

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 12, 2015
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, May 12, 2015 at 9:00 A.M. and 10:15 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, Joseph Brayton, Kent Greder, Ivan Klein, Sherry Morrow, Dennis Reiter and William McMullen. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners 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. Deputy County Attorney Andrew Hoffmeister and Deputy County Attorney Kari Fisk arrived at 9:15 A.M.

REGULAR AGENDA

Moved by Reiter and seconded by Biehl to approve the April 28, 2015 Board meeting minutes with an exception in the Board of Equalization minutes to be corrected in the Board of Equalization later in this meeting. Upon roll call vote, the following Board members voted "Aye": Reiter, Biehl, Brayton, Greder, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Brayton to ratify the following May 1, 2015 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Biehl, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

GENERAL FUND			
NET PAYROLL			206,737.99
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	978.62
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	493.70
RETIREMENT PLANS DIV AMERITAS	R	EMPE RET	34,710.53
BUFFALO CO TREASURER	I	PREMIUMS	84,082.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	351.83
COLONIAL SUPPLEMENTAL INSUR	E	EMPE COLONIAL	41.83
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	3,726.62
FIRST NATIONAL BANK	T	FEDERAL TAX	76,816.64
KEARNEY UNITED WAY	E	DONATIONS	34.60
MADISON NATIONAL LIFE	I	PREMIUMS	858.94
MASSMUTUAL FINANCIAL GROUP	I	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,255.83
NATIONWIDE RETIREMENT	I	DEFERRED COMP	1,017.32
NE CHILD SUPPORT	E	CHILD SUPPORT	716.48
STATE OF NE	T	STATE TAX	10,935.39
ROAD FUND			
NET PAYROLL			44,080.53
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	981.42
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	101.50
RETIREMENT PLANS DIV AMERITAS	R	EMPE RET	7,285.41
BUFFALO CO TREASURER	I	PREMIUMS	938.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	10.40
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	479.41
FIRST NATIONAL BANK	T	FEDERAL TAX	16,111.26
MADISON NATIONAL LIFE	E	LT DISABILITY	95.31
METLIFE GROUP BENEFITS	E	DENTAL	431.95
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,122.50
NE CHILD SUPPORT	E	CHILD SUPPORT	624.10
STATE OF NE	T	STATE TAX	2,205.01
WEED FUND			
NET PAYROLL			5,250.93
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	13.26
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	4.74
RETIREMENT PLANS AMERITAS	R	EMPE RET	829.63
BUFFALO CO TREASURER	I	PREMIUMS	213.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	0.80
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	10.50
FIRST NATIONAL BANK	T	FEDERAL TAX	1,776.31

METLIFE GROUP BENEFITS	E	DENTAL	84.75
STATE OF NE	T	STATE TAX	229.05

Moved by Brayton and seconded by Klein to amend Resolution 2011-18 to correct the legal description in the road vacation as described in the following Resolution 2011-18A. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2011-18A

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, originally described on the public road records of Buffalo County as:

The east to west section line of road accepted by the County Board in 1954 in Supervisors Minutes Book 15, Page 230 generally described as a road beginning at the center of the West line of Section Twenty-Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M. Buffalo County, Nebraska that was established at a 40 feet in width "for a distance of approximately 1700 feet long to connect with Mr. Burkey's driveway", hereinafter simply referred to as "subject public road".

And,

WHEREAS, the Buffalo County Highway Superintendent has made a study of the use being made of the subject public road and has submitted a written report to the Board recommending that the subject public road be vacated; and

WHEREAS, the Board offered to relinquish said public road by written notification to the Odessa Township and said Township has declined to accept this road should Buffalo County vacate or abandon this road; and

WHEREAS, after receiving the written report from the Buffalo County Highway Superintendent, this Board adopted Resolution 2011-010 that set April 12, 2011, at 10:00 o'clock a.m, in the Buffalo County Boardroom, Buffalo County Courthouse, 16th and Central, Kearney, Nebraska, as the time, date and place for public hearing for this Board to consider whether the subject public road should be abandoned or vacated with notice as provided by law, and

WHEREAS, a copy of Resolution 2011-010 was published for three consecutive weeks and notice of the public hearing was also given no less than two weeks in advance of the hearing to owners of land adjoining the subject public road to be vacated or abandoned by registered or certified mail, and

