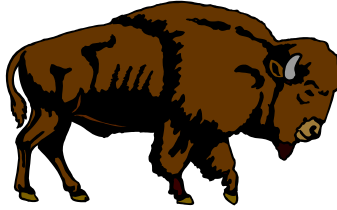


## **Buffalo County Board of Supervisors**

BUFFALO COUNTY COURTHOUSE  
P.O. Box 1270 . Kearney, NE 68848-1270  
(308)236-1224 or (308)236-1225  
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REGULAR MEETING  
BUFFALO COUNTY BOARD OF SUPERVISORS  
TUESDAY, APRIL 27, 2004  
9:00 A.M.

Regular meeting of the Buffalo County Board of Supervisors was held at 9:00 A.M. on Tuesday, April 27, 2004.

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.

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 was present.

Chairman Pierce called for the Citizen's Forum as per the agenda. John "Shot" Lowe was present to offer information concerning the Oddfellows Lodge which was one of the organizations requesting permissive exemption heard in Board of Equalization on April 26, 2004. Also, Supervisor Barney asked to be excused from his position as a Supervisor to address the Board as a private citizen further requesting that Supervisor Pierce turn the meeting over temporarily to Vice-Chairman Dannehl. Supervisor Barney addressed the Board about his concern that all entities are not filing their personal property with the County Assessor. The result therefore, is a significant amount of taxes are not paid to the county and it is not fair to all taxpayers if everyone doesn't pay their fair share. At 9:22 A.M. Supervisor Barney asked to resume his seat on the Board and Vice-Chairman Dannehl turned the remainder of the meeting back to Chairman Pierce.

Moved by Morrow, seconded by Klein to set a public hearing date for Proposed Resolution on Cottonmill Lake Rural Road Improvement District for June 8, 2004 at 9:30 A.M. and instruct County Clerk Judy Jobman to publish notice for the same according to Nebraska Law. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Barney, Dannehl, Loewenstein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Morrow, seconded by Klein to authorize County Treasurer Jean Sidwell to transfer \$306,000.00 to the Road Fund (200) and \$28,000.00 to the Weed Fund (5400) all per budget. Upon roll call vote the following Board members voted "Aye":

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

Moved by Morrow, seconded by Dannehl to approve the release of two Pledged Securities for the Treasurer's office from Firstier Bank in the amount of \$55,000.00 and in the amount of \$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.

Moved by Loewenstein, seconded by Dannehl to set May 25, 2004 at 10:00 A.M. for the bid letting to receive bids for the remodeling of the sound system for use in the County Board meeting room and instruct County Clerk Judy Jobman to publish notice for the same according to Nebraska law. 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.

Court Reporter Cindy Gembala was present to record the proceedings at 9:30 A.M. when Chairman Pierce called for the public hearing for consideration of annexation between Miller and Amherst Fire Districts for removal from Miller Fire District and the addition of the same land to the Amherst Fire District as follows:

T-10-N, R-17-W Sections 3-4-5-6;  
T-11-N, R-17-W Sections 19-20-21-22-27-28-29-30-31-32-33-34  
T-11-N, R-18-W Sections 24-25-34-35-36  
T-10-N, R-18-W Sections 1-2-3

There were a few people in the audience who spoke: Christy Nelson, Doug Nelson, (petitioners); Larry Bentley (Secretary-Treasurer, Miller Fire District); Nancy Oertwig (didn't sign petition but would like her home in the Amherst Fire District); David Petersen (Zero Herefords); Virgil Kenney (Amherst Fire District); Melvin John (Miller Fire District); Kevin Rumbeck and Wes Quail (Miller Fire Chief).

At 10:20 A.M. Chairman Pierce closed the public hearing.

Moved by Barney, seconded by Klein to deny the petition as presented which requested removal from Miller Fire District and the addition of the same land to the Amherst Fire District of Township 10 North, Range 17 West, Sections 3-4-5-6; Township 11 North, Range 17 West, Sections 19-20-21-22-27-28-29-30-31-32-33-34; Township 11 North, Range 18 West Sections 24-25-34-35-36; and Township 10 North, Range 18 West Sections 1-2-3 of the 6<sup>th</sup> Principal Meridian, Buffalo County, Nebraska. Upon roll call vote, the following Board members voted "Aye": Barney, Klein, Dannehl, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried. Chairman Pierce excused the court reporter from the remainder of the meeting.

At 10:40 A.M. a public hearing was held for an application of a liquor license for LeRoy R Smith and Barbara Yendra DBA George Spencer Vineyard & Tasting Room. L.R. Smith and Barbara Yendra were present to answer any questions concerning the application. At 10:46 A.M. Chairman Pierce closed the public hearing.

