

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, JANUARY 12, 2016  
9:00 A.M**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, January 12, 2016 at 9:00 A.M. and 10:00 A.M. County Clerk Janice Giffin called the Reorganization Meeting of the Buffalo County Board of Commissioners 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. County Clerk Giffin announced that a quorum was present to conduct County business and that posting and publishing gave notice of the meeting in advance, thereof. Notice of the meeting was simultaneously given to all members of the Board of Commissioners; and availability of the agenda was communicated in the advance notice and in the notice to the Board of Commissioners of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public. Deputy County Kari Fisk was present.

County Clerk Janice Giffin called for the election of a Chairman. Commissioner Klein nominated William McMullen for Chairman of the Buffalo County Board of Commissioners. County Clerk Giffin called for nominations three times. There were no further nominations, and it was moved by Klein and seconded by Brayton to cease the nominations and cast a unanimous ballot for William McMullen. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. Motion declared carried and William McMullen is the 2016 Board Chairman.

County Clerk Giffin turned the meeting over to Chairman McMullen.

Chairman McMullen called for the election of a Vice Chairman. Commissioner Brayton nominated Ivan Klein as Vice Chairman of the Buffalo County Board of Commissioners. Chairman McMullen called for nominations three times. There were no further nominations, and it was moved by Brayton and seconded by Reiter to cease the nominations and cast a unanimous ballot for Ivan Klein. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter, Biehl, Greder, Klein, Morrow and McMullen. Motion declared carried and Ivan Klein is the 2016 Board Vice Chairman.

Moved by Morrow and seconded by Klein to approve the following list of Depositories for County Monies. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. Motion declared carried.

Bank of the West	Cornerstone Bank
Exchange Bank	Farmers & Merchants Bank-Kearney
First National Bank	FirsTier Bank of Elm Creek
FirsTier Bank of Kearney	Great Western Bank
Heartland Bank	NebraskaLand National Bank
Town & Country Bank	Wells Fargo Bank

Moved by Morrow and seconded by Greder to authorize Buffalo County Treasurer Jean Sidwell to invest the County funds at the approved banks. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. Motion declared carried.

Chairman McMullen then made the following Agency Appointments/County Board Representatives:

- Airport Zoning Board-William McMullen
- Archway Board-Ivan Klein
- Buffalo County Community Partners-Francis "Buss" Biehl
- Buffalo County Economic Development Council-William McMullen & Sherry Morrow
- Buffalo County Extension Board-Joseph Brayton
- Community Action Partnership of Mid-Nebraska Board-Joseph Brayton
- Kearney Area Visitors Bureau Advisory Board-William McMullen
- Mid-NE Individual Services Advisory Board-Ivan Klein
- Region III Governing Board-Sherry Morrow
- Solid Waste Agency-Francis "Buss" Biehl
- South Central Economic Development Council-Francis "Buss" Biehl
- South Central NE Area Agency on Aging Governing Board-Ivan Klein

Two River Public Health Department-Dennis Reiter

Chairman McMullen then made the following miscellaneous appointments:

County Medical Doctor - Physician on call, Good Samaritan Hospital

Legal Newspaper Designations - The Kearney Hub and the Buffalo County Website ([www.buffalocounty.ne.gov](http://www.buffalocounty.ne.gov))

Chairman McMullen then made the following Committee appointments with the first person listed to be the Committee Chair:

<u>Budget &amp; Finance Committee</u>	Sherry Morrow-Chair Kent Greder Francis Biehl
<u>Physical Plant &amp; Maintenance Committee</u>	William McMullen-Chair Sherry Morrow Joe Brayton
<u>Information Technology Committee</u>	Kent Greder-Chair Sherry Morrow Ivan Klein
<u>Road &amp; Bridge Committee</u>	Ivan Klein-Chair Dennis Reiter Joe Brayton
<u>Noxious Weed District Committee</u>	Dennis Reiter-Chair Ivan Klein Joe Brayton
<u>Human Resource/Insurance Committee</u>	Kent Greder-Chair Francis Biehl William McMullen
<u>Public Safety, Law Enforcement &amp; Emergency Management Committee</u>	Dennis Reiter-Chair Kent Greder Joe Brayton
<u>Court &amp; Judicial Committee</u>	Francis Biehl-Chair Ivan Klein Sherry Morrow
<u>Veterans Service Committee</u>	Joe Brayton-Chair William McMullen Ivan Klein
<u>Zoning/Flood Plain Committee</u>	Francis Biehl-Chair Sherry Morrow Dennis Reiter
<u>Extension/Agricultural Society Committee</u>	Joe Brayton-Chair Dennis Reiter Ivan Klein
<u>Policies and Procedures Committee</u>	William McMullen-Chair Francis Biehl Sherry Morrow
<u>Election Committee</u>	Kent Greder-Chair Dennis Reiter Francis Biehl

Buffalo County NIRMA (Nebraska Intergovernmental Risk Management Association) Contact - Janice Giffin

### **REGULAR AGENDA**

Moved by Biehl and seconded by Reiter to approve the December 22, 2015 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.