WHEREAS, on April 12, 2011, this Board conducted a public hearing to consider vacation or abandonment of the subject public road. No one appeared to object to this vacation or abandonment request, and

WHEREAS, at conclusion of the public hearing held April 12, 2011, the Board set April 26, 2011, at 10:00 o'clock a.m., the first public hearing following the public hearing, as date and time for a decision to be given by this Board, as an agenda item, to consider and take action to vacate or abandon or refuse vacation or abandonment of the subject public road as in the judgment of this board and the public good may require, and

WHEREAS, this Board finds that:

1. The Buffalo County Highway Superintendent has recommended vacation or abandonment of the subject public road.
2. The Odessa Township Board when offered the subject public road refused to accept this road.
3. The subject public road proposed to be vacated or abandoned is not within the zoning jurisdiction of the zoning jurisdiction of a city of the metropolitan, primary, or first class.
4. All necessary public publications and notices to adjoining landowners have been given.
5. 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.
6. No public purpose would be served to keep the subject public road open.

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS, NOW COMPRISED AS THE BUFFALO COUNTY BOARD OF COMMISSIONERS, BY ADOPTION OF THIS RESOLUTION BY A NO LESS THAN A TWO-THIRDS MAJORITY VOTE that the above described public road, should be and is better described as:

The east to west public road accepted by the County Board in 1954 in Supervisors Minutes Book 15, Page 230, located in part of the South Half of the Northwest Quarter (S1/2NW1/4) and in part of the North Half of the Southwest Quarter (N1/2SW1/4) of Section Twenty-Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M. Buffalo County, Nebraska, with this public road being generally described as the west to east 40 foot wide road beginning at Northwest corner of the Southwest Quarter of Section Twenty-Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M. Buffalo County, Nebraska thence running east for a distance of 1700 feet, with said 40 foot wide road running on, along, between, or on either side of the north line of the Southwest Quarter of said Section Twenty-Four (24)

shall be and hereby is vacated and abandoned by the County of Buffalo, State of Nebraska, and the title or right-of-way to said vacated and abandoned section of road as immediately above described 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.

FURTHER RESOLVED, that the Buffalo County Clerk shall file a copy of this Resolution, with Resolution 2011-018 as originally passed by this Board attached to this Resolution, against part of the South Half of the Northwest Quarter (S1/2NW1/4) and part of the North Half of the Southwest Quarter (N1/2SW1/4) of Section Twenty-Four (24), Township Nine (9) North, Range Seventeen (17) West of the 6th P.M. Buffalo County, Nebraska.

Moved by Morrow and seconded by Greder to accept the Clerk of the District Court April 2015 Report and the County Treasurer April 2015 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

REGULAR AGENDA

Chairman McMullen reviewed the following correspondence. State of Nebraska Department of Environmental Quality sent notification of a NPDES General Permit for Operations Confining Cattle for Wood River Dairy L.L.C. The Board received notice of the closing of the Exchange Bank Branch located at 1502 2nd Avenue, Kearney NE. Chairman McMullen called on each Board member present for committee reports and recommendations.

Sheriff Neil Miller asked that the discussion of mobile radio purchases be withdrawn until further research is completed. The Board tabled this Agenda item until the May 26, 2015 Board meeting.

Sheriff Miller reviewed the interlocal agreement that had previously been entered into by Dawson County and the Counties of Kearney, Custer, Furnas, Buffalo, Phelps, and the City of Holdrege. Frontier County desires to enter into the Interlocal Agreement as a Party concerning 911 telephone infrastructure provided known as Positron Viper. Moved by Klein and seconded by Reiter to authorize Chairman McMullen to sign the interlocal agreement addendum for cooperative use of 911 Customer Premise (CPE) Equipment. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

ZONING

Chairman McMullen opened the Zoning hearing at 9:18 A.M. for approval of a special use permit application. Carl Whitney Sand & Gravel, Inc., filed a request for a special use permit for property described as part of the Section 7 and part of Section 8, Township 8 North, Range 14 West of the 6th p.m., Buffalo County, Nebraska to develop a gravel pumping site at this location. Carl Whitney and Ron Follmer addressed the Board. Deputy County Attorney Kari Fisk was present to review the application and report the findings of the Planning & Zoning Commission. Chairman McMullen closed the hearing at 9:21 A.M. Moved by Brayton and seconded by Biehl to approve the Special Use Permit application with the following Resolution 2015-21. Upon roll call vote, the following Board members voted "Aye": Brayton, Biehl, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2015-21

