

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 14, 2019**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, May 14, 2019 at 9:00 A.M. and 9:45 A.M. Chairman McMullen called the meeting to order and asked everyone to rise for the presentation of colors by the Buffalo County Color Guard. The Buffalo County Color Guard lead the Board members and those present in the Pledge of Allegiance. The following Board members responded to roll call: Timothy Higgins, Ivan Klein, Myron Kouba, Ronald Loeffelholz, 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 Higgins and seconded by Loeffelholz to approve the April 23, 2019 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Klein, Kouba, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Reiter and seconded by Higgins to ratify the following April 26 and May 10, 2019 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Reiter, Higgins, Klein, Kouba, Loeffelholz, Morrow and McMullen. Motion declared carried.

April 26, 2019 Payroll claims

GENERAL FUND			
NET PAYROLL			245,847.06
AMERICAN FAMILY	I	PREMIUMS	971.39
RETIREMENT PLANS AMERITAS	R	EMPE RET	41,103.94
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	50.00
BUFFALO CO TREASURER	I	PREMIUMS	92,156.50
CREDIT MANAGEMENT	E	GARNISHMENT	218.46
FIRST CONCORD	E	FLEX FUNDS	3,855.91
FIRST NATIONAL BANK	T	FEDERAL TAX	83,224.97
KEARNEY UNITED WAY	E	DONATIONS	97.67
MADISON NATIONAL	I	PREMIUMS	1,255.22
MADISON NATIONAL	I	LT DISABILITY	613.31
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	1,175.00
MIDLAND FUNDING	E	GARNISHMENT	117.97
NATIONWIDE	I	DEFERRED COMP	355.00
NE CHILD SUPPORT	E	CHILD SUPPORT	659.12
PRINCIPAL	E	DENTAL	3,048.46
STATE OF NE	T	STATE TAX	13,255.91
VISION SERVICE	E	EMPE VSP EYE	760.88
ROAD FUND			
NET PAYROLL			53,870.31
AMERICAN FAMILY	I	PREMIUMS	816.65
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,691.45
BUFFALO CO TREASURER	I	PREMIUMS	2,998.50
CREDIT MANAGEMENT	E	GARNISHMENT	221.36
FIRST CONCORD	E	FLEX FUNDS	487.50
FIRST NATIONAL BANK	T	FEDERAL TAX	16,881.43
KEARNEY UNITED WAY	E	DONATIONS	5.00
MADISON NATIONAL	I	PREMIUMS	144.41
MADISON NATIONAL	I	LT DISABILITY	106.33
NATIONWIDE	I	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	100.00
PRINCIPAL	E	DENTAL	814.06
STATE OF NE	T	STATE TAX	2,600.92
VISION SERVICE	E	EMPE VSP EYE	189.11
WEED FUND			
NET PAYROLL			4,740.24
RETIREMENT PLANS AMERITAS	R	EMPE RET	745.67
BUFFALO CO TREASURER	I	PREMIUMS	251.50
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,526.12