Moved by Morrow and seconded by Klein to ratify the following December 24, 2015 and January 8, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

**DECEMBER 24, 2015 PAYROLL**

<b>GENERAL FUND</b>			
NET PAYROLL			206,677.44
AMERICAN FAMILY LIFE	I	PREMIUMS	1,057.74
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	494.72
RETIREMENT PLANS AMERITAS	R	EMPE RET	34,741.82
BUFFALO CO TREASURER	I	PREMIUMS	84,389.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	355.18
COLONIAL SUPPLEMENT INSURANCE	I	EMPE COLONIAL	41.84
FIRST CONCORD BENEFITS	E	FLEX FUNDS	3,437.24
FIRST NATIONAL BANK	T	FEDERAL TAX	76,649.75
KEARNEY UNITED WAY	E	DONATIONS	112.70
MADISON NATIONAL LIFE INS	I	PREMIUMS	883.47
MASSMUTUAL FINANCIAL GROUP	E	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,299.07
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,005.32
NE CHILD SUPPORT PAYMENT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	10,970.00
<b>ROAD FUND</b>			
NET PAYROLL			43,912.53
AMERICAN FAMILY LIFE	I	PREMIUMS	1,014.99
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	142.28
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,218.35
BUFFALO CO TREASURER	I	PREMIUMS	1,719.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	12.00
FIRST CONCORD BENEFITS	E	FLEX FUNDS	526.25
FIRST NATIONAL BANK	T	FEDERAL TAX	15,206.01
MADISON NATIONAL LIFE INS	I	LT DISABILITY	111.61
METLIFE GROUP BENEFITS	E	DENTAL	518.43
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT PAYMENT	E	CHILD SUPPORT	302.50
STATE OF NE	T	STATE TAX	2,021.50
<b>WEED DISTRICT</b>			
NET PAYROLL			4,057.52
RETIREMENT PLANS AMERITAS	R	EMPE RET	647.26
BUFFALO CO TREASURER	I	PREMIUMS	323.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,295.89
MADISON NATIONAL LIFE INS	I	LT DISABILITY	3.27
METLIFE GROUP BENEFITS	E	DENTAL	56.63
STATE OF NE	T	STATE TAX	169.23

**JANUARY 8, 2016 PAYROLL**

<b>GENERAL FUND</b>			
NET PAYROLL			223,929.33
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,057.67
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	517.48
RETIREMENT PLANS AMERITAS	R	EMPE RET	38,026.10
BUFFALO CO TREASURER	I	PREMIUMS	87,545.46
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	362.18
COLONIAL SUPPLEMENTAL	I	EMPE COLONIAL	41.84
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	3,777.23
FIRST NATIONAL BANK	T	FEDERAL TAX	84,982.05
KEARNEY UNITED WAY	E	DONATIONS	172.84
MADISON NATIONAL LIFE INS	I	PREMIUMS	357.78
MADISON NATIONAL LIFE INS	I	LT DISABILITY	535.84
MASSMUTUAL FINANCIAL GROUP	E	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,698.65
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,005.32
NE CHILD SUPPORT PAYMENT	E	CHILD SUPPORT	546.98

STATE OF NE	T	STATE TAX	12,491.65
<b>ROAD FUND</b>			
NET PAYROLL			43,855.90
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,014.94
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	142.28
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,292.70
BUFFALO CO TREASURER	I	PREMIUMS	1,719.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	12.00
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	526.25
FIRST NATIONAL BANK	T	FEDERAL TAX	15,265.77
MADISON NATIONAL LIFE INS	I	LT DISABILITY	111.51
METLIFE GROUP BENEFITS	E	DENTAL	601.46
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT PAYMENT	E	CHILD SUPPORT	302.50
STATE OF NE	T	STATE TAX	2,050.29
<b>WEED DISTRICT</b>			
NET PAYROLL			4,051.85
RETIREMENT PLANS AMERITAS	R	EMPE RET	647.26
BUFFALO CO TREASURER	I	PREMIUMS	323.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,292.36
MADISON NATIONAL LIFE INS	I	LT DISABILITY	3.26
METLIFE GROUP BENEFITS	E	DENTAL	65.70
STATE OF NE	T	STATE TAX	168.67

