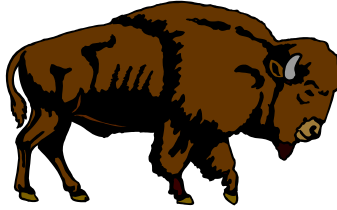


Buffalo County Board of Supervisors

BUFFALO COUNTY COURTHOUSE
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REGULAR MEETING
BUFFALO COUNTY BOARD OF SUPERVISORS
TUESDAY, MARCH 8, 2005
9:00 A.M.

Regular meeting of the Buffalo County Board of Supervisors was held at 9:00 A.M. on Tuesday, March 8, 2005.

Chairman Pierce led the County Board and audience in the Pledge of Allegiance. Chairman Pierce called the regular meeting to order with the following Board members responding to roll call: Greg Barney, Hoss Dannehl, Ivan Klein, Timothy Loewenstein, William McMullen, Sherry Morrow and Richard Pierce. Absent: None.

Notice of the meeting was given in advance, thereof, by posting and publishing. Notice of the meeting was simultaneously given to all members of the Board of Supervisors; and availability of the agenda was communicated in the advance notice and in the notice to the Board of Supervisors of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board of Supervisors is attached to these minutes. County Clerk Judy Jobman took all proceedings hereinafter shown while said meeting was open to the public. County Attorney Shawn Eatherton was present.

Chairman Pierce called for the Citizen's Forum as per the agenda. Denise Zwiener, Director of Buffalo County Community Health Partners was present to discuss with the County Board the Drug Free Communities Support Program and requested to be on the agenda March 22, 2005 with regard to a (MOU) Memorandum of Understanding.

Elected Officials and Department Heads came before the County Board to discuss various items of concern within their individual offices.

The Board members reviewed minutes from Tuesday, February 22, 2005. There being no additions or corrections to the minutes, it was moved by Dannehl, seconded by Morrow to approve the

minutes from February 22, 2005. Upon roll call vote, the following Board members voted "Aye": Dannehl, Morrow, Barney, Klein, Loewenstein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Current correspondence was discussed. A letter from Extension Educator, Brian Bosshamer advising the County Board of the contract employment to provide the School Enrichment embryology programming to area grade schools; the Rural News Bits newsletter was received from the Partnership for Rural Nebraska; a letter from NIRMA advising of their new office location at 100 North 12th Street, Suite 200, Lincoln, Nebraska; notice of the Nebraska Assessor/Deputy Assessor certification which will be given on Thursday, May 12, 2005 at the Ramada Inn, Kearney, Nebraska at 9:30 A.M.; letter from Scott Foutch with regard to actions of the County Board in allowing withdrawal from the Rural Road Improvement District No 2004-1 and his demand to the board with reference made to a motion on June 24, 1992; letter from Blue Cross and Blue Shield of Nebraska advising they no longer offer group and long term care insurance; and Supervisor Barney shared information about the Nebraska Infrastructure Security Forum in Kearney, Nebraska, March 29 - 30, 2005, at the Holiday Inn Convention Center.

The County Board reviewed the Nebraska Veterans Aid and Buffalo County Veterans Aid monthly reports and the fund balance report from the County Treasurer all for the month of February 2005. Moved by Klein, seconded by Dannehl to accept the reports. Upon roll call vote, the following Board members voted "Aye": Klein, Dannehl, Barney, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

The various Committee reports were given.

Moved by Morrow, seconded by Dannehl to approve the addition of Pledged Security for the Treasurer's office from Platte Valley State Bank in the amount of \$1,500,000.00. Upon roll call vote, the following Board members voted "Aye": Morrow, Dannehl, Barney, Klein, Loewenstein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

After discussion was held with regard to auditor's specifications for the Buffalo County audit, it was moved by Loewenstein, seconded by Dannehl to table until the next County Board meeting on March 22, 2005 further discussion of the audit and request the Budget Committee to add additional language, giving examples of Buffalo Counties number of accounts, dollars handled and any specific parameters the committee deems should be included in the audit. In addition the committee should rewrite #4 on the list with regard to bidders who have County auditing experience, identifying the county wishes for both the onsite personnel as well as the principal overseeing the audit have previous auditing experience. The committee is asked to research if there is a statutory deadline date for completion of the audit report and if not the committee should include in the request a deadline for the audit to be reported on to the Buffalo

