

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 12, 2020**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, May 12, 2020 at 9:00 A.M. and 9:30 A.M. Chairman McMullen called the meeting to order. The following Board members responded to roll call: Timothy Higgins, Myron Kouba, Sherry Morrow, Dennis Reiter and William McMullen. Absent: Ivan Klein and Ronald Loeffelholz. 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 pursuant to” Executive Order No. 20-03 Public Meeting Requirement Limited Waiver”, the County Board will be conducting their meetings via Zoom and the link to this meeting is posted on the Buffalo County Website. County Clerk Janice Giffin took all proceedings hereinafter shown. County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present via Zoom.

REGULAR AGENDA

Moved by Reiter and seconded by Higgins to approve the April 28, 2020 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Reiter, Higgins, Kouba, Morrow and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Moved by Morrow and seconded by Kouba to ratify the following May 8, 2020 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

<u>GENERAL FUND</u>			
NET PAYROLL			266,080.27
AMERICAN FAMILY LIFE	I	PREMIUMS	1,051.31
RETIREMENT PLANS AMERITAS	R	EMPE RET	44,400.82
AR SOLUTIONS	E	GARNISHMENT	224.61
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	40.00
BUFFALO CO TREASURER	I	PREMIUMS	106,594.50
CREDIT MANAGEMENT	E	GARNISHMENT	203.85
FIRST CONCORD	E	FLEX FUNDS	4,298.65
FIRST NATIONAL BANK	T	FEDERAL TAX	88,765.58
KEARNEY UNITED WAY	E	DONATIONS	102.67
KATHLEEN A LAUGHLIN	E	GARNISHMENT	356.00
MADISON NATIONAL	I	PREMIUMS	621.92
MADISON NATIONAL	I	LT DISABILITY	323.56
MASSMUTUAL FINANCIAL	I	DEFERRED COMP	1,175.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	305.00
NE CHILD SUPPORT	E	CHILD SUPPORT	450.00
PRINCIPAL LIFE	E	DENTAL	3,136.92
STATE OF NE	T	STATE TAX	14,552.63
VISION SERVICE PLAN	E	EMPE VSP EYE	767.47
<u>ROAD FUND</u>			
NET PAYROLL			53,123.38
AMERICAN FAMILY LIFE	I	PREMIUMS	923.14
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,322.85
BUFFALO CO TREASURER	I	PREMIUMS	2,769.50
FIRST CONCORD	E	FLEX FUNDS	784.71
FIRST NATIONAL BANK	T	FEDERAL TAX	15,793.47
MADISON NATIONAL	I	PREMIUMS	154.10
MADISON NATIONAL	I	LT DISABILITY	119.78
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
NE CHILD SUPPORT	E	CHILD SUPPORT	342.00
PRINCIPAL	E	DENTAL	978.20
STATE OF NE	T	STATE TAX	2,299.98
VISION SERVICE PLAN	E	EMPE VSP EYE	202.84
<u>WEED DEPARTMENT</u>			
NET PAYROLL			4,719.08
RETIREMENT PLANS AMERITAS	R	EMPE RET	744.03
BUFFALO CO TREASURER	I	PREMIUMS	248.00
FIRST CONCORD	E	FLEX FUNDS	30.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,516.06

WEED FUND			
MADISON NATIONAL	I	LT DISABILITY	3.72
PRINCIPAL	E	DENTAL	45.72
STATE OF NE	T	STATE TAX	234.57

Chairman McMullen read the National Corrections Officers and Employees Week proclamation that was presented to Corrections Officers Richard Meyer, Joseph Alunit, Lisa Bristol, Marita Fishel, Dustin Westerbeck and Sgt Tyson Linn on May 4th due to the COVID-19 situation. Moved by Reiter and seconded by Kouba to ratify the proclamation for the week of May 3rd, 2020 through May 9th, 2020 as “National Corrections Officers and Employees Week” in Buffalo County with the following Resolution 2020-17. Upon roll call vote, the following Board members voted "Aye": Reiter, Kouba, Higgins, Morrow and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

RESOLUTION 2020-17

Proclamation

Name the Week of May 3, 2020 through May 9, 2020 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 3, 2020 through May 9, 2020 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 the proclamation of the National Police Week proclamation that was presented prior to this meeting to Sgt Ephraim Valenzuela, Deputy Clint Kirschner, Deputy Michael Paige, and Deputy Caleb Wilson due to the current COVID 19 situation. Moved by Higgins and seconded by Kouba to proclaim the week of May 10th through May 16th, 2019 as “National Police Week” in Buffalo County with the following Resolution 2020-18. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Morrow, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

RESOLUTION 2020-18

Proclamation

Name the Week of May 10th through May 16th 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 10th through May 16th 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.

