

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 13, 2016
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 13, 2016 at 9:00 A.M. and 9:45 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. Deputy County Attorney Kari Fisk was present.

REGULAR AGENDA

Moved by Biehl and seconded by Reiter to approve the August 23, 2016 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Brayton, Greder, Klein, Morrow, and McMullen. None voted "Nay". Motion declared carried.

Commissioner Brayton read into the record and presented the Resolution of Commendation to Ernie Wroblewski, Highway Department employee. Moved by Klein and seconded by Greder to approve the following Resolution 2016-36. Upon roll call vote, the following Board members voted "Aye": Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

**RESOLUTION 2016-36
RESOLUTION OF COMMENDATION**

WHEREAS, Ernie Wroblewski began his employment as a Patrol Operator with the Highway Department on April 17, 1995 and

WHEREAS, Ernie Wroblewski has now served Buffalo County for 21 years

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that Ernie Wroblewski be commended with a unanimous vote of appreciation for his dedicated and loyal service to Buffalo County for 21 years as a Patrol Operator.

BE IT FURTHER RESOLVED that good wishes for health, happiness and prosperity be extended to Ernie Wroblewski from this date forward.

Moved by Morrow and seconded by Greder to ratify the following September 2, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

<u>GENERAL FUND</u>			
NET PAYROLL			210,815.59
AMERICAN FAMILY LIFE	I	PREMIUMS	1,061.65
RETIREMENT PLANS AMERITAS	R	EMPE RET	35,630.07
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	40.00
BUFFALO CO TREASURER	I	PREMIUMS	92,970.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	367.44
FIRST CONCORD BENEFITS	E	FLEX FUNDS	4,292.85
FIRST NATIONAL BANK	T	FEDERAL TAX	77,814.83
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL LIFE	I	PREMIUMS	363.02
MADISON NATIONAL LIFE	I	LT DISABILITY	531.61
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,661.55
NATIONWIDE RETIREMENT	R	DEFERRED COMP	545.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	11,105.36
VISION SVC PLAN	E	EMPE VSP EYE	529.54
<u>ROAD FUND</u>			
NET PAYROLL			43,198.43
AMERICAN FAMILY LIFE	I	PREMIUMS	1,009.37
RETIREMENT PLANS AMERITAS	R	EMPE RET	6,950.22
BUFFALO CO TREASURER	I	PREMIUMS	2,790.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	12.00

FIRST CONCORD BENEFITS	E	FLEX FUNDS	480.34
FIRST NATIONAL BANK	T	EMPE FICA	14,478.57
MADISON NATIONAL LIFE	I	LT DISABILITY	110.61
METLIFE GROUP BENEFITS	E	DENTAL	701.50
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	302.50
STATE OF NE	T	STATE TAX	1,852.85
VISION SERVICE PLAN	E	EMPE VSP EYE	141.84
WEED FUND			
NET PAYROLL			4,051.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	651.76
BUFFALO CO TREASURER	I	PREMIUMS	348.50
FIRST CONCORD BENEFITS	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,277.60
MADISON NATIONAL LIFE	I	LT DISABILITY	3.26
METLIFE GROUP	E	DENTAL	78.45
STATE OF NE	T	STATE TAX	156.76

Moved by Morrow and seconded by Klein to accept the Clerk of the District Court August 2016 Fee Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to accept the County Treasurer August 2016 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.

Moved by Morrow and seconded by Greder to approve the following transfer of County funds all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

FROM	2913	911 Wireless Service Fund	TO	100	General Fund	1,956.10
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Moved by Morrow and seconded by Greder to approve the following transfer of County funds all per budget. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