County Board. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Barney, Klein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Extensive discussion was held with regard to the bid specifications outlined in the draft copy of Buffalo County's Request for Proposal for Professional Grant Writing Services and Supervisor Barney referred to numerous items of concern contained in the draft request for proposal for Grant writing services. County Treasurer Jean Sidwell stated she was present as an elected official and a taxpayer of Buffalo County to voice her concerns/opposition with the grant writer position as currently outlined and believes the position should not be the provider of grant assistance for all political subdivisions. Moved by Loewenstein, seconded by Dannehl to table until March 22, 2005 further discussion on the Request for Proposal for Professional Grant Writing Services with the following special instructions to the Budget Committee.

1. Examine all portions pointed out during the discussion of the draft document clarifying appropriate language or content. 2. Report at the next meeting their feelings to either continue with Buffalo County having Grant Writer Services or to Terminate. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Barney, Klein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

At 10:28 A.M. Chairman Pierce excused himself from the remainder of the meeting for a previous commitment and turned the meeting over to Vice-Chairman Dannehl. County Attorney Eatherton was excused for a previous commitment and Deputy County Attorney Andrew Hoffmeister was present for the remainder of the meeting.

Vice-Chairman Dannehl stated the next agenda item setting a bid date for Grant Writing Services was tabled through earlier action of the County Board.

Vice-Chairman Dannehl requested clarification from Supervisor Loewenstein of the (NACo) National Association of County Officials Presidential appointment. Supervisor Loewenstein explained that the Board members of National NACo can apply for Presidential appointments to committees including in the electronic application by the Board member must be two letters of support, one from the Board the member serves on at home and secondly a letter of support from the state association from which the applicant resides. Therefore, Loewenstein requested the Buffalo County Boards support. Moved by Morrow, seconded by Klein to authorize Vice-Chairman Dannehl to sign a letter of support for Timothy Loewenstein in his quest for Presidential appointment as Chair or Vice-Chair of the Telecommunications and Technology Steering Committee, the (IT) Information Technology Committee, the Homeland Security Task Force or as the National Association President would see appropriate. Upon

roll call vote, the following Board members voted "Aye": Morrow, Klein, Barney, Loewenstein, McMullen and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Buffalo County Highway Superintendent Ron Sklenar was present at this time to make recommendations on bid lettings received at the last board meeting.

Road Chairman Supervisor McMullen moved, seconded by Klein to accept the following gravel bids: T&F Sand & Gravel for Zones 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,14,15,16 and 19 and for stockpile gravel to the County yard; Broadfoot Sand & Gravel for Zones 12, 13 and 17; Mid NE Aggregates for Zones 18, 20, 21 and 22; and Bruner Sand & Gravel for Zones 23, 24, 25 and 26. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Road Chairman Supervisor McMullen announced the decision on a dump truck cab & chassis and moved, which was seconded by Klein to accept the bid from Hansen International, Inc., for one new 2006 International Model 7400 with trade of a 1995 Ford with dump body for a net bid of \$54,963.17. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Under other Highway Business it was moved by McMullen, seconded by Klein to request the Board of Public Road Classifications and Standards to relax standards on Project No. C10 (848), Buffalo County, Nebraska. Said relaxation is on a minimum maintenance road located between Sections five (5), Township nine (9) North, Range fifteen (15) West and Section thirty-two (32), Township ten (10) North, Range fifteen (15) West. Project involves replacing an old wood 20 x 20 structure with a waterway of 18 x 5 that has become unsafe for public travel. Buffalo County is requesting a relaxation of standards on this minimum maintenance road to replace this existing structure with a twin 60" x 60' (CMP) Corrugated Metal Pipe. Buffalo County has completed a drainage study and the drainage computations are included with the relaxation request. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Nancy Maxson, an accountant with McDermott & Miller, came before the County Board to review the County financial report for fiscal year ending June 30, 2004 and to answer any questions the board would have.

Sheriff Neil Miller and Chief Deputy Tony Paulsen were present for various agenda items.

