

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 10, 2019**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 10, 2019 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: Timothy Higgins, Ivan Klein, Myron Kouba, Ronald Loeffelholz, Dennis Reiter and William McMullen. Absent: Sherry Morrow. 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 Higgins and seconded by Loeffelholz to approve the August 27, 2019 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Klein, Kouba, Reiter and McMullen. Absent: Morrow. Motion declared carried.

Moved by Reiter and seconded by Higgins to ratify the following August 30, 2019 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Reiter, Higgins, Klein, Kouba, Loeffelholz and McMullen. Absent: Morrow. Motion declared carried.

GENERAL FUND			
NET PAYROLL			263,163.71
RETIREMENT PLANS AMERITAS	R	EMPE RET	41,132.31
FIRST NATIONAL BANK	T	FEDERAL TAX	88,012.81
MIDLAND FUNDING LLC	E	GARNISHMENT	322.06
STATE OF NE	T	STATE TAX	14,230.69
ROAD FUND			
NET PAYROLL			53,822.80
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,635.22
FIRST NATIONAL BANK	T	FEDERAL TAX	16,205.90
STATE OF NE	T	STATE TAX	2,457.91
WEED FUND			
NET PAYROLL			4,890.12
RETIREMENT PLANS AMERITAS	R	EMPE RET	732.71
FIRST NATIONAL BANK	T	FEDERAL TAX	1,579.07
STATE OF NE	T	STATE TAX	248.91

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

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

Moved by Higgins and seconded by Klein to approve the fiscal year 2018-2019 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": Higgins, Klein, Kouba, Loeffelholz, Reiter and McMullen. Absent: Morrow. Motion declared carried.

Moved by Loeffelholz and seconded by Higgins to approve the payment of flu shots for all Buffalo County Employees. The employees will be notified of the scheduled dates. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Reiter and McMullen. Absent: Morrow. Motion declared carried.

Moved by Kouba and seconded by Higgins to approve the addition of pledged collateral in the amount of \$325.00.00 and the release of pledged collateral in the amount of \$260,000.00 at the NebraskaLand Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Loeffelholz, Reiter and McMullen. Absent: Morrow. Motion declared carried.

Moved by Loeffelholz and seconded by Reiter to approve the following tax refund requests submitted by County Treasurer Jean Sidwell for Grace Homes in the amount of \$114.34 and for Midwest Partitions, Inc. in the amount of \$28,616.61 for parcel number 390001314. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Reiter, Higgins, Klein, Kouba and McMullen. Absent: Morrow. Motion declared carried.

Chairman McMullen noted that there was no current correspondence in the file and then called on each Board member present for committee reports and recommendations.

The Board took a short break at 9:13 A.M. and reconvened at 9:45.

Moved by Loeffelholz and seconded by Higgins to recess the regular meeting of the Board of Commissioners at 9:45 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Reiter and McMullen. Absent: Morrow. Motion declared carried.

BOARD OF EQUALIZATION

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

Chairman McMullen opened the Public Hearing for the Motor Vehicle tax exemption application for Elevate Global. County Treasurer Sidwell was present and no one else was present to address the Board. Chairman McMullen closed the hearing at 9:46 A.M. and the Board Administrator will contact the applicant to reschedule the hearing.

Moved by Loeffelholz and seconded by Klein to approve Tax List Corrections numbered 4627 through 4631 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Higgins, Kouba, Reiter and McMullen. Absent: Morrow. Motion declared carried.

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 9:49 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Reiter and McMullen. Absent: Morrow. Motion declared carried.

REGULAR AGENDA

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

Moved by Klein and seconded by Higgins to authorize Chairman McMullen to sign the State of Nebraska Department of Transportation 2019 Fracture Critical Bridge Inspection Agreement (Project Number STP-NBIS 118) with the following Resolution 2019-34. Upon roll call vote, the following Board members voted "Aye": Klein, Higgins, Kouba, Loeffelholz, Reiter and McMullen. Absent: Morrow. Motion declared carried.

RESOLUTION 2019-34

SIGNING OF THE PROJECT PROGRAM AGREEMENT 2019 FRACTURE CRITICAL BRIDGE INSPECTION

WHEREAS: the Nebraska Department of Transportation (NDOT) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

WHEREAS: Buffalo County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid projects;

WHEREAS: Buffalo County and the NDOT wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

BE IT RESOLVED: by the Board of Commissioners of Buffalo County that:

Chair of the Buffalo County Board of Commissioners is hereby authorized to sign the attached Project Program Agreement between the Buffalo County and the NDOT.