Moved by Morrow and seconded by Higgins to accept the Clerk of the District Court April 2020 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Moved by Morrow and seconded by Higgins to accept the Buffalo County Treasurer April 2020 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Moved by Higgins and seconded by Kouba to accept the City of Ravenna 2019 Annual Tax Increment Financing Report. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Morrow, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Moved by Morrow and seconded by Higgins to approve the addition of pledged collateral for the Buffalo County Treasurer for \$20,000,000.00 at the First National Bank. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Reiter and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Chairman McMullen reviewed the lease agreement addendum with the State of Nebraska Administrative Services for commercial office and storage space occupied by the Department of Health and Human Services in the Buffalo County Government Center. Moved by Higgins and seconded by Reiter to approve the lease agreement addendum with the State of Nebraska Administrative Services for commercial office and storage space. Upon roll call vote, the following Board members voted "Aye": Higgins, Reiter, Kouba, Morrow and McMullen. Absent: Klein and Loeffelholz. Motion declared carried.

Chairman McMullen reviewed the following correspondence. The Board received a thank you note from Jan Giffin. Joe Wilson sent an email with a contingency plan for the Property Valuation Protests. Larry Dix with NACO sent a letter regarding the premium rates for the 2020-2021 plan year for the NACO Health and Dental insurance. The City of Kearney sent the Planning Commission Agenda for May 15, 2020. The Board received a letter from Frontier Communications regarding entering into a Restructuring Support Agreement. Nebraska Department of Transportation sent the Nebraska State Highway Commission Agenda for May 15, 2020. Commissioner Ivan Klein joined the meeting via Zoom at 9:18 A.M. Chairman McMullen called on each Board member present for committee reports and recommendations.

ZONING

Zoning Administrator Dennise Daniels and Deputy County Attorney Andrew Hoffmeister were present for the following Zoning agenda items via Zoom.

Chairman McMullen opened the public hearing at 9:21 A.M. for an Administrative Subdivision filed by Mitchell Humphrey, licensed surveyor, on behalf of Lori L. Altmaier, Keith L. Altmaier, Carla S. Kegley-Owen, Kenneth A. Owen, Janice J. Rauth, & Gary A. Rauth request property described as part of the Southeast Quarter of the Southeast Quarter of Section 9, Township 10 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska, to be known as Lot 1, Kegley Administrative Subdivision, an Administrative Subdivision. Mitchell Humphrey reviewed the application and Kambi Jecminek addressed the Board. Chairman McMullen closed the hearing at 9:29 A.M. Moved by Reiter and seconded by Klein to approve the Administrative Subdivision with the following Resolution 2020-19. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Higgins, Kouba, Morrow and McMullen. Absent: Loeffelholz. Motion declared carried.

RESOLUTION 2020-19

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Lori L. Altmaier, Keith L. Altmaier, Carla S. Kegley-Owen, Kenneth A. Owen, Janice J. Rauth, & Gary A. Rauth hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "KEGLEY ADMINISTRATIVE SUBDIVISION," with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on May 12, 2020, this Board conducted a public hearing now and finds:

1. The proposed "KEGLEY ADMINISTRATIVE SUBDIVISION" 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. YDC Road is a county maintained open public road that abuts the proposed subdivision to the East. 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 "KEGLEY ADMINISTRATIVE SUBDIVISION", an administrative subdivision being part of the Southeast Quarter of the Southeast Quarter of Section 9, Township 10 North, Range 16 West of the 6th P.M., 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.

Moved by Higgins and seconded by Kouba to recess the regular meeting of the Board of Commissioners at 9:30 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Klein, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Ethel Skinner and Deputy County Treasurer Brenda Rohrich were present via Zoom.

The Board of Equalization revisited the decisions that were made on February 25, 2020 for the following Permissive Exemption Hearings. All hearings were opened and closed with the representatives that addressed the Board also indicated below.