WHEREAS, Carl Whitney Sand and Gravel, Inc., by and through Roland Whitney, as owner of the below described "subject property" hereinafter referred to as "Applicant" filed an application with the Buffalo County Clerk and/ Zoning Administrator for a special use permit to operate a quarry in the Agricultural (AG) Zoning District for land situated on roughly 110 acres of real estate more fully described below and referred to in this resolution as the "subject property," and

WHEREAS, on April 16, 2015 the Buffalo County Planning and Zoning Commission held a public hearing after giving notice as required by law. At said hearing the Commission recommended approval of this request on a 7-0 vote. The Commission recommended approval of this special permit with eight conditions:

1. That such quarry operation and site preparation, maintenance, and restoration shall be subject to all State and Federal Regulations.
2. That the special use permit granted by the Board of Commissioners be subject to review by the Board every three years, should the Board request a review; and that the Planning and Zoning Administrator inspect the property at least once every three years and submit written report to the Board concerning any zoning issues and fulfillment of the authorizing resolution as a tool to assist the Board in evaluating whether to review said permit.
3. That the applicant be permitted to remove borrow material from the subject property.
4. That all excavation of soils or other operations shall be a minimum from 150' from all property lines.
5. That the quarry design shall incorporate as a plan and the construction practice once operational shall utilize a drainage plan and practice that does not hinder, and could possibly enhance, the drainage and the natural flow of water across the subject property.
6. That the applicant maintains perimeter vegetation located on the subject property in a similar state and condition to the perimeter vegetation that exists at the time of granting of this special use permit.

7. That the applicant be permitted to build ancillary buildings on the subject property to the extent they are necessary to facilitate a sand and gravel operation.
8. That the applicant places a conspicuous sign at all entrances to the subject property stating a 911 designated address and a telephone number to call in the event of an emergency.

WHEREAS, no protest(s) against the requested special use permit has been filed with the Buffalo County Clerk within seven (7) days of conclusion of public hearing of the Planning and Zoning Commission as allowed under Sec. 11.4, and

WHEREAS, on May 12th, 2015, the Buffalo County Board of Commissioners conducted a public hearing on this special use permit and takes notice of Buffalo County's Comprehensive Plan, Zoning Map, the minutes of the Planning and Zoning Commission meeting on April 16, 2015, and was able to view GIS maps of the subject property, as well as the application for the special use permit and its attached maps.

WHEREAS, the Board after public hearing, review of the minutes from the Planning and Zoning Commission's public hearing, and review of the special use application finds:

1. The subject property is in the Agricultural (AG) District and quarry and mining operations are permitted in that district as special permits allowed in Sec. 5.14(9) of the Zoning Resolution.
2. Applicant intends to expand a current gravel pit located in the northwest corner of the subject property for sand and gravel extraction accomplished through the use of water and aggregate pumping machinery equipment.
3. Applicant desires to remove borrow material from the subject property for sale.
4. Applicant may desire to construct a shed for equipment and/or to bury a container for the purposes of housing a scale at the subject property. Applicant has no definitive plans at this time, but would like to reserve the option to build necessary buildings in the future.
5. The testimony of adjacent landowners at the Planning and Zoning Commission meeting indicates a desire that perimeter vegetation be maintained to shield any operations and/or blowing sand from impacting adjacent residential or agricultural residential property owners. That only a portion of the perimeter vegetation, largely tree-lines, is located on the subject property.
6. No added public transportation usages are anticipated because equipment and trucks accessing the property will use an existing drive on the east boundary of the property to access Highway 10, a state maintained hard surface road.
7. The subject property is surrounded by the following types of property: North – Platte River Recovery and Residential, South-Pasture/alfalfa and Residential, East – Mid NE Aggregates and pasture, West – Highway.
8. Applicant informed the Board of Commissioners that he was in agreement with the eight terms and conditions recommended by the Planning & Zoning Commission and would not object to those requirements being placed on the final special use permit.

