

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 12, 2021**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, January 12, 2021 at 9:00 A.M. and 9:30 A.M. County Clerk Janice Giffin called the Reorganization Meeting of the Buffalo County Board of Commissioners 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, Daniel Lynch, Sherry Morrow and William McMullen. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Public notice of this meeting was published/posted in the Kearney Hub, on the Buffalo County web site, and the bulletin boards located outside the County Clerk's office and County Board Room on January 7, 2021. In accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review and is posted at the back of the Board Room. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public.

County Clerk Janice Giffin called for the election of a Chairman. Commissioner Morrow nominated William McMullen for Chairman of the Buffalo County Board of Commissioners and Klein seconded the nomination. County Clerk Giffin called for any further nominations three times. There were no further nominations brought forward and nominations ceased with a unanimous ballot for William McMullen. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Higgins, Kouba, Loeffelholz, Lynch and McMullen. Motion declared carried and William McMullen is the 2021 Board Chairman.

County Clerk Giffin turned the meeting over to Chairman McMullen.

Chairman McMullen called for the election of a Vice Chairman. Commissioner Morrow nominated Ivan Klein as Vice Chairman of the Buffalo County Board of Commissioners and Kouba seconded the nomination. Chairman McMullen called for any further nominations three times. There were no further nominations and the nominations ceased with a unanimous ballot for Ivan Klein. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Lynch and McMullen. Motion declared carried and Ivan Klein is the 2021 Board Vice Chairman.

Moved by Loeffelholz and seconded by Higgins to approve the following list of Depositories for County Monies and to authorize Buffalo County Treasurer Jean Sidwell to invest the County funds at the approved banks. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Cornerstone Bank	Exchange Bank
Farmers & Merchants Bank-Kearney	First National Bank
FirsTier Bank of Elm Creek	FirsTier Bank of Kearney
Five Points Bank	Heartland Bank
NFIT/Union Bank	NPAIT
NebraskaLand National Bank	Town & Country Bank
Wells Fargo	

Chairman McMullen then made the following Agency Appointments/County Board Representatives:

Airport Zoning Board-William McMullen
Buffalo County Economic Development Council-William McMullen & Sherry Morrow
Community Action Partnership of Mid-Nebraska Board-Myron Kouba
Kearney Area Chamber of Commerce-Timothy Higgins
Kearney Area Visitors Bureau Advisory Board-William McMullen
Mid-NE Individual Services Advisory Board-Ivan Klein
Region III Governing Board-Sherry Morrow
Solid Waste Agency- Ronald Loeffelholz
South Central Economic Development Council-Timothy Higgins
South Central NE Area Agency on Aging Governing Board-Ivan Klein
Two Rivers Public Health Department-Daniel Lynch

Chairman McMullen then made the following miscellaneous appointments:

Legal Newspaper Designations - The Kearney Hub and the Buffalo County Website (www.buffalocounty.ne.gov)

Chairman McMullen then made the following Committee appointments with the first person listed to be the Committee Chair:

Budget & Finance Committee

Sherry Morrow-Chair

Myron Kouba

Tim Higgins

Facilities OMP Committee

Bill McMullen-Chair

Sherry Morrow
Tim Higgins

Information Technology Committee

Ivan Klein-Chair

Dan Lynch
Myron Kouba

Road & Bridge Committee

Ivan Klein-Chair

Dan Lynch
Ron Loeffelholz

Noxious Weed District Committee

Ron Loeffelholz-Chair

Ivan Klein
Dan Lynch

Human Resource/Insurance Committee

Myron Kouba-Chair

Tim Higgins
Bill McMullen

Public Safety, Law Enforcement

Dan Lynch-Chair

& Emergency Management Committee

Ron Loeffelholz
Sherry Morrow

Court & Judicial Committee

Dan Lynch-Chair

Ivan Klein
Sherry Morrow

Veterans Service Committee

Myron Kouba-Chair

Bill McMullen
Ivan Klein

Zoning/Flood Plain Committee

Ron Loeffelholz-Chair

Sherry Morrow
Dan Lynch

Extension/Agricultural Society Committee

Ron Loeffelholz-Chair

Myron Kouba
Ivan Klein

Election Commission Committee

Ron Loeffelholz-Chair

Bill McMullen
Dan Lynch

Legislative Committee

Tim Higgins-Chair

Sherry Morrow
Ron Loeffelholz

Ravenna Lake/Campgrounds

Bill McMullen-Chair

Advisory Committee

Ivan Klein
Myron Kouba

Covid-19 Committee

Tim Higgins-Chair

Sherry Morrow
Myron Kouba

Buffalo County NIRMA (Nebraska Intergovernmental Risk Management Association) Contact – Lynn Martin

REGULAR AGENDA

Moved by Klein and seconded by Loeffelholz to approve the December 22, 2020 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Moved by Morrow and seconded by Klein to ratify the following December 31, 2020 payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Higgins, Kouba, Loeffelholz, Lynch and McMullen. Motion declared carried.

GENERAL FUND			
NET PAYROLL			298,545.57

RETIREMENT PLANS AMERITAS	R	EMPE RET	47,612.46
FIRST NATIONAL BANK	T	FEDERAL TAXES	102,703.95
KATHLEEN A LAUGHLIN	E	GARNISH	402.00
PROFESSIONAL CHOICE RECOVERY	E	GARNISH	157.33
STATE OF NE	T	STATE TAXES	17,748.71
ROAD FUND			
NET PAYROLL			60,196.81
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,861.23
FIRST NATIONAL BANK	T	FEDERAL TAXES	18,279.53
STATE OF NE	T	STATE TAXES	2,876.32
WEED DEPARTMENT			
NET PAYROLL			5,049.98
RETIREMENT PLANS AMERITAS	R	EMPE RET	758.07
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,637.80
STATE OF NE	T	STATE TAXES	262.84

County Attorney Shawn Eatherton arrived at the meeting at 9:10 a.m.

Moved by Loeffelholz and seconded by Klein to approve the early claim submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

ROAD FUND		
STATE OF NE-MOTOR FUELS	FUEL TAX	\$3,488.00

Chairman McMullen read into the record a Resolution of Commendation to Dennis Reiter. Moved by Klein and seconded by Loeffelholz to approve the following Resolution 2021-01. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

RESOLUTION 2021-01

WHEREAS, Dennis Reiter began his term of office as Buffalo County Commissioner for District 4 on January 8, 2013; and

WHEREAS, Dennis has now served Buffalo County for 8 years.

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that Dennis be commended with a unanimous vote of appreciation for his dedicated and loyal service to Buffalo County for 8 years.

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

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

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

Moved by Loeffelholz and seconded by Higgins to re-appoint the following appointed officials for 2021: John Maul as the Highway Superintendent, Bret Stubbs as the Weed Superintendent, Lisa Poff as the Election Commissioner, William Williams as the Veteran's Service Officer, Steve Gaasch as the Facilities Director, Darrin Lewis as the Emergency Manager, Dennise Daniels as the Floodplain/Zoning Administrator and Lynn Martin as the Board Administrator. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Chief Deputy Dan Schleusener was present to discuss the purchase of vehicles through the State of Nebraska contract and asked to set a bid date for two new Communication towers.

Moved by Loeffelholz and seconded by Higgins to approve the purchase of one 2021 Dodge Durango Police AWD and one 2021 Ford Police Interceptor Utility through the Nebraska state contract. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to set a bid date of January 26, 2021 at 9:15 A.M. for two Communication Towers. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Klein, Kouba, Morrow and McMullen. Motion declared carried.

Moved by Morrow and seconded by Kouba to set the mileage reimbursement rate at 56 cents per mile and the County Sheriff rate for civil processing will be 59 cents, effective January 1, 2021 as recommended by Administrative Services of Nebraska. Upon roll call

vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Klein, Loeffelholz, Lynch and McMullen. Motion declared carried.

