIONS	S	REPAIRS	4,757.50
RACHEL MEYER	E	WITNESS	20.00
MICROFILM IMAGING	S	SCANNING	750.00
MICROFILM SERVICE BUREAU	E	MICROFILM	720.66
MID AMERICA PAY PHONES	U	PAY PHONE	40.00
MIDTOWN WESTERN INN	E	LOGDING	96.00
MIDWAY CHEVROLET	S	REPAIRS	146.49
MIPS INC	AP	MAINTENANCE	1,468.44
NACO	E	REGISTRATION	370.00
NATIONAL TACTICAL OFFICERS	E	DUES	40.00
NATIONWIDE RETIREMENT	E	DEFERRED COMP	3,029.64
NCSEA	E	REGISTRATION	150.00
NE SAFETY & FIRE	S	REPAIRS	296.15
NE CENTRAL TELEPHONE	U	TELEPHONE	311.24
NE CHILD SUPPORT PAYMENT CENT	E	GARNISHMENT	1,266.00
NE DEPT OF MOTOR VEHICLES	E	RECORDS	44.00
NE INSTITUTE OF FORENSIC SCIE	E	CONTRACT	2,833.00
NE PUBLIC POWER	U	UTILITIES	29,856.87
NE SECRETARY OF STATE	E	REGISTRATION	30.00
CODY D NELSEN	RE	REIMBURSE	45.00
NEW LIFE COUNSELING SVCS	S	EVALUATIONS	225.00
NEWMAN TRAFFIC SIGNS	E	TRAFFIC SIGNS	87.81
NORTHWESTERN ENERGY	U	UTILITIES	1,321.13
NOVUS WINDSHIELD	S	REPAIRS	45.00
OFFICE NET	SU	SUPPLIES	8.18
EVAN PAITZ	RE	REIMBURSE	45.00
PALADIN SERVICES	S	SVC FEES	19.18
PARKER ENTERPRISES	S	INSTALLATION	453.80
PARKER GROSSART BAHENSKY	S	LEGAL	430.44
PCS MOBILE	EQ	EQUIPMENT	1,951.50
PHELPS CO SHERIFF	E	SVC FEES	83.50
PLATTE VALLEY MEDICAL	MC	INMATE	853.11
PLATTE VALLEY STATE BANK	T	FEDERAL TAXES	124,484.98
BRENT PLUGGE	RE	REIMBURSE	107.75
PREMIER RENTAL	EQ	EQUIPMENT	3,202.36
PRESTO X	S	EXTERMINATING	408.25
PSYCHOLOGICAL RESOURCES	E	TESTING	110.00
QUILL COR	SU	SUPPLIES	365.90
LYNN RAUNER	RE	REIMBURSE	45.00
RAVENNA SANITATION	S	SANITATION	323.00
RED WILLOW CO SHERIFF	E	SVC FEES	21.51
REDMAN'S SHOES	EQ	EQUIPMENT	59.99
REGION III BEHAVIORAL HEALTH SVCS	S	EVALUATIONS	1,380.94
REITER ELECTRIC	S	REPAIRS	71.00
RELIABLE	SU	SUPPLIES	54.82
ILENE RICHARDSON	R	RETIREMENT	14.00
JOHN RODRIGUEZ	S	REPAIRS	12,422.00
ROBERT ROOS	S	INTERPRETING	410.00
ROSS SCHROEDER & GEORGE	S	LEGAL	2,781.70
RTS BUSINESS HOLDINGS	E	MAINTENANCE	486.62
SARPY CO COURT	E	COPIES	3.50
CONNIE S SCHUMAN	S	SERVICES	213.00
CAROL SCHWARZ	E	MILEAGE	71.49
SCOTTS BLUFF CO SHERIFF	E	SVC FEES	66.60
JANET SHAUL	E	REGISTRATION	300.00