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

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

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

<b>ROAD FUND</b>		
STATE OF NE-MOTOR FUELS	FUEL TAX	2,306.00
<b>GENERAL FUND</b>		
CASH WA	SUPPLIES	248.81

## ZONING

Chairman McMullen opened the Zoning Hearings at 9:15A.M. Zoning Administrator LeAnn Klein was present. Trenton Snow on behalf of John and Amy Ourada filed a request for a zoning map amendment for property described as the West Half of the Northeast Quarter (W1/2 NE1/4) of Section 9, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska and Lot One (1), Landing Acres, an administrative subdivision being part of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 9, Township 9 North, Range 18 West the Sixth Principal Meridian, Buffalo County, Nebraska from Agricultural to Agricultural-Residential. John Ourada and Trenton Snow were present to review the Zoning Map Amendment. No one else addressed the Board and Chairman McMullen closed the hearing at 9:23 A.M. Moved by Biehl and seconded by Klein to approve the Zoning Map Amendment application with the following Resolution 2016-01. 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 2016-01

WHEREAS, on November 24, 2015, Surveyor Trenton Snow on behalf of John C. Ourada and Amy A. Ourada, Husband and Wife, have applied for a zoning map amendment with the Buffalo County Zoning Administrator requesting that the following real estate property, hereinafter referred to as the "subject property", to wit:

The West Half of the Northeast Quarter (W ½ NE ¼ ) of Section Nine (9), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska EXCEPT a tract of land being part of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼ ) of Section Nine (9), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the Northwest Corner of the Northeast Quarter of said

Section 9 and assuming the North line of said Northeast Quarter as bearing N 89°27' E and all bearings contained herein are relative thereto; thence N 89°27' E on the aforesaid North line a distance of 468.98 feet; thence SOUTH a distance of 511.63 feet; thence WEST a distance of 491.47 feet to a point on the West line of said Northeast Quarter, thence N 02°32'30" E on the aforesaid West line a distance of 507.62 feet to the place of beginning. Containing 5.61 acres, more or less now known as Lot One (1), Landing Acres, an administrative subdivision being part of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼ ) of Section Nine (9), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska

AND

Lot One (1), Landing Acres, an administrative subdivision being part of the Northwest Quarter of the Northeast Quarter (NW ¼ NE ¼ ) of Section Nine (9), Township Nine (9) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska be changed from the Agricultural (AG) District to the Agricultural-Residential (AGR) District,

WHEREAS, this is solely a zoning map amendment request and the subject property would or could have other land use regulations that would apply to it above and beyond the zoning map amendment sought at this meeting, and

WHEREAS, on December 17, 2015, the Buffalo County Planning and Zoning Commission following public hearing with notice as required recommended approval of such proposed change in zoning on a 5-0 vote with one caveat they get a waiver from the land owner for the placement of homes placed within one mile of a feedlot, and

WHEREAS, on January 12, 2016, this Board conducted a public hearing and considered this Zoning Map Amendment, the minutes of the Planning and Zoning Commission considering this amendment, Buffalo County Zoning Regulations, and Comprehensive Plan, and finds:

- a. No one voiced opposition against the amendment.
- b. That such change in zoning designation would have minimal adverse effect on surrounding properties.
- c. That the intended uses of the Agricultural-Residential District is consistent with property use in the surrounding area.
- d. This amendment is consistent with the growth and development of Buffalo County and the overall Comprehensive Plan adopted by Buffalo County, Nebraska, and
- e. The subject property is situated close to already existing public improvements, such as sufficient utilities so that the map amendment with its attendant changes in uses will not cause additional public costs to function effectively.
- f. That a waiver for residential use within the area of the requested zoning map amendment was obtained from the surface owner of the feedlot that has a one-mile setback restriction for residential development, which is located south of the area sought to be rezoned.