WHEREAS, the issuance of this special permit is found to be in compliance with Section 6.2 of Buffalo County's Zoning Regulations now in effect, such special permit should be allowed, with the below stated conditions contained in this Resolution, because the proposed use would:

1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and
6. Not change the character of the district, and
7. Be in accordance with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED THAT BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS by a vote of the majority of its members, that this Board approves applicants' Special Use Permit for operation of a quarry for extraction of sand and gravel by use with the application being fully incorporated into this Resolution by this reference together with amendments herein, is approved subject, however, to the following conditions:

1. That such quarry operation and site preparation, maintenance, and restoration shall be subject to all State and Federal Regulations.
2. That the special use permit granted by the Board of Commissioners be subject to review by the Board every three years, should the Board request a review; and that the Planning and Zoning Administrator inspect the property at least once every three years and submit written report to the Board concerning any zoning issues and fulfillment of the authorizing resolution as a tool to assist the Board in evaluating whether to review said permit.
3. That the applicant be permitted to remove borrow material from the subject property.

4. That all excavation of soils or other operations shall be a minimum from 150' from all property lines.
5. That the quarry design shall incorporate as a plan and the construction practice once operational shall utilize a drainage plan and practice that does not hinder, and could possibly enhance, the drainage and the natural flow of water across the subject property.
6. That the applicant maintains perimeter vegetation located on the subject property in a similar state and condition to the perimeter vegetation that exists at the time of granting of this special use permit.
7. That the applicant be permitted to build ancillary buildings on the subject property to the extent they are necessary to facilitate a sand and gravel operation.
8. That the applicant places a conspicuous sign at all entrances to the subject property stating a 911 designated address and a telephone number to call in the event of an emergency.

BE IT FURTHER RESOLVED that this Board reserves the power to revoke such special permit for failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance all as provided in Buffalo County Zoning Regulations.

BE IT FURTHER RESOLVED that the subject property is described as follows and that a copy of this Resolution shall be filed against the subject property, to-wit:

A tract of land being Government Lot 5, part of Government Lot 6, part of Government Lot 7, that tract known as Lot 13 (also known as Graham Island), and accretion in Section 7; part of Government Lot 3, part of Government Lot 4, and accretion in Section 8, all in Township 8 North, Range 14 West of the 6th p.m., Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northwest corner of Government Lot 5 in said Section 7 and assuming the West line of said section as bearing S 00° 35' 27" E and all bearings contained herein are relative thereto; thence S 00° 35' 27" E on the aforesaid West line a distance of 1158.96 feet; thence N 86° 20' E a distance of 242.24 feet; thence S 89° 39' E a distance of 151.6 feet; thence S 74° 30' E a distance of 127.6 feet; thence S 80° 44' E a distance of 113.3 feet; thence S 85° 21' E a distance of 86.0 feet to the northwest corner of a tract of land described in a Joint Tenancy Warranty Deed recorded on Inst. 2006-8174 and filed in the Buffalo County Register of Deeds office; thence N 54° 17' 16" E on the North line of said tract a distance of 52.45 feet; thence continuing on the aforesaid North line N 72° 49' 20" E a distance of 195.83 feet; thence S 84° 51' 05" E a distance of 266.94 feet; thence N 84° 40' 41" E a distance of 100.61 feet to the northeast corner of said tract; thence leaving said tract N 59° 55' 10" E a distance of 135.45 feet; thence N 68° 00' E a distance of 432.9 feet; thence N 30° 35' E a distance of 131.7 feet; thence N 74° 48' E a distance of 224.2 feet; thence N 67° 53' E a distance of 486.8 feet; thence N 75° 28' E a distance of 93.3 feet; thence N 82° 02' E a distance of 96.8 feet; thence N 77° 48' E a distance of 313.3 feet; thence N 71° 37' E a distance of 41.2 feet; thence N 42° 34' E a distance of 178.9 feet; thence N 51° 52' E a distance of 53.7 feet; thence S 88° 15' E a distance of 378.5 feet; thence N 88° 40' 30" E a distance of 219.2 feet; thence N 84° 29' E a distance of 592.3 feet; thence N 74° 07' E a distance of 1443.6 feet; thence N 70° 38' E a distance of 832.7 feet; thence N 77° 09' E a distance of 146.5 feet; thence S 85° 06' E a distance of 520.2 feet; thence S 78° 00' E a distance of 354.3 feet to a point on the East line of Government Lot 3 in said Section 8 (if extended southerly); thence N 00° 26' 41" E on the aforesaid East line (if extended southerly) a distance of 340.0 feet; thence S 84° 29' 14" W a distance of 3543.57 feet; thence S 78° 15' 31" W a distance of 1778.98 feet to the Northeast Corner of Government Lot 5 in said Section 7; thence S 89° 45' 01" W a distance of 2371.67 feet to the place of beginning.

