

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, MARCH 8, 2022**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, March 8, 2022 at 9:00 A.M. and 9:45 A.M. 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, Bill Maendele, Sherry Morrow and Ivan Klein. 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 March 3, 2022. 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. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton and Deputy County Attorney Andrew Hoffmeister were present.

**REGULAR AGENDA**

Moved by Higgins and seconded by Loeffelholz to approve the February 22, 2022 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Higgins, Loeffelholz, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Moved by Lynch and seconded by Higgins to ratify the following February 25, 2022 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

<b>GENERAL FUND</b>			
NET PAYROLL			283,061.70
AMERICAN FAMILY LIFE	I	PREMIUMS	1,201.59
RETIREMENT PLANS AMERITAS	R	EMPE RET	48,272.69
BUFFALO CO TREASURER	I	PREMIUMS	124,048.50
CREDIT MANAGEMENT	E	GARNISHMENT	169.94
EMPOWER RETIREMENT	R	DEFERRED COMP	1,125.00
FIRST CONCORD	E	FLEX FUNDS	4,877.10
FIRST NATIONAL BANK	T	FEDERAL TAXES	95,733.63
KEARNEY UNITED WAY	E	DONATIONS	114.67
MADISON NATIONAL	I	PREMIUMS	1,016.44
MADISON NATIONAL	I	LT DISABILITY	295.09
ERIN M MCCARTNEY	E	GARNISHMENT	402.00
NATIONWIDE RETIREMENT	R	DEFERRED COMP	1,860.00
NE CHILD SUPPORT	E	CHILD SUPPORT	1,200.00
NE DEPARTMENT OF REVENUE	E	GARNISHMENT	55.00
PRINCIPAL	E	DENTAL	3,390.61
STATE OF NE	T	STATE TAXES	15,968.60
VISION SERVICE PLAN	E	EMPE VSP EYE	886.68
<b>ROAD FUND</b>			
NET PAYROLL			53,574.79
AMERICAN FAMILY LIFE	I	PREMIUMS	1,060.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	8,534.89
BUFFALO CO TREASURER	I	PREMIUMS	2,847.00
FIRST CONCORD	E	FLEX FUNDS	697.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	15,647.81
MADISON NATIONAL	I	PREMIUMS	151.25
MADISON NATIONAL	I	LT DISABILITY	105.49
NATIONWIDE RETIREMENT	R	DEFERRED COMP	272.50
PRINCIPAL	E	DENTAL	916.73
STATE OF NE	T	STATE TAXES	2,326.25
VISION SERVICE PLAN	E	EMPE VSP EYE	228.10
<b>WEED FUND</b>			
NET PAYROLL			5,061.03
RETIREMENT PLANS AMERITAS	R	EMPE RET	800.66
BUFFALO CO TREASURER	I	PREMIUMS	268.50
FIRST CONCORD	E	FLEX FUNDS	40.84
FIRST NATIONAL BANK	T	FEDERAL TAXES	1,623.80
MADISON NATIONAL	I	LT DISABILITY	3.55
PRINCIPAL	E	DENTAL	61.00

STATE OF NE	T	STATE TAXES	254.12
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Moved by Morrow and seconded by Maendele to accept the Clerk of the District Court February 2022 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Maendele, Higgins, Kouba, Loeffelholz, Lynch and Klein. Motion declared carried.

Moved by Morrow and seconded by Kouba to accept the Buffalo County Treasurer February 2022 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch, Maendele and Klein. Motion declared carried.

Emergency Manager Darrin Lewis was present to review the outdoor siren warning activation and monitoring system. After discussion it was moved by Maendele and seconded by Kouba to set the date of April 12, 2022 to open proposals to replace or upgrade outdoor siren warning activation and monitoring system. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Chairman Klein reviewed the following correspondence. The Commission of Law Enforcement and Criminal Justice sent a letter regarding their upcoming annual inspection of Buffalo County Detention Center. Nebraska Intergovernmental Risk Management Association (NIRMA) sent their 2021 Annual Report, the agenda for the upcoming Cyber Security Seminar and an introduction letter of their newest member to the Road Safety and Loss Prevention Specialist, KC Pawling. City of Kearney sent the Planning Commission Agenda for the March 18, 2022 meeting. The Village of Elm Creek sent a notice of public hearing for March 22, 2022 in regards to the Redevelopment Plan for the Ag Dryer Services Headquarters Redevelopment Project.