FROM	2913	911 Wireless Service Fund	TO	5907	911 Emergency Services Fund	5,027.72
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Moved by Reiter and seconded by Biehl to accept the Community Action Partnership of Mid-Nebraska July 2016 RYDE Report. 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 Brayton and seconded by Biehl to approve the fiscal year 2015-2016 inventory statements filed by all of the County Officials. All inventory statements will be filed with the County Clerk as a public record. Upon roll call vote, the following Board members voted "Aye": Brayton, Biehl, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Klein to approve the following tax refund request submitted by County Treasurer Sidwell for Platte Valley Medical Group in the amount of \$11,226.41 on parcel number 318512240. Upon roll call vote, the following Board members voted "Aye": Biehl, Klein, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to approve the release of pledged collateral in the amount of \$260,000.00 from Exchange Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Sheriff Neil Miller was present for the discussion of the 911 phone system upgrade and the South Central Equipment Sharing Agreement addendum. Moved by Greder and seconded by Klein to approve the 911 system upgrade and the South Central Equipment Sharing Agreement addendum. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister arrived at the meeting at 9:10 A.M. Chairman McMullen reported on the auction of surplus county property held on August 25, 2016. After discussion, it was moved by Greder and seconded by Klein to reset a bid date for the residential structure currently located at 1423 2nd Avenue, Kearney, Nebraska of October 24th at 10:00 A.M. Sealed bids will be submitted to the County Clerk and will be opened at the October 25, 2016 Board meeting. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

ZONING

Zoning Administrator LeAnn Klein was present for the following Zoning agenda items.

Chairman McMullen opened the Zoning hearing at 9:26 A.M. Mitchell Humphrey on behalf of Matthew S. Zimbelman and Brandi M. Zimbelman filed a request for an administrative subdivision for property described as part of the Southwest Quarter of the Northeast Quarter and part of the Southeast Quarter of the Northeast Quarter of Section 4, Township 9 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Zimbelman Administrative Subdivision. Mitch Humphrey was present to review the application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:32 A.M. Moved by Biehl and seconded by Brayton to approve the administrative subdivision application with the following Resolution 2016-37. 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 2016-37

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Matthew S. Zimbelman and Brandi M. Zimbelman hereinafter referred to as "applicant" has filed for an Administrative Subdivision to be known as "Zimbelman Administrative Subdivision" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "ZIMBELMAN ADMINISTRATIVE SUBDIVISION" is in the Agricultural-Residential (AGR) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
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. 30th Avenue is a county maintained open public road that abuts the proposed subdivision to the east. The width of this road after dedication complies with the 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's interests 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 COMMISSIONERS in regular session with a quorum present, that the plat of "ZIMBELMAN ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of the Southwest Quarter of the Northeast Quarter and part of the Southeast Quarter of the Northeast Quarter located in Section 4, Township 9 North, Range 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 recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Chairman McMullen opened the Zoning hearing for an administrative subdivision filed by Mitchell Humphrey on behalf of Mark and Jean Ann Seitz and Joseph and Donna Zimmer, Co Trustees for property described as being part of the East Half of the Northeast Quarter located in Section 27, Township 10 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Seitz Administrative Subdivision. Mitch Humphrey was present to review the application request. No one else addressed the Board and Chairman McMullen closed the hearing at 9:34 A.M. Moved by Greder and seconded by Reiter to approve the Administrative Subdivision application with the following Resolution 2016-38. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-38

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Mark Seitz and Jean Ann Seitz and Joseph F. Zimmer and Donna J. Zimmer, Co-trustees hereinafter referred to as "applicant" has filed for an Administrative Subdivision to be known as "Seitz Administrative Subdivision" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "SEITZ ADMINISTRATIVE SUBDIVISION" is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
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. Imperial Road is a county maintained open public road that abuts the proposed subdivision to the east. The width of this road after dedication complies with the 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's interests 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 COMMISSIONERS in regular session with a quorum present, that the plat of "SEITZ ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of the East Half of the Northeast Quarter located in Section 27, Township 10 North, Range 15 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 Zoning hearing for an administrative subdivision filed by Mitchell Humphrey on behalf of Josiah and Marcile Woodward for property described as being part of the Southwest Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southeast Quarter of Fractional Section 7, Township 9 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Woodward Estates Second Administrative Subdivision. Mitch Humphrey was present to review the application request. No one else addressed the Board and Chairman McMullen closed the hearing at 9:37 A.M. Moved by Reiter and seconded by Biehl to approve the Administrative application with the following Resolution 2016-39. Upon roll call vote, the following Board members voted "Aye": Reiter, Biehl, Brayton, Greder, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-39

