

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, SEPTEMBER 12, 2017**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 12, 2017 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: Joseph Brayton, Ivan Klein, Ronald Loeffelholz, Sherry Morrow, Dennis Reiter and William McMullen. Absent: Kent Greder. 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.

**REGULAR AGENDA**

Moved by Brayton and seconded by Loeffelholz to approve the August 22, 2017 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Brayton, Loeffelholz, Klein, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Reiter and seconded by Klein to ratify the following September 1, 2017 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Brayton, Loeffelholz, Morrow and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

|                              |   |               |            |
|------------------------------|---|---------------|------------|
| <b>GENERAL FUND</b>          |   |               |            |
| NET PAYROLL                  |   |               | 216,938.96 |
| AMERICAN FAMILY LIFE         | I | PREMIUMS      | 1,040.20   |
| RETIREMENT PLANS AMERITAS    | R | EMPE RET      | 37,088.05  |
| BUFFALO CO TREAS/WELLNESS    | I | PREMIUMS      | 110.00     |
| BUFFALO CO TREASURER         | I | PREMIUMS      | 97,765.50  |
| LIFE INSURANCE NORTH AMERICA | I | PREMIUMS      | 376.32     |
| FIRST CONCORD                | E | FLEX FUNDS    | 4,118.48   |
| FIRST NATIONAL BANK          | T | FEDERAL TAX   | 80,692.66  |
| KEARNEY UNITED WAY           | E | DONATIONS     | 100.67     |
| MADISON NATIONAL LIFE        | I | PREMIUMS      | 370.15     |
| MADISON NATIONAL LIFE        | I | LT DISABILITY | 557.29     |
| MASSMUTUAL FINANCIAL         | I | DEFERRED COMP | 1,115.00   |
| NATIONWIDE RETIREMENT        | R | DEFERRED COMP | 570.32     |
| NE CHILD SUPPORT             | E | CHILD SUPPORT | 450.37     |
| PRINCIPAL FINANCIAL          | E | DENTAL        | 2,805.44   |
| STATE OF NE                  | T | STATE TAX     | 11,474.57  |
| VISION SERVICE               | E | EMPE VSP EYE  | 671.11     |
| <b>ROAD FUND</b>             |   |               |            |
| NET PAYROLL                  |   |               | 49,768.03  |
| AMERICAN FAMILY LIFE         | I | PREMIUMS      | 886.10     |
| RETIREMENT PLANS AMERITAS    | R | EMPE RET      | 7,884.54   |
| BUFFALO CO TREAS/WELLNESS    | I | PREMIUMS      | 10.00      |
| BUFFALO CO TREASURER         | I | PREMIUMS      | 3,120.50   |
| LIFE INSURANCE NORTH AMERICA | I | PREMIUMS      | 9.60       |
| FIRST CONCORD                | E | FLEX FUNDS    | 418.33     |
| FIRST NATIONAL BANK          | T | FEDERAL TAX   | 16,794.63  |
| MADISON NATIONAL LIFE        | I | LT DISABILITY | 105.81     |
| NATIONWIDE RETIREMENT        | R | DEFERRED COMP | 972.50     |
| NE CHILD SUPPORT             | E | CHILD SUPPORT | 100.00     |
| PRINCIPAL FINANCIAL GROUP    | E | DENTAL        | 720.23     |
| STATE OF NE                  | T | STATE TAX     | 2,237.81   |
| VISION SERVICE               | E | EMPE VSP EYE  | 172.33     |
| <b>WEED FUND</b>             |   |               |            |
| NET PAYROLL                  |   |               | 4,118.72   |
| RETIREMENT PLANS AMERITAS    | R | EMPE RET      | 664.82     |
| BUFFALO CO TREASURER         | I | PREMIUMS      | 323.50     |
| FIRST CONCORD                | E | FLEX FUNDS    | 25.00      |
| FIRST NATIONAL BANK          | T | FEDERAL TAX   | 1,386.81   |
| MADISON NATIONAL LIFE        | I | LT DISABILITY | 3.46       |
| PRINCIPAL FINANCIAL          | E | DENTAL        | 29.04      |
| STATE OF NE                  | T | STATE TAX     | 180.21     |

