

**BUFFALO COUNTY BOARD OF COMMISSIONERS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, JULY 11, 2023**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, July 11, 2023 at 9:00 A.M. and 9:30 A.M. Chairperson 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: Bill Maendele. 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 website, and the bulletin boards located outside the County Clerk's office and County Board Room on July 6, 2023. Chairperson 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 Heather Christensen took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton, Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Kari Fisk and Deputy County Clerk Rachelle Warner were present.

**REGULAR AGENDA**

Moved by Loeffelholz and seconded by Lynch to approve the June 27, 2023 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to ratify the following June 30, 2023 payroll claims processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch and Klein. Absent: Maendele. Motion declared carried.

|  |   |               |            |
|--|---|---------------|------------|
| <b><u>GENERAL FUND</u></b>               |   |               |            |
| NET PAYROLL                              |   |               | 338,754.70 |
| RETIREMENT PLANS AMERITAS                | R | EMPE RET      | 52,708.07  |
| FIRST NATIONAL BANK                      | T | FEDERAL TAXES | 114,616.61 |
| ERIN M MCCARTNEY                         | E | GARNISHMENT   | 402.00     |
| STATE OF NE                              | T | STATE TAXES   | 20,085.73  |
| <b><u>ROAD FUND</u></b>                  |   |               |            |
| NET PAYROLL                              |   |               | 68,920.10  |
| RETIREMENT PLANS AMERITAS                | R | EMPE RET      | 9,683.34   |
| FIRST NATIONAL BANK                      | T | FEDERAL TAXES | 20,199.17  |
| STATE OF NEBRASKA                        | T | STATE TAXES   | 3,216.19   |
| <b><u>COVID AMERICAN RESCUE FUND</u></b> |   |               |            |
| NET PAYROLL                              |   |               | 1,911.82   |
| RETIREMENT PLANS AMERITAS                | R | EMPE RET      | 332.89     |
| FIRST NATIONAL BANK                      | T | FEDERAL TAXES | 564.24     |
| STATE OF NE                              | T | STATE TAXES   | 90.44      |
| <b><u>WEED FUND</u></b>                  |   |               |            |
| NET PAYROLL                              |   |               | 5,620.00   |
| RETIREMENT PLANS AMERITAS                | R | EMPE RET      | 840.87     |
| FIRST NATIONAL BANK                      | T | FEDERAL TAXES | 1,797.04   |
| STATE OF NE                              | T | STATE TAXES   | 292.83     |

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

|                         |          |            |
|-------------------------|----------|------------|
| <b><u>ROAD FUND</u></b> |          |            |
| STATE OF NE-MOTOR FUELS | FUEL TAX | \$3,831.00 |

Moved by Morrow and seconded by Kouba to accept the Clerk of the District Court June 2023 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Kouba, Higgins, Loeffelholz, Lynch and Klein. Absent: Maendele. Motion declared carried.

Moved by Morrow and seconded by Loeffelholz to accept the Buffalo County Treasurer June 2023 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch and Klein. Absent: Maendele. Motion declared carried.

Moved by Lynch and seconded by Higgins to accept the May 2023 Community Action Partnership of Mid-Nebraska RYDE Report. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Absent: Maendele. Motion declared carried.

County Clerk Christensen administered the oath of office to Matthew Starkey, Veteran Service Officer.

Buffalo County Sheriff Neil Miller was present to answer questions about the Law Enforcement Contract for the Village of Elm Creek. Moved by Loeffelholz and seconded by Higgins to authorized Chairperson Klein to sign an agreement to provide contractual law enforcement services for the Village of Elm Creek by Buffalo County, through an agreement with Buffalo County Sheriff's Department. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Absent: Maendele. Motion declared carried.

Sheriff Miller was present for the discussion regarding rules for alcohol consumption at Ravenna Lake. No decision made and referred the matter to the Ravenna Lake Committee for further discussion.