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Josiah H. Woodward and Marcile Woodward hereinafter referred to as "applicant" has filed for an Administrative Subdivision to be known as "Woodward Estates Second Administrative Subdivision" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "WOODWARD ESTATES SECOND ADMINISTRATIVE SUBDIVISION" is in the Agricultural-Residential (AGR) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
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. 86th Street is a county maintained open public road that abuts the proposed subdivision to the southeast. The width of this road after dedication complies with the 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's interests 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 COMMISSIONERS in regular session with a quorum present, that the plat of "WOODWARD ESTATES SECOND ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of the Southwest Quarter of the Southeast Quarter and part of the Southeast Quarter of the Southeast Quarter located in Section 7, Township 9 North, Range 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 recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Chairman McMullen opened the Zoning hearing for an administrative subdivision filed by Trenton Snow on behalf of Brian and Trisha Kroll for property described as being part the Southeast Quarter of the Northeast Quarter located in Section 8, Township 9 North, Range 13 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Kroll Acres. Trenton Snow was present to review the request. No one else addressed the Board and Chairman McMullen closed the hearing at 9:41 A.M. Moved by Greder and seconded by Klein to approve the Administrative Subdivision application with the following Resolution 2016-40. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-40

WHEREAS, Trenton Snow, licensed surveyor, on behalf of Brian K. Kroll and Trisha A. Kroll, husband and wife, hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "KROLL ACRES" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "KROLL ACRES" is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
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. Sodtown Road is a county maintained open public road that abuts the proposed subdivision to the east. The width of this road after dedication complies with the 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's interests 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 COMMISSIONERS in regular session with a quorum present, that the plat of "KROLL ACRES", an administrative subdivision being described as being part of the Southeast Quarter of the Northeast Quarter located in Section 8, Township 9 North, Range 13 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 Zoning hearing for an administrative subdivision filed by Douglas Stevenson on behalf of Cargill, Inc. for property described as part of the Southwest Quarter of the Southwest Quarter located in Section 14, Township 12 North, Range 14 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Cargill Administrative Subdivision. Douglas Stevenson, Olsson Associates was present to review the request. Maria Beck addressed the Board. Chairman McMullen closed the hearing at 9:47 A.M. Moved by Greder and seconded by Klein to approve the Administrative Subdivision application with the following Resolution 2016-41 pending the notation on the plat of the 10' utility easement between Lot 1 and Lot 2. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-41

WHEREAS, Douglas J. Stevenson, licensed surveyor, on behalf of Cargill, Incorporated, hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "Cargill Administrative Subdivision" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on September 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "CARGILL ADMINISTRATIVE SUBDIVISION" is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
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. Navaho Road is a county maintained open public road that abuts the proposed subdivision to the west. The width of this road after dedication complies with the 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's interests 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 COMMISSIONERS in regular session with a quorum present, that the plat of "CARGILL ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of the Southwest Quarter of the Southwest Quarter located in Section 14, Township 12 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

Highway Superintendent Ron Sklenar was present for the following Agenda items.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for the Asphalt Overlay Project. Bids were submitted from Vontz Paving and Werner Construction. The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next Board meeting on September 27, 2016.

Moved by Klein and seconded by Brayton to authorize Buffalo County Board Chairman, Bill McMullen to sign on behalf of Buffalo County the Pay Request Application 1 for materials purchased by A. M. Cohron & Sons in the amount of \$15,160.00 for Bridge Project C10 (466) Structure C001006555. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Reiter to authorize Buffalo County Board Chairman, Bill McMullen to sign on behalf of Buffalo County the Program Agreement between Buffalo County and the State of Nebraska Department of Roads for Project No. BRO 7467(1) Poole South Agreement No. BM1632. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Greder to allow the work hours schedule change starting on October 10, 2016 from the current four 10 hour days to five 8 hour days (8:00 A.M. – 4:30 P.M.) for the County Highway Department. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Reiter to set the bid date of October 11, 2016 at 10:00 A.M. for Cast-In-Place Reinforced Concrete Box Culverts for 4 projects in Buffalo County and Precast Concrete Decks for 1 project. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow, and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Biehl to set bid date of October 11, 2016 at 10:00 A.M. for one new motorgrader. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Morrow to authorize the Highway Department to install signs to prohibit the use of Engine Compression Brakes/Jake Brakes beginning 100 yards north of the intersection of US Hwy. 30 and Cottonmill Avenue and proceeding north bound to the intersection of Cottonmill Avenue and 56th Street also from intersection of Cottonmill Avenue and 56th Street proceeding south bound to intersection US Hwy 30 and Cottonmill Avenue. Upon roll call vote, the following Board members voted "Aye": Brayton, Morrow, Biehl, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Morrow to recess the regular meeting of the Board of Commissioners at 9:57 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Brayton, 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 Deputy County Treasurer Brenda Rohrich were present.