Moved by Morrow and seconded by Brayton to accept the Clerk of the District Court August 2017 Fee Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Klein, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to accept the Buffalo County Treasurer August 2017 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Brayton, Klein, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Klein to accept the July 2017 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Loeffelholz to approve the fiscal year 2016-2017 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": Klein, Loeffelholz, Brayton, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Klein to approve the addition of pledged collateral in the amount of \$49,654,614.00 at the First National Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Brayton, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Reiter to authorize Chairman McMullen to sign the Certificate of Cost Allocation Plan dealing with the countywide cost allocation plan prepared by the Sequoia Consulting Group. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter, Klein, Loeffelholz, Morrow, and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Brayton to approve the audit contract with Tonniges & Associates Inc. for the fiscal year 2016-2017. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Klein, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Klein to appoint J.C. Ourada to the Board of Adjustment for a three year term. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Morrow to appoint Richard White as an alternant member for the Board of Adjustment for a three year term. Upon roll call vote, the following Board members voted "Aye": Brayton, Morrow, Klein, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Deputy County Attorney Andrew Hoffmeister was present to discuss the renewal of the Solid Waste Management Plan and Service Agreement with the City of Kearney. This discussion and decision was tabled until the September 26, 2017 Board meeting.

## **ZONING**

Zoning Administrator LeAnn Klein and Deputy County Attorney Kari Fisk were present for the following Zoning agenda items.

Chairman McMullen opened the Zoning Hearing at 9:15 A.M. Kevin and Maggie Mansfield were present for review of the Special Use Permit application submitted for property described as a tract in the Southeast Quarter of the Southeast Quarter of Section 32, Township 9 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska for a dog breeding establishment. No one else addressed the Board and Chairman McMullen closed the hearing at 9:20 A.M.

Moved by Klein and seconded by Loeffelholz to approve the Special Use Permit application with the following Resolution 2017-43. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Brayton, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

## **RESOLUTION 2017-43**

WHEREAS, Kevin L. Mansfield and Maggie M. Mansfield, Applicants, have filed for a Special Use Permit with Buffalo County Clerk and/or Zoning Administrator.

WHEREAS, one application was filed July 31, 2017 for a dog breeding establishment to be situated on the following legal description: a tract of land being part of the Southeast Quarter of the Southeast Quarter of Section 32, Township 9 North, Range 17 West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of said Section 32 and assuming the East line of the Southeast Quarter of said section as bearing NORTH and all bearings contained herein are relative thereto; thence NORTH on the East line of the Southeast Quarter of said section a distance of 382.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing NORTH on the aforescribed course a distance of 396.1 feet; thence S 89° 35' W a distance of 375.2 feet; thence S 46° 13' W a distance of 98.8 feet; thence S 10° 10' W a distance of 143.8 feet; thence S 57° 53' 30" E a distance of 334.3 feet; thence S 88° 14' 30" E a distance of 188.8 feet to the Place of Beginning.

WHEREAS, on August 17, 2017 the Buffalo County Planning and Zoning Commission conducted a public hearing on such Special Use Permit and on a 8-0 vote with 1 absent voted to recommend a cap of thirty dogs maximum at any one time and to forward this application to the County Commissioners with approval, and

WHEREAS, on September 12, 2017, the Buffalo County Board of Commissioners held a public hearing on this Special Use Permit and,

WHEREAS, one exhibit is attached to the application

1. The application of the Special Use Permit.

WHEREAS, only a simple majority is required by this Board to approve this Special Use Permit because no protests against issuance of this permit have been filed, and

WHEREAS, the Board after public hearing and review of the Special Use application finds:

1. This application shall be approved with a cap of thirty dogs maximum at any one time.

WHEREAS, the requested special use permit is found to be in compliance with Section 6.2 of Buffalo County's Zoning Regulations now in effect, in that if the proposed amendment, with the below stated conditions contained in this Resolution, 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 majority vote of its members, this Board approves applicants' requested Special Use Permit, subject however to the following:

1. There shall be a cap of thirty dogs maximum at any one time located on the premises.

BE IT FURTHER RESOLVED that this Board reserves the power to revoke such special use permit for failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance. If the Zoning Administrator or any two members of this Board find at any time that the terms, conditions and requirements of this special use permit have not been complied with, or that any phase thereof has not been completed within the time required under said special use permit or any amendment thereto, the Zoning Administrator or any two members of this Board shall report this fact to the County Commissioners, and thereafter this Board may conduct review of compliance by public hearing with notice given to applicant(s) and/or entity using the subject property. Following such public meeting this Board may take any action it may deem necessary to secure compliance including revocation and termination of this special use permit.

RESOLVED FURTHER that a copy of this Resolution shall be filed against the subject property as described above.