Further, it was moved by Loeffelholz and seconded by Kouba to allow alcohol to be evident as designated by a Special Designated Liquor (SDL) License use at Ravenna Lake Pavilion. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and Klein. Absent: Maendele. Motion declared carried.

Jamie Morse, owner of MNO Hometown Market, Inc. was present for the discussion and review of the County Sheriff's report for the SDL Application request for the Ravenna Lake Pavilion. After discussion, it was moved by Loeffelholz and seconded by Kouba to approve the Special Designated Liquor License application filed by MNO Hometown Market, Inc. for events to be held at Ravenna Lake Pavilion 610 Buffalo Lake Road, Ravenna, NE on August 4, 2023. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and Klein. Absent: Maendele. Motion declared carried.

## **ZONING**

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

Chairperson Klein opened the public hearing at 9:27 A.M. for a special use permit to erect a self-support tower, with accompanying equipment, for tax parcel 440057000. Jeffrey Skinner, on behalf of Verizon Wireless, was present to answer questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:33 A.M. Moved by Loeffelholz and seconded by Lynch to approve Special Use Permit application for Jeffrey Skinner, on behalf of Verizon Wireless, and Melvin Parker, property owner, to erect a self-support tower, with accompanying equipment, for tax parcel 440057000, and described as part of the Northeast Quarter and Strip in North Part Southeast Quarter in Section Fifteen (15), Township Ten (10) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska with the following Resolution 2023-37. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

## **RESOLUTION 2023-37**

WHEREAS, Jeffrey Skinner, on behalf of Verizon Wireless and Melvin Parker, Trustee, property owner, has filed for a Special Use Permit, with the Buffalo County Clerk and/or Zoning Administrator.

WHEREAS, one application, which shows an application date of May 12, 2023, was filed with the Zoning Administrator on May 17, 2023, to erect a self-support tower, with accompanying equipment, on the below-described legal description.

A portion of land located in the Northeast Quarter of the Northeast Quarter of Section Fifteen, Township Ten North, Range Seventeen West of the Sixth Principal Meridian, Buffalo County, Nebraska, being attached hereto as "Exhibit A" and being further described as follows:

### **PROPOSED 100' X 100' LAND SPACE DESCRIPTION**

A PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE SEVENTEEN (17) WEST OF THE 6TH P.M., BUFFALO COUNTY, NEBRASKA AND BEING FURTHER DESCRIBED AS FOLLOWS:  
COMMENCING AT A FOUND SHAFT LOCATING THE NORTHEAST CORNER OF SAID SECTION FIFTEEN (15); THENCE S00° 07' 31"E, 212.91 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 15; THENCE N90° 00' 00"W, 33.00 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY OF EAGLE ROAD; THENCE CONTINUING N90° 00' 00"W, 309.78 FEET; THENCE S00° 00' 00"E, 30.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S00° 00' 00"E, 100.00 FEET; THENCE N90° 00' 00"E, 100.00 FEET; THENCE N00° 00' 00"E, 100.00 FEET; THENCE N90° 00' 00"W, 100.00 FEET TO THE POINT OF BEGINNING. SAID PROPOSED LAND SPACE CONTAINS 10,000 SQUARE FEET (0.23 ACRES) AND IS SUBJECT TO ANY AND ALL EASEMENTS OR AGREEMENTS, RECORDED OR UNRECORDED.