SHERMAN CO COURT	E	COPIES	5.75
SHERMAN CO SHERIFF	E	SVC FEES	19.50
JEAN SIDWELL	E	MILEAGE	244.80
KURT SIEDSCHLAW	S	LEGAL	212.50
TRENTON SNOW	RT	BLDG RENT	1,227.42
TRENTON SNOW, L.L.C.	RT	EQUIP RENT	350.00
SNYDER AND HILLIARD	S	LEGAL	2,897.04
MONTY SOLOMON	RE	REIMBURSE	25.00
ST MARY PARISH SHERIFF'S CIVIL	E	SVC FEES	1.00
STAMM & ASSOCIATES	S	LEGAL	1,780.00
VIKKI S STAMM	E	SECRETARY EXP	930.67
STATE OF NE	T	STATE TAXES	18,964.91
STEPHEN SKULSKY	S	EVALUATION	800.00
THOMAS STEWART	E	SECRETARY EXP	930.67
SUNGARD HTE	S	MAINTENANCE	3,281.20
SUPER SHINE	S	MAINTENANCE	383.16
MICHAEL J SYNEK	S	LEGAL	809.37
TEE'S PLUS	SU	DARE SUPPLIES	144.72
THE DENT POPPER	S	REPAIRS	25.00
THE HARTFORD	I	DEFERRED COMP	1,875.00
THE LAWN BUILDERS	S	REPAIRS	910.98
THE LOCKMOBILE	S	REPAIRS	157.40
THURSTON HEATING	S	REPAIRS	1,108.50
TIME CLOCK PLUS	S	MAINTENANCE	1,074.99
BELINDA TOLLE	E	CELL/MILEAGE	94.47
TURNER BODY	S	TOWING	372.00
REBECCA L TVRDIK	S	LEGAL	937.50
TX CHILD SUPPORT SDU	E	GARNISHMENT	150.14
U S POSTMASTER	E	COMMISSARY	476.50
U.S. BANK	SU	SUPPLIES	5,570.76
ULTRAMAX	SU	SUPPLIES	597.00
USDA APHIS	E	BUDGET	3,686.25
VERIZON WIRELESS	U	CELL	832.19
VERIZON WIRELESS	U	CELL	1,071.21
VERIZON WIRELESS	U	CELL	186.40
VERIZON WIRELESS	U	CELL	138.12
VERIZON WIRELESS	U	CELL	139.57
VERIZON WIRELESS	U	CELL	188.09
VERIZON WIRELESS	U	CELL	157.30
VERIZON WIRELESS	U	CELL	243.57
VERIZON WIRELESS	U	CELL	193.36
VILLAGE OF MILLER	U	UTILITIES	19.50
VILLAGE UNIFORM	S	CLEANING	347.29
WALGREENS	MC	INMATE	261.92
WEST PAYMENT CENTER	E	SUBSCRIPTIONS	1,311.00
WEST PAYMENT CENTER	E	SUBSCRIPTIONS	1,550.93
WILKE DONOVAN'S TRUE VALUE	SU	SUPPLIES	73.72
MELISSA L WILLIS	RE	REIMBURSE	25.00
JEFFREY M WIRTH	S	LEGAL	1,503.63
WOODS & AITKEN LLP	S	CONSULTING	312.00
WPCI	MC	DRUG SCREENS	47.50
YEAGLEY SWANSON MURRAY LLC	S	LEGAL	535.50
MELANIE R YOUNG	RE	REIMBURSE	45.00
ZIMMERMAN PRINTERS	SU	SUPPLIES	741.98
<b>ROAD FUND</b>			
ACE HARDWARE	E	REPAIRS	269.72
ACE IRRIGATION	SU	SUPPLIES	10,332.40
AFFORDABLE TRANSMISSION	S	REPAIRS	1,792.68
ALL MAKES AUTO	E	REPAIRS	6,688.78
ALL POINTS C0-OP	E	TOOLS	59.15
AMERICAN FAMILY LIFE	I	PREMIUMS	1,686.14
AMERITAS LIFE INSURANCE	I	EMPE RET	15,027.36
ASK SUPPLY	SU	SUPPLIES	99.46
BIG RED AUTO GLASS	S	REPAIRS	551.73