Moved by Morrow, seconded by Loewenstein to approve the new application for a Class M and Class K liquor license for LeRoy R Smith and Barbara Yendra DBA George Spencer Vineyard & Tasting Room. Upon roll call vote, the following Board members voted "Aye": Morrow, Loewenstein, Barney, Dannehl, Klein, McMullen, and Pierce. None voted "Nay". Absent: None. Motion declared carried.

County Clerk Judy Jobman submitted the April 2004 vendor claims to the County Board for review:

GENERAL FUND:

ABC Legal Services Inc.	S	Legal Fees	69.90
Ace Hardware & Garden Center	SU	Supplies	2.79
Alamar Uniforms	E	Uniforms	600.68
Alley Rose	E	Jury Meals	44.02
Alltel	U	Utilities	1,671.88
Gregory Anderson	S	Witness Fee	20.00
Michael Baldwin	S	Legal fees	97.50
Bamford Inc.	S	Service Inspection	100.00
Greg Barney	RE	Travel Expense	40.50
Big O Tires	S	Repairs/Oil Change	22.05
Brad Bigelow	MC	Medical	275.00
Bob's Super Store	SU	Supplies	63.08
Bob's Total Service	F	Fuel	77.02
Boogaarts	SU	Groceries	14.93
Bosselman Oil Inc.	E	Oil	349.54
Brewster Law Office	S	Legal Fees	2,738.50
Buffalo County Attorney	RE	Reimbursement	45.00
Buffalo County Attorney	E	Petty Cash	208.05
Buffalo County Clerk	E	Postage	13.65
Buffalo County Court	E	Transcript	21.00
Buffalo County Court Specific Case Fees	E	Court Costs	3,719.00
Buffalo County Court	E	Transcript	115.50
Buffalo County Extension Service	E	March Expense	1,306.77
Buffalo County Public Defender	E	Monthly Expense	8,265.64
Buffalo County Sheriff	E	Miscellaneous Expense	498.87
Buffalo County Sheriff	E	State Case Fee	1,720.13
Buffalo County Treasurer	E	Postage Meter	6,767.65
Builders How to Warehouse	SU	Supplies	266.42
Butler Voigt & Stewart PC	S	Legal fees	908.18
C.A.N.D.O.	AP	Appropriation	7,000.00
Cabela's Inc.	E	Uniforms	119.90
Michael Carper	S	Legal fees	315.40
Cash-Wa Distributing	SU	Supplies	11,358.74
CDW Government Centers Inc.	SU	Software	105.36
Cellular One	U	Utilities	18.84
Central District Assessors Assoc.	D	Dues	40.00
Charter Digital Communications	U	Utilities	47.08
Charter Paging	U	Utilities	718.28
City of Kearney	F,B,CM	Fuel, Bookmobile, Cottonmill	29,662.98
City of Kearney	U	Utilities	1,258.20
City Wide Services Inc.	S	Cleaning	25.00

James Clark	S	Witness Fee	20.00
Clerk of District Court	E	Court Costs	129.25
Clerk of the District Court % Sharon Rose	E	Workshop	50.00
Clerk of the District Court	SU	Deposit Books	24.00
Clerk of the District Court	E	March Court Costs	905.50
Clerk of the District Court - North Platte	E	Copies	17.50
Clerk of the Supreme Court	E	Court Costs	66.50
Clipper Publishing	A	Printing & publishing	765.47

GENERAL FUND CONTINUED

Computer Hardware Inc.	SU	Equipment	395.00
Copycat Printing Center	SU	Supplies	216.10
Creative Teacher	E	Laminating	6.24
Crossroads Ford Inc.	E	Vehicle & Repairs	15,465.36
Culligan Water Conditioning	SU	Water Softener expense	80.50
D & S Lighting Co.	E	Bldg Repairs	900.00
Hoss Dannehl	RE	Travel Expense	139.13
DAS Communications	SU	Supplies	1,038.49
Dawson County Court	E	Copies	2.50
Dawson County Public Power District	U	Utilities	198.36
Glenda DeBrie	RE	Reimbursement	47.25
Dell Marketing L.P.	SU	Flat Screens	1,212.30
Deluxe Business Forms and Supplies	SU	Supplies	74.11
Department of Correctional Services	E	Safekeeping	1,783.81
Des Moines Stamp Mfg. Co.	SU	Stamps	45.80
Diamond Vogel Paint Center	SU	Supplies	177.35
D'Milaco Sports Fashions	E	Dare printing	347.50
Douglas County Sheriff	E	Court Fee	32.84
E S U No. 10	SU	Copy Paper	5,711.78
Eakes Office Plus	SU	Supplies	25,615.84
Earthgrains Company	SU	Groceries	844.03
Shawn Eatherton	RE	Travel Expense	253.84
Egan Supply Company	SU	Supplies	2,473.54
Kiara Eickmeier	S	Witness Fee	20.00
Election System & Software Inc.	E	Support	1,654.00
Elite Court Reporting Ser Inc.	S	Professional Fee	157.65
Eustis Body Shop	S	Towing	162.50
Evercom Systems Inc.	E	Phone Cards	1,400.00
Frontier	U	Utilities	6,191.57
Frontier	U	Utilities	486.76
Gembala Court Reporting	S	Professional Fee	38.50
Good Samaritan Hospital	MC	Medical	4,194.50
Grand Central Apple Market	SU	Groceries	93.75
Hall County Sheriff	S	Professional Fee	133.70