Chairman McMullen opened the discussion for the employee handbook update to incorporate the Internal Revenue Service mileage rate reimbursement changes to automatically set the Buffalo County mileage rate. Moved by Klein and seconded by Morrow to approve the employee handbook update to Section 6.22 with the following Resolution 2021-02. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Higgins, Kouba, Loeffelholz, Lynch and McMullen. Motion declared carried.

RESOLUTION 2021-02

WHEREAS, Buffalo County has adopted an Employee Handbook, and

WHEREAS, periodic updates to said handbook are necessary to maintain legal compliance, to adjust policies, to add or remove policies, and/or to correct errors,

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT:

Sec 6.22 shall be amended to add the following line:

If you have obtained appropriate preauthorization to use your personal vehicle for Business travel you will be reimbursed at the cents per-mile rate set forth by the Internal Revenue Service each year.

BE IT FURTHER RESOLVED THAT:

These changes take effect immediately and an updated version of the Employee Handbook will be made available on Knowledge Base within 7 days.

Chairman McMullen opened the discussion for Family First Coronavirus Response Act policy (FFCRA). Moved by Klein and seconded by Kouba to approve the extension of FFCRA with the following Resolution 2020-03. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Higgins, Loeffelholz, Lynch, Morrow and McMullen. Motion declared carried.

RESOLUTION 2021-03

WHEREAS, Buffalo County has previously implemented procedures to provide for Emergency Paid Sick Leave and Emergency Paid Family and Medical Leave as required by the Family First Coronavirus Response Act ("FFCRA"); and

WHEREAS, Buffalo County has previously implemented procedures to provide for paid sick leave for employees not covered by the Family First Coronavirus Response Act; and

WHEREAS, the mandatory emergency paid sick leave provisions within the Family First Coronavirus Response Act expired on December 31, 2020 and were replaced by an option to voluntarily extend these forms of paid leave under the Coronavirus Response and Relief Supplemental Appropriations Act; and

WHEREAS, Buffalo County wishes to extend these provisions on a voluntary basis to eligible employees who have not already used these benefits.

WHEREAS, Buffalo County recognizes that, due to the nature of the Covid-19 pandemic policies and procedures must remain flexible and adaptable to changing circumstances, public health needs, and local, state, and federal regulations.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS THAT:

Prior policies implemented under the Family First Coronavirus Response Act and the Counties supplemental procedures for employees not covered by the FFCRA shall be extended through March 31, 2021.

BE IT FURTHER RESOLVED THAT:

This extension shall be handled retroactively to January 1, 2021.

BE IT FURTHER RESOLVED THAT:

This is a continuation of previously granted benefits and not a restarting of said benefits. Employees who have already exhausted their prior benefits under these policies are not eligible for additional supplemental leave, however can continue to use their paid leave or the protections of the Family Medical Leave Act. Employees who have partially exhausted their prior benefits may be eligible to use the remainder of these benefits through March 31, 2021. Employees who have not used these benefits remain eligible for the full benefits as outlined in the FFCRA or other policies.

BE IT FURTHER RESOLVED THAT:

This may be further extended upon action of the Board or may be superseded or replaced by applicable state or federal law without further action of the Board.

Prior to this meeting, Brian Cox resigned from the Extension Board via correspondence on file with the Extension Office. Moved by Loeffelholz and seconded by Klein to recognize the resignation of Extension Board member Brian Cox and to appoint Brad Krohn to fill the remainder of that term that ends in 2022. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Klein, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Moved by Morrow and seconded by Klein to approve the release of pledged collateral in the amount of \$130,000.00 from the NebraskaLand National Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Higgins, Kouba, Loeffelholz, Lynch and McMullen. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to approve the following Resolution 2021-04 creating the Keno Lottery Fund. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Klein, Kouba, Lynch and McMullen. Motion declared carried.

RESOLUTION 2021-04

WHEREAS, Buffalo County passed the operation of keno in unincorporated areas at the November 3, 2020 General Election,

WHEREAS, Buffalo County plans to receive money to be used for community betterment,

WHEREAS, it is necessary and proper that Buffalo County create a budgetary fund for the account of the receipts and the expenditures of said fund. Fund #2850 was assigned by the State Auditor's Office for the "Keno Lottery Fund".