AND

A tract of land being part of Government Lot 3 and part of Government Lot 4 in Section 7, Township 8 North, Range 14 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast Corner of Government Lot 3 in said Section 7 and assuming the South line of said Government Lot 3 as bearing N 89° 32' 34" W and all bearings contained herein are relative thereto; thence N 89° 32' 34" W and on the South line of Government Lot 3 a distance of 66.45 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 89° 32' 34" W and on the South line of Government Lot 3 and Government Lot 4 a distance of 2305.21 feet to a point, said point being the Southwest Corner of Government Lot 4 in said Section 7; thence N 00° 08' E and on the West line of Government Lot 4 a distance of 21.0 feet; thence N 85° 49' 47" E a distance of 137.6 feet; thence N 01° 29' E a distance of 18.58 feet; thence S 88° 59' 03" E a distance of 2167.0 feet; thence S 02° 18' 46" E a distance of 20.39 feet; thence S 00° 45' 45" W a distance of 9.19 feet to the place of beginning.

Chairman McMullen opened the Zoning hearing for approval of an administrative subdivision. Mitch Humphrey on behalf of Triple Five, L.L.C., filed a request for an administrative subdivision for property described as part of Government Lot 7 located in Section 10, Township 8 North, Range 14 West of the 6th p.m., Buffalo County, Nebraska to be known as Triplett Administrative Subdivision. Mitch Humphrey and Rosemary Triplett were present to review the request. Chairman McMullen closed the hearing at 9:27 A.M. Moved by Biehl and seconded by Klein to approve the Administrative Subdivision application with the following Resolution 2015-22. Upon roll call vote, the following Board members voted "Aye": Biehl, Klein, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2015-22

WHEREAS, Mitchell W. Humphry, Licensed Surveyor, on behalf of Triple Five, L.L.C, by and through Wendell Triplett, filed for an administrative subdivision with the Buffalo County Clerk and/or Zoning Administrator, to be known as "Triplett Administrative Subdivision" encompassing property owned by Triple Five, L.L.C. herein referred to as "applicant."

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

WHEREAS, on May 12, 2015, this Board conducted a public hearing and finds:

1. The proposed Triplett Administrative Subdivision is located as part of Government Lot 7, located in Fractional Section 10, Township 8 North, Range 14 West of the Sixth Principal Meridian, Buffalo County, Nebraska.
2. The property zoned Agricultural.
3. The proposed plat fulfills Buffalo County's Subdivision Resolution requirements for administrative subdivisions specifically allowed under Section 3.02 together with other provisions applicable thereto. EXCEPT FOR the required easements.
4. The final plat will include necessary easements prior to being recorded.
5. Lots 1 and 2 abut Elm Island Road, a section line road, and includes sufficient road dedications to meet the requirements of the Buffalo County Subdivision Resolution.
6. That structures contained within Lots 1 & 2, are, due to subdivision, not in conformance with zoning regulations required by Buffalo County. Subdivision, having created nonconformity in those structures, renders all nonconforming structures, buildings and other items of property subject to Section 2.5 etc. of the Buffalo County Zoning Regulations.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of "TRIPLETT ADMINISTRATIVE SUBDIVISION" located as part of Government Lot 7, located in Fractional Section 10, Township 8 North, Range 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 recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Chairman McMullen opened the public hearing for the approval of a final plat for Standage Country Estates Second for property described as part of the East Half of the Southwest quarter of Section 24, Township 9 North, Range 17 West of the 6th p.m., Buffalo County Nebraska filed by Mitchell Humphrey on behalf of M & E Construction, L.L.C. Mitch Humphrey was present to review the request. Chairman McMullen closed this public hearing at 9:37 A.M. Moved by Biehl and seconded by Brayton to approve the Final Plat of Standage Country Estates Second application with the following Resolution 2015-23. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2015-23