Transportation Director Charles McGraw from the Community Action Partnership of Mid Nebraska was present to review the funding matches required for the operations RYDE Transit-Community Action Partnership of Mid Nebraska. Moved by Lynch and seconded by Higgins to approve the Local Funding Match with the following Resolution 2022-03 for RYDE Transit Public Transportation. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

### **RESOLUTION 2022-03**

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the RYDE Transit-Community Action Partnership of Mid Nebraska desires to apply for said funds to provide public transportation in (transit system's service area).

NOW THEREFORE, BE IT RESOLVED; the Buffalo County Board of Commissioners hereby instructs the RYDE Transit to apply for said funds.

Said funds are to be used for the RYDE Transit transportation operations in the FY 2022-2023 Application for Public Transportation Assistance. Local Funding Amount Match for 2022-2023: \$76,800.00.

### **ZONING**

Zoning Administrator Dennise Daniels was present for the following Zoning agenda items.

Chairman Klein brought forth the agenda item for an Administrative Subdivision application filed by Mitch Humphrey, licensed land surveyor, on behalf of Seth J. Tschetter, President for T Period S Period Construction, Inc., for Administrative Subdivision to be known as "T Period S Period Administrative Subdivision". This property is located in part of the Southeast Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The public hearing was held during the February 22, 2022 Board meeting and the decision on this application was tabled until today. Deputy County Attorney Hoffmeister presented a future use map and reviewed the application. After discussion it was moved by Loeffelholz and seconded by Higgins to approve the Administrative Subdivision Resolution with the following Resolution 2022-04. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

### **RESOLUTION 2022-04**

WHEREAS, Seth J. Tschetter, on behalf of T Period S Period Construction, Inc., hereinafter referred to as "applicant" has filed for an Administrative Subdivision to be known as "T Period S Period 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 February 22, 2022, this Board conducted a public hearing now and finds:

1. The proposed "T period S Period Administrative Subdivision" is in the Agricultural – Residential (AGR) Zoning District for Buffalo County, Nebraska.
2. There is no remnant parcel.

3. 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.
4. East 92<sup>nd</sup> Street is a county-maintained open public road and it abuts the subdivision on its north side. The width of East 92<sup>nd</sup> Street meets this county's minimum width standards.
5. 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.
6. 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 "T Period S Period Administrative Subdivision", an administrative subdivision being located in Part of the Southeast Quarter of the Northwest Quarter of Section Eight (8), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, 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.

Chairman Klein opened the public hearing at 9:23 A.M. for a special use permit review regarding a painting and sand blasting operation. Zoning Administrator Daniels reviewed the action that was taken in 2006 by this Board and stated that the special use was no longer active. No one else addressed the Board and Chairman Klein closed the hearing at 9:25 A.M. Moved by Loeffelholz and seconded by Higgins to cancel the Special Use Permit, filed by Dennis L. Land, on June 28, 2006, and reviewed by the Buffalo County Planning and Zoning Commission on July 20, 2006 and authorized by the Board of Commissioners on August 8, 2006, to operate a painting and sandblasting operation, described Part of the Southwest Quarter of Section Twenty-Four (24), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska with the following Resolution 2006-33A. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Maendele, Morrow and Klein. Motion declared carried.

### **RESOLUTION 2006-33A**

WHEREAS, on June 28, 2006, Dennis L. Land filed an Application for Special Use Permit, with Buffalo County Clerk and/or Zoning Administrator, application to operate a Painting and Sandblasting Operation, inventoried on the zoning records of Buffalo County as Permit #2006-073. This operation was to be situated on the following legal description:

A tract of land being part of the Southwest Quarter of Section Twenty-Four (24), Township Nine (9) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Commencing at the Southeast corner of the Southwest Quarter of Section 24, Township 9 North, Range 15 West of the 6<sup>th</sup> P.M., thence West along the South line of said Southwest Quarter, a distance of 348 feet to the place of beginning, thence North 198 feet parallel to the East line of said Southwest Quarter, thence West 180 feet, thence South 198 feet, thence East along the South line of said Southwest Quarter to the place of beginning **AND** a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) of Section 24, Township 9 North, Range 15 West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Southwest Quarter of Section 24, Township 9 North, Range 15 West; thence West along the South line of said Southwest Quarter a distance of 528.0 feet to the ACTUAL PLACE OF BEGINNING; thence continuing Westerly on the afore described course a distance of 109.0 feet; thence with a deflection angle to the right of 89°32' and parallel with the East line of the Southwest Quarter a distance of 334.2 feet; thence right 90°28' and parallel with the South line of said quarter a distance of 289.0 feet; thence right 89°32' and parallel with the East line of said quarter a distance of 136.2 feet; thence right 90°28' and parallel with the South line of said quarter a distance of 180.0 feet; thence left 90°28' a distance of 198.0 feet to the place of beginning. Containing 1.399 acres, more or less, of which 0.083 acres, more or less, are presently being used for road purposes, hereinafter referred to as "subject property".

WHEREAS, on July 20, 2006, the Buffalo County Planning and Zoning Commission conducted a public hearing on such Special Use Permit and on a 7-0 vote with two absent, voted to forward this application to the Buffalo County Board of Supervisors, now Commissioners, with a favorable recommendation, and

WHEREAS, on August 8, 2006, the Buffalo County Board of Supervisors, now Commissioners, held a public hearing on this Special Use Permit and by simple majority, approved the applicant's Special Use Permit to operate a painting and sandblasting operation on the subject property, as submitted in the application, subject to the conditions set forth in Resolution 2006-33 and

WHEREAS, on or about February 2, 2022, The Buffalo County Zoning Administrator was made aware that as of February 20, 2020, the sole owner of the property, Austin Jacobs, has not continued the specially permitted use, as required under Resolution 2006-33.

WHEREAS, as provided by Buffalo County's Zoning Regulation Resolution, this Board reserves the power to revoke any special use permit that has been issued by this Board for the failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance. If the Zoning Administrator or any two members of this Board find at any time that the terms, conditions and requirements of this special use permit have not been complied with, or that any phase thereof has not been completed within the time required under said special use permit or any amendment thereto, the Zoning Administrator or any two members of this Board shall report this fact to the County Commissioners, and thereafter this Board may conduct review of compliance by public hearing with notice given to applicant(s) and/or entity using the subject property. Following such public meeting this Board may take any action it may deem necessary to secure compliance including revocation and termination of this special use permit.

WHEREAS, on March 8, 2022, the Buffalo County Board of Commissioners held a public hearing, after providing notice, to determine whether this Board should cancel the Special Use Permit authorized in Resolution 2006-33, due to twelve months of non-use of the specially permitted use, as set out in said Resolution.

WHEREAS, following hearing on the issue, this Board determines that the Special Use Permit should be cancelled due to discontinuance or abandonment of the specially permitted use for a period of twelve months, as issued under Resolution 2006-33.

NOW THEREFORE, BE IT RESOLVED THAT BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS by a majority vote of its members for the foregoing reasons, cancels the Special Use Permit, inventoried as Permit #2006-073, that was granted the Special Use Requested all as set out in Resolution 2006-33.

RESOLVED FURTHER that a copy of this Resolution shall be filed against the subject property as described above.

Chairman Klein opened the public hearing for a Zoning Map Amendment filed by Chad Dixon, Registered Land Surveyor, on behalf of Kohlscheen Farms, for property described as Part of the Southeast Quarter of the Southwest Quarter in Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska. The applicant has requested to rezone approximately 10.34 acres, of which approximately 0.33 acres are presently being used for road purposes on the South side, from AG –Agriculture to AGR–Agricultural –Residential. Chad Dixon reviewed the application. No one else addressed the Board and Chairman Klein closed the hearing at 9:29 A.M. Moved by Loeffelholz and seconded by Lynch to approve the Zoning Map Amendment with the following Resolution 2022-05. Upon roll call vote, the following Board members voted “Aye”: Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

### **RESOLUTION 2022-05**

WHEREAS, on January 20, 2022, Chad Dixon, licensed land surveyor, on behalf of Kohlscheen Farms, has applied for a Zoning Map Amendment with the Buffalo County Zoning Administrator, requesting that the following real estate property, hereinafter referred to as the “subject property”, to wit:

A tract of land being part of the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Fourteen (14), Township Twelve (12) North, Range Sixteen (16) West of the 6<sup>th</sup> Principal Meridian, Buffalo County, Nebraska, and more particularly described as follows:

BEGINNING at a 5/8” rebar at the Southeast Corner of the Southwest Quarter of Section 14; thence N 88°06’42” W on the South line of said Southwest Quarter, and all bearings contained herein are relative thereto, a distance of 436.50 feet; thence N 00°45’18” E a distance of 1054.47 feet to a 5/8” rebar w/cap; thence S 88°06’42” E a distance of 417.81 feet to a 5/8” rebar w/cap on the East line of said Southwest Quarter; thence S 00°15’35” E on said East line a distance of 1055.00 feet to the Point of Beginning.

Containing 10.34 acres more or less, of which 0.33 acres more or less are presently being used for road purposes on the South side, hereinafter referred to as “subject property”.

be changed from the Agriculture (AG) District to the Agricultural – Residential (AGR) District. The property is in the name of Kohlscheen Farms.

WHEREAS, this is solely a zoning map amendment request and the subject property would or could have other land use regulations that would apply to it above and beyond the zoning map amendment sought at this meeting, and

WHEREAS, on February 17, 2022, the Buffalo County Planning and Zoning Commission, following public hearing with notice as required, recommended approval of such proposed change in zoning on a 8-0 vote with no absences and one abstention, and

WHEREAS, on March 8, 2022, this Board conducted a public hearing and considered this Zoning Map Amendment, the minutes of the Planning and Zoning Commission considering this amendment, Buffalo County Zoning Regulations, and Comprehensive Plan, and finds:

- a. No letters of opposition against the amendment.
- b. That such change in zoning designation would have minimal adverse effect on surrounding properties.
- c. That the intended uses of the Agricultural – Residential (AGR) District are consistent with property use in the surrounding area.
- d. This amendment is consistent with the growth and development of Buffalo County and the overall Comprehensive Plan adopted by Buffalo County, Nebraska, and
- e. The subject property is situated close to already existing public improvements, such as sufficient utilities and an all-weather road, so that the map amendment with its attendant changes in uses will not cause additional public costs to function effectively.

WHEREAS, no protest (s) against such amendment have been filed with the Buffalo County Clerk within seven days of conclusion of public hearing of such Commission as allowed under Section 11.4, and

WHEREAS, the votes in favor of adoption of this resolution need only be by majority of members to this Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that application for zoning map amendment to change the subject property from the Agriculture (AG) District to Agricultural – Residential (AGR) District is approved, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed in the Register of Deed's office against subject property and any parcel situated partially or entirely within such legal description, and that the County Clerk shall make amendment to Buffalo County Zoning District Map originally adopted on or about September 10, 2002.

Chairman Klein opened a public hearing for a special use permit to install signage. Mark VanSlyke from Simplot AB Retail Sub Inc. reviewed the application. No one else addressed the Board and Chairman Klein closed the hearing at 9:34 A.M. Moved by Maendele and seconded by Lynch to approve the special use permit application for Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., to install signage, for property identified as tax parcel 660286130 and described as Part of Government Lot 1 in Section Thirty (30), Township Nine (9) North, Range Fourteen (14) West of the Sixth Principal Meridian, Buffalo County, Nebraska with the following Resolution 2022-06. Upon roll call vote, the following Board members voted "Aye": Maendele, Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Motion declared carried.

### **RESOLUTION 2022-06**

WHEREAS, Paul Simpson, Senior Manager Retail Operations, on behalf of Simplot AB Retail Sub, Inc., previously known as Pinnacle Agriculture Distribution, Inc., has filed for a Special Use Permit, located at 39695 E 56<sup>th</sup> Street, Gibbon, Nebraska, 68840, with the Buffalo County Clerk and/or Zoning Administrator.