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that Buffalo County creates a fund to be known as "Keno Lottery Fund" number #2850 on Buffalo County's accounting and budgeting system.

Deputy County Attorney Andrew Hoffmeister joined the meeting to report on communication received from NIRMA regarding an employee personal injury settlement that is on file with the County Clerk. Moved by Klein and seconded by Loeffelholz to acknowledge the NIRMA communication regarding this personal injury settlement. Upon roll call vote, the following Board members voted "Aye": Klein, Loeffelholz, Higgins, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

Chairman McMullen reviewed the following correspondence. Central Plains Valuation, LLC sent an introductory letter inquiring about 2021 Buffalo County Protest Referee Hearings. The Open Meetings Act Draft including Senator Flood's requested changes was received and the Assistant Deputy State Auditor/Nebraska Auditor of Public Accounts sent an email in regards to the 2021 Mileage Rates. The Kearney Area Chamber of Commerce (KACC) sent an invite to the 102nd Annual Virtual Meeting on January 25, 2021. The City of Kearney sent the Planning Commission Agenda for the January 15, 2021 meeting. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Loeffelholz and seconded by Lynch to recess the regular meeting of the Board of Commissioners at 9:31 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Klein, Kouba, Morrow and McMullen. 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 Kouba and seconded by Morrow to approve Tax List Corrections numbered 4718 through 4746 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Kouba, Morrow, Higgins, Klein, Loeffelholz, Lynch and McMullen. Motion declared carried.

Moved by Klein and seconded by Lynch to approve the Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Jean Sidwell for Grace Fellowship Inc. on a 2000 Eagle Flatbed Trailer. Upon roll call vote, the following Board members voted "Aye": Klein, Lynch, Higgins, Kouba, Loeffelholz, Morrow and McMullen. 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 9:35 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Klein, Kouba, Lynch, Morrow and McMullen. Motion declared carried.

REGULAR AGENDA

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

Moved by Klein and seconded by Higgins to accept the low bid of \$182,944.00 from Saul Ramos Construction Inc. for Project No. C10 (984) Sodtown Road and C10 (1445) 145th Road Concrete Box Culvert Project. Upon roll call vote, the following Board members voted "Aye": Klein, Higgins, Kouba, Loeffelholz, Lynch, Morrow and McMullen. Motion declared carried.

Moved by Klein and seconded by Kouba to set a bid date of January 26, 2021 at 10 A.M. for one New Cab & Chassis Lowboy Tractor and one New Cab & Chassis with Dump Body. Upon roll call vote, the following Board members voted "Aye": Klein, Kouba, Higgins, Loeffelholz, Lynch, Morrow and McMullen. Motion declared carried.

Chairman McMullen called for Citizen's forum. Heather Santiago addressed the Board in regards to her purchase of the Jubilee Center property and grievances with the Assessor's office in determining her valuation.

Chairman McMullen opened the Public Hearing for the Buffalo County 2020-2021 Budget Amendment at 10:05 A.M. The purpose of this amendment was necessary to amend the General Fund to track unexpected accounting expenses and receipts from the CARES Act. No one addressed the Board and the public hearing was closed at 10:07 A.M.

Moved by Morrow and seconded by Loeffelholz to approve the following budget amendment. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Klein, Kouba, Lynch and McMullen. Motion declared carried.

FUND	ACTUAL DISBURSEMENT 2018-2019	ACTUAL DISBURSEMENT 2019-2020	ADOPTED DISBURSEMENT 2020-2021	AMENDED DISBURSEMENT 2020-2021	ACTUAL REVENUE 2018-2019	ACTUAL REVENUE 2019-2020	ADOPTED REVENUE 2020-2021	AMENDED REVENUE 2020-2021
GENERAL	23,332,477.03	25,852,819.93	31,733,626.65	33,125,515.97	26,955,174.51	29,694,957.98	31,733,626.65	33,125,515.97

Chairman McMullen asked if there was anything else to come before the Board at 10:08 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday January 26, 2021 at 9:00 A.M.