WHEREAS, this Board has received a request for Final Plat approval for part of Standage Country Estates Second, and

WHEREAS, on or about October 26, 2010, in Resolution 2010-64 this Board accepted and approved the preliminary plat for Standage Country Estates and this Board incorporates all findings of that resolution into this Resolution as if fully set forth herein, and

WHEREAS, from and since October 26, 2010, the developer has made various improvements upon part of the land sought to be subdivided, and

WHEREAS, the developer has elected to stage improvements in the subdivision of land sought to be subdivided all as allowed under Section 3.24 of Buffalo County's Subdivision Resolution, with Standage Country Estates Second being the second and last part of this staging effort, and

WHEREAS, when the Preliminary Plat was approved, a public road existed on part of the north lot line of the proposed Lot Four (4), of Standage Country Estates Second Subdivision. In Buffalo County Resolution #2011-018, adopted April 26, 2011, and 2011-018A, amended May 12, 2015, this public road was vacated, and

WHEREAS, the proposed Standage Country Estates Second Subdivision, differs in lot layout from the Preliminary Plat that approved it. The difference consists mostly of the division of Lots 4 & 5 of the Preliminary Plat, which now creates Lots 1, 2, and 3 of Standage Country Estates Second. This minor subdivision change is authorized by Sec.3.20 of Buffalo County's Subdivision Resolution. The access to the proposed Lot 1, is 66 feet wide, and that access is acceptable, and

WHEREAS, the required minimum improvements have been completed on the land sought to have final plat approval, and

WHEREAS, the public utility easements as laid out on the proposed plat are accepted. For this development plan as laid out in the proposed plat, easements are deemed required as set out along lot lines noted with the Board finding that as laid out, sufficient utility access is provided on the plat as proposed.

WHEREAS, Standage Country Estates Second is a subdivision that has access to a public street known as Standage Place. Standage Place is a public street that was laid out and dedicated when this Board previously accepted Standage Country Estates.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of "Standage Country Estates Second" a subdivision being part of the East Half of the Southwest Quarter (E1/2SW1/4) of Section Twenty-Four (24), 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.

Moved by Biehl and seconded by Morrow to recess the regular meeting of the Board of Commissioners at 10:15 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Biehl, Morrow, Brayton, Greder, Klein, Reiter and McMullen. 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 Morrow and seconded by Greder to approve Tax List Corrections numbered 4118 through 4127 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and 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 Evangelical Lutheran Good Samaritan Society Home Health of Central NE on three 2010 Ford Fusions and a 2012 Ford Fusion. Upon roll call vote, the following Board members voted "Aye": Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

A public hearing was conducted on April 28, 2015 for the Crossroads Center tax exemption application. Before the Board that day were two parcels 602487510 and 602487515. These two parcels are adjacent properties and the minutes reflected that the Board only approved the 2015 exemption on parcel 602487510 and denied the 2014 exemption on that same parcel. Moved by Greder and seconded by Morrow to correct the minutes to reflect that the additional parcel 602487515 for 2014 was also denied and for 2015 was approved for Crossroads Center tax exemption. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Brayton to approve the Valuation Changes submitted by County Assessor Barber for the following list of properties and assigned parcel numbers that occurred after the abstract was sent to the State of Nebraska. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