Linda K Hall	S	Cleaning	325.00
Greg Harris	S	Legal fees	373.70
Hastings Fire & Rescue	D	Registration	225.00
Heaven's Best	S	Carpet Cleaning	215.00
Holmes Plumbing & Heating	S	Bldg Repairs	90.87
Hometown Leasing	E	Copiers	360.00
Mitchell Humphrey	RT	Rent	650.50
IBM Corporation	E	Maint. Agreement	515.79
Imagistics International Inc.	SU	Supplies	119.75
Jacobsen, Orr, Nelson & Wright et al	S	Legal fees	3,704.45
K&K Parts Co., Inc.	SU	Supplies	5.87
K Mart	SU	Oil	35.76
K Mart Pharmacy	MC	Prescriptions	902.48
Kearney Clinic PC	MC	Medical	578.00
Kearney County Sheriff	S	Service Fee	15.50
Kearney Hub	A	Printing & Publishing	2,569.65
Kearney Moving Service	S	Service Provided	103.13
Kearney Quality Sew and Vac	S	Repairs	33.98
Kearney Winlectric Co	SU	Supplies	45.69
Kelly Electric Co.	S	Bldg Repairs	174.76
Vicky A Kenney	S	Legal fees	454.35
Mildred B. Kincaid	R	Retirement	12.00
Ivan Klein	RE	Travel Expense	89.63
Knapp Fangmeyer Aschwege Besse	S	Legal fees	988.45
Jean Kneese	R	Retirement	19.00
KONE Inc.	S	Repairs	151.09
L & S Tire and Auto Inc.	S	Towing	65.00
Laser Art Design Inc.	E	Plaque	105.00
Laser Tec Custom Computers	SU	Supplies	9,230.78

GENERAL FUND CONTINUED

Lawn Builders	SU	Supplies	13.57
Liberty Services Inc.	S	Cleaning Service	698.39
Lisa's Instant Print Service	SU	Supplies	175.00
Location Technologies	E	Map Upgrades	2,618.00
Lock N Store	RT	Rent	60.00
Lockmobile	SU	Keys/Locks	128.70
Timothy Loewenstein	RE	Travel Expense	345.77
Stephen Lowe	S	Legal fees	227.50
Lucas Electric Inc.	S	Bldg Repairs	474.40
Steve Lydiatt	S	Witness Fee	20.00
Marlatt Machine Shop Inc.	S	Equipment Repairs	23.80
Marshall & Swift	E	Subscription	313.95
Masters Transportation	E	Vehicle	28,000.00

Matthew Bender & Co. Inc.	E	NE Rules of Ct.	24.20
Sharon Mauler	RE	Postage/ Meals	132.22
McDermott and Miller PC	E	Audit	11,134.00
William McMullen	RE	Watch	110.00
John Meidlinger	MC	Medical	700.00
Methe Communications Inc.	E	Equipment	40.00
MHIA	D	Registration	40.00
Mid America Pay Phones	U	Utilities	80.00
Mid Nebraska Aggregate Inc.	E	Snow Removal	35.00
Midwest Mailing Solutions Inc.	SU	Labels	24.15
Midwest Service & Sales Co.	SU	Zoning Signs	104.65
MIPS County Solutions	AP	Support	430.69
Evan Moody	S	Witness Fee	20.00
Morris Press	SU	Supplies	343.20
National Sheriff's Association	D	Dues	70.00
NCRAAO 2004 Conference	D	Registration	200.00
Nebraska Association Cty Officials	D	Registration	195.00
Nebraska Central Telephone Co.	U	Utilities	369.29
Nebraska Dept of Motor Vehicles	E	Records	99.00
Nebraska Health & Human Services	AP	Quarterly Bill HHS	1,113.96
Nebraska Imaging Co. Inc.	E	Scanning	1,009.72
Nebraska Public Power District	U	Utilities	3,068.25
Michelle Nelson	S	Witness Fee	20.00
Nelson's Furniture Inc.	S	Bldg Repairs	1,007.66
Network Solutions	SU	Equipment	16,893.48
Norcom Inc.	U	Utilities	38.17
Norm's Plumbing Heating & AC	S	Bldg Repairs	990.30
Northwestern Public Service	U	Utilities	2,968.54
Notox LLC	SU	Disinfectant	164.77
Novus Windshield Repair	S	Repairs	85.00
Office Max Credit Plan	SU	Supplies	735.75
Dr. Matthias I Okoye	MC	Medical	2,833.00
Payflex Systems USA Inc.	AP	Service Fee	110.24
Phelps County Sheriff	S	Service Fee	23.00
Janna Pierce	AP	Contract	2,917.00
Pitney Bowes	AP	Contract Fee	209.00
Pitney Bowes	E	Copier Lease	1,234.72
Platte Valley Communcations	SU	Equipment	3,097.14
Platte Valley State Bank	RT	Safety Deposit Rent	120.00
Lisa Poff	RE	Travel Expense	33.00
Preferred Mail Service Inc.	S	Mail service	192.63
Presto X Company	E	Pest Control	46.00
Pro Printing and Graphics	SU	Supplies	34.95

