

**BUFFALO COUNTY BOARD OF SUPERVISORS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, NOVEMBER 13, 2012**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, November 13, 2012 at 9:00 A.M and 9:45 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, Ivan Klein, 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. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton was present.

**REGULAR AGENDA**

Moved by Brayton and seconded by Klein to approve the October 22, 2012 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Dannehl, McMullen, Morrow and Pierce. Absent: Greder. None voted "Nay". Motion declared carried.

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

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

Moved by Dannehl and seconded by Morrow to accept the Community Action Partnership of Mid-Nebraska R.Y.D.E. Report for September 2012. Supervisor Kent Greder arrived at 9:06 A.M. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Brayton, Klein, McMullen, and Pierce. Abstain: Greder. None voted "Nay". Motion declared carried.

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

FUND	NET PAYROLL
(100) GENERAL	\$781.59

**COURTHOUSE RENOVATIONS**

Chairman Pierce asked the Oversight Committee members to update the rest of the Board on the Courthouse Renovation Project. Discussion followed on the relocation of the various offices during this Phase of the project. No formal action was necessary at this time.

**REGULAR AGENDA**

Chairman Pierce reviewed the following correspondence. Two Rivers Public Health Department sent their newsletter and season greetings. Steve Danahy with Department of Environmental Quality sent information on the disposal fee rebate program. NIRMA sent Property Value update from their property appraisal firm. County Attorney Eatherton and staff sent a thank you note for the employee appreciation lunch provided by the Board members. State of Nebraska sent notice of programmatic closeout of FEMA Disaster 1770. Hartford Deferred Compensation Plan sent an update on the retirement plan. NACO Executive Larry Dix sent election procedures for voting for NACO Officers and a copy of the proposed change to the NACO Bylaws. Central Platte NRD sent their In Perspective newsletter and Extension Educator Brian Bosshamer sent a thank you note for helping with the Connecting the Dots event. Chairman Pierce called on each Board member present for committee reports and recommendations.

Moved by Dannehl and seconded by Klein to accept the petition to vacate a portion of public road between Section 1, Township 9 North, Range 15 and the south section line of Section 36, Township 10 North, Range 15 West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska and to forward that petition to the Highway Superintendent for his recommendation. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Brayton, Greder, McMullen, Morrow and Pierce. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to set a bid date for one new 2012 or 2013 cab & chassis with one ton rating truck for the Weed District on November 27, 2012 at 9:45 A.M. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Dannehl, Greder, McMullen, Morrow and Pierce. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Dannehl to recess the regular meeting of the Board of Supervisors at 9:30 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 Treasurer Jean Sidwell and County Assessor Joe Woodward were present.

Moved by Morrow and seconded by Dannehl to approve August tax list corrections numbered 3887-3891 as submitted by County Assessor Joe Woodward. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, Klein, McMullen 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 South Central Behavioral Services, Inc for a 2006 PT Cruiser Wagon, and two 2007 Toyota Camry Sedans. 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 McMullen and seconded by Brayton to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Alzheimer's Association-Great Plains Chapter for a 2006 Chevrolet Uplander Van. Upon roll call vote, the following Board members voted "Aye": McMullen, Brayton, Dannehl, Greder, Klein, Morrow and Pierce. None voted "Nay". Motion declared carried.

Moved by Dannehl 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 2010 Ford 4DC. Upon roll call vote, the following Board members voted "Aye": Dannehl, Greder, Brayton, Klein, McMullen and Pierce. Abstain: Morrow. None voted "Nay". Motion declared carried.

Moved by Morrow 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 for a 2012 Dodge Sport Van. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Brayton, Greder, Klein, McMullen and Pierce. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by McMullen to recess the Board of Equalization and to return to the regular meeting of the Board of Supervisors at 9:35 A.M. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried. (Break in meeting.)

## **REGULAR AGENDA**

Chairman Pierce stated that the Board was reconvening as the Personnel Appeal and Review Board and opened the employee hearing for Gary Paitz at 10:00 A.M. County Attorney Shawn Eatherton, Deputy County Attorney Andrew Hoffmeister, Gary Paitz and his legal counsel, Galen Stehlik were present. Gary Paitz was terminated from his employment with the Buffalo County Road Department by Assistant Highway Superintendent John Maul on May 8, 2012. A copy of the notice of grievance filed by Paitz was given to the Board prior to this meeting. Paitz was given the choice to have the hearing in open or closed session and the hearing was conducted in the open meeting. In addition to Gary Paitz, the following Road Department employees were present to offer testimony: Terry Braden, Marc Krueger, Robert Vrbsky, Joe Simeon, John Maul and Ron Sklenar. In addition to hearing the informal testimonies, the Board was provided with copies of Gary Paitz's personnel file. The Personnel Appeal and Review Board will review the information and a decision regarding this grievance will be made on November 27, 2012.

Moved by McMullen and seconded by Klein to enter into Executive Session for the protection of public interest to discuss personnel and litigation at 11:35 A.M. In addition to Board members responding to roll call, County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Brayton, Dannehl, Greder, Morrow and Pierce. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Klein to move out of Executive Session at 12:00 Noon and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Brayton, Dannehl, McMullen, Morrow and Pierce. None voted "Nay". Motion declared carried.

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 12:05 P.M. before he declared the meeting adjourned until the regular meeting on Tuesday, November 27, 2012 at 9:00 A.M.