BLESSING CONSTRUCTION	E	CONCRETE	915.32
BLUE CROSS BLUE SHIELD OF NE	I	PREMIUMS	709.14
BOSSELMAN ENERGY	F	FUEL	39.00
BROADFOOT SAND	G	GRAVEL	37,782.28
BUFFALO CO TREAS/HEALTH RESERVE	I	HEALTH RESERVE	4,562.86
BUFFALO CO COURT	E	GARNISHMENT	605.82
BUFFALO CO TREASURER	E	DEL TAXES	1,228.91
BUILDERS HOW TO WAREHOUSE	E	DAMAGES	6.62
CENTRAL HYDRAULIC	S	REPAIRS	1,643.26
CHS AGRI SERVICE CENTER	F	FUEL	242.44
COMFY BOWL	EQ	EQUIPMENT RENT	75.00
CONSTRUCTION RENTAL	E	REPAIRS	45.85
ROBIN CROSS	S	CLEANING	694.00
EAKES OFFICE PLUS	SU	SUPPLIES	48.53
FARM PLAN KEARNEY IMPLEMENT	S	REPAIRS	1,965.59
FARMER'S CO-OP ASSOCIATION	F	FUEL	184.08
FASTENAL CO	SU	SUPPLIES	37.57
FIRST CONCORD BENEFITS GROUP	I	FLEX FUNDS	1,295.00
GARRETT TIRES	S/F	REPAIRS/FUEL	2,637.20
GARY SMITH CONSTRUCTION	C	ASPHALT	25,982.18
GREAT-WEST	I	PREMIUMS	24.80
JACK LEDERMAN CO	E	REPAIRS	142.12
K & B PARTS	E	REPAIRS	6.82
K & K PARTS	E	SUPPLIES	2,236.07
KEARNEY FEDERAL CREDIT UNION	E	DEPOSITS	2,522.00
DARRIN LARRINGTON	RE	REIMBURSE	33.75
LAWSON PRODUCTS	SU	SUPPLIES	1,642.90
LAZY A TRUCKING	G	GRAVEL	3,654.00
ELWOOD LUCE	R	RETIREMENT	11.00
MADISON NATIONAL LIFE	I	LT DISABILITY	192.18
MARLATT MACHINE SHOP	S	REPAIRS	171.63
MATHESON TRI-GAS	S	REPAIRS	155.06
MID NE AGGREGATE	G	GRAVEL	6,714.81
MIDWAY CHEVROLET	S	REPAIRS	858.78
MIDWEST SERVICE & SALES	SU	SUPPLIES	3,315.62
MILLER & ASSOCIATES	S	ENGINEERING	34,498.24
MR AUTOMOTIVE CARQUEST	E	REPAIRS	1,428.93
NATIONWIDE RETIREMENT	I	DEFERRED COMP	1,060.00
NCS EQUIPMENT	SU	SUPPLIES	95.70
NE CHILD SUPPORT PAYMENT CENT	E	GARNISHMENT	395.00
NE SALT & GRAIN CO.	G	GRAVEL	10,530.77
THE NEW SIOUX CITY IRON CO	SU	SUPPLIES	125.25
NMC EXCHANGE	E	REPAIRS	9,447.90
O'REILLY AUTOMOTIVE	E	REPAIRS	17.84
OVERTON SAND & GRAVEL	G	GRAVEL	1,021.69
PLATTE VALLEY COMMUNICATION	S	REPAIRS	167.64
PLATTE VALLEY STATE BANK	E	EMPE FICA	31,179.03
POULDER FARMS	G	GRAVEL	550.00
POWERPLAN	S	REPAIRS	756.28
RAVENNA REDI MIX	C	CONCRETE	656.00
SAFELITE FULFILLMENT	S	REPAIRS	788.80
SAHLING KENWORTH	S	REPAIRS	1,044.07
SAPP BROS	F	DIESEL	56,006.38
SOUTH DAKOTA LTAP	E	REGISTRATION	70.00
STATE OF NE	T	STATE TAXES	4,543.69
T & F SAND AND GRAVEL	G	GRAVEL	1,374.45
THE LOCKMOBILE	SU	SUPPLIES	31.45
TITAN MACHINERY	E	REPAIRS	154.34
TRACTOR SUPPLY	E	TOOLS	97.91
U.S. BANK	E	REPAIRS	536.27
LARRY URWILLER	G	GRAVEL	4,941.84
VONTZ PAVING	C	ARMOR COAT	2,000.00
WICK'S STERLING TRUCKS	S	REPAIRS	109.44
WILKE DONOVAN TRUE VALUE	E	REPAIRS	22.98