Process Forwarding International	S	Service Fee	69.90
Psychological Resources Support	MC	Medical	90.00
Quill Corporation	SU	Supplies	128.57
Qwest	UT	Utilities	155.74
Radio Shack Accts Rec.	SU	Equipment	10.49
Ray O'Herron Co. Inc.	SU	Equipment	941.00
<u>GENERAL FUND CONTINUED</u>			
Redfield & Company Inc.	SU	Supplies	728.77
Redman's Shoes	E	Shoes	59.51
Region III Program	AP	4th Quarter Appropriations	13,758.15
Reliable	SU	Equipment	850.09
Respond First Aid Systems	SU	Supplies	73.80
Ilene Richardson	R	Retirement	14.00
Riverside Animal Hospital PC	S	Impounds	778.50
Ross Schroeder & Romatzke	S	Legal fees	348.50
S A Foster Lumber Co.	SU	Supplies	27.77
S N S Sales	S	Shredded Documents	120.12
Connie Schuman	S	Professional Fee	467.50
Jean Sidwell	RE	Travel Expense	149.29
Sprint	UT	Utilities	94.82
St Elizabeth Regional Medical Center	MC	Autopsy	1,298.75
Standand Register	E	Maintenance	356.52
Leslie Stevens	SU	Supplies	2.95
Stonesolutionz	S	Bldg Repairs	1,566.55
Michael Synek	S	Legal fees	444.50
T & B Cleaning Service	AP	Cleaning	2,000.00
Terra Scan Inc.	AP	Contract	13,170.00
Edith Timko	S	Witness Fee	20.00
Tollefsen Elliott Lumber Co.	SU	Supplies	29.49
Tractor Supply Co.	SU	Supplies	7.28
Tringe Law Office PC	S	Legal fees	356.90
Tye & Rademacher PC	S	Legal fees	2,233.77
U S Postmaster/Register of Deeds	E	Stamps	60.00
U S Postmaster	E	Postage	185.00
U S Postmaster/BCSO	E	Stamps/Supply	398.00
US Internet	E	Email Filter	270.00
Video Kingdom	E	Audio/Video	94.44
Viking Office Products	SU	Supplies	273.83
Village Cleaners Inc.	E	Cleaning	52.25
Walgreens	MC	Prescriptions	94.97
Wal Mart	SU	Supplies	550.46
Wells Fargo Card Services	RE	Travel Expense/Equipment	1,445.25
West Payment Center	E	Publications	1,083.09

Western Pathology Consultants Inc.	MC	Medical	95.00
William Williams	RE	Reimbursement	135.13
Wireless Advance Communication	SU	Equipment	5,550.00
Jeffrey Wirth	S	Legal fees	708.90
Joe Woodward	RE	Travel Expense	344.61
Jason Wozniak	RE	Reimbursement	10.65
Yeagley Swanson Murray LLC	S	Legal fees	1,350.42
Zimmerman Printers & Lithographers	SU	Supplies	369.00

ROAD FUND:

Ace Hardware & Garden Center	SU	Supplies/Signs	49.52
Ace Irrigation & Mfg	E	Culverts	27,919.55
Agri Co op	F	Fuel	145.38
All Makes Auto Supply	SU	Repairs	78.33
All Points Coop	F	Heating Fuel	242.50
Alltel	U	Utilities	174.25
Arrow Seed Co. Inc.	E	Erosion Control	3,650.59
Auto Glass Center	S	Repairs	277.99
Barco Municipal Products Inc.	SU	Sign Post	9,402.50
The Beacon Observer	A	Printing & Publishing	5.99
Big Red Auto Glass	S	Repairs	782.98
Bob's Superstore	SU	Supplies	17.62
Bosselman Energy Inc.	F	Fuel, Grease, Oil	59,402.85
Broadfoot Sand & Gravel Co. Inc.	G	Gravel	10,118.46
Buffalo County Treasurer	E	Tire Tax, Title	40.00
Builders How to Warehouse	E	Bldg. Repairs	512.91
Carquest	SU	Supplies/Tools	361.57