Chairman McMullen opened the Zoning hearing for a special use permit filed by Western Engineering Co., Inc. on behalf of Peggy and Quenton Ondrak etal for property described as part of the Northeast Quarter located in Section 11, Township 12 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska for a temporary asphalt plant and stock pile site. Calvin Davidson with Western Engineering Co was present to answer questions. Ed Klein and Delores Inness addressed the Board with Health, Environmental and Traffic concerns of the temporary asphalt plant. Chairman McMullen closed the hearing at 9:49 A.M. After further discussion the decision on this special use permit was tabled until September 26, 2017.

Moved by Loeffelholz and seconded by Klein to recess the regular meeting of the Board of Commissioners at 9:50 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Brayton, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

### **BOARD OF EQUALIZATION**

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Ethel Skinner and County Treasurer Jean Sidwell were present.

Moved by Morrow and seconded by Reiter to approve Tax List Corrections numbered 4381-4385 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Brayton, Klein, Loeffelholz and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Loeffelholz and seconded by Morrow to approve Valuation Changes submitted by County Assessor Skinner for the following list of properties and assigned parcel numbers. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Brayton, Klein, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

| <u>Name</u>                          | <u>Parcel</u> |
|--------------------------------------|---------------|
| SORENSEN CO LIMITED PARTNERSHIP      | 580053000     |
| TERRY SILVERS & WF                   | 580157625     |
| ROGER D & VICKIE L OTTO              | 604493000     |
| MBW DANIELS LLC                      | 680466000     |
| GREGORY L & CORTNEY L HERVERT        | 060266000     |
| ROBERT C SUPANCHICK & WF             | 080057000     |
| MARLENE L FREAD                      | 140008000     |
| SOUTH LOUP RANCH, LLC                | 260086000     |
| DELORES A KEASCHALL, TRUSTEE         | 280123000     |
| DENNIS L & DIANE D BASNETT, TRUST    | 300132290     |
| FLOYD F BUKOWSKI                     | 380228000     |
| MICHAEL C & REBECCA L EVERS          | 440160000     |
| KERWIN P & JANE BRAMER               | 460009000     |
| SHEILA MILLER & ELIZABETH RAYL CO-TR | 500003000     |

Chairman McMullen opened the public hearing for the tax exemption application for Rivers Edge Outdoorsmen 4-H Club. Heidi Darby was present for the review of the application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:56 A.M. Moved by Brayton and seconded by Loeffelholz to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Rivers Edge Outdoorsmen 4-H Club on a 2016 Lark United enclosed cargo trailer. Upon roll call vote, the following Board members voted "Aye": Brayton, Loeffelholz, Klein, Morrow, Reiter and McMullen. Absent: Greder. 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 CHI Health McAuley Center on a 2017 Nissan Altima. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Brayton, Loeffelholz, Morrow and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Klein to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Christian Heritage Children's Homes on a 2017 Honda Civic Sedan. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

County Assessor Skinner reported that the Assessor's office is currently reviewing certain areas of the County.

Moved by Loeffelholz and seconded by Reiter to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:00 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Reiter, Brayton, Klein, Morrow and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Deputy County Attorney Andrew Hoffmeister was present to review the Summerhaven 3<sup>rd</sup> Addition Subdivision and the Interlocal Cooperation Agreement and Compact with Kearney County. Moved by Klein and seconded by Loeffelholz to approve the following Resolution 2017-44. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Brayton, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

#### **RESOLUTION 2017-44**

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS OF BUFFALO COUNTY, NEBRASKA, in regular session with quorum present, by virtue of the Interlocal Cooperation Agreement and Compact made between Buffalo County, Nebraska and Kearney County, Nebraska, last amended on August 22, 2017, by the Buffalo County Board of Commissioners in Resolution No. 2011-50B; that the plat of "SUMMER HAVEN THIRD", a subdivision being a part of a part of accretion lands deriving from and adjacent to Government Lot Nine (9) in Section Fourteen (14), with part of accretion lands deriving from Government Lot Nine (9) located in Section Fourteen (14) being located in Buffalo County, Nebraska, together with part of Government Lot Eight (8) and accretion lands deriving from and adjacent to said Government Lot Eight (8) in Section Fourteen (14), part of Government Lot Three (3) and part of accretion lands deriving from and adjacent to said Government Lot Three (3) and part of Government Lot Four (4) and accretion lands deriving from and adjacent to said Government Lot Four (4) in said Section Twenty-three (23), with said part of Government Lot Eight (8) and accretion lands deriving from and adjacent to said Government Lot Eight (8) in Section Fourteen (14), part of Government Lot Three (3) and part of accretion lands deriving from and adjacent to said Government Lot Three (3) and part of Government Lot Four (4) and accretion lands deriving from and adjacent to said Government Lot Four (4) in said Section Twenty-three (23) being located in Kearney County, Nebraska, all in Township Eight (8) North, Range Fifteen (15) West of the Sixth Principal Meridian, all as 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 to approve the 2017-2018 Fiscal Year Budget and approve the property tax requests for fiscal year 2017-2018 at 10:03 A.M.