Chairman McMullen opened the Protest hearing for special value application for Kelly Hardin parcel 620122000 at 9:57 A.M. Kelly Hardin was present for review of the application and no one else addressed the Board. Chairman McMullen closed the hearing at 9:59 A.M. Moved by Biehl and seconded by Reiter to approve the application filed by Kelly Hardin. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Brayton, Greder, Klein, Morrow, and McMullen. None voted "Nay". Motion declared carried.

Chairman McMullen opened the Protest hearing for special value application for Melvin Thomas parcel 620263330. Melvin Thomas was present for review of the application and no one else addressed the Board. Chairman McMullen closed the hearing at 10:02 A.M. Moved by Klein and seconded by Reiter to approve the application filed by Melvin Thomas. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Greder to approve Tax List Correction numbers 4235 through 4238 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 Biehl to approve the Valuation Changes submitted by County Assessor Barber for the following list of properties and assigned parcel numbers. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Name	Parcel
TSK 14, LLC	580140201
Jerome B. Eckhout, Trustee	140027000
Buddee J. Conner	580026000

Moved by Greder and seconded by Morrow to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for Evangelical Lutheran Good Samaritan Society on a 2010 Ford Cutaway Van. 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 Greder and seconded by Klein to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:06 A.M. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter, and McMullen. None voted "Nay". Motion declared carried.

REGULAR AGENDA

County Attorney Shawn Eatherton arrived at 10:15A.M.

Chairman McMullen opened the public hearing to approve the 2016-2017 Fiscal Year Budget and approve the property tax requests for fiscal year 2016-2017 at 10:17 A.M. After review by the Budget Committee, Chairman McMullen closed the public hearing at 10:21 A.M. It was then moved by Morrow and seconded by Greder to approve an additional 1% Board approved increase in the prior year's budgeted restricted funds subject to limitation as allowed by law. 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 Morrow and seconded by Greder to authorize petty cash funds with the approval of the following Resolution 2016-42. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-42

We, the Buffalo County Board of Commissioners, authorize petty cash funds to be operated by the Sheriff's Office in the amount of \$2,500.00; the County Attorney's Office in the amount of \$16,500.00; the Probation Office in the amount of \$50.00; the Public Defender's Office in the amount of \$2,300.00; the Clerk of the District Court in the amount of \$1,000.00; Veteran's Service Office in the amount of \$10,000.00; the County Court Office in the amount of \$450.00, Board of Commissioners in the amount of \$2,500.00, and County Clerk in the amount of \$12,000.00.

Moved by Greder and seconded by Biehl to approve the Buffalo County Budget for the fiscal year 2016-2017 with the following Resolution 2016-43. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Brayton, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION OF ADOPTION AND APPROPRIATIONS 2016-43

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2016 to June 30, 2017, prepared by the Budget Making Authority, was transmitted to the Buffalo County Board of Commissioners on the 13th day of September 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Buffalo County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2016 to June 30, 2017 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Buffalo County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2016 and ending June 30, 2017.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

After review of the Property Tax Requests for fiscal year 2016-2017, Chairman McMullen closed the hearing at 10:24 A.M. Moved by Morrow and seconded by Klein to approve the property tax request for the fiscal year 2016-2017 with the following Resolution 2016-44. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-44

WHEREAS, Nebraska Revised Statue 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the County of Buffalo passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the County of Buffalo that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE the Governing Body of the County of Buffalo, by a majority vote, resolves that the 2016-2017 property tax requests be set and as follows:

FUND	2016-2017 Proposed Property Tax Request
General	15,426,500.56
Veteran's Aid	7,589.70

Bond	<u>1,507,664.87</u> (outside limit)
TOTAL	16,941,755.13

Christine Walsh presented updated Bookmobile reports from the Kearney Public Library Staff.