ROAD FUND CONTINUED

Central Fire & Safety Inc.	SU	Safety Supplies	487.00
Central Hydraulic System & Equip Co.	S	Repairs	2,238.74
Charter Paging	U	Utilities	31.55
City of Kearney	U	Utilities	23.73
Clipper Publishing	A	Printing & Publishing	16.92
Crossroads Ford Inc.	S	Repairs	206.05
Custer Co. Hwy	D	Dues	70.00
Dannehl Feed & Seed	E	Erosion Control	72.50
Dawson County Public Power District	U	Utilities	1,175.52
Don Leeds	E	Fence Damages	2,100.00
Eakes Office Plus	SU	Supplies	29.00
Farm Plan Kearney Implement	S	Repairs	174.66
Farmer's Co-op Association	F	Fuel	194.50
Fiddelke Heating & A/C	S	Bldg. Repairs	222.06
Arlow Fritz	R	Retirement	10.00

Garrett Tires Treads	S,SU	Tires & Repairs	2,071.46
Graham Tire Co	S	Tire Repairs	52.50
Hansen International Truck Inc.	E	Truck	62,016.07
Donald Hellriegel	R	Retirement	11.00
Husker Steel	E	Steel	8,466.00
Imagistics International Inc.	SU	Supplies	46.50
Inland Truck Parts Co.	S	Repairs	608.87
K & K Parts Co.	SU,S	Repairs/ Supplies	1,121.01
Kearney Hub	A	Printing and Publishing	18.65
Kearney State Bank	RE	Lodging/Office Supply	223.73
Kearney Truck Parts	S	Repairs	150.00
LCL Truck Equipment Inc.	SU	Equipment	8,834.00
Landell Thelen Inc.	E	Grease	3.70
Lawson Products Inc.	SU	Supplies & Oil	905.52
Lee Pruneda Cleaning	AP	Cleaning	550.00
Linweld	SU,F	Supplies & Fuel	147.34
Elwood Luce	R	Retirement	11.00
Midwest Service & Sales Co.	E	Signs/Equipment	9,004.95
NASSAU Rockmount	SU	Supplies	806.79
Nebraska LTAP	D	Registration	175.00
Nebraska Machinery Co	S	Motor Grader/Repairs	13,640.06
Nebraska Peterbilt Ford	S	Repairs	82.93
Nebraska Public Power District	U	Utilities	48.61
The New Sioux City Iron Co.	SU	Supply/Tools	172.07
Northwestern Public Service	U	Utilities	542.48
Nuttelman Fencing Inc.	S	Damages	4,775.47
O'Reilly Auto Parts	S	Repairs	8.97
Overhead Door Co of Kearney	S	Bldg. Repairs	55.00
Robert Pesek	G	Gravel(Dirt)	1,716.00
Platte Valley Communications	S	Repairs	1,097.78
Powerplan	S	Repairs	3,294.96
Ramada Limited South	E	Lodging	220.00
Ravenna News	A	Printing & Publishing	46.20
Sahling Kenworth Inc.	S	Repairs	79.34
Sapp Bros	F	Oil	1,237.50
Mick Shiers	RE	Travel Expense	168.43
Joe Simeon	RE	Cakes	54.00
Dave Skala	G	Gravel	576.00
Ronald Sklenar	RE	Travel Expense	262.55
South Central Diesel Inc.	S	Repairs	930.00
State of Nebraska Motor Fuels Division	F	Fuel	1,471.00
State of Nebraska DAS	SU	Equipment	350.00
T & F Sand and Gravel Inc.	G	Gravel	1,779.47

Tollefsen Elliott Lumber Company	E	Concrete	49.08
Tractor Supply Co. Industries	E	Land Improvement	303.59
Tri City Outdoor Power	S	Equipment Repairs	31.54
Triangle Metals Corp	E	Steel	185.80
Trotter Service	F	Fuel	25.08

ROAD FUND CONTINUED

Vermeer Equipment of Nebr. Inc.	S	Repairs	150.40
Village of Miller	U	Utilities	31.50
Walmart	SU	Supplies	28.89
Wick's Sterling Trucks Inc.	E	Truck	71,163.00
Kermit Wild	E	Damages	2,400.00
Wilke Contracting Corp.	E	Concrete	53,692.60
Wilke Donovan's True Value	SU	Bldg. Repairs	8.90
Yant Equipment Co. Inc.	S	Repairs	1,750.76

