BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, MAY 26, 2015
9:00 A.M.

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, May 26, 2015 at 9:00 A.M. and 10:15 A.M. Chairman McMullen called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Francis Biehl, Joseph Brayton, Kent Greder, Ivan Klein, Sherry Morrow, Dennis Reiter and William McMullen. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. Chairman McMullen announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public. County Attorney Shawn Eatherton was present.

REGULAR AGENDA

Moved by Biehl and seconded by Reiter to approve the May 12, 2015 and May 19, 2015 Board meeting minutes. Upon roll call vote, the following Board members voted “Aye”: Biehl, Reiter, Brayton, Greder, Klein, Morrow and McMullen. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Greder to ratify the following May 15, 2015 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

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Moved by Morrow and seconded by Reiter to approve the following transfer of County funds all per budget. Upon roll call vote, the following Board members voted “Aye”: Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted “Nay”. Motion declared carried.

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Chairman McMullen reviewed the following correspondence. City of Ravenna sent information regarding the Buffalo County lake located near Ravenna. City of Kearney sent notification of the annexation of Eastbrooke Fifteenth Addition. National Association of County Officials sent the 2015 Credentials Voting form. Chairman McMullen called on each Board member present for committee reports and recommendations. At 9:05 A.M. Deputy County Attorney Kari Fisk and Deputy County Attorney Andrew Hoffmeister were present for the following agenda items.

**ZONING**

Chairman McMullen opened the Zoning hearing at 9:15 A.M. Chad Dixon was present on behalf of Michael and Julia Unick for the filing request of an Administrative Subdivision for property described as a tract of land being part of the Southeast Quarter of Section 9, Township 12 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska to be known as Unick Acres. Deputy County Attorney Hoffmeister reviewed the application. Chairman McMullen closed the hearing at 9:18 A.M. Moved by Brayton and seconded by Morrow to approve the Administrative Subdivision application with the following Resolution 2015-24. Upon roll call vote, the following Board members voted “Aye”:

- Brayton, Morrow, Biehl, Greder, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

**RESOLUTION 2015-24**

WHEREAS, Michael and Julia Unick, Husband and Wife, as joint owners hereinafter referred to as “applicant” have filed for an administrative Subdivision to be known as “UNICK ACRES” with the Buffalo County Clerk and/or Zoning Administrator, and

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

WHEREAS, on May 26, 2015, this Board conducted a public hearing and now finds:

1. The proposed UNICK ACRES is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the lots after subdividing complies with the minimum lot size requirements of that Zoning District for Buffalo County, Nebraska.

2. The proposed plat for this subdivision fulfills Buffalo County’s Subdivision Resolution requirements for administrative subdivisions specifically allowed under Section 3.02 together with other provisions applicable thereto.

3. YDC Road is a county maintained open public road that abuts the proposed subdivision. The width of this road after dedication complies with minimum width standards required by the Buffalo County Subdivision Resolution.

4. Title search paperwork has been provided to the Buffalo County Attorney’s Office and that office has cleared title as concerns Buffalo County’s interests based upon the title search documents delivered to that office by applicant.

5. This proposed administrative subdivision should be approved. Utility easements between Lot 1 and Lot 2 of the proposed subdivision are waived.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of “UNICK ACRES”, an administrative subdivision being described as part of the Southeast Quarter (SE1/4) of Section Nine (9), Township Twelve (12) North, Range Sixteen (16) West of the 6th P.M., Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and record in the Office of the Register of Deeds, Buffalo County, Nebraska.

Jennifer Klingelhofer and David and Virginia Klingelhofer filed for a Vacation of Plat for Lot 1, Klingelhofer Acres, located in Section 22, Township 10 North, Range 17 West of the 6th P.M., Buffalo County, Nebraska. Deputy County Attorney Fisk reviewed the application. No one else was present to address the Board and Chairman McMullen closed the public hearing at 9:23 A.M. Moved by Biehl and seconded by Klein to approve the Vacation of Plat application with the following Resolution 2015-25. Upon roll call vote, the following Board members voted “Aye”:

- Biehl, Klein, Brayton, Greder, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

