

**BUFFALO COUNTY BOARD OF SUPERVISORS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, AUGUST 12, 2014
9:00 A.M.**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, August 12, 2014 at 9:00 A.M. and 10:30 A.M. Chairman McMullen called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Francis Biehl, Kent Greder, Sherry Morrow, Dennis Reiter and William McMullen. Absent: Joseph Brayton and Ivan Klein. A copy of the acknowledgment and receipt of notice and agenda by the Board of Supervisors is attached to these minutes. Chairman McMullen 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. 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 Biehl and seconded by Reiter to approve the July 22, 2014 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Greder, Morrow and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to accept the County Treasurer Semi Annual Report, the County Treasurer July 2014 Fund Balance Report, the Clerk of the District Court July 2014 Report, the Community Action Partnership of Mid-Nebraska June 2014 RYDE Report and the Sheriff Distress Warrant Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

COURTHOUSE RENOVATIONS

Project Manager Steve Gaasch from Beckenhauer Construction was present to update the Board on the Phases 4-7 Courthouse Renovation Project. Gaasch presented and reviewed the Phase 4-7 Courthouse Renovation Project Change Order Request #79.

Moved by Greder and seconded by Reiter to approve the Phase 4-7 Courthouse Renovation Project Change Order request #79 in the amount of \$21,622.00 for additional basement work. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Morrow and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

REGULAR AGENDA

Chairman McMullen reviewed the following correspondence. Blue Cross Blue Shield of Nebraska has invited Group Leaders to a Town hall meeting to address the specific needs and questions about the contract negotiations with Denver based Catholic Health Initiatives. Nebraska Department of Roads sent the 2013 Annual Report Traffic Crash Facts. Chairman McMullen called on each Board member present for committee reports and recommendations.

After discussion and review of the County Sheriff's report, it was moved by Morrow and seconded by Biehl to approve the Special Designated Liquor License application filed by William Taddkicken; DBA Iain Nicolson Audubon Center at Rowe Sanctuary for an event to be held on September 6, 2014. Cindy Houlden was present. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Greder, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Greder to reappoint Sharon Martin to the Board of Adjustment and Barb Pemberton Riege as an Alternate to the Board of Adjustment for a three year term. Upon roll call vote, the following Board members voted "Aye": Biehl, Greder, Morrow, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to approve the release of pledged collateral in the amount of \$115,000.00 from the Exchange Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

The Board discussed the township levy allocations that will be set at the next Board meeting.

Moved by Biehl and seconded by Reiter to approve the following tax refund request submitted by County Treasurer Sidwell for Daryn R. and Kimberly K. Swails in the amount of \$486.03 on parcel number 620042050. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Greder, Morrow, and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

At the July 22, 2014 meeting the Board set an auction date of August 25, 2014 for the sale of the house and the shed to be removed from 11 West 14th Street, Kearney, Nebraska. At this time the garage located on that property was not to be sold. Moved by Greder and seconded by Morrow to set an auction date of September 15, 2014 at 2:00 P.M. for the sale of the house, garage and shed to be removed from 11 West 14th Street, Kearney NE and cancel the sale date of August 25, 2014. This sale will be conducted by the County Sheriff's office. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Clerk of the District Court Sharon Mauler presented the agreement between Buffalo County and the Nebraska Department of Health and Human Services. Moved by Greder and seconded by Biehl to authorize Buffalo County Board Chairman McMullen to sign on behalf of Buffalo County the agreement with Nebraska Department of Health & Human Services, Division of Child Support Enforcement. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Morrow, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Reiter to authorize Buffalo County Board Chairman McMullen to sign on behalf of Buffalo County the amendment to the South Central Area Law Enforcement Service (SCALES) Agreement. This amendment will add Merrick County to the existing agreement. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Biehl, Greder and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Biehl to approve the following Resolution 2014-39 to set a public hearing date to consider a possible amendment to the Adult Entertainment Establishment Ordinance. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl and Morrow. Voted "Nay": Reiter and McMullen. Absent: Brayton and Klein. Motion declared carried.