VISITOR'S PROMOTION FUND:

Kearney Area Chamber of Commerce	AP	Monthly claims	17,000.00
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EMERGENCY RELIEF

ABC Drug Co.	SU	Prescriptions	85.50
Jon Abegglen	RT	Rent	210.00
Adams County Clerk	E	Time Spent	10.40
Bob's Super Store	SU	Sundries	42.62
Bob's Total Service Inc.	F	Fuel	157.00
Boogaarts	SU	Sundries	125.65
Buffalo County Emergency Relief	E	Bus Tickets	300.00
Century 21 Realty	RT	Rent	210.00
Cranewood County Inn and RV Park	RT	Rent	250.00
Jim Cudaback	RT	Rent	210.00
Eva Eckhart	RT	Rent	250.00
Freedom House	RT	Rent	420.00
Lanny Gerdes	RT	March/April Rent	420.00
Great Plains Radiology & Nuclear	MC	Medical	18.42
Greyhound Bus Lines	E	Bus Ticket	24.00
H & E Air Service	RT	Rent	210.00
Haeberle's Grand Central Pharm.	MC	Medical	28.76
Harlan County Health Systems	MC	Medical	425.74
Barb Herter	RT	Rent	210.00
K Mart	SU	Sundries	67.07
K Mart Pharmacy	MC	Prescriptions	15.37
Kearney Clinic PC	MC	Medical	154.96
Kearney Manor	E	Deposit	100.00
L & M Properties Inc.	RT	Rent	180.00

Lee Lacey	RT	Rent	332.73
Lakeside Motel and RV Park	RT	Rent	210.00
Dennis Moon	RT	Rent	210.00
Mike Muldoon	RT	Rent	75.00
O'Brien Straatmann Mortuary	MC	County Burial	1,750.00
Stanley Pedersen	RT	Rent	840.00
Phelps Memorial Health Center	MC	Medical	264.60
Prairie View Apts	RT	Rent	29.00
Cynthia Rath	RT	Rent	210.00
Kenneth Rouse	RT	Rent	400.00
RYDE	E	Tickets	30.00
Roger Scheidies	RT	Rent	210.00
Roy Schmidt	RT	Rent	350.00
Elycia Sperry	RT	Rent	630.00
Value Express Pharmacy	MC	Prescriptions	42.38
Walgreens	MC	Prescriptions	537.63
Western Motel	RT	Lodging	210.00
Martha Wit	RT	Rent	250.00
Vi Wright	RT	Rent	420.00

INSTITUTIONS FUND:

Nebraska Health & Human Services	AP	Beatrice & Lincoln & Hastings & Norfolk	2,012.50
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WEED DEPT. FUND:

Dawson County Public Power District	U	Utilities	109.69
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WEED FUND CONTINUED

Dultmeier Sales	S	Repairs	318.06
Eakes Office Plus	SU	Supplies	358.00
Graham Tire Co	S	Tire Repairs	45.58
K & K Parts Co. Inc.	S	Repairs	120.98
Kearney State Bank	D	Dues	80.00
Richard Kincaid	U	Utilities	20.00
Northwestern Public Service	U	Heating Fuel	285.35
Schaben Industries	SU	Equipment	377.19
Share Corp.	SU	Chemical	192.58
State of Nebraska DAS	SU	Equipment	350.00
Superior Outdoor Power Center	SU	Truck/Equipment	6,708.00
UAP Timberland Inc.	E	Chemical	3,070.12
United Suppliers	E	Chemical	1,374.40
Van Diest Supply Company	E	Chemical	3,436.00
Walmart	SU	Shop Supplies	30.00

911 EMERGENCY SERVICE FUND:

Charter Paging	U	Utilities	30.97
Frontier	U	Utilities	1,550.16
Frontier Comm of NE	U	E911 Access	189.42
Nebraska Central Telephone Co.	U	Utilities	109.99
Platte Valley Communication	S	911 Repairs	1,519.00
Platte Valley State Bank	AP	Quarterly Payment	11,628.75
Qwest	U	Utilities	2,970.27

Moved by McMullen, seconded by Dannehl to approve the vendor claims for April 2004 as presented. Upon roll call vote, the following Board members voted "Aye": McMullen, Dannehl, Barney, Klein, Loewenstein, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Weed Superintendent Dick Kincaid was present to explain and present the chemical and labor price list for the 2004 season to the County Board.

Moved by Klein, seconded by Morrow to approve the chemical price list for 2004 season and approve the labor hourly rate and administrative rate as presented. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Barney, Dannehl, Loewenstein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Supervisor Barney presented the following Resolution drafted by County Attorney Shawn Eatherton, Veteran's Service Officer William Williams and himself to the Board for their review.