MADISON NATIONAL	I	LT DISABILITY	3.62
PRINCIPAL	E	DENTAL	30.50
STATE OF NE	T	STATE TAX	236.48

May 10, 2019 Payroll claims

GENERAL FUND			
NET PAYROLL			251,607.83
AMERICAN FAMILY LIFE	I	PREMIUMS	874.53
RETIREMENT PLANS AMERITAS	R	EMPE RET	42,125.59
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	50.00
BUFFALO CO TREASURER	I	PREMIUMS	93,535.00
CREDIT MANAGEMENT	E	GARNISHMENT	218.46
FIRST CONCORD	E	FLEX FUNDS	4,145.91
FIRST NATIONAL BANK	T	FEDERAL TAX	85,610.16
KEARNEY UNITED WAY	E	DONATIONS	97.67
MADISON NATIONAL	I	PREMIUMS	1,267.45
MADISON NATIONAL	I	LT DISABILITY	620.91
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	1,175.00
MIDLAND FUNDING	E	GARNISHMENT	114.31
NATIONWIDE RETIREMENT	I	DEFERRED COMP	355.00
NE CHILD SUPPORT	E	CHILD SUPPORT	659.12
PRINCIPAL	E	DENTAL	3,062.92
STATE OF NE	T	STATE TAX	13,749.23
VISION SERVICE PLAN	E	EMPE VSP EYE	760.68
ROAD FUND			
NET PAYROLL			54,574.83
AMERICAN FAMILY LIFE	I	PREMIUMS	816.65
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,547.85
BUFFALO CO TREASURER	I	PREMIUMS	2,998.50
FIRST CONCORD	E	FLEX FUNDS	487.50
FIRST NATIONAL BANK	T	FEDERAL TAX	16,793.39
KEARNEY UNITED WAY	E	DONATIONS	5.00
MADISON NATIONAL	I	PREMIUMS	144.30
MADISON NATIONAL	I	LT DISABILITY	106.20
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	100.00
PRINCIPAL	E	DENTAL	829.20
STATE OF NE	T	STATE TAX	2,526.63
VISION SERVICE PLAN	E	EMPE VSP EYE	193.22
WEED FUND			
NET PAYROLL			4,659.10
RETIREMENT PLANS AMERITAS	R	EMPE RET	732.71
BUFFALO CO TREASURER	I	PREMIUMS	251.50
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,495.28
MADISON NATIONAL	I	LT DISABILITY	3.62
PRINCIPAL	E	DENTAL	30.48
STATE OF NE	T	STATE TAX	229.65

Sheriff Neil Miller, Lieutenant Chad Hunt, Sergeant Rosario Perez and Corrections Officer Aaron Valenzuela from the Buffalo County Sheriff's Office Corrections Division were present for the proclamation of the National Corrections Officers and Employees Week. Chairman McMullen read the proclamation and thanked those who serve Buffalo County. Moved by Morrow and seconded by Higgins to proclaim the week of May 5, 2019 through May 11, 2019 as "National Corrections Officers and Employees Week" in Buffalo County with the following Resolution 2019-13. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Klein, Kouba, Loeffelholz, Reiter and McMullen. Motion declared carried.

RESOLUTION 2019-13

Proclamation

Name the Week of May 5, 2019 through May 11, 2019 as

"National Corrections Officers and Employees Week in Buffalo County."

WHEREAS, National Corrections Officers and Employees Week was first proclaimed on May 5, 1984, by President Ronald Reagan when he signed Proclamation 5187 creating “National Correctional Officers’ Week”, to recognize the men and women who work in jails, prison, and community corrections across the county; and

WHEREAS, National Correction Officers and Employees Week recognizes and honors that the duties of these officers have become increasingly complex and demanding; and

WHEREAS, National Correctional Officers and Employees Week recognizes the professionalism, dedication and courage exhibited by these officers throughout the performance of these demanding and often conflicting roles deserve our utmost respect; and

WHEREAS, National Correctional Officers and Employees Week in Buffalo County recognizes employees of the Buffalo County Sheriff’s Office Corrections Division for their role in putting themselves in harm’s way to advance a mission of protecting the public, staff, and inmates of Buffalo County.

NOW THEREFORE, BE IT RESOLVED that the Buffalo County Board of Commissioners hereby proclaim the week of May 5, 2019 through May 11, 2019 as “National Correctional Officers and Employees Week”. All Buffalo County citizens are encouraged to pay tribute to the many Correctional Workers of the Buffalo County Jail for the vital public service they provide.

Chairman McMullen read into the record and presented the Resolution of Commendation to Communications Officer David Randel. Moved by Loeffelholz and seconded by Reiter to approve the following resolution 2019-14. Upon roll call vote, the following Board members voted “Aye”: Loeffelholz, Reiter, Higgins, Klein, Kouba, Morrow and McMullen. Motion declared carried.

RESOLUTION 2019-14

WHEREAS, David Randel began his employment as Communications Officer with the Buffalo County Sheriff’s Office on January 22, 2007 and

WHEREAS, David has now served Buffalo County for 12 years

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that David be commended with a unanimous vote of appreciation for his dedicated and loyal service to Buffalo County for 12 years as Communications Officer.

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

Sheriff Neil Miller, Chief Deputy Dan Schleusener, Sergeant Ephraim Valenzuela, Deputy Clint Kirschner and Investigator Brandon Brueggemann from the Buffalo County Sheriff’s Office were present for the proclamation of the National Police Week. Chairman McMullen read the proclamation and thanked those who serve Buffalo County. Moved by Morrow and seconded by Kouba to proclaim the week of May 12th through May 18th, 2019 as “National Police Week” in Buffalo County with the following Resolution 2019-15. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Reiter and McMullen. Motion declared carried.