Buffalo County Attorney Shawn Eatherton and Doug Kramer were present to review the Buffalo County Juvenile Justice, Community Plan Dated July 1, 2015- June 30, 2018, Updates/Revisions. Moved by Greder and seconded by Reiter to authorize Buffalo County Chairman to sign the Buffalo County Juvenile Services Comprehensive 3 Year Plan. Upon roll call vote, the following Board members voted “Aye”: Greder, Reiter, Biehl, Brayton, Klein, Morrow and McMullen. None voted “Nay”. Motion declared carried.

Commissioner Morrow reported on the General Obligation Refunding Bond process. Moved by Morrow and seconded by Reiter to approve the General Obligation Refunding Bonds with the following Resolution 2016-45. Upon roll call vote, the following Board members voted “Aye”: Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2016-45

THE COUNTY OF BUFFALO, NEBRASKA

RESOLUTION CONFIRMING ACTION TAKEN PURSUANT TO RESOLUTION NO. 2016-34 ADOPTED AUGUST 23, 2016.

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

Section 1. The Board of Commissioners (the “Board”) of The County of Buffalo, in the State of Nebraska (the “County”) hereby finds and determines in connection with its issuance of General Obligation Refunding Bonds, Series 2016 (the “Bonds”) that (i) the Board duly adopted Resolution No. 2016-34 on August 23, 2016 (the “Bond Resolution”), (ii) the Bond Resolution, among other things, authorizes and directs the Chair of the Board to execute an award certificate designating the final terms, provisions, form and contents of the Bonds (the “Award Certificate”), (iii) as so authorized and directed, the Chair has executed and delivered the Award Certificate attached hereto as Exhibit A, which designated the final terms, provisions, form and contents of and relating to the Bonds, and (iv) while it is not a condition of the Bond Resolution, nor a condition for the Chair’s execution and delivery of the Award Certificate to be valid and binding upon the County, the County wishes to confirm the actions of the Chair in executing the Award Certificate solely as an administrative proceeding in order to document such action in its official records.

Section 2. The Board does hereby confirm, in all particulars, the execution and delivery by the Chair of the Award Certificate in conjunction with the issuance, sale and delivery of the Bonds.

Chairman McMullen reviewed the following correspondence. The City of Kearney sent notices of the Annual meeting for the Kearney Area Solid Waste Agency and the Planning Commission Agenda with a proposed change of zoning. The Board received a petition to request that Buffalo County remove the Northbound and Southbound stop signs at the intersection of Riverdale Rd and 115th Rd. Elaine Menzel, legal counsel for NACO sent information on an upcoming Business and Labor Committee hearing. Sequoia Consulting Group sent information in support of a Bill introduced in the Nebraska Legislature to amend statute 68-130. Kyle Schneweis, Director of Nebraska Department of Roads sent correspondence about the priorities for transportation in Nebraska. Chairman McMullen called on each Board member present for committee reports and recommendations.

Chairman McMullen called for Citizen’s forum and Harold Daake was present to address the Board concerning the four-way stop signs located at the intersection of the Riverdale Road and 115th Road. The Road Committee will discuss this with the Highway Superintendent.

The Board recessed at 10:55 A.M. for lunch and reconvened at 1:00 P.M. for a work session with the Nebraska Department of Revenue Property Assessment Division. In addition to Board members previously responding to roll call; those present for the discussion were Nebraska Senior Tax Specialists Sarah Scott and Derrick Niederklein, County Assessor Joe Barber, Deputy County Assessor Nora Borer, Deputy County Attorney Andrew Hoffmeister and Matt Meister.

Chairman McMullen asked if there was anything else to come before the Board at 2:16 P.M. before he declared the meeting adjourned until the regular meeting on Tuesday September 27, 2016 at 9:00 A.M.