YANT EQUIPMENT	E	REPAIRS	233.35
<b><u>VISITOR'S PROMOTION FUND</u></b>			
KEARNEY VISITOR'S BUREAU	AP	EXPENSES	45,300.00
<b><u>VISITOR'S IMPROVEMENT FUND</u></b>			
KEARNEY VISITOR'S BUREAU	AP	EXPENSES	45,100.00
<b><u>HEALTH INSURANCE FUND</u></b>			
BCBS HEALTH CLAIM EXPENSE	I	HEALTH CLAIMS	129,092.72
<b><u>EMERGENCY RELIEF FUND</u></b>			
ABC DRUG	MC	PRESCRIPTIONS	368.11
BIG O TIRES	S	REPAIRS	250.00
BOB'S SUPER STORE	SU	SUPPLIES	5.00
BOOGAARTS	SU	SUNDRIES	36.11
BOSELMANS PUMP & PANTRY #40	F	FUEL	90.00
BUFFALO CO TREASURER	E	DEL TAXES	112.35
CENEX	F	FUEL	10.00
CENTENNIAL PARK APARTMENTS	RT	RENT	250.00
CENTURY 21 MIDLANDS	RT	RENT	210.00
COUNTRYSIDE MOBILE PARK	RT	RENT	270.00
LAWRENCE HARRIS	RT	RENT	250.00
HORNER LIESKE HORNER	E	CREMATION	1,000.00
KINGDOM INVESTMENTS	RT	RENT	210.00
MIDTOWN WESTERN INN	RT	RENT	210.00
NE PUBLIC POWER DISTRICT	U	UTILITIES	569.08
O'BRIEN STRAATMANN MORTUARY	E	CREMATION	1,000.00
PLATTE VALLEY MEDICAL GROUP	MC	MEDICAL	274.37
DONALD RASMUSSEN	RT	RENT	97.65
<b><u>INSTITUTIONS FUND</u></b>			
NE HEALTH & HUMAN SVCS	MC	PATIENT BILL	819.00
<b><u>VETERANS AID</u></b>			
BUFFALO CO VETERANS AID FUND	E	REQUISTIONS	3,869.54
<b><u>STOP PROGRAM FUND</u></b>			
BUFFALO CO COURT	E	STOP COSTS	240.00
<b><u>COUNTY BOND</u></b>			
ANDERSON BROS ELEC	C	CONSTRUCTION	630.00
BECKENHAUER CONSTRUCTION	C	CONSTRUCTION	322,409.24
BUILDERS HOW TO WAREHOUSE	C	SUPPLIES	79.31
CANNON MOSS BRYGGER & ASSOC	C	ARCHITECT FEE	13,500.00
CASH WA	C	EQUIPMENT	141.45
DERBY INDUSTRIES	C	SUPPLIES	3,048.00
GOLDBERG SULLIVAN & MCCREREY	C	ARCHITECT FEES	8,440.86
JACK'S UNIFORMS	C	EQUIPMENT	2,953.63
KELLY ELECTRIC	C	CONSTRUCTION	229.09
METHE COMMUNICATIONS	C	CONSTRUCTION	5,235.00
PLATTE VALLEY COMMUNICATION	C	TOWER HOOKUP	3,053.95
QUILL CORP	C	SUPPLIES	719.18
U.S. BANK	C	SUPPLIES	1,954.43
WILKE DONOVAN'S TRUE VALUE	C	SUPPLIES	333.89
<b><u>WEED DISTRICT</u></b>			
ACE HARDWARE	E	SUPPLIES	186.08
ALL MAKES	E	REPAIRS	7.48
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	26.52
AMERITAS LIFE INSURANCE CORP	I	EMPE RET	1,159.44
BLUE CROSS BLUE SHIELD OF NE	I	PREMIUMS	3.42
BUFFALO CO TREAS/HEALTH RESERVE	I	HEALTH RESERVE	22.12
C & R SUPPLY	E	REPAIRS	111.75
CENTRAL HYDRAULIC	E	REPAIRS	174.08
DULTMEIER SALES	E	REPAIRS	334.63
EXTREME AG	E	CHEMICALS	855.00
FASTENAL	E	REPAIRS	14.35
FIRST CONCORD BENEFITS GROUP	I	FLEX FUNDS	20.00
GARRETT TIRES	S	REPAIRS	17.60
K & K PARTS	E	REPAIRS	50.45
PLATTE VALLEY STATE BANK	T	FEDERAL TAXES	2,985.17
SAFELITE FULFILLMENT	E	REPAIRS	389.50

SCHABEN INDUSTRIES	E	REPAIRS	366.00
SHARE CORP	E	CHEMICAL	314.26
STATE OF NE	T	STATE TAXES	434.18
TRACTOR SUPPLY	E	REPAIRS	54.99
U.S. BANK	E	REPAIRS	1,378.05
UNITED SUPPLIERS	E	CHEMICAL	1,400.00
WILKE DONOVAN'S TRUE VALUE	E	TOOL	17.48
<b><u>911 EMERGENCY SERVICE</u></b>			
BOSELMAN ENERGY	U	COMM TOWER	551.88
CENTURYLINK	U	911 SERVICE	2,220.02
CHARTER DIGITAL	U	911 CENTER	154.99
FRONTIER	U	TELEPHONE	1,683.14
FRONTIER COMM OF NE	U	911 ACCESS	433.40
NE CENTRAL TELEPHONE	U	TELEPHONE	162.26
PLATTE VALLEY COMMUNICATION	S	EQUIPMENT	1,772.56