RESOLUTION 2014-39

WHEREAS, Buffalo County previously adopted an Adult Entertainment Establishment Ordinance, all as set forth in Resolution #2014-006; and

WHEREAS, Buffalo County, acting through the Buffalo County Board of Supervisors, desires to amend provisions relating to hours of allowed operation of Adult Entertainment Establishments;

NOW THEREFORE BE IT RESOLVED that Buffalo County Board of Supervisors sets down September 9, 2014, at 11:00 o'clock, a.m. as the date and time of public hearing regarding the following proposed ordinance, with hearing to be conducted in the Buffalo County Boardroom, Buffalo County Courthouse, 16th & Central, Kearney, Nebraska for the following ordinance:

"Be it ordained by the county board of the County of Buffalo, State of Nebraska that Buffalo County's Adult Entertainment Establishment Ordinance, all as set forth in Resolution #2014- 006 as concerns Section C be amended as authorized pursuant to Neb.Rev.Stat. §23-174.10 and § 23-187, et seq to read as follows, with underlining indicating proposed additional language and strikethrough indicating wording to be deleted:

SECTION C. LOCATIONAL CRITERIA.

1. OPERATION:

- a. It shall be unlawful to operate an Adult Entertainment Establishment, as herein defined, within Buffalo County, Nebraska, unless such use is located on property, consisting of one lot that is situated in the Commercial (C) District of the official zoning district map of Buffalo County, Nebraska.
- b. Adult Entertainment Establishments shall be excluded as a specially permitted use on any property which is zoned as the Agricultural (AG) District.
- c. Adult Entertainment Establishments shall be subject to, and comply with, the rules and provisions of the flood plain and zoning resolutions of Buffalo County.
- d. An Adult Entertainment Establishment shall be located in a freestanding building, situated on one lot, containing no other uses or Adult Entertainment Establishments.
- e. An Adult Entertainment Establishment, as herein defined, shall not be open to customers between the hours of one (1) a.m. and ten (10:00) a.m. for Adult Entertainment Establishments that are licensed to serve alcoholic beverages and four (4) a.m. to ten (10:00) a.m. for Adult Entertainment Establishments that are not licensed to serve alcoholic beverages.
- f. Where conflict exists between the prescriptions established in this Article and the requirements of the zoning resolution, flood plain, or any other applicable code, resolution, or ordinance of Buffalo County or the State of Nebraska, then the more restrictive requirements shall apply.

RESOLVED FURTHER THAT a copy of this proposed resolution to amend be published for two consecutive weeks, with the last publication not less than five (5) days nor more than two weeks prior to the first public hearing, with copy of this proposed ordinance amendment sent to all Village and City Clerks of Buffalo County no later than seven (7) days after the first reading of this proposed ordinance

Chairman McMullen opened the Public Hearing at 9:47 A.M. to consider the increase of the 911 Surcharge rate for Buffalo County. Sheriff Neil Miller was present to review the current rate. Chairman McMullen closed the hearing at 9:54 A.M. Moved by Morrow and seconded by Biehl to approve the following Resolution 2014-40 to increase the 911 Surcharge to \$.75. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Greder, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2014-40

**A RESOLUTION ESTABLISHING THE RATE OF THE SERVICE SURCHARGE FOR 911 SERVICE COSTS FOR
BUFFALO COUNTY, NEBRASKA**

WHEREAS, a governing body incurring costs for 911 service may impose a uniform service surcharge on each telephone number or functional equivalent of service users whose primary place of use is within the governing body's 911 service area; and

WHEREAS, the County of Buffalo has previously established designated 911 and enhanced 911 service areas; and

WHEREAS, the County of Buffalo incurs non-recurring or recurring charges for the installation, maintenance and operation of 911 services; and

WHEREAS, the Buffalo County Board of Supervisors desires to establish a uniform service surcharge on each telephone number or functional equivalent of service users whose primary place of use is within the County of Buffalo's designated 911 and enhanced 911 service areas commencing January 1, 2015 and continuing thereafter until said surcharge is modified by subsequent action; and

WHEREAS, the Buffalo County Board of Supervisors held a public hearing on the proposed service charge rate on August 12, 2014 at 9:45 a.m. following due and proper publication of notice of said public hearing as provided by law.