**RESOLUTION 2015-25**

WHEREAS, David J. & Virginia M. Klingelhofer, applicants, and Jennifer Klingelhofer, applicant and owner of Lot 1, of Klingelhofer Acres, an Administrative Subdivision, located in part of the Southwest Quarter of the Northeast Quarter (SW1/4 NE 1/4) and part of the Northeast Quarter of the Southwest Quarter (NE 1/4 SW 1/4) and part of the Northwest Quarter of the Southwest Quarter...
(NW1/4 SE 1/4) of Section Twenty-Two (22), Township Ten (10) North, Range Seventeen (17) West of the 6th P.M., Buffalo County, Nebraska, filed to vacate this administrative subdivision with the Buffalo County Clerk and/or Zoning Administrator,

WHEREAS, on May 26, 2015 this Board conducted a public hearing considering this request and finds:

1. The proposed vacation request is vacate the subdivision of land that was previously subdivided by use of the administrative subdivision process. It is for property that is situated in the Agricultural Residential (AGR) Zoning District for Buffalo County, Nebraska.

2. The proposed vacation of the entire administrative subdivision fulfills Buffalo County’s Subdivision Resolution requirements for vacation of administrative subdivisions as specifically allowed under Section 3.21 together with other provisions applicable thereto.

3. No public utilities occupy the land sought to be vacated.

4. The proposed vacation of subdivided land should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the proposed vacation of this administrative subdivision is approved.

RESOLVED FURTHER, that a copy of this Resolution, when it is filed with the Buffalo County Register of Deeds against the above named legal description, shall cause the vacation of previously subdivided land.

REGULAR AGENDA

Sheriff Neil Miller was present to discuss the following two Agenda items. Sheriff Miller reported on the need to replace the mobile radios for the Sheriff’s Department. The bid for the radios came in at less than the Western States Contracting Alliance contract pricing. Moved by Reiter and seconded by Greder to authorize Sheriff Miller to purchase the mobile radios from Platte Valley Communications. Upon roll call vote, the following Board members voted “Aye”: Reiter, Greder, Biehl, Brayton, Klein, Morrow and McMullen. None voted “Nay”. Motion declared carried.

Moved by Biehl and seconded by Greder to authorize Chairman McMullen to sign the agreement with SunGard Public Sector. This agreement is in conjunction with the City of Kearney to provide software and installation of SunGard One Solution Jails, Interface and Civil Process. Upon roll call vote, the following Board members voted “Aye”: Biehl, Greder, Brayton, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Klein and seconded by Greder to authorize the payment to the City of Kearney for the County share of the SunGard Public Sector agreement. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Greder to approve the release of pledged collateral for the Buffalo County Treasurer in the amount of $643,340.00 at the Firstier Bank. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Klein to approve the addition of pledged collateral for the Buffalo County Treasurer in the amount of $600,389.00 at the Firstier Bank. Upon roll call vote, the following Board members voted “Aye”: Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Greder to approve the addition of pledged collateral for the Buffalo County Treasurer in the amount of $30,051.501.88 at the Firstier Bank. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Brayton to set the health insurance coverage rates for the 2015-2016 fiscal year at the same rate as the 2014-2015 rates. Upon roll call vote, the following Board members voted “Aye”: Greder, Brayton, Biehl, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Klein and seconded by Greder to recess the regular meeting of the Board of Commissioners at 10:18 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Joe Barber and Deputy County Assessor Nora Borer and County Treasurer Jean Sidwell were present.

Chairman McMullen opened the hearing for Tax Exemption on Real and Personal Property application for Gibbon Baptist Church. Jane Gangwish addressed the Board. No one else was present and the hearing was closed at 10:19 A.M. Moved by Klein and seconded by Reiter to approve the exemption application on parcel number 640047008. Upon roll call vote, the following Board members voted “Aye”: Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted “Nay”. Motion declared carried.
Moved by Brayton and seconded by Morrow to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Sinsinawa Dominicans Inc. on a 2011 Honda Civic. Upon roll call vote, the following Board members voted “Aye”: Brayton, Morrow, Biehl, Greder, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.


Moved by Greder and seconded by Klein to adjourn the Board of Equalization at 10:23 A.M. Upon roll call vote, the following Board members voted “Aye”: Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared.

**REGULAR AGENDA**

Moved by Morrow and seconded by Reiter to approve the following May 2015 vendor claims submitted by the County Clerk. Commissioner Greder recused himself on claim number 1505327 and 1505328. Upon roll call vote, the following Board members voted “Aye”: Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted “Nay”. Motion declared carried.

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Chairman McMullen called for Citizen’s forum and no one was present.

Chairman McMullen asked if there was anything else to come before the Board at 10:25 A.M. before he declared the meeting adjourned until the regular meeting at 9:00 A.M. on Tuesday, June 9, 2015.

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