### **JUSTICE CENTER PROJECT**

Bill Barritt from Beckenhauer Construction was present for updated reports and decisions on the Justice Center Project and reviewed the Change Order Requests sent out in the Board packets. Moved by Dannehl and seconded by Morrow to approve the following Change Order Requests of the Phase 2 project: #107 in the amount of \$449.00 for lighting modifications in medical area, #108 in the amount of \$12,173.00 for unsuitable soil for the repaving in horseshoe parking lots and additional sidewalk in horseshoe parking lot, and #109 in the amount of \$1812.00 for frost free stoop entrance south of the jail. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, Klein, McMullen and Pierce. None voted "Nay". Motion declared carried.

Moved by Dannehl and seconded by Morrow to approve the following Change Order Requests of the Extension Parking Change Order Request 2 in the amount of \$35,588.00 for unsuitable soil for the repaving of the Extension Building parking lot. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, Klein, McMullen and Pierce. None voted "Nay". Motion declared carried.

### **REGULAR AGENDA**

Chairman Pierce reviewed the following correspondence. Thomas Chapman from Raymond James & Associates sent a tentative timetable for the refinancing of the Justice Center Bonds. Benefit Management sent an overview of their health plan offerings. Extension Educator Brian Bosshamer sent an invitation to the 4-H Annual Recognition Banquet. Department of Health & Human Services sent notification of the yearly child support incentive payment. Chairman Pierce called on each Board member for Committee reports and recommendations.

Moved by Morrow and seconded by Klein to approve the following transfer of County funds.

	<u>FUND</u>	<u>NAME</u>		<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
FROM	100	General	TO	2700	Inheritance	\$133,000.00

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

The Board discussed the mileage reimbursement rate as recommended by Administrative Services of Nebraska. Since the Board of Supervisors is not obligated to follow the Federal guidelines, no action was taken at this time. The Board will review the recommended mileage reimbursement rate in January 2012.

Moved by Dannehl and seconded by Morrow to designate one hour parking, handicap parking, title inspection and loading zone parking in the horseshoe parking lot. There will be no truck parking in this lot. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, Klein, McMullen and Pierce. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by McMullen to accept the bid from MetLife for the Voluntary Employee Dental Insurance plan. Sealed bids were opened on September 13, 2011. Tim Shada and Gene Beerbohm will be the local agents with an effective date of November 1, 2011 for the new policy. Chairman of the Board will send written notice to Blue Cross Blue Shield to cancel the current dental plan. Upon roll call vote, the following Board members voted "Aye": Greder, McMullen, Brayton, Dannehl, Klein, Morrow, and Pierce. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Brayton to approve payment of flu shots for Buffalo County employees. Jail Nurse Beth Barton will be at the Kearney Clinic on October 4, and October 5 for check in of the Buffalo County employees. Upon roll call vote, the

following Board members voted “Aye”: Greder, Brayton, Dannehl, Klein, McMullen, Morrow, and Pierce. None voted “Nay”. Motion declared carried.

Tim Moninger, Chairman of the Veterans Service Committee was present to discuss the current quarterly Verteran’s Service Committee meetings. Moninger indicated that attendance has been low and asked the Board if they wanted to continue to see the meetings held quarterly or if the meetings should go back to an annual schedule. Consensus was to continue to have the quarterly meetings so that the committee has more oversight of the Veteran’s Service Office.

Moved by Dannehl and seconded by Greder to authorize Chairman Pierce to sign a letter of support for the TIGER grant application submitted by Nebraska Department of Roads (NDOR) to provide funding for the Kearney East Bypass. Upon roll call vote, the following Board members voted “Aye”: Dannehl, Greder, Brayton, Klein, McMullen, Morrow, and Pierce. None voted “Nay”. Motion declared carried.

Thomas Chapman from Raymond James & Associates was present via teleconference for the following discussion. Moved by Greder and seconded by McMullen to approve the following Resolution 2011-52 to proceed with the refinancing of the General Obligation Bonds. Upon roll call vote, the following Board members voted “Aye”: Greder, McMullen, Dannehl, Brayton, Klein, Morrow, and Pierce. None voted “Nay”. Motion declared carried.