TOGETHER WITH

### **PROPOSED 30' WIDE ACCESS & UTILITY RIGHT-OF-WAY DESCRIPTION**

A PORTION OF LAND LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (NE1/4 NE1/4) OF SECTION FIFTEEN (15), TOWNSHIP TEN (10) NORTH, RANGE SEVENTEEN (17) WEST OF THE 6TH P.M., BUFFALO COUNTY, NEBRASKA AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND SHAFT LOCATING THE NORTHEAST CORNER OF SAID SECTION FIFTEEN (15); THENCE S00° 07' 31"E, 212.91 FEET ALONG THE EAST LINE OF THE NE1/4 OF SAID SECTION 15; THENCE N90° 00' 00"W, 33.00 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY OF EAGLE ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING N90° 00' 00"W, 309.78 FEET; THENCE S00° 00' 00"E, 30.00 FEET TO THE NORTHWEST CORNER OF THE AFOREMENTIONED PROPOSED LAND SPACE; THENCE N90° 00' 00"E, 100.00 FEET ALONG THE NORTH LINE OF THE AFOREMENTIONED PROPOSED LAND SPACE TO THE NORTHEAST CORNER OF THE AFOREMENTIONED PROPOSED LAND SPACE; THENCE S00° 00' 00"E, 100.00 FEET ALONG THE EAST LINE OF THE AFOREMENTIONED PROPOSED LAND SPACE TO THE SOUTHEAST CORNER OF THE AFOREMENTIONED PROPOSED LAND SPACE; THENCE N90° 00' 00"E, 15.00 FEET; THENCE N00° 00' 00"E, 100.00 FEET; THENCE N90° 00' 00"E, 194.84 FEET, MORE OR LESS, TO THE WESTERLY RIGHT-OF-WAY OF EAGLE ROAD; THENCE N00° 07' 31"W, 30.00 FEET, MORE OR LESS, ALONG THE WESTERLY RIGHT-OF-WAY OF EAGLE ROAD AND THE POINT OF BEGINNING. SAID ACCESS & UTILITY RIGHT-OF-WAY CONTAINS 10,794.33 SQUARE FEET (0.25 ACRES), MORE OR LESS, AND IS SUBJECT TO ANY AND ALL EASEMENTS OR AGREEMENTS, RECORDED OR UNRECORDED.

hereinafter referred to as the "subject property".

WHEREAS, on June 15, 2023, the Buffalo County Planning and Zoning Commission conducted a public hearing on the Special Use Permit Application. Thereafter, that Commission on an 8-0 vote with one absence and no abstentions, voted to forward this application to the County Commissioners with a "favorable" recommendation, and

WHEREAS, on July 11, 2023, the Buffalo County Board of Commissioners held a public hearing on this Special Use Permit and, WHEREAS, four exhibits were attached to the application:

1. The Application of the Special Use Permit.
2. Determination of No Hazard to Air Navigation/Aeronautical Study from Federal Aviation Administration.
3. Structural Design Report.
4. Verizon Wireless Project Specifications.

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 that the application should be approved, based upon the following findings and conditions:

- The application has been submitted for the construction of a 258-foot self-support tower, with accompanying equipment.
- The proposed tower and accompanying equipment will be situated on a 100-foot by 100-foot leased area.
- Applicant's entrance to the property is noted on the Verizon Wireless Project Specifications as a 30-foot access and utility easement.
- A sign should be constructed at the entryway of the premises on Eagle Road. The sign should give a street address for public safety reasons such as 911 emergency addressing and for public information. The address assigned to the tower location is 17430 Eagle Road.
- The subject property abuts on the west side of Eagle Road, which is a county-maintained road.
- The property owner, for this proposed tower location, approved Verizon locating the tower beyond a 1 to 1 setback, thus the proposed setbacks for the 258' tower are in excess of the tower height at 260' from both the north and east property lines and over 2,000 feet from the west and south property lines. If this tower were to assume a 100% collapse it would remain on the property, regardless of the direction that it fell.
- The facility shall have a back-up generator of sufficient size to handle applicant or applicant's successor's power to maintain communications in event of public power outage. Such generator shall be capable of handling public communications at the same historic delivery rate as that provided by public power usage.

WHEREAS, this special use permit complies 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. The facility, and applicant, shall adhere to the conditions as previously set out in this Resolution.
2. The facility shall remain in compliance with any and all 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.