<u>Name</u>	<u>Parcel</u>	<u>Name</u>	<u>Parcel</u>
Robert W & Sharon Schanou	320043010	Sutton Rentals LLC	606335201
Ladene F Blevins	440173000	Jeffrey L & Betty J Warren, Trustees	606335202
Lester L & Patricia A Lindner	560622166	Keith L Duerksen	606335203
Michael R & Alexis D Bogus	580157011	Dixie L Huenink	606335204
Jose E & Sonia O Dimas	601108024	Danny R & Debra L Cavenee	606335205
Mark W & Barbara A Schanbacher	601230000	Dale P Jacobs	606335206
Nicole Gier & Marcus Harvey	601434000	Robert D & Tori L Stofferson	606335301
Dennis D & Amy J Placzek	602066209	Scott & Kelli Biddlecome	606335302
Gerald & Genevieve Brandorff Co-Trust	602066215	Bryan J & Jenna R Fast	606335303
Jery D & Jeanne L Hanson	602066320	Jason K & Elissa J Schievelbein	606335304
Michael D & Paula Hull	602066766	Gary W Lynch ETAL	606335305
Richard A & Marcella J Meyer	602140865	Kathryn & Valerie L Peterson	606335306
Richard L & Claire A Fish	602179292	Jay L & Judith Krueger	606335401
Jeanne A Carlson	602321000	Christine E Braun	606335402
Melvin & Patricia Legg Trustees	602360000	James B Foster	606335403
Paul & Winona Londer	602366000	Judy K Poland	606335404
Brian M & Jessica A Mostek	602486985	Integrity Rentals LLC	606335405
Daniel L & Jan E Freese	602613000	Jane Stoppkotte	606335406
Chad A Berglund	602680000	Anna M Greenwald	606335501
Kelly L & Brenda Dahl	602918119	Diane C Veit	606335502
Leroy W & Carolyn M Schulte	602918216	Karen L Russell	606335503
John R & Dawn W Herrmann	602918615	Brenda J Foster	606335504
Meuret Homeowners Association Inc	603787555	Gene J Fendt & Jean E Waterman	606335505
Starostka Group Unlimited, Inc	603907372	Glen G Gatz Trustee	606335506
Starostka Group Unlimited, Inc	603907377	Bettelee Lewis	606335601
Scott J & Marlene Ann Lentfer	604222000	Debra K Stogdill	606335602
Randall H Jensen	604226000	Jeanne M Tool	606335603
Barbara J O'Neill	604240024	Scott & Kelli Biddlecome	606335604
Gregory B Tesdall & Ruth Ann Kaufman	604363000	Suzanne Morgan Thomas etal	606335605

Jared D Heil	604996000	James L & Mary Kay Vincent	606335606
Jeffrey B Kritzer & Monleudee Luecha	606176104	R Lazy K Inc	606534652
David J & Marian F Heimer	603741707	James R & Susan K Grove	606534653
Sam Sandmeier & Tiffany Fisher	603763302	609 West 42 Street LLC	606534654
Steven H Reeves & Wf	580707275	James L & Nancy J Darling	606534655
Douglas C & Susan M Sorensen	603688106	Kathryn J Gifford	606534656
Marvin E & Bonetta J Gillming, Trustees	605179625	Jerry L & Sharon L Ingram	606534657
D L & Judith A Venable	605179626	Kerry J & Jo Ann Ludden	606534658
James L Downing & Susan J Everett	605179627	Jeffrey L & Cinda S Orr	606534659
William D & Eunice V Potter	605179628	Alvin J & Carma V Edwards Co-Trustees	606534660
Jerome M & Michelle D Clyne	605179629	Sharon E Beltzer Trustee	606534661
Matthew S Coop	605179630	Robert & Dorothy Miller	606534662
Donna Moran	605179631	Ramona J Schroeder Trustee	606534663
Bahensky Investments LLC	606335101	Andrew D & Nevabelle Howe	606534664
Betsy A Turk	606335102	Gene A & Kathleen E Gosch	606534665
Patricia Hannah Stone	606335103	Theador A & Sylvia K Asay	606534666
James M Cook	606335104	Geraldine A Anderson	606534667
Thomas C & Rebecca D Hilsabeck	606335105	Jeffrey D Klatt	640461000
SRM LLC	606335106		

Moved by Klein and seconded by Greder to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:23 A.M. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

REGULAR AGENDA

Tiffany and Stefan Kegley were present for the discussion of the application for the addition to Liquor License 100480, submitted by Geo. Spencer Tasting Room L.L.C located at 7155 Pawnee Road Gibbon, NE. The addition to the license will include an additional building to be constructed for events with a capacity of around 100, an outdoor stage and seating area all within the boundaries of the previously approved license. After review of the County Sheriff’s office report, it was moved by Klein and seconded by Biehl to approve the request for an application for addition to Liquor License. Upon roll call vote, the following Board members voted “Aye”: Klein, Biehl, Brayton, Greder, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

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

At 10:27 A.M. Chairman McMullen asked if there was anything else to come before the board before he declared the meeting adjourned until Wednesday May 13, 2015 at 8:00 A.M. to meet with the Building and Grounds Committee for interviewing Facilities Director applicants. The Board of Commissioners will meet in regular session on Tuesday May 19, 2015 at 9:00 A.M.