## **THE COUNTY OF BUFFALO, NEBRASKA**

### **RESOLUTION NO. 2011-52**

RESOLUTION APPROVING, RATIFYING AND CONFIRMING ACTIONS TAKEN, PURSUANT TO RESOLUTION NO. 2011-02 ADOPTED JANUARY 11, 2011.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUFFALO, IN THE STATE OF NEBRASKA, AS FOLLOWS:

**Section 1.** The Board of Supervisors (the “Board”) of The County of Buffalo, in the State of Nebraska (the “County”) hereby finds and determines that (i) the Board duly adopted Resolution No. 2011-02 on January 11, 2011 (the “Bond Resolution”), (ii) the Bond Resolution, among other things, authorizes and directs the officers, employees and agents of the County to undertake certain actions in furtherance of the issuance, sale and delivery of the County’s General Obligation Refunding Bonds, Series 2011 (the “Bonds”), (iii) as so authorized and directed, the Chair has executed and delivered the Award Certificate in substantially the form attached as Exhibit D to the Bond Resolution, which sets the final terms of and relating to the Bonds, and the Chair and the Treasurer have executed and delivered the Bond Purchase Agreement dated September 27, 2011 between the County and Raymond James & Associates, Inc. (the “Bond Purchase Agreement”) and the Chair has executed, certified and delivered the final Official Statement dated September 27, 2011 (the “Official Statement”) for the Bonds, which Bond Purchase Agreement and Official Statement, as so executed, are attached hereto, and (iv) it is in the best interests of the County to approve, ratify and confirm the actions heretofore taken under such authorization by the Chair, the Treasurer, the County Attorney and the employees and agents of the County in connection with the issuance, sale and delivery of the Bonds.

**Section 2.** The Board does hereby ratify, confirm, authorize and approve in all particulars the execution and delivery by the Chair and the Treasurer of the Bond Purchase Agreement, including its form and content and the final terms and conditions of and relating to the Bonds as set thereby and by the Award Certificate, the execution, certification and delivery by the Chair of the Official Statement, and the form and content of the Preliminary Official Statement dated September 16, 2011 and of the Official Statement, and the distribution and use of such Preliminary Official Statement and Official Statement, and all other actions taken and such remaining actions as shall be necessary to be taken by the Chair, the Treasurer, the County Attorney and the employees and agents of the County in conjunction with the issuance, sale and delivery of the Bonds.

**Section 3.** The Board does hereby confirm, ratify and reaffirm the Bond Resolution.

**Section 4.** This Resolution shall be in force and take effect from and after its passage as provided by law.

Chairman Pierce opened the discussion on the vacation portion of 115<sup>th</sup> Road located in Seciton 33, Township 10 North and in Section 4, Township 9 North, Range 14 West. Public hearing was held on September 13, 2011. Moved by Brayton and seconded by McMullen to approve the following Resolution 2011-53. Upon roll call vote, the following Board members voted "Aye": Brayton, McMullen, Dannehl, Greder, Klein, Morrow, and Pierce. None voted "Nay". Motion declared carried. Supervisor Greder stepped out of the meeting at 10:25 AM.

### **RESOLUTION 2011-53**

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 that portion of 115<sup>th</sup> Road that is located both in Section Thirty-three (33). Township Ten (10) North and in Section Four (4), Township Nine (9) North, Range Fourteen (14) West of the 6<sup>th</sup> P.M., Buffalo County , and

WHEREAS, the described road, alley, and/or public way, is not within the zoning jurisdiction of any municipality of Buffalo County, Nebraska, and

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

WHEREAS, offer was made by Buffalo County to relinquish this road to Valley and Gibbon Townships and neither township, after expiration of four months following the offer, has responded and petitioned this Board to take over maintenance of this road, which in effect means that the Townships have declined to accept this road should Buffalo County vacate or abandon this road; and

WHEREAS, by prior Resolution, this Board established September 6, 2011, at 10:00 o'clock, a.m. as the date and time for public hearing to consider whether this road should be abandoned or vacated with notice as provided by law, and

WHEREAS, publication of Notice for the public hearing to consider the proposed vacation or abandonment has occurred with publication for three consecutive weeks and notice of the public hearing also given no less than two weeks in advance of the hearing to owners of land adjoining the road to be vacated or abandoned by register or certified mail, and

WHEREAS, on September 6, 2011, this Board conducted a public hearing to consider vacation or abandonment of this road. No one objected to the proposed vacation or abandonment.

WHEREAS, at conclusion of the public hearing held September 6, 2011, the Board set September 27, 2011, 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 road as in the judgment of this board and the public good may require, and

WHEREAS, the Buffalo County Board of Supervisors finds that:

1. The County Road Superintendant has recommended vacation or abandonment of this portion of Airport Road.
2. The Valley and Gibbon Township Boards when offered this road refused to accept this road.
3. All necessary public publications and notices to adjoining landowners have been given.
4. No conditions or reservations should be retained by the public as concerns this road if it is vacated or abandoned, other than the continued occupation of any public utilities that now occupy the public right-of-way.
5. No public purpose would be served to keep this portion road 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 road, street, or 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 to the owner(s) of the adjacent real estate, one-half on each side thereof, subject however to the continued occupation, if any, of any public utility now occupying the now abandoned and vacated road.