After review by the Budget Committee, Chairman McMullen closed the public hearing at 10:06 A.M. It was then moved by Klein and seconded by Morrow 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": Klein, Morrow, Brayton, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Morrow to authorize petty cash funds with the approval of the following Resolution 2017-45. Upon roll call vote, the following Board members voted "Aye": Brayton, Morrow, Klein, Loeffelholz, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

#### **RESOLUTION 2017-45**

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 \$12,000.00; the County Court Office in the amount of \$50.00, and County Clerk in the amount of \$12,000.00.

Moved by Morrow and seconded by Reiter to approve the Buffalo County Budget for the fiscal year 2017-2018 with the following Resolution 2017-46. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Brayton, Klein, Loeffelholz and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

#### **RESOLUTION OF ADOPTION AND APPROPRIATIONS**

**2017-46**

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2017 to June 30, 2018, prepared by the Budget Making Authority, was transmitted to the Buffalo County Board of Commissioners on the 12<sup>th</sup> day of September 2017.

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, 2017 to June 30, 2018 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, 2017 and ending June 30, 2018.

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.

Commissioner Morrow stated that the pay raises for employees will go into effect with the September 10 through the September 23, 2017 payroll period. Morrow further stated that the Budget Committee appreciated the cooperation of the County Officials during the Budget process.

Chairman McMullen opened the public hearing for Property Tax Requests at 10:09 A.M. After review of the Property Tax Requests for fiscal year 2017-2018, Chairman McMullen closed the hearing at 10:10 A.M. Moved by Morrow and seconded by Reiter to approve the property tax request for the fiscal year 2017-2018 with the following Resolution 2017-47. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Brayton, Klein, Loeffelholz and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

**RESOLUTION 2017-47**

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 2017-2018 property tax requests be set and as follows:

|               |                                     |
|---------------|-------------------------------------|
| FUND          | 2017-2018 Proposed                  |
|               | Property Tax Request                |
| General       | 16,637,741.85                       |
| Veteran's Aid | 22,506.87                           |
| Bond          | <u>1,630,521.21</u> (outside limit) |
| TOTAL         | 18,290,769.93                       |

Highway Superintendent John Maul was present for the following agenda items.

Moved by Klein and seconded by Brayton to approve the maintenance of East 97<sup>th</sup> Street and Box Butte Avenue within Antelope Park Estates. These roads both meet county specifications for maintenance. (Commissioner Morrow excused herself at 10:11 A.M. and returned at 10:14 A.M.) Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Loeffelholz, Reiter and McMullen. Absent: Greder and Morrow. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Reiter to set the bid date of September 26, 2017 for two new Motor Graders. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Brayton, Loeffelholz, Morrow and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to set the bid date of October 10, 2017 for the 2018 Asphalt Overlay Projects. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

David and Ann Bauer were present for the discussion on County Road Right of Way issues on 85<sup>th</sup> Street east of 56<sup>th</sup> Avenue. Complaints were brought by two School Districts and private citizens about trees in the Road Right of Way and the concern for public safety. Prior to this meeting a survey was done to determine if the trees were in fact in the Right of Way. No formal action was necessary and the trees will be removed.

Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Loeffelholz and seconded by Klein to enter into Executive Session at 10:50 A.M. to discuss contract negotiations and personnel issues. In addition to Board members responding to roll call, County Attorney Shawn Eatherton was present. Facility Director Stephen Gaasch was also in the meeting until 11:10 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Brayton, Morrow, Reiter and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

Moved by Loeffelholz and seconded by Reiter to move out of Executive Session at 11:31 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Reiter, Brayton, Klein, Morrow and McMullen. Absent: Greder. None voted "Nay". Motion declared carried.

### **REGULAR AGENDA**

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

Chairman McMullen stated that a Special Meeting will be held on September 25, 2017 at 9:00 A.M. for the request of a Special Designated Liquor License approval from Nightlife Concepts Inc. The request for approval was made after the deadline for this meeting Agenda and the approval needs to be at the Nebraska Liquor Control Commission by September 25, 2017 in order to have the event on October 8, 2017.

At 11:35 A.M. Chairman McMullen asked if there was anything else to come before the Board before he declared the meeting adjourned until the regular meeting on Tuesday, September 26, 2017.