#### **RESOLUTION 2004-16**

#### A RESOLUTION TO REQUEST POSTPONEMENT OF THE JULY 1, 2004 IMPLEMENTATION DATE TO REDUCE OR ELIMINATE BENEFITS TO CERTAIN NEBRASKA CITIZENS, SOME OF WHOM ARE COMBAT VETERANS

WHEREAS, the Nebraska Veterans' Fund was established after WWI by the Legislature to provide benefits to War-Time Era veterans who either entered the service from Nebraska or who had been current residents of Nebraska for at least five years and had military discharges classified as "Honorable (or equivalent)"; and

WHEREAS, the Department of Veterans' Affairs has an established history of treating a "General Discharge (Under Honorable Conditions)" as essentially equivalent to an "Honorable Discharge" for the purpose of the Nebraska statutes; and

WHEREAS, circa 1997 the Department of Veterans' Affairs expanded eligibility for Nebraska Veterans Aid to include Non-War-Time Era veterans and circa 1999 eliminated the five-year residency requirement; and

WHEREAS, the Director of the Nebraska Department of Veterans' Affairs and the Nebraska Veterans' Advisory Commission solicited an opinion from the Nebraska Attorney General as to the interpretation of the phrase "Honorable (or equivalent)" found in Nebraska statutes, for the specific purpose of conserving the Nebraska Veterans' Aid Fund; and

WHEREAS, the Nebraska Attorney General held that an "Honorable Discharge" is not identical to a "General Discharge (Under Honorable Conditions); and

WHEREAS, the Nebraska Department of Veterans' Affairs intends to discontinue, as of July 1, 2004, all Nebraska veterans benefits to veterans separated from service by "General Discharge (Under Honorable Conditions); and

WHEREAS, such action will cause significant hardship to many Nebraskans who are "War-Time Era" veterans, including some who are "combat veterans", yet continue benefits to many Non-War-Time Era veterans, and such action will affect many more programs and appointments in addition to the Nebraska Veterans' Aid Fund; and

WHEREAS, the Buffalo County Board of Supervisors believes the proposed action results from an incorrect interpretation of the intent held by the framers of Nebraska statutes; then,

THEREFORE, BE IT RESOLVED, that the Buffalo County Board of Supervisors requests that the Nebraska Department of Veterans' Affairs postpone any action to reduce veteran benefits until legislative review can be accomplished; and

FURTHER, BE IT RESOLVED, that by copy of this Resolution provided to all County Boards in Nebraska, we request those County Boards to consider the serious nature of the matter and take appropriate action; and

FURTHER, BE IT RESOLVED, that by copy of this Resolution provided to all County Veterans' Service Officers, that an attempt be made to identify/calculate the negative impact on personnel currently being served who would lose benefits.

After discussion it was moved by Barney, seconded by Dannehl to approve the foregoing Resolution 2004-16 as presented. Upon roll call vote, the following Board members voted "Aye": Barney, Dannehl, Klein, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Morrow, seconded by Dannehl to recess the regular meeting of the Board of Supervisors at 11:10 A.M. and reconvene as a Board of Equalization to approve a renewal application for motor vehicle tax exemption. 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.

#### **-BOARD OF EQUALIZATION-**

Chairman Pierce called the Board of Equalization to order in open session. County Jean Sidwell was present.

Moved by Loewenstein, seconded by Klein to approve the renewal applications for motor vehicle tax exemption for Grace Fellowship Inc., on a 2002 Chrysler Sport van. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Klein, Barney, Dannehl, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Klein, seconded by Loewenstein to recess the Board of Equalization at 11:12 A.M. and return to the regular meeting of the Board of Supervisors. Upon roll call vote, the following Board members voted "Aye": Klein, Loewenstein, Barney, Dannehl, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

#### **-REGULAR MEETING--BOARD OF SUPERVISORS-**

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

Supervisor Loewenstein discussed several calls he had received concerning the noise from vehicle engine brakes north of Kearney with the Board. Then Loewenstein moved, seconded by Morrow to request the State of Nebraska Department of Roads to authorize placement of regulatory signs permanently indicating the Prohibited Use of Engine Brakes on Nebraska Highway 10 in Buffalo County from 160th Road to 56th Street in the County of Buffalo. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Morrow Barney, Dannehl, Klein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Sheriff Neil Miller was present to make his recommendation after review of the bids for the decision on Ruggedized Laptop Computers & Peripherals and for discussion of work release fees and work release prisoner tracking.

After discussion it was moved by Loewenstein, seconded by Dannehl to accept the low bid from Itronix Corporation, Pearland, Texas for 15 Itronix Go Book II Ruggedized Laptop Computers, including docking stations, memory and drives for a total amount of \$4,692.80 per unit plus cost of warranty. 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.