RESOLUTION 2019-15

Proclamation

Name the Week of May 12th through May 18th as

“National Police Week in Buffalo County”

WHEREAS, National Police Week was first proclaimed in 1963 by President Kennedy when he signed Proclamation 3537 creating “National Police Week” to recognize the service given by men and women who, night and day, protect us through enforcement of our laws, and

WHEREAS, the members of the law enforcement agencies of Buffalo County play an important role is safeguarding the rights and freedoms of Buffalo County; and

WHEREAS, it is important that our citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agencies, and that members of our law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and;

WHEREAS, the men and women of the Buffalo County Sheriff’s Office unceasingly provide vital public services;

NOW THEREFORE, BE IT RESOLVED that the Buffalo County Board of Commissioners hereby proclaim the week of May 12th through May 18th as “National Police Week” to honor those law enforcement officers, who, through their courageous deeds, have made the ultimate sacrifices in service to their community of have been disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes. All Buffalo County citizens are encouraged to pay tribute to the many law enforcement officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

Sheriff Neil Miller reviewed the renewal of the Inmate Housing contract with the Nebraska Department of Correctional Services. Moved by Klein and seconded by Reiter to authorize Sheriff Neil Miller to sign the NDCS Inmate Housing contract renewal with the Nebraska Department of Corrections for one year (1) year, July 1, 2019 through June 30, 2020. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Higgins, Kouba, Loeffelholz, Morrow and McMullen. Motion declared carried.

Sheriff Neil Miller reviewed the Nebraska Department of Corrections contract to house sanctioned parolees. Moved by Loeffelholz and seconded by Morrow to authorize Chairman McMullen to sign the contract for Nebraska Department of Corrections to hold sanctioned parolees. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Higgins, Klein, Kouba, Reiter and McMullen. Motion declared carried.

Moved by Klein and seconded by Higgins to accept the Clerk of the District Court April 2019 Report. Upon roll call vote, the following Board members voted "Aye": Klein, Higgins, Kouba, Loeffelholz, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Morrow and seconded by Higgins to accept the Buffalo County Treasurer April 2019 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Klein, Kouba, Loeffelholz, Reiter and McMullen. Motion declared carried.

Moved by Klein and seconded by Higgins to accept the City of Ravenna Tax Increment Financing Annual Report. Upon roll call vote, the following Board members voted "Aye": Klein, Higgins, Kouba, Loeffelholz, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Morrow and seconded by Kouba to approve the following tax refund request submitted by County Treasurer Jean Sidwell for the YMCA for amount of \$3,616.61 for parcel number 310002400. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Reiter and McMullen. Motion declared carried.

After discussion with Todd Schirmer from Fanatics Sports Bar and review of the County Sheriff's report, it was moved by Loeffelholz and seconded by Higgins to approve the Special Designated Liquor License application filed by Sports Fans LLC/dba Fanatics Sports Bar for an event located at the National Guard Reserve Readiness Center, 5710 Airport Rd, Kearney NE. The event will be on June 1, 2019. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Klein and seconded by Reiter to authorize Chairman McMullen to sign the agreement with the State of Nebraska Department of Roads for the State Highway Project Number STP-L10C (103) Gibbon Link. The State desires the County provide a Registered Land Surveyor to tie out land monuments prior to the construction and tie and remonument after construction. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Higgins, Kouba, Loeffelholz, Morrow and McMullen. Motion declared carried.

Emergency Manager Darrin Lewis discussed being the contact person for NEMA and FEMA. Moved by Morrow and seconded by Kouba to appoint Darrin Lewis as the Representative/Point of Contact for Blizzard and Flood Disaster DR 4420 for NEMA and FEMA. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Reiter and McMullen. Motion declared carried.