NOW, THEREFORE, BE IT RESOLVED that effective January 1, 2015, a uniform service surcharge of \$.75 per month on each telephone number or functional equivalent of service users whose primary place of use is within Buffalo County's designated 911 and enhanced 911 service areas is hereby established. Said surcharge shall remain in effect until such time as said surcharge is modified by subsequent action of the Buffalo County Board of Supervisors.

Moved By Reiter and seconded by Biehl approve Resolution 2014-41 to authorize Buffalo County Board Chairman William McMullen to sign on behalf of Buffalo County the Interlocal Agreement for Buffalo County Project C10 (1432) and Hall County Project No C40 (431). This project is located on the County line also known as Wiseman Road and is approximately five tenths of a mile north of Highway 30. Upon roll call vote, the following Board members voted "Aye": Reiter, Biehl, Greder, Morrow and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2014-41

WHEREAS Buffalo and Hall Counties desire to enter in an have an Interlocal Government Agreement for repair of bridge located about one-half mile north of U.S. Highway #30, on county line of these two counties commonly known as "Wiseman" Bridge, and

WHEREAS, an Interlocal Government Agreement has been drafted that addresses construction, shared expenses, supervision, maintenance, and other issues addressed in this agreement, and

NOW THEREFORE, be it resolved that Buffalo County accepts the Interlocal Agreement between itself and Hall County, Nebraska all as set forth in the minutes of this meeting and this Board authorizes it Chairperson to sign such agreement on behalf of Buffalo County and to do all necessary to carry out the provisions of such Interlocal agreement.

Moved by Biehl and seconded by Reiter to set a bid of September 9, 2014 at 10:00 A.M. for Project C10 (934) a low water crossing project, Project C10 (1430) a rehabilitation project and for Projects C10 (938), C10 (905), C10 (723) and C10 (1417) cast in place concrete box projects. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Greder, Morrow and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Chairman McMullen opened the Public Hearing at 10:22 A.M. for C & H Adventures LLC dba Cedar Hills Vineyard and Gardens. Clay Schutz and Heidi Schutz were present. Chairman McMullen closed the hearing at 10:24 A.M. Moved by Morrow and seconded by Biehl to approve the Class YK liquor license application for C & H Adventures LLC dba Cedar Hills Vineyard and Gardens, 48907 375th Rd, Ravenna NE based upon the completion of liquor license training to be filed with the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Greder, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Reiter to recess the regular meeting of the Board of Supervisors at 10:34 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Morrow and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Joe Barber, Deputy County Assessor Nora Borer and County Treasurer Jean Sidwell were present.

Moved by Greder and seconded by Morrow to approve Tax List Corrections numbered 4010 through 4022 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Reiter to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for The Evangelical Lutheran Good Samaritan Village (St. Lukes) on a 2010 Ford Van, 2003 Dodge Caravan and a

2014 Dodge Caravan. Upon roll call vote, the following Board members voted “Aye”: Greder, Reiter, Biehl and McMullen. Absent: Brayton and Klein. Abstain: Morrow. None voted “Nay”. Motion declared carried.