WHEREAS, one application was filed January 24, 2022, to install signage on the following legal description:

A tract of land being part of Government Lot 1, located in Section 30, Township 9 North, Range 14 West of the 6<sup>th</sup> p.m., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest Corner of Government Lot 1 in Section 30, and assuming the West line of Government Lot 1 as bearing S 00°09'34" W and all bearings contained herein are relative thereto; thence S 00°09'34" W and on the west line of said Government Lot 1, a distance of 372.85 feet; thence S 89°29'20" E and parallel with the North line of said Government Lot 1, a distance of 745.68 feet to the Actual Place of Beginning; thence continuing S 89°29'20" E and parallel with the North line of Government Lot 1, a distance of 356.34 feet; thence N 00°09'34" E and parallel with the West line of said Government Lot 1, a distance of 372.84 feet to a point on the North line of said Government Lot 1; thence N 89°29'20" W and on the North line of said Government Lot 1, distance of 356.34 feet; thence S 00°09'34" W and parallel with the West line of said Government Lot 1, a distance of 372.85 feet to the place of beginning, hereinafter referred to as the "subject property".

WHEREAS, on February 17, 2022, the Buffalo County Planning and Zoning Commission conducted a public hearing on such Special Use Permit and on a 8-0 vote with no absences or abstentions, voted to forward this application to the County Commissioners, and

WHEREAS, on March 8, 2022, the Buffalo County Board of Commissioners held a public hearing on this Special Use Permit and,

WHEREAS, three exhibits were attached to the application:

1. The application of the Special Use Permit.
2. Master Site Plan with Proposed Location of Sign.
3. Proposed Signage Description.

WHEREAS, only a simple majority is required by this Board to approve this Special Use Permit because no protests against issuance of this permit have been filed, and

WHEREAS, the Board, after public hearing and review of the Special Use application, finds:

- The subject property abuts East 56<sup>th</sup> Street, which is not a county-maintained road, to the North, and situated East of Keystone Road.
- Signage will be placed no closer to East 56<sup>th</sup> Street right-of-way than the required 14 feet, as shown in Section 8.3.
- The signage content will be regarding the business being conducted on the premises.

WHEREAS, this special use permit is found to be in compliance with Section 6.2 of Buffalo County's Zoning Regulations because with the below stated conditions contained in this Resolution, the requested use/structure(s) would:

1. Be compatible with and similar to the use permitted in the district, and
2. Not be a matter which should require re-zoning of the property, and
3. Not be detrimental to adjacent property, and
4. Not tend to depreciate the value of the surrounding structures or property, and
5. Be compatible with the stated intended use of the district, and
6. Not change the character of the district, and
7. Be in accordance with the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED THAT BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS by a majority vote of its members, approves the applicants' requested Special Use Permit, subject however to the following:

1. No additional conditions were placed on the project other than the sign shall remain in compliance with State and Federal regulations.

BE IT FURTHER RESOLVED that this Board reserves the power to revoke such special use permit for failure to comply with such terms, conditions and requirements, or take such other action as it may deem necessary to obtain compliance. If the Zoning Administrator or any two members of this Board find at any time that the terms, conditions and requirements of this special use permit have not been complied with, or that any phase thereof has not been completed within the time required under said special use permit or any amendment thereto, the Zoning Administrator or any two members of this Board shall report this fact to the County Commissioners, and thereafter this Board may conduct review of compliance by public hearing with notice given to applicant(s) and/or entity using the subject property. Following such public meeting this Board may take any action it may deem necessary to secure compliance including revocation and termination of this special use permit.

RESOLVED FURTHER that a copy of this Resolution shall be filed against the subject property as described above.

Chairman Klein called on each Board member present for committee reports and recommendations.

Chairman Klein called for Citizen's forum. Deputy Sheriff Justin Thorman addressed the Board with appreciation and thanks to Buffalo County for his fifteen years of service as he resigns from his full time position.

Moved by Loeffelholz and seconded by Maendele 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, Maendele, Higgins, Kouba, Lynch, Morrow and Klein. Motion declared carried.

