

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 9, 2018**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, October 9, 2018 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, Ronald Loeffelholz, Sherry Morrow, Dennis Reiter and William McMullen. Absent: Kent Greder and Ivan Klein. 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 Reiter and seconded by Loeffelholz to approve the September 25, 2018 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Reiter, Loeffelholz, Brayton, Morrow and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Move by Morrow and seconded Loeffelholz to ratify the following September 28, 2018 payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Brayton, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

GENERAL FUND			
NET PAYROLL			234,220.02
AMERICAN FAMILY LIFE	I	PREMIUMS	1,162.57
RETIREMENT PLANS AMERITAS	R	EMPE RET	40,740.56
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	70.00
BUFFALO CO TREASURER	I	PREMIUMS	90,488.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	378.32
CREDIT MANAGEMENT	E	GARNISHMENT	218.18
FIRST CONCORD	E	FLEX FUNDS	3,840.91
FIRST NATIONAL BANK	T	FEDERAL TAX	79,171.68
KEARNEY UNITED WAY	E	DONATIONS	97.67
MADISON NATIONAL LIFE	I	PREMIUMS	367.32
MADISON NATIONAL LIFE	I	LT DISABILITY	575.78
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	1,115.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	355.00
NE CHILD SUPPORT	E	CHILD SUPPORT	334.12
PRINCIPAL FINANCIAL	E	DENTAL	2,746.08
STATE OF NE	T	STATE TAX	12,416.05
VISION SERVICE PLAN	E	EMPE VSP EYE	719.12
ROAD FUND			
NET PAYROLL			50,889.53
AMERICAN FAMILY LIFE	I	PREMIUMS	781.97
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,919.94
AR SOLUTIONS	E	GARNISHMENT	337.45
BUFFALO CO TREASURER	I	PREMIUMS	3,181.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	10.40
FIRST CONCORD	E	FLEX FUNDS	487.50
FIRST NATIONAL BANK	T	FEDERAL TAX	15,087.10
KEARNEY UNITED WAY	E	DONATIONS	5.00
MADISON NATIONAL LIFE	I	LT DISABILITY	114.23
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	100.00
PRINCIPAL FINANCIAL	E	DENTAL	748.24
STATE OF NE	T	STATE TAX	2,135.98
VISION SERVICE PLAN	E	EMPE VSP EYE	204.12
WEED FUND			
NET PAYROLL			4,594.80
RETIREMENT PLANS AMERITAS	R	EMPE RET	722.79
BUFFALO CO TREASURER	I	PREMIUMS	251.50
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,475.53
MADISON NATIONAL LIFE	I	LT DISABILITY	3.73
PRINCIPAL FINANCIAL	E	DENTAL	29.04
STATE OF NE	T	STATE TAX	224.22

Moved by Morrow and seconded by Brayton to accept the Buffalo County Treasurer September 2018 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Loeffelholz, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Reiter to accept the Clerk of the District Court September 2018 Fee Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Brayton, Loeffelholz and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

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

ROAD FUND		
STATE OF NE-MOTOR FUELS	FUEL TAX	\$4,556.00

Moved by Reiter and seconded by Morrow to accept the August 2018 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Reiter, Morrow, Brayton, Loeffelholz and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Brayton to amend the Levy Allocation with the following adjustments made to Resolution 2018-31. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Reiter and McMullen. Abstain: Loeffelholz. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

**RESOLUTION 2018-31
AMENDED**

BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS, with a full Board (or quorum) present, that the amounts set forth in the Fiscal Year Budget for Buffalo County, commencing July 1, 2018 and ending June 30, 2019, and appropriated for the following political subdivisions, hereby are approved for final levy allocation, to-wit:				
POLITICAL SUBDIVISIONS	PERSONAL AND REAL PROPERTY TAX REQUEST	TAX REQUEST SUBJECT TO LEVY LIMIT	CALCULATED LEVY SUBJECT TO LEVY LIMIT	TOTAL LEVY
FIRE DISTRICTS				
SUBURBAN #1	439,354.12	372,607.87	0.026675	0.031453
GIBBON #2	49,878.00	49,878.00	0.010529	0.010529
SHELTON #3			Figured by Hall County	
PLEASANTON #4			Outside levy allocation	
RAVENNA #5	30,351.47	17,350.00	0.003014	0.005272
MILLER #6	28,500.00	28,500.00	0.010281	0.010281
ELM CREEK #7	102,050.00	44,150.00	0.010199	0.023574
AMHERST #8	71,693.88	20,693.88	0.013444	0.046577
AGRICULTURAL ASSOCIATION	951,456.00	951,456.00	0.015002	0.015002

Chairman McMullen reviewed the following correspondence. The Board received information from the ESU Coordinating Council, which allows them to purchase and receive discounts from any of the ESU Coordinating Council's negotiated bids/contracts. Chairman McMullen called on each board member present for committee reports and recommendations.

ZONING

Chairman McMullen announced that the hearing for the Zoning Map Amendment filed for Jerald D. and Andrew Woitaszewski was withdrawn by Mitchell Humphrey on behalf of Jerald Woitaszewski, owner of the property. Jerald D. and Andrew Woitaszewski filed an application for rezoning a tract of land being part of Section 3 and part of section 10, Township 8 North, Range 14 W of the Sixth Principal Meridian, Buffalo County, Nebraska.

