

**BUFFALO COUNTY BOARD OF SUPERVISORS
 BUFFALO COUNTY BOARD OF EQUALIZATION
 TUESDAY, OCTOBER 9, 2012
 9:00 A.M**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, October 9, 2012 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, Sherry Morrow and Richard Pierce. Absent: William McMullen. 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. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public.

REGULAR AGENDA

Moved by Dannehl and seconded by Brayton to approve the September 25, 2012 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Dannehl, Brayton, Greder, Klein, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Dannehl to accept the Clerk of the District Court September 2012 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, Klein and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Dannehl to accept County Treasurer September 2012 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, Klein and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Greder to approve the early claim submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Dannehl, Klein, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

ROAD FUND		
STATE OF NE-MOTOR FUELS	FUEL TAX	2,856.00

COURTHOUSE RENOVATIONS

Bill Barritt from Beckenhauer Construction was present for updated reports on the completion of the Phase 3 Construction Project and the bid awards for Phases 4-7. Moved by Morrow and seconded by Greder to approve Change Request #15 of the Phase 3 Project for unused allowances in the credit amount of \$183,678.00. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Brayton, Dannehl, Klein and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Bill Barritt from Beckenhauer Construction reviewed the bid tabulation sheet for Phase 4-7 of the Courthouse Renovations Project and gave his recommendations to the Board for awarding of the bids to the following vendors: Bid Package 2, O'Neill Transportation and Equipment LLC; Bid Package 3, Tri-View; Bid Package 3A and Bid Package 3B, Stephens & Smith; Bid Package 4, M&D Masonry Inc.; Bid Package 5, Tri-View; Bid Package 5A, Central Nebraska Steel; Bid Package 6, Custom Woodworks LTD; Bid Package 6A, Total Interiors Inc.; Bid Package 6B, Beckenhauer Construction Inc.; Bid Package 7, Ziemba Roofing Co; Bid Package 8, Midwest Door & Hardware Inc.; Bid Package 8A, Raynor Door; Bid Package 8B, Tri-County Glass Inc.; Bid Package 9, PML Construction Inc.; Bid Package 9A, T-C Ceilings Inc.; Bid Package 9B, Floors Inc.; Bid Package 9C, Don Wasson Co; Bid Package 9D, Kucera Painting Inc.; Bid Package 10, Porter Trustin Carlson Company; Bid Package 15, Bamford Inc.; Bid Package 15A, Anderson Bros; Bid Package 16, Middleton Electric Inc.; and Jack Lederman for handrails and Accurate Controls for security systems. Moved by Dannehl and seconded by Morrow to approve the vendor list submitted by Beckenhauer Construction with a base bid total of \$2,377,083.00 for Courthouse Renovation Project Phases 4-7. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Greder, Klein, and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Klein to approve and accept the guaranteed Maximum Price (GMP) for Phases 4 through 7 in the amount of \$4,079,640.00. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Brayton, Dannehl, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Barritt also submitted Contract Change Order # 3 of the Phase 3 Project for the Chairman's signature which is a compilation of previously approved Change Requests.

Building and Grounds Supervisor Ross Karabel was present to discuss Courthouse Renovations and the relocation of offices to be remodeled to offsite and different onsite locations during the construction period. Karabel reported that the Probation and Reporting Center offices have been moved to the Buffalo County owned Midtown property located at 2022 Avenue A. Karabel presented bids from Dandee Construction and Concrete Workers for a parking lot next to the building. Supervisor Brayton suggested that the paving be put on hold and that further discussion should involve possibly moving the impound lot and the Sheriff's maintenance area from the south location owned by the County. Supervisors Dannehl and Greder suggested that the paving be done before the winter season. Karabel was instructed to get an additional bid and present it at the next Board meeting. Karabel also discussed a plan for the moving of the Treasurer, Register of Deeds, Assessor, Clerk, Board Administrator, Driver's License Examiners, Zoning, Election and Veteran's offices.

REGULAR AGENDA

Chairman Pierce reviewed the following correspondence. Zoning Administrator LeAnn Klein notified the Board that three of the Planning & Zoning Commission members terms expire in November 2012. Nebraska Secretary of State John Gale sent correspondence regarding the GIS Workshop. The Board received an invitation from Extension Educator Brian Bosshamer to the annual 4-H Recognition Banquet. City of Kearney sent notification of the annexation of the Northeast corner of the intersection of 52nd Street and 2nd Avenue. Chairman Pierce called on each Board member present for committee reports and recommendations.