Chairperson Klein opened the public hearing at 9:35 A.M. for an Administrative Subdivision filed by Trenton Snow, Registered Land Surveyor, on behalf of Eva J. Eckhout, Trustee of the John A. Eckhout and Eva J. Eckhout Revocable Trust dated November 6, 2008, to be known as "Eckhout Acres". This property is located in part of the Northwest Quarter of the Southeast Quarter of Section Seven (7), Township Twelve (12) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska. Trenton Snow was present to review the application and answer questions. No one else addressed the Board and Chairperson Klein closed the hearing at 9:38 A.M. Moved by Loeffelholz and seconded by Higgins to approve the Administrative Subdivision with the following Resolution 2023-38. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Higgins, Kouba, Lynch, Morrow and Klein. Absent: Maendele. Motion declared carried.

### **RESOLUTION 2023-38**

WHEREAS, Trenton Snow, licensed land surveyor, on behalf of Eva J. Eckhout, Trustee of the John A. Eckhout and Eva J. Eckhout Revocable Trust dated November 6, 2008, hereinafter referred to as "applicant", has filed for an Administrative Subdivision to be known as "Eckhout Acres", with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on July 11, 2023, this Board conducted a public hearing now and finds:

1. The proposed "Eckhout Acres" is in the Agriculture (AG) Zoning District for Buffalo County, Nebraska.
2. The remaining portion of the subdivided tract, presently owned by Eva J. Eckhout, Trustee of the John A. Eckhout and Eva J. Eckhout Revocable Trust dated November 6, 2008, referred to as Parcel ID 140026000, and situated in the part of the West Half of the Southeast Quarter, East Half of the Southwest Quarter, Government Lot Three and Government Lot Four in Section Seven (7), Township Twelve (12) North, Range Seventeen (17) West of the Sixth Principal Meridian, Buffalo County, Nebraska, complies with the minimum lot size of this zoning district; any remnant property not subdivided and owned by Eva J. Eckhout, Trustee of the John A. Eckhout and Eva J. Eckhout Revocable Trust dated November 6, 2008, amounts to roughly 232 acres.
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. 370<sup>th</sup> Road is a county-maintained, open public road and it abuts the subdivision on its north side. The width of 370<sup>th</sup> Road 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 "Eckhout Acres", an administrative subdivision being located in the Northwest Quarter of the Southeast Quarter of Section Seven (7), Township Twelve (12) North, Range Seventeen (17) 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.

Moved by Loeffelholz and seconded by Lynch to recess the regular meeting of the Board of Commissioners at 9:40 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

### **BOARD OF EQUALIZATION**

Chairperson Klein called the Board of Equalization to order in open session. County Assessor Roy Meusch and County Treasurer Brenda Rohrich were present.

Chairperson Klein opened the public hearing at 9:40 A.M. for the Homestead Exemption protest for Theodore Legate. Theodore Legate and Robert Peterson were present to address the Board. No one else addressed the Board and Chairperson Klein Closed the Hearing at 9:52 A.M. Moved by Lynch and seconded by Higgins to deny the Homestead Exemption application for property address 1513 Ave A, Kearney, NE. Upon roll call vote, the following Board members voted "Aye": Lynch, Higgins, Kouba, Loeffelholz, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Morrow and seconded by Higgins to approve the Permissive Exemption Waiver request for KPGRC Property Group, LLC, and authorize Assessor Meusch to consider the Permissive Exemption. A Public Hearing will be held at the next Board meeting on July 25, 2023. Upon roll call vote, the following Board members voted "Aye": Morrow, Higgins, Kouba, Loeffelholz, Lynch and Klein. Absent: Maendele. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve Tax List Corrections numbered 4985 through 4987 submitted by County Assessor Meusch. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Kouba and seconded by Lynch to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for Evangelical Free Church of Kearney for a 2015 Ford and a 2012 Dodge Ram 2500 Truck. Upon roll call vote, the following Board members voted "Aye": Kouba, Lynch, Higgins, Loeffelholz, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for Mother Hull Home for a 2005 Chevy G30 Cutaway Van. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Lynch and seconded by Loeffelholz to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for South Central Behavioral Services Inc. for a 2005 Chevy Express Van, (2) 2007 Toyota Camry, a 2008 Toyota Highlander, a 2009 Toyota Camry, (2) 2011 Toyota Rav4, a 2015 Toyota Rav4, a 2016 Honda Odyssey, a 2020 Toyota Camry and a 2023 Honda Odyssey. Upon roll call vote, the following Board members voted "Aye": Lynch, Loeffelholz, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Lynch and seconded by Loeffelholz to approve the Motor Vehicle Tax Exemption renewal as indicated on the application by County Treasurer Rohrich for University of Nebraska Foundation for a 2018 Toyota Rav4 Utility Sport Vehicle LE. Upon roll call vote, the following Board members voted "Aye": Lynch, Loeffelholz, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Loeffelholz and seconded by Lynch to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:01 A.M. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