REGULAR AGENDA

Move by Brayton and seconded by Loeffelholz to set the bid date of October 23, 2018 at 10:00 a.m. for two new Motor Graders. Upon roll call vote, the following Board members voted "Aye": Brayton, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Reiter to set the bid date of October 23, 2018 at 10:00 a.m. for one new Payloader. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter, Loeffelholz, Morrow and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Loeffelholz to set a public hearing date of December 11, 2018 at 10:00 A.M. to vacate a portion of 340th Road, east to west section line road lying between Section 18 and 19, Township 12 North, Range 14 West, Buffalo County, Nebraska with the following Resolution 2018-44. Upon roll call vote, the following Board members voted "Aye": Brayton, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2018-44

WHEREAS, a Petition to vacate a road, alley, or other public way has been properly filed for the following described road, alley, and/or public way:

All of that portion of 340th Road that is lying between the South half of the South half of Section Eighteen (18), and the North Half of the North half of Section Nineteen (19), Township Twelve (12), North, Range Fourteen (14), West of the 6th P.M. Buffalo County, Nebraska.

NOW THEREFORE BE IT RESOLVED that Buffalo County Board of Supervisors sets down December 11, 2018, at 10:00 o'clock, a.m. as the date and time of public hearing regarding vacation or abandonment of this road, which hearing shall be conducted in the Buffalo County Boardroom, Buffalo County Courthouse, 16th & Central, Kearney, Nebraska.

RESOLVED FURTHER THAT a copy of this resolution shall be published for three consecutive weeks and notice shall be provided to landowners that have property abutting the road to be vacated or abandoned, by registered or certified mail no less than two weeks in advance of the hearing.

Moved by Morrow and seconded by Loeffelholz to recess the regular meeting of the Board of Commissioners at 9:18 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Brayton, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session, Deputy County Assessor Nora Borer and Deputy County Treasurer Brenda Rohrich were present.

Moved by Morrow and seconded by Brayton to approve the final levies for the various political subdivisions as provided by the Buffalo County Clerk with the following Resolution 2018-45. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Loeffelholz, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

RESOLUTION 2018-45

		PROPERTY TAX RATES 2018-2019					
COUNTY FUNDS		LEVY					
GENERAL		0.271904					
BOND		0.026836					
VETERAN'S AID		<u>0.000222</u>					
TOTAL		0.298962					
BUFFALO COUNTY AGRICULTURAL SOCIETY							
GENERAL	0.006296	SINKING	0.008705				
FIRE DISTRICTS	GENERAL	SINKING			BOND		
SUBURBAN #1	0.019298	0.007377			0.004778		
GIBBON #2	0.010529						
SHELTON #3	Set By Hall	County					
PLEASANTON #4	0.041026	0.019910					
RAVENNA #5	0.003013				0.002258		
MILLER #6	0.010281						
ELM CREEK #7	0.010199				0.013375		
AMHERST #8	0.013444				0.033133		
SID #3 GENERAL	0.241217						
CITY/VILLAGE	GENERAL	BOND			PARKING		CRA
AMHERST	0.248767						
ELM CREEK	0.305718	0.069595					
GIBBON	0.350000	0.160000					
KEARNEY	0.126956	0.010404			0.117119		0.005379
MILLER	0.477147						
PLEASANTON	0.269660	0.091467					
RAVENNA	0.271574						
RIVERDALE	0.072444						
SHELTON	0.499999	0.182316					
SCHOOL DISTRICTS							
DISTRICT	NO.	GENERAL	BOND	K-8 or 2009	9-12 or 2013	CAPITAL	SP BLDG
GIBBON	2	1.000000	0.161400				0.013243
KEARNEY	7	1.008524		0.086143	0.119453		0.005882
ELM CREEK	9	0.856084	0.146143				
SHELTON	19	0.995610	0.064991			0.020395	0.014877
RAVENNA	69	0.664671				0.015337	0.066467
PLEASANTON	R105	0.615153	0.154094				
AMHERST	119	0.592068		0.064356	0.067022		0.032496

Moved by Loeffelholz and seconded by Brayton to approve the Tax List Correction numbered 4499 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Brayton, Morrow, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

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

<u>Name</u>	<u>Parcel</u>
SCORR INVESTMENTS, L.L.C.	610051000
DT DEVELOPMENT, INC.	560336110

Moved by Brayton and seconded by Loeffelholz to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for Christian Student Fellowship on a 1998 United Enclosed Trailer, 2005 Chevrolet Venture and a 1998 Ford E350 Wagon. Upon roll call vote, the following Board members voted "Aye": Brayton, Loeffelholz, Morrow, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Loeffelholz and seconded by Reiter to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for The Evangelical Lutheran Good Samaritan Society on a 2010 Ford Cutaway Van. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Reiter, Brayton, Morrow and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Morrow to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 9:23 A.M. Upon roll call vote, the following Board members voted "Aye": Brayton, Morrow, Loeffelholz, Reiter and McMullen. Absent: Greder and Klein. None voted "Nay". Motion declared carried.

Chairman McMullen called for Citizen's forum and Barb Otto from Valentine, Nebraska was present to address the Board. Barb is asking the Board of Commissioners to be part of the growing list of cities and counties across America that are "Voting Yes" to proudly and prominently display our national motto, IN GOD WE TRUST, in the Courthouse. Otto presented a handout of information and a sample resolution. No formal action could be taken at this meeting.

REGULAR AGENDA

At 9:29 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, October 23, 2018.

ATTEST:

William McMullen, Chairman
Buffalo County Board of Commissioners

Janice I. Giffin
Buffalo County Clerk

(SEAL)