WHEREAS, no protest (s) against such amendment have been filed with the Buffalo County Clerk within seven days of conclusion of public hearing of such Commission as allowed under Section 11.4, and

WHEREAS, the votes in favor of adoption of this resolution need only be by majority of members to this Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that application for zoning map amendment to change the subject property from the Agricultural (AG) District to the Agricultural-Residential (AGR) District is approved, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed in the Register of Deed's office against subject property and any parcel situated partially or entirely within such legal description, and that the County Clerk shall make amendment to Buffalo County Zoning District Map originally adopted on or about September 10, 2002.

Chairman McMullen opened the hearing for the request filed by Trenton Snow on behalf of Larry L. & Marilyn K. Puttergill for an Administrative Subdivision for property described as part of the Northeast Quarter (1/4) of the Northwest Quarter (1/4) of Section 7, Township 10 North, Range 14 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Weldon Acres. Trenton Snow and Larry Puttergill were present to review the Administrative Subdivision application. No one addressed the Board and Chairman McMullen closed the hearing at 9:27 A.M. Moved by Klein and seconded by Brayton to approve the Administrative Subdivision application with the following Resolution 2016-02. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter, and McMullen. None voted "Nay". Motion declared carried.

#### **RESOLUTION 2016-02**

WHEREAS, Trenton Snow, licensed surveyor, on behalf of Larry L. Puttergill and Marilyn K. Puttergill, husband and wife, hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "WELDON ACRES" with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on January 12, 2016, this Board conducted a public hearing and now finds:

1. The proposed "WELDON 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. 190th Road is a county maintained open public road that abuts the proposed subdivision to the north. 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 "WELDON ACRES", an administrative subdivision being described as being part of the Northeast Quarter of the Northwest Quarter located in Section 7, Township 10 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.

Zoning Administrator LeAnn Klein reviewed and filed the annual 2015 Zoning Report. Moved by Biehl and seconded by Brayton to accept the 2015 Annual Zoning and Floodplain Administrator Report. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

### **REGULAR AGENDA**

Chairman McMullen reviewed the following correspondence. A newsletter was received from Cannon Moss Brygger Architects and Kidwell sent information with a range of services provided by them. The City of Kearney sent notification of a new Paving Improvement District No 2015-98. Heather Voorman, Community Development Coordinator of the Nebraska Department of Economic Development sent an e-mail concerning a Notice of Public Comment Period and Videoconference Schedule for the Proposed 2016 Annual Action Plan. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Morrow and seconded by Reiter to re-appoint the following appointed officials for 2016: Ron Sklenar as the Highway Superintendent, Bret Stubbs as the Weed Superintendent, LeAnn Klein as the Floodplain/Zoning Administrator, Lisa Poff as the Election Commissioner, William Williams as the Veteran's Service Officer, Darrin Lewis as the Emergency Manager, Steve Gaasch as the Facilities Director and Lynn Martin as the Board Administrator. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted "Nay". Motion declared carried.

Sheriff Neil Miller was present to review the contract for the Inmate Health Care Service with Buffalo County and Advanced correctional Healthcare. Bids were submitted on December 8, 2015 from Southern Health Partners and Advanced Correctional Healthcare. On December 22, 2015 the Board authorized Sherriff Neil Miller to move forward with a contract with Advanced Correctional Healthcare. Prior to this meeting, Sheriff Neil Miller met with the Public Safety Committee to discuss the options and make a recommendation to the Board. Moved by Greder and seconded by Reiter to authorize Chairman McMullen to sign the contract with Advanced Correctional Healthcare on behalf of Buffalo County for one year with auto renew annually at \$5,512.72 per month. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Morrow to appoint Brad Kernick and Tammy Jackson and reappoint Tim Mannlein to a four year term to the Visitors Bureau Board of Directors. 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 Brayton and seconded by Reiter to approve the revisions to the Employee Handbook with the following Resolution 2016-03. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

### **RESOLUTION 2016-03**

WHEREAS, Buffalo County has adopted an Employee Handbook, and

WHEREAS, periodic updates to said handbook are necessary to maintain legal compliance, to adjust policies, to add or remove policies, and/or to correct errors,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT:

Section 5.7.2 of the Employee Handbook be amended to correct a typographical error, specifically that the accrual per hour rate listed for Month 1 thru Month 72 for full-time non-exempt employees be corrected from .03486 to .03846.