### **BOARD OF EQUALIZATION**

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

Chairman Klein opened the hearing for the Bryan Hospital Kearney permissive exemption application at 9:46 A.M. No one was present to address the Board for Bryan Hospital Kearney and Chairman Klein closed the hearing at 9:48 A.M. Moved by Maendele and seconded by Kouba to approve the application filed by Bryan Hospital Kearney on Personal Property as 100% exempt. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Bryan Hospital Kearney permissive exemption application on parcel 602507000. No one was present to address the Board and Chairman Klein closed the hearing at 9:49 A.M. Moved by Loeffelholz and seconded by Kouba to approve the application filed by Bryan Hospital Kearney on parcel number 602507000 as 100% exempt. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Bryan Hospital Kearney permissive exemption application on parcel 603787065. No one was present to address the Board and Chairman Klein closed the hearing at 9:50 A.M. Moved by Lynch and seconded by Higgins to approve the application filed by Bryan Hospital Kearney on parcel number 603787065 as 100% exempt. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Evangelical Lutheran Good Samaritan Society permissive exemption application on parcel 605043304. No one was present to address the Board and Chairman Klein closed the hearing at 9:52 A.M. Moved by Lynch and seconded by Kouba to deny the exemption application filed by Evangelical Lutheran Good Samaritan Society on parcel number 605043304. Upon roll call vote, the following Board members voted "Aye": Lynch, Kouba, Higgins, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Evangelical Lutheran Good Samaritan Society permissive exemption application on parcel 605043303. No one was present to address the Board and Chairman Klein closed the hearing at 9:54 A.M. Moved by Loeffelholz and seconded by Morrow to deny the exemption application filed by Evangelical Lutheran Good Samaritan Society on parcel number 605043303. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Morrow, Higgins, Kouba, Lynch, Maendele and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Heather Santiago LLC permissive exemption application on parcel 603684000. No one addressed the Board and Chairman Klein closed the hearing at 9:58 A.M. Moved by Maendele and seconded by Morrow to approve the application filed by Heather Santiago LLC on parcel number 603684000 as 100% exempt. Upon roll call vote, the following Board members voted "Aye": Maendele, Morrow, Higgins, Kouba, Loeffelholz, Lynch and Klein. Motion declared carried.

Chairman Klein opened the hearing for the Residential Assistance to Families in Transition (RAFT) permissive exemption application on parcel 602563000. No one was present to address the Board and Chairman Klein closed the hearing at 10:01 A.M. Moved by Lynch and seconded by Higgins to deny the exemption application filed by Residential Assistance to Families in Transition (RAFT) on parcel number 602563000. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Chairman Klein opened the hearing for CHI Health-Good Samaritan permissive exemption application on parcel 601995000. No one was present to address the Board and Chairman Klein closed the hearing at 10:03 A.M. Moved by Lynch and seconded by Higgins to deny the application filed by CHI Health – Good Samaritan on parcel number 601995000. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Abstain: Maendele. Motion declared carried.

Chairman Klein opened the hearing for Christian Heritage Children's Home permissive exemption application on parcel 560006016. Roy Baldwin from Christian Heritage Children's Home addressed the Board and Chairman Klein closed the hearing at 10:05 A.M. Moved by Lynch and seconded by Higgins to deny the application filed by Christian Heritage Children's Home on parcel number 560006016. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Maendele, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to approve Tax List Corrections numbered 4857 through 4861 submitted by County Assessor Skinner. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

County Treasurer Jean Sidwell joined the meeting at 10:09 A.M.

Moved by Maendele and seconded by Kouba to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Sidwell for First Baptist Church of Kearney for a 2002 Ford. Upon roll call vote, the following Board members voted "Aye": Maendele, Kouba, Higgins, Loeffelholz, Lynch, Morrow and Klein. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:12 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Maendele, Morrow and Klein. Motion declared carried.

### **REGULAR AGENDA**

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

The Road Committee and Highway Superintendent John Maul reviewed the final tabulations for the gravel bids submitted on February 22, 2022. Moved by Loeffelholz and seconded by Lynch to award the following gravel bids for April 1, 2022 through March 31, 2023: Ed Broadfoot & Sons Sand & Gravel for Zone 9, 10, 11, 12, 13 and 14; Mid-NE Aggregates for Zones 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26; and T&F Sand & Gravel for Zones 1, 2, 3, 4, 5, 6, 7 and 8. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Maendele, Morrow and Klein. Motion declared carried.

Facilities Director Steven Gaasch reported on the 610 Central Project and the subcontractor bids that were previously submitted. Entering into the discussion were Sheriff Neil Miller and County Attorney Eatherton. For the best interest of Buffalo County, no action was taken at this time.

Chairman Klein asked if there was anything else to come before the Board at 10:22 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, March 22, 2022.