Moved by Brayton and seconded by Dannehl to approve requests for lower tax asking from Armada, Beaver and Harrison Townships and Ravenna and Miller Fire Districts. Upon roll call vote, the following Board members voted "Aye": Brayton, Dannehl, Greder, Klein Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Klein to approve the addition of pledged collateral for the Buffalo County Treasurer in the amount of \$5,000,000.00 at Platte Valley State Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Brayton, Dannehl, Greder, and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to approve the release of pledged collateral for the Buffalo County Treasurer in the amount of \$15,555,848.07 at Platte Valley State Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Brayton, Dannehl, Klein and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Brayton to accept Election Commissioner Glenda DeBrie's resignation. Copy of the letter received from DeBrie on September 26, 2012 was read in the open meeting. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Dannehl, Klein, Morrow and Pierce. None voted "Nay". Absent: McMullen. Motion declared carried.

Moved by Greder and seconded by Morrow to approve the final payroll check to Glenda DeBrie from the General fund in the amount of \$4,799.80. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Brayton, Dannehl, Klein, and Pierce. None voted "Nay". Absent: McMullen. Motion declared carried.

Moved by Greder and seconded by Brayton to extend the time period for Lisa Poff to sign for the Election Commissioner's Office in the absence of an Election Commissioner until December 11, 2012. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Dannehl, Klein, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Dannehl to authorize Chairman Pierce to sign the Certification Statement of the Cost Allocation Plan prepared by Sequoia Consulting Group for the fiscal year July 2012 through June 2013. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, Klein and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

County Attorney Shawn Eatherton arrived at 9:55 A.M. and advised the Board on the appointment process for the County Assessor. Joe Woodward notified the Board at the September 25, 2012 Board meeting that he will retire December 31, 2012. After discussion on the County Assessor's appointment procedure, Chairman Pierce instructed the personnel committee to formalize the plan and report at the next meeting.

Highway Superintendent Ron Sklenar was present for discussion on the following Agenda item.

Moved by Dannehl and seconded by Klein to accept the low bid of Vontz Paving in the amount of \$2,457,789.54 for Buffalo County's 2013 Asphalt Overlay Maintenance Projects and authorize Chairman Pierce to sign the Acceptance of Award to Vontz Paving for the Asphalt Projects. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Brayton, Greder, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

Chairman Pierce opened the public hearing at 10:26 A.M. for new applications for both a retail liquor license (Class C License) and liquor license/catering license (Class K) and a manager's application located at 7155 Pawnee Road Gibbon, NE. Present were applicants Stefan and Tiffany Kegley. Chairman Pierce closed the public hearing at 10:30 A.M. After review of the County Sheriff's office report, it was moved by Klein and seconded by Brayton to approve the request for a Class CK Liquor License upon completion of

TIPS Training to be filed with the County Clerk. Upon roll call vote, the following Board members voted “Aye”: Klein, Brayton, Dannehl, Greder, Morrow and Pierce. Absent: McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Klein to recess the regular meeting of the Board of Supervisors at 10:31 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 Treasurer Jean Sidwell and Deputy County Assessor Joe Barber were present.

Moved by Dannehl and seconded by Morrow to approve August tax list corrections numbered 3881-3886 as submitted by County Assessor Joe Woodward. Upon roll call vote, the following Board members voted “Aye”: Dannehl, Morrow, Brayton, Greder, Klein and Pierce. Absent: McMullen. 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 Sidwell for Evangelical Lutheran Good Samaritan Society Home Health of Central NE on two 2011 Chevrolet Impalas and a 2008 Chevrolet Malibu. Upon roll call vote, the following Board members voted “Aye”: Greder, Dannehl, Brayton, Klein, Morrow and Pierce. Absent: McMullen. None voted “Nay”. Motion declared carried.

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

Moved by Klein and seconded by Greder to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Good Samaritan Society-Hearthside Cottage for a 2012 Ford Cutaway Van. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Brayton, Dannehl and Pierce. Absent: McMullen. Abstain: Morrow. None voted “Nay”. Motion declared carried.

Moved by Dannehl and seconded by Brayton to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Evangelical Free Church for a 2012 Dodge Pickup. Upon roll call vote, the following Board members voted “Aye”: Dannehl, Brayton, Greder, Klein, Morrow and Pierce. Absent: McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Dannehl to approve the following Resolution 2012-51 for final levies for the various political subdivisions as provided by the Buffalo County Clerk. Upon roll call vote, the following Board members voted “Aye”: Greder, Dannehl, Brayton, Klein, Morrow and Pierce. Absent: McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2012-51