Moved by Biehl and seconded by Greder to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Evangelical Lutheran Good Samaritan Society (St. Johns Center) on a 2012 Dodge Caravan, 2003 GMC Sierra Pickup and a 2013 Ford Supreme Bus. Upon roll call vote, the following Board members voted “Aye”: Biehl, Greder, Reiter, and McMullen. Absent: Brayton and Klein. Abstain: Morrow. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Reiter to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Grace Fellowship Inc. on a 2003 Chevrolet Pickup. Upon roll call vote, the following Board members voted “Aye”: Greder, Reiter, Biehl, Morrow and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Greder to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Mid-Nebraska Individual Services on a 2006 Chevrolet Impala. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

Moved by Biehl and seconded by Reiter to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Community Action Partnership of Mid-Nebraska on a 2014 Sharp Enclosed Trailer. Upon roll call vote, the following Board members voted “Aye”: Biehl, Reiter, Greder, Morrow and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Morrow to adjourn the Board of Equalization at 10:41 A.M. Upon roll call vote, the following Board members voted “Aye”: Greder, Morrow, Biehl, Reiter and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

ZONING

Chairman McMullen opened the Zoning Hearings at 11:00 A.M. Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Kari Fisk and Trenton Snow were present. Bradley and Alynn E. Brodine filed a request for a an administrative subdivision for property described as part of the Southeast Quarter of the Southeast Quarter of Section 7, Township 9 North, Range 18 West of the 6th p.m., Buffalo County, Nebraska to be known as Brodine Acres. Trenton Snow reviewed the application. Bradley Brodine was present. Chairman McMullen closed the hearing at 11:03 A.M. Moved by Reiter and seconded by Morrow to approve the Administrative Subdivision application with the following Resolution 2014-42. Upon roll call vote, the following Board members voted “Aye”: Reiter, Morrow, Biehl, Greder and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

RESOLUTION 2014-42

WHEREAS, Trenton Snow, Licensed Surveyor, on behalf of developers Bradley & Alynn Brodine, filed for an administrative subdivision with the Buffalo County Clerk and/or Zoning Administrator, to be known as “Brodine Acres” encompassing property owned by Bradley & Alynn E. Brodine, a married couple, herein referred to as “applicants,” and First Dakota National Bank.

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

WHEREAS, on August 12, 2014, this Board conducted a public hearing and finds:

1. The proposed Brodine Acres Administrative Subdivision is located in part of the southeast quarter of the southeast quarter (SE ¼ SE ¼) of Section Seven (7), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska.
2. The property encompassed in this subdivision is zoned Agricultural.
3. The property encompassed in this subdivision is presently owned by the applicants and First Dakota National Bank.
4. 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.
5. This proposed subdivision abuts 85th Road and Arrow Road, both section line roads.
6. This proposed subdivision includes proper road dedications as required by the Buffalo County Subdivision Resolution.
7. That no one was present to speak in opposition to this application.
8. 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 “BRODINE ACRES ADMINISTRATIVE SUBDIVISION”, an administrative subdivision part of the southeast quarter of the southeast quarter (SE ¼ SE ¼) of Section Seven (7), Township Nine (9) North, Range Eighteen (18) 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 recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Jerrold and Virginia Pawley filed a request for a an administrative subdivision for property described as part of Government Lot 1 located in Section 5, Township 9 North, Range 16 West of the 6th p.m., Buffalo County, Nebraska to be known as Pawley Acres. Trenton Snow reviewed the application. Jerrold and Virginia Pawley were present. Chairman McMullen closed the hearing at 11:06

A.M. Moved by Biehl and seconded by Morrow to approve the Administrative Subdivision application with the following Resolution 2014-43. Upon roll call vote, the following Board members voted "Aye": Biehl, Morrow, Greder, Reiter and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2014-43

WHEREAS, Trenton Snow, Licensed Surveyor, on behalf of Virginia M. Pawley and Jerrold W. Pawley, wife and husband, owners hereinafter referred to as "applicant" have filed for an administrative Subdivision to be known as "PAWLEY ACRES" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on August 12, 2014, this Board conducted a public hearing and now finds:

1. The proposed PAWLEY ACRES is in the Agricultural Residential (AGR) Zoning District for Buffalo County, Nebraska and the size of the lot after subdividing complies with the minimum lot size requirements of that Zoning District 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. 115th Road and 46th Road, also known as Green Hill Road, are county maintained open public roads that abut the proposed subdivision. The width of these roads 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 as concerns Buffalo County 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 "PAWLEY ACRES", an administrative subdivision being part of Government Lot One (1) in Section Five (5), Township Nine (9) North, Range Sixteen (16), 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.

