

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

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, October 12, 2021 at 9:00 A.M. and 9:30 A.M. Vice Chairman Klein called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Timothy Higgins, Myron Kouba, Ronald Loeffelholz, Daniel Lynch, Sherry Morrow and Ivan Klein. Absent: 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 October 7, 2021. Vice Chairman Klein 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 and posted at the back of the Board Room. Deputy County Clerk Heather Christensen took all proceedings hereinafter shown; while the convened meeting was open to the public. County Clerk Janice Giffin and County Attorney Shawn Eatherton were present.

REGULAR AGENDA

Moved by Loeffelholz and seconded by Higgins to approve the September 28, 2021 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Morrow and seconded by Lynch to ratify the following October 8, 2021 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz and Klein. Absent: McMullen. Motion declared carried.

GENERAL FUND			
NET PAYROLL			267,318.48
AMERICAN FAMILY LIFE	I	PREMIUMS	1,303.91
RETIREMENT PLANS AMERITAS	R	EMPE RET	45,685.35
BUFFALO CO TREASURER	I	PREMIUMS	122,295.00
CREDIT MANAGEMENT	E	GARNISHMENT	169.94
EMPOWER RETIREMENT	R	DEFERRED COMP	1,175.00
FIRST CONCORD	E	FLEX FUNDS	4,399.31
FIRST NATIONAL BANK	T	FEDERAL TAXES	91,253.46
KEARNEY UNITED WAY	E	DONATIONS	104.67
KATHLEEN A LAUGHLIN	E	GARNISHMENT	402.00
MADISON NATIONAL	I	PREMIUMS	987.89
MADISON NATIONAL	I	LT DISABILITY	290.78
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,840.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
NE DEPARTMENT OF REVENUE	E	GARNISHMENT	55.00
PRINCIPAL	E	DENTAL	3,243.40
STATE OF NE	T	STATE TAXES	15,390.10
VISION SERVICE PLAN	E	EMPE VSP EYE	861.95
ROAD FUND			
NET PAYROLL			55,466.00
AMERICAN FAMILY LIFE	I	PREMIUMS	1,060.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,552.11
BUFFALO CO TREASURER	I	PREMIUMS	2,853.00
FIRST CONCORD	E	FLEX FUNDS	515.20
FIRST NATIONAL BANK	T	FEDERAL TAXES	16,320.99
MADISON NATIONAL	I	PREMIUMS	157.80
MADISON NATIONAL	I	LT DISABILITY	106.85
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	946.12
STATE OF NE	T	STATE TAXES	2,464.98
VISION SERVICE PLAN	E	EMPE VSP EYE	222.30
WEED FUND			
NET PAYROLL			4,994.86
RETIREMENT PLANS AMERITAS	R	EMPE RET	791.79
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST CONCORD	E	FLEX FUNDS	30.00
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,616.19
MADISON NATIONAL	I	LT DISABILITY	3.44

PRINCIPAL	E	DENTAL	60.96
STATE OF NE	T	STATE TAXES	258.43

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

ROAD FUND		
STATE OF NE-MOTOR FUELS	FUEL TAX	\$2,787.00

Moved by Morrow and seconded by Lynch to accept the County Treasurer September 2021 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Lynch, Higgins, Kouba, Loeffelholz and Klein. Absent: McMullen. Motion declared carried.

Moved by Morrow and seconded by Kouba to accept the Clerk of District Court September 2021 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch and Klein. Absent: McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to accept the August 2021 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: McMullen. Motion declared carried.

Sheriff Neil Miller, Kearney Police Captain Mike Young, Region III Behavioral Health Services Administrator Beth Baxter and Beth Reynolds-Lewis updated the Board on the Co-Responder Program. Program goals and funding from grants were discussed. No formal action was necessary.

Moved by Lynch and seconded by Higgins to authorize Vice Chairman Klein to sign on behalf of Buffalo County the updated agreement to the South Central Area Law Enforcement Services (SCALES) Agreement. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Absent: McMullen. Motion declared carried.