		PROPERTY TAX RATES 2012-2013			
COUNTY FUNDS		LEVY			
GENERAL		0.415887			
DEBT SERVICE		0.042463			
VETERAN'S AID		0.001271			
TOTAL		0.459621			
BUFFALO COUNTY AGRICULTURAL SOCIETY					
GENERAL	0.010607	SINKING	0.009697		
TOWNSHIP	GENERAL			TOWNSHIP	GENERAL
ARMADA	0.015157			LOGAN	0.024424
BEAVER	0.006443			LOUP	0.005795
CEDAR	0.015307			ODESSA	0.009640
CENTER	0.004068			PLATTE	0.004745
CHERRY CREEK	0.007688			RIVERDALE	0.002631
COLLINS	0.000000			RUSCO	0.006801
DIVIDE	0.012340			SARTORIA	0.008192
ELM CREEK	0.033084			SCHNEIDER	0.010545
GARDNER	0.033153			SCOTT	0.023487
GARFIELD	0.004456			SHARON	0.031306
GIBBON	0.038082			SHELTON	0.044805
GRANT	0.016834			THORNTON	0.015748
HARRISON	0.006514			VALLEY	0.010358
FIRE DISTRICTS	GENERAL	SINKING		BOND	
SUBURBAN #1				0.009177	
GIBBON #2					
SHELTON #3	Set by Hall County				
PLEASANTON #4				0.015372	
RAVENNA #5				0.010706	

MILLER #6								
ELM CREEK #7					0.018840			
AMHERST #8					0.058801			
SID #3 GENERAL	0.302189							
CITY/VILLAGE	GENERAL	BOND			PARKING		STREET	CRA
AMHERST	0.141208						0.233603	
ELM CREEK	0.380036	0.119964						
GIBBON	0.350000	0.160000						
KEARNEY	0.135824	0.013046			0.125874			0.008555
MILLER	0.482024							
PLEASANTON	0.384357	0.128672						
RAVENNA	0.430000							
RIVERDALE	0.114535							
SHELTON	0.496987	0.367185						
SCHOOL DISTRICTS								
DISTRICT	NO.	GENERAL	BOND	K-8	9-12 BOND	CAPITAL	SP BLDG	
GIBBON	2	0.950000	0.299512				0.020139	
KEARNEY	7	1.053696		0.048379	0.120868		0.122000	
ELM CREEK	9	0.958468	0.277511					
SHELTON	19	1.041963	0.095401				0.008023	
RAVENNA	69	1.023508	0.043809			0.023841	0.026490	
PLEASANTON	R105	0.984240					0.040900	
AMHERST	119	0.951789		0.112431	0.115833		0.021213	
CENTURA	100	set by Hall County						
SEM	101	set by Dawson County						
ANSLEY	44	set by Custer County						
NATURAL RESOURCES DISTRICTS								
DISTRICT	GENERAL	SINKING						
CENTRAL	Set by Hall County							
LOWER LOUP	Set by Platte County							
EDUCATIONAL SERVICE UNIT NO 10								
Set by Hall County								
CENTRAL NEBRASKA COMMUNITY TECHNICAL COLLEGE								
GENERAL	CAPITAL IMPROVEMENTS							
Set by Hall County								

Moved by Klein and seconded by Morrow to recess the Board of Equalization and to return to the regular meeting of the Board of Supervisors at 10:40 A.M. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

ZONING

Chairman Pierce opened the Zoning Hearing at 11:00 A.M. Deputy County Attorney Andrew Hoffmeister and Zoning Administrator LeAnn Klein were present.

Trenton Snow on behalf of Rebecca G. Skala, Trustee filed a request for an Administrative subdivision for property described as part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Twenty-Three (23), Township Ten (10) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The application was reviewed by Byron Maxson who works for Trenton Snow LLC. Chairman Pierce closed this public hearing at 11:03 A.M.

Moved by Brayton and seconded by Klein to approve the Administrative Subdivision application with the following Resolution 2012-52. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Dannehl, Greder, Morrow and Pierce. Absent: McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2012-52

WHEREAS, Trenton Snow Licensed Surveyor, on behalf of Rebecca G. Skala, Trustee, owner hereinafter referred to as "applicant" has filed for an administrative Subdivision to be known as "Skala Acres" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on October 9, 2012, this Board conducted a public hearing and finds:

1. The proposed Skala Acres 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. 145th Road is a section line road that abuts the proposed subdivision. The width of this 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 applicant.

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 "SKALA ACRES", an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter (SE1/4SE1/4) of Section Twenty-Three (23), Township Ten (10) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and record in the Office of the Register of Deeds, Buffalo County, Nebraska.

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

Chairman Pierce asked if there was anything else to come before the Board at 11:09 A.M. before he declared the meeting adjourned after the quarterly inspection of the jail until the regular meeting on Tuesday, October 23, 2012 at 9:00 A.M.