Gordon C. Schroll, Trustee & Glenda M. Schroll, Trustee filed a request for a an administrative subdivision for property described as part of the West Half of the Southwest Quarter located in Section 35, Township 11 North, Range 16 West of the 6th p.m., Buffalo County, Nebraska to be known as Schroll Acres. Trenton Snow reviewed the application. Chairman McMullen closed the hearing at 11:09 A.M. Moved by Greder and seconded by Reiter to approve the Administrative Subdivision application with the following Resolution 2014-44. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Morrow, and McMullen. Absent: Brayton and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2014-44

WHEREAS, Trenton Snow, Licensed Surveyor, on behalf of Gordon C. Schroll and Glenda M. Schroll, Trustees, owner hereinafter referred to as "applicant" have filed for an administrative Subdivision to be known as "SCHROLL ACRES" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on August 12, 2014, this Board conducted a public hearing and now finds:

1. The proposed SCHROLL ACRES is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the lots after subdividing complies with the minimum lot size requirements of that Zoning District 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. Grove Road and 205th Road are county maintained open public roads that abut the proposed subdivision. The width of these roads 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 as concerns Buffalo County 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 "SCHROLL ACRES", an administrative subdivision being part of the West half of the Southwest Quarter (W1/2SW1/4), of Section Thirty-Six (35), Township Eleven (11) North, Range Sixteen (16), 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.

Donald P. and Joyce S. Sullwold filed a request for a an administrative subdivision for property described as part of the Northeast Quarter of the Southeast Quarter located in Section 28, Township 9 North, Range 17 West of the 6th p.m., Buffalo County, Nebraska to be known as Sullwold Acres. Trenton Snow reviewed the application. Don Sullwold and Leroyce Margritz were present. Chairman McMullen closed the hearing at 11:11 A.M. Moved by Reiter and seconded by Biehl to approve the Administrative Subdivision application with the following Resolution 2014-45. Upon roll call vote, the following Board members voted “Aye”: Reiter, Biehl, Greder, Morrow, and McMullen. Absent: Brayton and Klein. None voted “Nay”. Motion declared carried.

RESOLUTION 2014-45

WHEREAS, Trenton Snow, Licensed Surveyor, on behalf of developers Donald P. & Joyce S. Sullwold, filed for an administrative subdivision with the Buffalo County Clerk and/or Zoning Administrator, to be known as “Sullwold Acres” encompassing property owned by Donald P. & Joyce S. Sullwold, a married couple, herein referred to as “applicants.”

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

WHEREAS, on August 12, 2014, this Board conducted a public hearing and finds:

1. The proposed Sullwold Acres Administrative Subdivision is located in the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section Twenty-Eight (28), Township Nine (9) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska.
2. The property encompassed in this subdivision is zoned Agricultural Residential.
3. The property encompassed in this subdivision is presently owned by the applicants, a married couple.
4. 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.
5. This proposed subdivision abuts Odessa Road, a section line road.
6. This proposed subdivision includes a 50 foot ride of way along Odessa Road which meets or exceeds the requirements of the Buffalo County Subdivision Resolution.
7. That no one was present to speak in opposition to this application.
8. 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 “SULLWOLD ACRES ADMINISTRATIVE SUBDIVISION”, an administrative subdivision part of the Northeast Quarter of the Southeast Quarter (NE ¼ SE ¼) of Section Twenty-Eight (28), Township Nine (9) North, Range Seventeen (17) 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 recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Chairman McMullen called for Citizen’s forum and no one was present to address the Board. Chairman McMullen asked if there was anything else to come before the Board at 11:12 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, August 26, 2014.