Vice Chairman Klein read the draft proclamation for Law Enforcement Appreciation Week. Moved by Loeffelholz and seconded by Lynch to proclaim the week of October 18th through October 23rd as "Law Enforcement Appreciation Week" in Buffalo County with the following Resolution 2021-64. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: McMullen. Motion declared carried.

RESOLUTION 2021-64

WHEREAS, the men and women of law enforcement work devotedly and unselfishly on behalf of the people of Buffalo County, regardless of peril or hazard to themselves; these law enforcement officers have safeguarded the lives and property of all in Buffalo County; and by their service and their dedicated efforts, these men and women have earned the gratitude of Buffalo County; and

WHEREAS, Buffalo County appreciates the extraordinary efforts and sacrifices made by the law enforcement officers and their family members on a daily basis in order to protect our schools, workplaces, roadways and homes; and

WHEREAS, acts of kindness and appreciation from our citizens provided needed encouragement and support to law enforcement officers throughout the City of Kearney and Buffalo County as they confront the dangerous and uncertain situations on duty every day; and

WHEREAS, on October 18, 2021, the Kearney Area Chamber of Commerce, the Kearney Cosmos Club, and the Kearney Sertoma Club have organized a "Friends of Law Enforcement Appreciation" during the week of October 18, 2021; and

WHEREAS, this celebration of law enforcement will be recognized throughout Buffalo County, with a banquet and gathering planned for Thursday, October 21, 2021 at the Buffalo County Fairgrounds.

NOW, THEREFORE, BE IT RESOLVED that on behalf of the citizens of Buffalo County, Nebraska we hereby proclaim the week of October 18 – 23, 2021 as: "**LAW ENFORCEMENT APPRECIATION WEEK**".

Vice Chairman Klein reviewed the following correspondence. City of Kearney sent the Planning Commission Agenda for October 15, 2021 meeting. Kearney Area Chamber of Commerce, Kearney Cosmos Club and Kearney Sertoma Club sent a letter regarding Law Enforcement Appreciation week. Buffalo County Economic Development sent a thank you note for continued support. Vice Chairman Klein called on each Board member present for committee reports and recommendations.

Assistant Highway Superintendent Cory Jensen was present for the following agenda items. Moved by Loeffelholz and seconded by Higgins to set bid date of Tuesday, November 9, 2021 at 9:30 A.M. for County Project No. C10 (1427) Structure No. C001012210 on 235th Road west of Custer Road. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Morrow to acknowledge receipt of Highway Superintendent John Maul's report regarding the closing of 265th Road as situated between Arrow and Apache Roads. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Higgins, Kouba, Lynch and Klein. Absent: McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to set a public hearing date regarding the closing of 265th Road as situated between Arrow and Apache Roads for November 23, 2021 at 10:00 A.M. with the following Resolution 2021-65. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: McMullen. Motion declared carried.

RESOLUTION 2021-65

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

To vacate a road named 265th Road, a road commencing from the East line of Apache Road which is the approximate Southwest corner of the Southwest Quarter of Section 7, Township 11 North, Range 18 West and the approximate Northwest corner of the Northwest Quarter of Section 18; thence running East for approximately one mile of a curved road to the West line of Arrow Road being the approximate Southeast corner of the Southeast Quarter of Section 7, Township 11 North, Range 18 West and the approximate Northeast corner of the Northeast Quarter of Section 18, Township 11 North, Range 18 West, as the road is abutting and being located in part of the South Half of the South Half of Section 7, Township 11 North, Range 18 West and abutting part of the Northwest Quarter of the Northwest Quarter and abutting part of the Northeast Quarter of the Northeast Quarter of Section 18, Township 11 North, Range 18 West all in Buffalo County, Nebraska.

WHEREAS, the report of the Highway Superintendent was received at this Board's October 12, 2021, meeting, and

WHEREAS, this road is not situated in the zoning jurisdiction of a municipality of the Metropolitan, Primary, or First Class as set by the laws of Nebraska, and it is not necessary to obtain permission to close the road from a municipality of a lesser class that could be exercising zoning jurisdiction over the road in question, and

WHEREAS, the issue of closing these roads, or portions thereof, should be set down for public hearing.