Buffalo County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: STP-NBIS (118)

NDOT Control Number: 01003

NDOT Project Name: 2019 Fracture Critical Bridge Inspection

The Board took a short break at 9:53 A.M. and reconvened at 10:15.

Sheriff Neil Miller and Lieutenant Robert Tubbs were present for following agenda item. Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for the Buffalo County Phone System. Bids were submitted from the following companies: Century Link, Frontier, Hun Tel Communications, Intellicom, Kidwell and Nex-Tech. The IT Committee and Sheriff Neil Miller will review the bids and come back with a recommendation at a later date.

Buffalo County Facilities Director Steve Gaasch was present for the following agenda items.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for the Roof Top Unit Project at the Extension Building. Bids were submitted from Mechanical Sales Inc. and Thurston Heating & Air. Facilities Director Steve Gaasch will review the bids and make a recommendation to the Board at a later date.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for a new Salt Storage Building located at the Highway Department. One bid was submitted from Clear Span Fabric Structures. Facilities Director Steve Gaasch reviewed the bid and made his recommendation to the Board. Moved by Klein and seconded by Higgins to accept the bid from Clear Span Fabric Structures for \$64,528.08.

Chairman McMullen opened the public hearing to approve the 2019-2020 Fiscal Year Budget at 10:35 A.M.

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

Moved by Kouba and seconded by Higgins to authorize petty cash funds for the various County Offices with the approval of Resolution 2019-35. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Loeffelholz, Reiter and McMullen. Absent: Morrow. Motion declared carried.

RESOLUTION 2019-35

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 \$1,500.00, 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 Office 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 \$450.00, Board of Commissioners in the amount of \$2,500.00, Register of Deeds Office in the amount of \$200.00, Treasurer's Office in the amount of \$2,250.00 and the County Clerk's Office in the amount of \$12,000.00.

After review of the County Budget Chairman McMullen closed the hearing at 10:40 A.M. Moved by Kouba and seconded by Higgins to approve the Buffalo County Budget for the fiscal year 2019-2020 with the following Resolution 2019-36. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Reiter and McMullen. Abstain: Loeffelholz. Absent: Morrow. Motion declared carried.

RESOLUTION 2019-36

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2019 to June 30, 2020, prepared by the Budget Making Authority, was transmitted to the Buffalo County Board of Commissioners on the 10th day of September 2019.

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, 2019 to June 30, 2020 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, 2019 and ending June 30, 2020.

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.

Chairman McMullen opened the public hearing to approve or modify the Property Tax Request. After review of the Property Tax Request for fiscal year 2019-2020 and no one else addressing the Board, Chairman McMullen closed the hearing at 10:43 A.M. Moved by Kouba and seconded by Higgins to approve the Property Tax Request for the fiscal year 2019-2020 with the following Resolution 2019-37. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Reiter and McMullen. Abstain: Loeffelholz. Absent: Morrow. Motion declared carried.

RESOLUTION 2019-37

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of Buffalo County passes by a majority vote a resolution setting the tax request; and

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

NOW, THEREFORE, the Governing Body of Buffalo County resolves that:

1. The 2019-2020 property tax request for the General Fund will be set at \$19,522,606.90
2. The 2019-2020 property tax request for the Veterans Aid Fund will be set at \$8,971.59
3. The 2019-2020 property tax request for the Bond Fund will be set at \$1,735,963.57
4. The total assessed value of property differs from last year's total assessed value by 1%
5. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the total assessed value of property, would be \$.29 per \$100 assessed value

6. The County proposes to adopt a property tax request that will cause a tax rate to be \$.33 per \$100 of assessed value
7. Based on the proposed property tax request and changes in other revenue, the total operating budget of Buffalo County will exceed last year's by 12%
8. A copy of this resolution will be certified and forwarded to the County Clerk on or before October 13, 2019

Chairman McMullen called for Citizen's forum and Buss Biehl acknowledged that he was present for the Budget hearing.

Chairman McMullen asked if there was anything else to come before the Board at 10:44 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, September 24, 2019.