BE IT FURTHER RESOLVED THAT:

This change will take effect as of the first day of the current pay period and an updated version of the Employee Handbook will be made available on Knowledge Base within 7 days

Sheriff Neil Miller was present for discussion on candidates for the South Central Region of the Nebraska Regional Interoperability Network (NRIN) Board of Directors. Candidates for the South Central Region are Brandon Myers, Chip Volcek, Jon Rosenlund and Robert Tubbs. Moved by Biehl and seconded by Greder to authorize Chairman McMullen to vote for Robert Tubbs and Jon Rosenlund on behalf of the Board for the South Central Region of the NRIN Board of Directors. Upon roll call vote, the following Board members voted “Aye”: Biehl, Greder, Brayton, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Klein to recess the regular meeting of the Board of Commissioners at 10:09 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted “Aye”: Greder, Klein, Biehl, Brayton, Morrow, 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 Greder and seconded by Brayton 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”: Greder, Brayton, Biehl, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Elizabeth A Merrifield & Five Points Bank	580126000	Elizabeth A Merrifield & Five Points Bank	580125000
Elizabeth A Merrifield & Five Points Bank	580126050	KDIVER LLC	580119000

Moved by Klein and seconded by Greder to approve Tax List Corrections numbered 4177 through 4184 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. 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 Christian Heritage Children’s Homes on a 2010 Mazda Sedan. Upon roll call vote, the following Board members voted “Aye”: Biehl, Greder, Brayton, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Klein and seconded by Reiter to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for First United Methodist Church on a 2010 Ford Cutaway Van and a 2015 Ford Turtle Top Shuttle. Upon roll call vote, the following Board members voted “Aye”: Klein, Reiter, Brayton, Greder, Morrow, and McMullen. Abstain: Biehl. None voted “Nay”. Motion declared carried.

Moved by Brayton and seconded by Greder to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for The Evangelical Lutheran Good Samaritan Society (Elm Creek) on a 2015 ford Fusion Sedan. 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 approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for The Evangelical Lutheran Good Samaritan Society (Pleasanton) on a 2015 ford Fusion Sedan. 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 Brayton to adjourn the Board of Equalization at 10:21 A.M. Upon roll call vote, the following Board members voted “Aye: Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

### **REGULAR AGENDA**

Chairman McMullen opened the public hearing at 10:22 A.M. for Community Development Block Grant Program Income. Darren Robinson President of the Economic Development Council of Buffalo County (EDCBC) was present to request authorization to utilize Buffalo County Community Development Block Grant (CDBG) Re-Use Funds, designated for economic development use, to construct paving infrastructure within the County. No one else was present to address the Board and Chairman McMullen closed the hearing at 10:26 A.M. Moved by Klein and seconded by Brayton to authorize using EDCBC held CDBG Re-Use funds to pave Cherry Avenue from Coal Chute Road to the current rail crossing north with the following Resolution 2016-04. Upon roll call vote, the

following Board members voted “Aye”: Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

### **RESOLUTION 2016-04**

WHEREAS, on or about May 11, 1999, for an economic development loan identified as CDBG 98-ED-004, Buffalo County adopted a plan to re-use monies initially generated by payment of this and other economic development loans, and

WHEREAS, on or about May 9, 2006, this Board passed a motion approving an Interlocal Agreement with the City of Kearney and the Economic Development Council of Buffalo County. This motion and Interlocal Agreement authorized the Economic Development Council of Buffalo County to proceed with use of such re-use monies to stimulate economic development, and

WHEREAS, at public hearing held January 12, 2016, the Economic Development Council of Buffalo County presented a plan to proceed with using re-use monies to construct paving within Buffalo County, Nebraska for economic development. The project would utilize re-use monies to pave Cherry Avenue, providing paved access to Marshall Engines, Inc. new Corporate Office. Marshall Engines, Inc. agrees to create a minimum of 12 new full-time jobs and comply with the requirements and restrictions associated with re-use monies.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the Economic Development Council of Buffalo County shall be authorized and empowered to utilize a sum not exceeding \$442,145.91, of re-use monies, under such terms as thought best by the Economic Development Council of Buffalo County in its sole discretion, including forgiveness of such loan, and do all acts necessary to fulfill such task.

Moved by Morrow and seconded by Brayton to approve the following tax refund request submitted for the following property and assigned parcel numbers. Upon roll call vote, the following Board members voted “Aye: Morrow, Brayton, Biehl, Greder, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

<b>Name</b>	<b>Parcel</b>
KDIVER LLC	580126000
KDIVER LLC	580126050
KDIVER LLC	580119000

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

At 10:28 A.M. Chairman McMullen asked if there was anything else to come before the Board before he declared the meeting adjourned following the quarterly jail inspection until the regular meeting on Tuesday January 26, 2016 at 9:00 A.M.