With said public road to be abandoned and vacated being described as:

All of that portion of 115<sup>th</sup> Road that is located both in Section Thirty-three (33). Township Ten (10) North and in Section Four (4), Township Nine (9) North, Range Fourteen (14) West of the 6<sup>th</sup> P.M., Buffalo County

FURTHER RESOLVED THAT: (1) a copy of this resolution shall be filed with the Buffalo County Register of Deeds and (2) a copy of this resolution shall be filed with the Buffalo County Surveyor and set out in Buffalo County's Road Maps maintained in that office.

Moved by McMullen and seconded by Klein to authorize Chairman Pierce to sign the Certification to the Board of Public Roads Classifications and Standard that Standards of Design, Construction and Maintenance of Roadways and Bridges have been met in

accordance with the rules and regulations of the Board of Public Roads Classifications and Standards. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Brayton, Dannehl, Morrow, and Pierce. None voted "Nay". Absent: Greder. Motion declared carried.

Supervisor Greder returned to the meeting at 10:28 AM.

Moved by McMullen and seconded by Dannehl to authorize Chairman to sign the Nebraska Department of Roads agreements for Project RD-30-4 (1043) Kearney to Gibbon and Project Number STPD-10-2(120) E Jct US 30-South. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Brayton, Greder, Klein, Morrow, and Pierce. None voted "Nay". Motion declared carried

Moved by McMullen and seconded by Dannehl to recess the regular meeting of the Board of Supervisors at 10:34 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 Greder and seconded by Klein to approve Tax List Corrections 3780 through 3785 as submitted by County Assessor Woodward. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Brayton, Dannehl, McMullen, Morrow, and Pierce. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Klein to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Kearney Family YMCA on a 2008 Buck Dandy Trailer. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Brayton, Dannehl, McMullen, Morrow and Pierce. None voted "Nay".

Moved by Greder and seconded by Klein to recess the Board of Equalization at 10:38 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 discussion on the Bissell Zoning issues at 10:52 A.M. Deputy County Attorney Andrew Hoffmeister, Roger and Jackie Bissell and their legal counsel Vikki Stamm were present. Discussion was held on the pending litigation concerning setbacks and the Zoning regulations with regards to the Bissell property. No action was taken.

Chairman Pierce opened the Zoning hearings at 11:14 A.M. Zoning Administrator LeAnn Klein was present. Trenton Snow filed an application for Biehl Acres Administrative Subdivision for property located in part of the NW1/4 of the NE1/4 of Section 24, Township 10 North, Range 16 West of the 6th p.m., Buffalo County, Nebraska. Application was reviewed by Hoffmeister and Snow. Hearing was closed at 11:16 A.M. Moved by McMullen and seconded by Klein to approve the following Resolution 2011-54 for Biehl Acres. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Brayton, Dannehl, Greder, Morrow and Pierce.

### **RESOLUTION 2011- 54**

WHEREAS, Trenton Snow, Registered Land Surveyor, hereinafter referred to as "applicant" has filed for an administrative Subdivision to be known as "Biehl Acres" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 27, 2011, this Board conducted a public hearing and finds:

1. The proposed Biehl Acres is located in part of the Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section Twenty-Four (24), Township Ten (10) North, Range Sixteen (16), West of the Sixth P.M., Buffalo County, Nebraska, and is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska.
2. 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.
3. 160th Road, a Buffalo County section line open public road abuts the proposed subdivision. The width of that road after dedication complies with minimum width standards required by the Buffalo County Subdivision Resolution.
4. Title search paperwork has been provided to the Buffalo County Attorney's Office and that office has cleared title based upon the title search documents delivered to that office by applicants.
5. This proposed administrative subdivision should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS in regular session with a quorum present, that the plat of "BIEHL ACRES", an administrative subdivision being in part of Northwest Quarter of the Northeast Quarter (NW1/4NE1/4) of Section Twenty-Four (24), Township Ten (10) North, Range Sixteen (16), West of the Sixth P.M., Buffalo

County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and record in the Office of the Register of Deeds, Buffalo County, Nebraska.