At 11:13 A.M. Vice-Chairman Dannehl called for the bid letting of the Request for Proposal Package for Jail Food Service. County Clerk Judy Jobman opened each bid and read them aloud. The following companies submitted bids for the proposal package for the Jail Food Service: Aramark

Correction, Oakbrook Terrace, Illinois and CBM Food Service, Inc., Sioux Falls, South Dakota. The bids were turned over to the Law Enforcement committee and a recommendation to the County Board will be made at a later date.

It was moved by Loewenstein, seconded by Morrow to approve the early claim to Anderson Ford, Lincoln, Nebraska for purchase of three 2005 Ford Crown Victoria's from State bid in the amount of \$21,035.00 each for a total of \$63,105.00. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Morrow, Barney, Klein, McMullen and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

A tower use and interlocal agreement between the Nebraska Department of Roads and Buffalo County to locate a base station and an antenna on the Hand's Tower and explore the possibility of radio system interoperability between Buffalo County's radio system and the (NDOR) Nebraska Department of Roads was presented to the County Board for approval. After discussion it was moved by Loewenstein, seconded by McMullen to authorize Vice-Chairman Dannehl to sign the tower use and interlocal agreement between the Nebraska Department of Roads and Buffalo County to locate a base station and an antenna on the Hand's Tower located on Highway 10 north of Kearney. Upon roll call vote, the following Board members voted "Aye": Loewenstein, McMullen, Barney, Klein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Moved by McMullen, seconded by Loewenstein to recess the regular meeting of the Board of Supervisors at 11:50 A.M. and reconvene as a Board of Equalization for approvals of motor vehicle tax exemption, tax refund requests and tax list corrections. Upon roll call vote, the following Board members voted "Aye": McMullen, Loewenstein, Barney, Klein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

-BOARD OF EQUALIZATION-

Vice-Chairman Dannehl called the Board of Equalization to order in open session. County Assessor Joe Woodward and County Treasurer Jean Sidwell were present. Moved by McMullen seconded by Barney to approve tax list corrections #2222-2230 as presented. Upon roll call vote, the following Board members voted "Aye": McMullen, Barney, Klein, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Moved by Morrow, seconded by Lowenstein to approve the tax refund requests for Brown Construction in the amount of \$545.41 as a correction of value for 2003 on parcel #320000100 as it was reported on two schedules; Esther L. Musil Trustee in the amount of \$1,756.40 as a correction of land use for 2003 on parcel #300070000; and for Wm E. Phillips in the amount of \$124.80 as a correction of 2003

value on parcel #707101639 as the item was listed twice on the schedule. Upon roll call vote, the following Board members voted "Aye": Morrow, Loewenstein, Barney, Klein, McMullen and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Moved by Loewenstein, seconded by Klein to approve the motor vehicle tax exemption requests for Kearney Catholic High School on a 1998 Chevrolet Suburban which is an additional vehicle; the renewals for Servants of Mary on a 1997 Plymouth Breeze; The Evangelical Lutheran Good Sam Society Ravenna Good Samaritan Center on a 1997 Ford sport van and 1996 Mercury Sport van; and for Christian Heritage Children's Home on a 1996 Ford club wagon and 1998 Ford bus. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Klein, Barney, McMullen, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Moved by McMullen, seconded by Barney to recess the Board of Equalization at 11:55 A.M. and go into an executive session of the County Board meeting at 11:55 A.M. to discuss personnel issues and contract negotiations. Upon roll call vote, the following Board members voted "Aye": McMullen, Barney, Klein, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Moved by McMullen, seconded by Klein to return to open session of the County Board meeting at 12:24 P.M. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

-REGULAR MEETING--BOARD OF SUPERVISORS-

Vice-Chairman Dannehl called the regular meeting to order in open session.

Moved by McMullen, seconded by Klein to set a hearing date of March 22, 2005 at 11:00 A.M. for the hearing of appeal application filed by an employee where the County Board will sit as an appeal board. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Loewenstein, Morrow and Dannehl. None voted "Nay". Absent: Pierce. Motion declared carried.

Vice-Chairman Dannehl declared the meeting adjourned at 12:27 P.M. until the next regular meeting on Tuesday, March 22, 2005 at 9:00 A.M. and instructed County Clerk Judy Jobman to publish notice for the same according to Nebraska law.