NOW THEREFORE BE IT RESOLVED that Buffalo County Board of County Commissioners sets November 23, 2021, at 10:00 o'clock, a.m. as the date and time of public hearing regarding vacation or abandonment of the above recited roads, 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 roads to be vacated or abandoned, by registered or certified mail no less than two weeks in advance of the hearing.

Moved by Loeffelholz and seconded by Kouba to recess the regular meeting of the Board of Commissioners at 9:49 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

BOARD OF EQUALIZATION

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

Moved by Morrow and seconded by Kouba to approve the final levies for the various political subdivisions as provided by the Buffalo County Clerk with the following Resolution 2021-66. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Lynch, and Klein. Absent: McMullen. Abstain: Loeffelholz. Motion declared carried.

RESOLUTION 2021-66

		PROPERTY TAX RATES 2021-2022			
COUNTY FUNDS		LEVY			
GENERAL		0.311360			
BOND		0.025128			
VETERAN'S AID		0.000322			
TOTAL		0.336810			
BUFFALO COUNTY AGRICULTURAL SOCIETY					
GENERAL	0.010458	SINKING	0.006927		
FIRE DISTRICTS	GENERAL	SINKING		BOND	
SUBURBAN #1	0.023254	0.008991		0.005144	
GIBBON #2	0.012852				
SHELTON #3	Set By Hall	County			
PLEASANTON #4	0.062866				

RAVENNA #5	0.003486						
MILLER #6	0.012126						
ELM CREEK #7	0.011336				0.013154		
AMHERST #8	0.016352				0.027782		
SID #3 GENERAL	0.203932						
CITY/VILLAGE	GENERAL	BOND			PARKING		CRA
AMHERST	0.292054						
ELM CREEK	0.378203						
GIBBON	0.350000	0.145000					
KEARNEY	0.136635	0.012235			0.126695		0.004975
MILLER	0.449957						
PLEASANTON	0.235274	0.086729					
RAVENNA	0.356556						
RIVERDALE	0.065589						
SHELTON	0.499998	0.207839					
SCHOOL DISTRICTS							
DISTRICT	NO.	GENERAL	BOND	K-8 or 2009	9-12 or 2013	CAPITAL	SP BLDG
GIBBON	2	1.020202	0.135749				0.018812
KEARNEY	7	1.024277		0.072248	0.098784		
ELM CREEK	9	0.943742	0.144544				0.045249
SHELTON	19	1.049899	0.068546			0.024465	0.000000
RAVENNA	69	0.741029					0.055948
PLEASANTON	R105	0.782894	0.169544				0.027346
AMHERST	119	0.675545					0.139891

Moved by Loeffelholz and seconded by Kouba to approve Tax List Corrections numbered 4801 through 4802 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Higgins and seconded by Kouba to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for The Evangelical Lutheran Good Samaritan Society Home Care on four 2012 Chevrolet Malibu's, four 2010 Ford Fusion's, two 2015 Ford Fusion's, a 2017 Ford Fusion, a 2012 Ford Fusion and three 2014 Ford Fusion's. Upon roll call vote, the following Board members voted "Aye": Higgins, Kouba, Loeffelholz, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Crossroads International Student Ministries on a 2000 Ford 15 Passenger Van and a 2006 Ford 15 Passenger Van. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Lynch and seconded by Kouba to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Hope Evangelical Free Church on a 2012 Chevrolet Express Bus and a 2008 Chevrolet Express Bus. Upon roll call vote, the following Board members voted "Aye": Lynch, Kouba, Higgins, Loeffelholz, Morrow and Klein. Absent: McMullen. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve the motor vehicle tax exemption as indicated on the application by County Treasurer Jean Sidwell for Prairie View Gardens Evangelical Lutheran Good Samaritan Society on a 1998 Chevy Sparts Van and a 2010 Ford Cutaway Van. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: 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 9:57 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Absent: McMullen. Motion declared carried.

REGULAR AGENDA

Vice Chairman Klein called for Citizen's forum and no one addressed the Board.

Vice Chairman Klein asked if there was anything else to come before the Board at 9:58 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, October 26, 2021.