Moved by Morrow and seconded by McMullen to approve the conservation easement between Central Platte Natural Resources District and Peak Enterprises, Ltd, located on a tract of land being part of Government Lot 4 and the N1/2 SW1/4 NW1/4 of Section 3, Township 8 North, Range 17 West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska. Resolution 2011-55 was prepared by Cathleen H. Allen. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Brayton, Dannehl, Greder, Klein, and Pierce. Motion declared carried.

### **RESOLUTION 2011-55**

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

WHEREAS, PEAK ENTERPRISES, LTD., a Colorado Limited Partnership, is the owner of the following described real estate, to-wit:

A tract of land being part of Government Lot Four (4) and the North Half of the Southwest Quarter of the Northwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of Government Lot 4 of said Section 3 and assuming the West line of said Government Lot 4 and the North Half of the Southwest Quarter of the Northwest Quarter as bearing S00°41'43"W and all bearings contained herein are relative thereto; thence S00°41'43"W on the aforesaid West line a distance of 288.21 feet to a point on the Southerly right-of-way line of the Union Pacific Railroad; thence S80°56'58"E on the aforesaid Southerly right-of-way line a distance of 33.35 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East line of a public road; thence continuing S80°56'58"E on the aforescribed course a distance of 752.96 feet; thence leaving said Southerly right-of-way line S29°11'57"E a distance of 853.3 feet; thence S51°09'12"E a distance of 163.37 feet to a point on the East line of said Government Lot 4; thence S00°19'08"W on the East line of said Government Lot 4 and the North Half of the Southwest Quarter of the Northwest Quarter a distance of 744.01 feet to the Southeast corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence S89°27'46"W on the South line of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 1303.92 feet to a point on the East line of said public road, said point being 33.0 feet easterly of the Southwest corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence N00°41'43"E on the aforesaid East line of a public road a distance of 1722.3 feet to the place of beginning. Containing 42.70 acres, more or less.

and

WHEREAS, the Central Platte Natural Resources District is desirous of obtaining a conservation easement from PEAK ENTERPRISES, LTD., on real estate legally described hereinabove and PEAK ENTERPRISES, LTD. is 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 PEAK ENTERPRISES, LTD. 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 September 13, 2011, 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 September 15, 2011, the Buffalo County Planning and Zoning Commission recommended approval of the easement at their regularly scheduled meeting; and

WHEREAS, this Board on September 27, 2011 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 Government Lot Four (4) and the North Half of the Southwest Quarter of the Northwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Three (3), Township Eight (8) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of Government Lot 4 of said Section 3 and assuming the West line of said Government Lot 4 and the North Half of the Southwest Quarter of the Northwest Quarter as bearing S00°41'43"W and all bearings contained herein are relative thereto; thence S00°41'43"W on the aforesaid West line a distance of 288.21 feet to a point on the Southerly right-of-way line of the Union Pacific Railroad; thence S80°56'58"E on the aforesaid Southerly right-of-way line a distance of 33.35 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East line of a public road; thence continuing S80°56'58"E on the aforescribed course a distance of 752.96 feet; thence leaving said Southerly right-of-way line S29°11'57"E a distance of 853.3 feet; thence S51°09'12"E a distance of 163.37 feet to a point on the East line of said Government Lot 4; thence S00°19'08"W on the East line of said Government Lot 4 and the North Half of the Southwest Quarter of the Northwest Quarter a distance of 744.01 feet to the Southeast corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence S89°27'46"W on the South line of said North Half of the Southwest Quarter of the Northwest Quarter a distance of 1303.92 feet to a point on the East line of said public road, said point

being 33.0 feet easterly of the Southwest corner of said North Half of the Southwest Quarter of the Northwest Quarter; thence N00°41'43"E on the aforesaid East line of a public road a distance of 1722.3 feet to the place of beginning. Containing 42.70 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 McMullen and seconded by Klein to enter into Executive Session to discuss pending litigation and contract negotiations at 11:20 A.M. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Dannehl, Brayton, Greder, Morrow and Pierce. Motion declared carried. In addition to Board members responding to roll call, Deputy County Attorney Andrew Hoffmeister and Mitch Humphrey were present. Humphrey left at 11:36 A.M. Roger and Jackie Bissell and their legal counsel Vikki Stamm were invited into the Executive Session.

Moved by McMullen and seconded by Greder to move out of Executive Session at 12:04 P.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": McMullen, Greder, Brayton, Dannehl, Klein, Morrow and Pierce. Motion declared carried.

Chairman Pierce asked if there was anything else to come before the Board at 12:09 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, October 11, 2011 at 9:00 A.M.