Chairman McMullen reviewed the following correspondence. The Board received information about Waste Reduction & Recycling Incentive Grants from Nebraska Department of Environmental Quality. Miller & Associates sent an invitation for their Annual Golf Tournament. Ameritas Investment Group sent information offering assistance for areas affected by the recent flooding. NACO sent information about the NACO Health and Dental insurance and the City of Kearney sent the Planning Commission Agenda. Nebraska Emergency Management Agency will be performing a monitoring visit. Nebraska State Highway Commission sent notice of the May meeting. TERC sent a notice that it finds the levels of value for real property in Buffalo County meet the requirements for the tax year 2019. Nebraska Department of Environmental Quality sent a notice of transfer of construction and operating permit to the Kirk Potter Feedlot. NACo sent voting credentials for the 2019 National NACo Annual Conference. The Nebraska Jail Standards Board responded to the report on the evaluation of the Buffalo County Jail. Chairman McMullen called on each Board member present for committee reports and recommendations.

South Central Economic Development District (SCEDD) Executive Director Sharon Hueftle was present to give updated reports and filed the annual newsletter.

Moved by Loeffelholz and seconded by Higgins to recess the regular meeting of the Board of Commissioners at 9:55 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Morrow, Reiter and McMullen. Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Ethel Skinner was present.

Chairman McMullen opened the public hearing for the Special Valuation application filed by Wayne Cross. The Board discussed the application with Assessor Skinner and Wayne Cross. Chairman McMullen closed the hearing at 9:59 A.M. Moved by Higgins and

seconded by Morrow to deny the Special Valuation application for Wayne Cross, parcel number 560402175, following the recommendation of the County Assessor. Upon roll call vote, the following Board members voted "Aye": Higgins, Morrow, Klein, Kouba, Loeffelholz, Reiter and McMullen. Motion declared carried.

Moved by Klein and seconded by Kouba to approve Tax List Corrections numbered 4604 through 4613 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Higgins, Loeffelholz, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Higgins and seconded by Loeffelholz that Buffalo County Board of Equalization Confesses Judgment in Tax Equalization & Review Commission Case #18-C0102 in appeal concerning MFP Mid-America Shopping Appellant, and Buffalo County, Appellee, for property identified as tax parcel #602619105 and that the Buffalo County Attorney's Office be, and hereby is, authorized to confess judgment on behalf of this Board, that for tax year 2018 this property had an assessed valuation of \$349, 490. This offer is conditioned upon dismissal of Tax Equalization & Review Commission Case #18-C0101. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Klein, Kouba, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Klein and seconded by Reiter 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": Klein, Reiter, Higgins, Kouba, Loeffelholz, Morrow and McMullen. Motion declared carried.

<u>Name</u>	<u>Parcel</u>
DT DEVELOPMENT, INC	560336231
DT DEVELOPMENT, INC	560336237
SORENSEN, TIMOTHY T., TRUSTEE	600382000
MOUNTAIN TOWER & LAND LLC	601490000
CODNER, STEVEN E.	640412000
GANGWISH, JACOB & JENNIFER	680435000
CARGILL AG HORIZONS	703000100
KAAPA ETHANOL HOLDINGS, LLC	603741115
LINE, DIXIE L TRUSTEE	160120470

Moved by Loeffelholz and seconded by Higgins 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": Loeffelholz, Higgins, Klein, Kouba, Morrow, Reiter and McMullen. Motion declared carried.

REGULAR AGENDA

Bob Charlesworth from Charlesworth Consulting, LLC was present to update the Board on the Group Health Benefit Plan. Charlesworth presented his recommendation for setting the health insurance rates for the county funding and the employee share for additional coverages. Charlesworth also discussed the Blue Cross Blue Shield health insurance contract through NACO Benefit Services. Moved by Kouba and seconded by Higgins to accept Charlesworth's recommendation for setting the health insurance premium rates for the fiscal year 2019-2020. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Loeffelholz, Morrow, Reiter and McMullen. Motion declared carried.

Moved by Morrow and seconded by Higgins to authorize Chairman McMullen to sign the Blue Cross Blue Shield health insurance contract. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Klein, Kouba, Loeffelholz, Reiter and McMullen. Motion declared carried.

Chairman McMullen called for Citizen's forum. Pam Baer addressed the Board about the progress on the engineering study on 30th Avenue near her property.

Chairman McMullen asked if there was anything else to come before the Board at 10:50 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, May 28, 2019.

ATTEST:

William McMullen, Chairman
Buffalo County Board of Commissioners

Janice I. Giffin
Buffalo County Clerk

(SEAL)