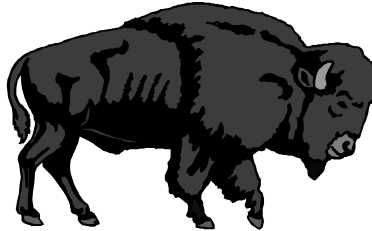


**Buffalo County Board of Supervisors**  
BUFFALO COUNTY COURTHOUSE  
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REGULAR MEETING  
BUFFALO COUNTY BOARD OF SUPERVISORS  
TUESDAY, FEBRUARY 18, 2003  
9:00 A.M.

Regular meeting of the Buffalo County Board of Supervisors was held at 9:00 A.M. on Tuesday, February 18, 2003.

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

Posting and publishing gave notice of the meeting in advance, thereof. 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 and Deputy County Attorney Andrew Hoffmeister were present.

Chairman McMullen called the regular meeting to order in open session.

At 9:02 A.M., moved by Loewenstein, seconded by Morrow to enter into an Executive Session to discuss contract negotiations. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Morrow, Barney, Dannehl, Klein, Pierce, and McMullen. None voted "Nay". Absent: None. Motion declared carried.

Moved by Loewenstein, seconded by Klein to move out of Executive Session and return to an open session of the County Board meeting at 10:22 A.M. Upon roll call vote, the following Board members

voted "Aye": Loewenstein, Klein, Barney, Dannehl, Morrow, Pierce and McMullen. None voted "Nay".  
Absent: None. Motion declared carried.

Chairman McMullen called the regular meeting to order in open session.

Supervisor Barney advised of his opinion that the Buffalo County Website need to temporarily list under Emergency Manager, Buffalo County Sheriff Neil Miller as the contact with his telephone number. Barney also wants Information Technology Manager Binit, to add a link from our county website to the State's Emergency Website as there is emergency information available which would be useful to our citizens.

Highway Superintendent, Ron Sklenar was present. Sklenar reported that on January 23, 2003 he made an on-site survey of the dedicated public road right-of-way petitioned for vacation between Sections 21 & 28, Township 11 North, Range 19 West of the 6th Principal Meridian, Buffalo County, Nebraska stating his findings and recommendations.

1. The road is an undeveloped four-rod right-of-way that has not been used or maintained by Buffalo County. The petitioned right-of-way is not passable to the traveling public and it would be an unworthy cost to Buffalo County to upgrade this right-of-way to State standards for public travel.
2. The adjoining landowners and interested parties have either signed the petition or been contacted personally and are in agreement of vacating this right-of-way. This vacation will not isolate any of the adjoining ground.

Highway Superintendent, Ron Sklenar states it is his recommendation to the Buffalo County Board of Supervisors to vacate the described petitioned one-mile of right-of way on Buffalo County's behalf, and offer the undeveloped right-of-way to the Board of Armada Township for their acceptance or denial.

#### **RESOLUTION 2003-7**

WHEREAS, previously this Board has been presented with a Petition to Vacate a Public Road, with such road being identified as the Section Line Road between Section Twenty-One (21) and Twenty-Eight (28), Township Eleven (11), North, Range Eighteen (18), West of the 6<sup>th</sup> P.M., Buffalo County, Nebraska , and

WHEREAS, the Buffalo County Highway Superintendent pursuant to Sec. 39-1722, Rev.Stat.Neb. has submitted, after study, a written report recommending that such road be abandoned or vacated by the County,

NOW THEREFORE BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF SUPERVISORS THAT pursuant to Sec. 39-1724, Rev.Stat.Neb. this Board sets for hearing the matter of consideration of

vacation or abandonment of such road with such hearing to be held April 8, 2003 at 10:00 o'clock a.m. in the Buffalo County Boardroom, located in the Buffalo County Courthouse at 16<sup>th</sup> and Central Avenue, Kearney, Nebraska, with notice thereof to be given as required by law.

Moved by Loewenstein, seconded by Dannehl to approve the foregoing resolution for vacation of land. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Dannehl, Barney, Klein, Morrow, Pierce and McMullen. None voted "Nay". Absent: None. Motion declared carried.

The payment of Supervisor Loewenstein's lodging while he is attending the National Nebraska Association of County Officials Legislative Conference was brought up for discussion. Barney moved, seconded by Morrow to pay 50% of Supervisor Loewenstein's lodging for the conference February 27<sup>th</sup> through March 2<sup>nd</sup> and to encourage our Nebraska Association of County Officials to pay the other 50%. Morrow offered a friendly amendment which was accepted by Barney to pay 100% of the lodging this time and to aggressively request NACO to pay for lodging from now on to the National meetings. Upon roll call vote, the following Board members voted "Aye": Barney, Morrow, Dannehl, Klein, Pierce and McMullen. None voted "Nay". Absent: None. Abstaining: Loewenstein. Motion declared carried.

Discussion was held on abandoned property with Sheriff Neil Miller, County Attorney Shawn Eatherton, Deputy County Attorney Andrew Hoffmeister, County Assessor Joe Woodward and County Treasurer Jean Sidwell. After discussion Chairman McMullen requested Deputy County Attorney Andrew Hoffmeister to draft a resolution on abandoned property to be listed on the agenda for the County Board meeting February 25, 2003.

Moved by Dannehl, seconded by Klein to authorize Buffalo County Board Chairman, William C. McMullen to sign on behalf of Buffalo County Change Order No. 1 with Siemens for control upgrades in the County Court Offices to improve room comfort. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Barney, Loewenstein, Morrow, Pierce and McMullen. None voted "Nay". Absent: None. Motion declared carried.

Deputy County Attorney, Hoffmeister announced the closing for the property known as McCue's is scheduled for 2:00p.m February 18, 2003 at Vintage Title & Escrow Company and Myron McCue will beginning renting the small concrete block building with his agreement to all specification stipulated in the bidding requirements to be met. The Building and Grounds Committee will meet at the McCue property immediately after closing for assessment of the property.

The Board members reviewed the minutes from Tuesday, February 11, 2003. It was moved by Pierce, seconded by Klein to approve the minutes of February 11, 2003. Upon roll call vote, the following

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

Chairman McMullen declared the meeting adjourned at 10:55A.M. until the next regular meeting on Tuesday, February 25, 2003 at 9:00 A.M. and instructed County Clerk Judy Jobman to publish notice for the same according to Nebraska law.