### **ROAD DEPARTMENT**

Highway Superintendent John Maul and Assistant Highway Superintendent, Cory Jensen were present for the following agenda items.

Chairperson Klein instructed County Clerk Christensen to open and read aloud the submitted bids for Project No. C10 (1008) Kilgore Road. Bids were submitted from the following companies: Van Kirk Sand and Gravel, Inc d/b/a Van Kirk Bros Contracting and Adams Construction Co. Highway Superintendent Maul and the road committee will review the bids and come back with recommendations at the next meeting on July 25, 2023.

Highway Superintendent Maul and Assistant Highway Superintendent Jensen were available to answer questions about the Agreement for Professional Services with Oak Creek Engineering for inspection of the Fracture Critical Bridges for 2023. After discussion it was moved by Loeffelholz and seconded by Lynch to accept the proposal from Oak Creek Engineering to authorize Chairperson Klein to sign the Agreement for Professional Services with Oak Creek Engineering for inspection of the Fracture Critical Bridges for 2023. Upon roll call vote, the following Board members voted "Aye": Higgins, Morrow Kouba, Loeffelholz, Lynch and Klein. Absent: Maendele. Motion declared carried.

### **REGULAR AGENDA**

Moved by Loeffelholz and seconded by Lynch to enter into Executive Session at 10:06 A.M. regarding personnel. In addition to the Board members responding to roll call, County Attorney Eatherton and Deputy County Fisk were present. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Lynch, Higgins, Kouba, Morrow and Klein. Absent: Maendele. Motion declared carried.

Moved by Loeffelholz and seconded by Kouba to move out of Executive Session at 10:26 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Loeffelholz, Kouba, Higgins, Lynch, Morrow and Klein. Absent: Maendele. Motion declared carried.

Chairperson Klein opened the public hearing at 10:26 A.M. for the intended use of Community Development Block Grant (CDBG) Program Income. Miller and Associates Funding Administrator, David Holl was present to introduce himself to the Board and discuss CDGB program Grant No. 98-ED-004. No one else addressed the Board and Chairperson Klein closed the public hearing at 10:30 A.M. It was moved by Morrow and seconded by Loeffelholz to return the remaining funds from Community Development Block Grant (CDBG) Program to the Nebraska Department of Economic Development. Upon roll call vote, the following Board members voted "Aye": Morrow, Loeffelholz, Higgins, Kouba, Lynch and Klein. Absent: Maendele. Motion declared carried.

Chairperson Klein reviewed the following correspondence. Community Action Partnership of Mid-Nebraska sent an email with the fourth quarter report on the American Rescue Plans Act (ARPA) funds from one year of funding for their organization. The Center for Infrastructure & Economic Development sent a pamphlet highlighting their organization. City of Kearney sent a letter regarding the City of Kearney Planning Commission Agenda for July 21, 2023. Chairperson Klein called on each Board member present for committee reports and recommendations.

Chairperson Klein called for Citizen's Forum and no one addressed the Board.

Chairperson Klein asked if there was anything else to come before the Board at 10:36 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, July 25, 2023.

ATTEST:

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Ivan H. Klein, Chairperson  
Buffalo County Board of Commissioners

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Heather A. Christensen  
Buffalo County Clerk

(SEAL)