<u>Name</u>	<u>Parcel</u>
Orval Greeley Miller American Legion	180075000
Kearney Community Theatre	603561000
World Theatre Foundation	Personal property
University of Nebraska Foundation	602032000
Woman's Club of Kearney	601374000
Zion Evangelical Lutheran Church	300166010

Moved by Kouba and seconded by Higgins to approve the Permissive Exemption Application for the Orval Greeley Miller American Legion for parcel 180075000. Larry Meyer addressed the Board via Zoom. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Morrow and seconded by Higgins to approve the Permissive Exemption Application for the Kearney Community Theatre for parcel 603561000. Judy Rozema was present via Zoom. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Klein, Kouba, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Klein and seconded by Morrow to approve the Permissive Exemption Application for the World Theatre Foundation for Personal property. Bryce Jensen addressed the Board via Zoom. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Higgins, Kouba, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Klein and seconded by Kouba to approve the Permissive Exemption Application for the University of Nebraska Foundation for parcel 602032000. Chet Poehling, Lucas Dart and Toni Meyers addressed the Board via Zoom. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Higgins, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Morrow and seconded by Higgins to approve the Permissive Exemption Application for the Woman's Club of Kearney for parcel 601374000. Roxanne Bascom addressed the Board via Zoom. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Klein, Kouba, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Klein and seconded by Reiter to approve the Permissive Exemption Application for the Zion Evangelical Lutheran Church for parcel 300166010. Marshall Poehler addressed the Board via Zoom. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Higgins, Kouba, Morrow and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Kouba and seconded by Morrow to approve Tax List Corrections numbered 4684 through 4687 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Kouba, Morrow, Higgins, Klein, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Deputy County Attorney Andrew Hoffmeister reviewed the following TERC judgements. Moved by Morrow and seconded by Kouba that the Buffalo County Board of Equalization confesses judgment in the following cases, in amounts stated, for the following cases now pending before the Nebraska Tax Equalization & Review Commission. Further, the Buffalo County Attorney's Office be, and hereby is, authorized to confess judgement on behalf of this Board in amounts set forth below for tax year 2019: Case #19C0027 in

appeal concerning Terry L. Furby, Appellant, tax parcel # 420061000 an assessed valuation of \$120,000. Case #19C0082 in appeal concerning Jeffrey C. Knapp, Appellant, tax parcel #600855000 an assessed valuation of \$30,000. Case #19C0157 in appeal concerning Jacqueline T. Kernick, Appellant, tax parcel # 605096540 an assessed valuation of \$373,400. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Kouba and seconded by Higgins to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for First Baptist Church of Kearney for a 2002 Ford 15 Passenger and a 1992 Pace Enclosed Trailer. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Klein and seconded by Higgins to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for American National Red Cross for a 1999 CARA. Upon roll call vote, the following Board members voted "Aye": Klein, Higgins, Kouba, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Higgins and seconded by Reiter to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:14 A.M. Upon roll call vote, the following Board members voted "Aye": Higgins, Reiter, Klein, Kouba, Morrow and McMullen. Absent: Loeffelholz. Motion declared carried.

REGULAR AGENDA

Bob Charlesworth from Charlesworth Consulting, LLC was present via Zoom to discuss the Employee Assistance Program and update the Board on the current 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 and discussed the Blue Cross Blue Shield health insurance contract through NACO Benefit Services.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for Employee Assistance Program (tabled from April 28, 2020). One bid was received from ComPsych. The Human Resources/Insurance Committee and Bob Charlesworth will review the bid and make a recommendation to the Board on May 26, 2020.

Moved by Kouba and seconded by Morrow to authorize Chairman McMullen to sign the Blue Cross Blue Shield health insurance contract for the fiscal year 2020-2021. Upon roll call vote, the following Board members voted "Aye": Kouba, Morrow, Higgins, Klein, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Moved by Kouba and seconded by Higgins to accept Charlesworth's recommendation for setting the health insurance premium rates for the fiscal year 2020-2021. Upon roll call vote, the following Board members voted "Aye": Kouba, Higgins, Klein, Morrow, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Joe Wilson with Tax Valuation Inc. joined the meeting via Zoom to discuss the Property Valuation Protest Hearings and the current CO-VID 19 situation. No decisions were made at this time and the appointed Reopening Committee will continue to work on the specifics.

Commissioner Morrow reported that the public has requested to have the Buffalo County Ravenna Lake reopened to the public. Moved by Morrow and seconded by Kouba to follow the Nebraska Game and Parks guidelines and reopen the Buffalo County Ravenna Lake on May 20, 2020. Facility OMP Director Steve Gaasch was directed to place the signage and mark the distancing guidelines. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Reiter and McMullen. Absent: Loeffelholz. Motion declared carried.

Chairman McMullen called for Citizen's forum. Clerk of the District Court Sharon Mauler informed the Board that jury trials during this CO-VID 19 situation will be held on campus at the University of Nebraska Kearney.

Chairman McMullen asked if there was anything else to come before the Board at 11:19 A.M. before he declared the meeting adjourned until the newly scheduled meeting at 9:00 A.M. on Tuesday, May 19, 2020.