Moved by Loewenstein, seconded by Klein to authorize the Buffalo County Sheriff's Department to increase the work release fee for inmates from \$10.00 to \$15.00 per day. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Klein, Barney, Dannehl, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Loewenstein, seconded by Klein to authorize Sheriff Neil Miller and County Attorney Shawn Eatherton to negotiate and execute for purchase of five GPS tracking devices to be used for work release tracking of prisoners. Upon roll call vote, the following Board members voted "Aye": Loewenstein, Klein, Barney, Dannehl, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Gary Jacobsen and Bart Langenberg were present to discuss with the County Board the purchase by Buffalo County of their lots west of the courthouse.

After discussion it was moved by McMullen, seconded by Dannehl to direct the County Attorney's office to begin condemnation proceedings for Lot 1473, 1474 and 1475 of Original Town of Kearney Junction now the City of Kearney, Buffalo County, Nebraska.

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

The following payroll claims for April 2004 were submitted to the Board for approval:

PAYROLL BREAKDOWN APRIL 2004

FUND	GROSS WAGES	HEALTH	LIFE	FICA	RETIREMENT
GENERAL	\$362,794.47	\$55,433.90	\$557.96	\$26,502.57	\$23,283.93
ROAD	\$108,000.47	\$16,193.24	\$143.44	\$ 7,675.48	\$ 6,947.36
WEED	<u>\$ 9,428.79</u>	<u>\$ 1,407.56</u>	<u>\$ 11.40</u>	<u>\$ 624.48</u>	<u>\$ 430.44</u>
TOTAL	\$480,223.73	\$73,034.70	\$712.80	\$34,802.53	\$30,661.73

Moved by Morrow, seconded by Dannehl to approve the payroll claims for April 2004 as presented. 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.

The Board members reviewed minutes from Tuesday, April 13, 2004. There being no additions or corrections to the minutes, it was moved by Dannehl seconded by Morrow to approve the minutes of April 13, 2004. 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.

The County Board received the April Newsletter from Community Action Partnership; notice of a hearing by the Howard County Board for two Conditional Use Permits for Paunch manure on April 29, 2004 beginning at 6:30 A.M. in the

Board Room at their Courthouse and a copy of their Zoning Regulations for Land Application of Paunch Manure; a report from the State of Nebraska advising the Jail Standards Board reviewed the evaluation report of the Nebraska Crime Commission from their evaluation conducted on March 25, 2004 of the Buffalo County Jail and determined the facility to be in full compliance; and the April 6, 2004 minutes from Two Rivers Public Health Department.

The County Board reviewed the County/City monthly update for the Cottonmill Division, Kearney Area Solid Waste Agency, Kearney/Buffalo County Communications Center and the Kearney Public Library & Information Center; the Mid-Nebraska Community Action, Inc. R.Y.D.E. report for the month of March 2004; and the calendar for May 2004 from the Buffalo County Agricultural Association.

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

The various Committee reports were given.

Moved by Barney, seconded by Morrow to authorize County Board Chairman Richard Pierce to sign the renewal on the Board's behalf for the employee's flex (Cafeteria) plan with Payflex USA. Inc. Upon roll call vote, the following Board members voted "Aye": Barney, Morrow, Dannehl, Klein, Loewenstein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Loewenstein, seconded by Dannehl to authorize County Board Chairman Richard Pierce to sign the Nebraska Emergency Management Agency Sub-Recipient Award Agreement for reimbursement funds. 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.

Moved by Dannehl, seconded by McMullen to wave the fees for Political Subdivision Government entities applying for Floodplain and Zoning permits. Upon roll call vote, the following Board members voted "Aye": Dannehl, McMullen, Barney, Klein, Loewenstein, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Morrow, seconded by Loewenstein to enter into an executive session of the Board meeting at 12:05 P.M. to discuss contract negotiations. Upon roll call vote, the following Board members voted "Aye": Morrow, Loewenstein, Barney, Dannehl, Klein, McMullen and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Dannehl, seconded by Klein to reconvene in open session of the Board of Supervisor's meeting at 1:05 P.M. Upon roll call vote, the following Board members voted "Aye": Dannehl, Klein, Barney, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

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

Chairman Pierce announced the Board of Supervisors conducted their quarterly inspection of the Buffalo County Detention Center prior to convening as a Board of Equalization. The Board members found the Detention Center in satisfactory condition and that all of the standards have been met.

Chairman Pierce declared the meeting recessed at 1:33 P.M. until the next Board of Equalization meeting on Thursday, April 29, 2004 at 9:00 A.M. and instructed County Clerk Judy Jobman to publish notice for the next regular meeting on May 11, 2004 at 9:00 A.M. according to Nebraska law.