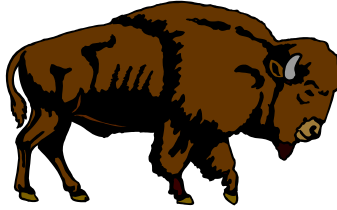


**Buffalo County Board of Supervisors**

BUFFALO COUNTY COURTHOUSE  
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REGULAR MEETING  
BUFFALO COUNTY BOARD OF SUPERVISORS  
TUESDAY, DECEMBER 14, 2004  
9:00 A.M.

Regular meeting of the Buffalo County Board of Supervisors was held at 9:00 A.M. on Tuesday, December 14, 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, 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 was present.

Chairman Pierce called for the Citizen's Forum as per the agenda. Marv Reichert was present to state his thoughts with regard to the appointment of zoning members which would be addressed later on in the agenda. Tim Gruntorad, Jon Garner, Troy Hitchcock and Paul Hottovy were present on behalf of Fairbanks International to offer their support and to answer any questions pertaining to the New Holland brand Excavator.

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, November 23, 2004. There being no additions or corrections to the minutes, it was moved by McMullen, seconded by Klein to approve the minutes of November 23, 2004. Upon roll call vote, the following Board members voted "Aye": McMullen, Klein, Barney, Dannehl, Loewenstein, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Current correspondence was discussed. An e-mail message was received from Julie Carper-Licensed Appraiser voicing her support of an on-line record system the County Board is researching. A letter was received from Dennis Meyer of the State Auditor's office notifying Buffalo County the Auditor's office has not received a copy of the 2004-2005 budget from Armada and that information was provided and accepted concerning the Collins Township. Newsletters were received from South Central RC& D, Central Platte NRD and the Rural Road News Bits from the Partnership for Rural Nebraska. Papillion Valley Preservation Association, Inc. sent a letter advising the Papio Missouri River NRD is proposing two bills during the 2005 Legislative Session which will threaten to close County roads even if County Supervisors are opposed and requested the board members to contact their State Senators and others with any of their concerns. A thank you letter to Buffalo County from the Kearney Area Community Foundation for the gift of \$2,500.00 and from the City of Kearney for their resources and finances creating a Strategic Plan for Kearney along with a bill for \$4,000.00. A letter advising of the grand opening of Nebraska's sixth E85 fueling station for clean-burning, domestically grown alternative transportation fuel located at 1630 East South Street in Hastings, Nebraska. The Village of Riverdale informed the County Board they wish to have its municipality zoning extended to incorporate one mile outside of the village limits. The Senior Hospitality Center requested the reappointment of Supervisor Greg Barney to the Board of Directors for their center. E-mail notice was received with an invitation to attend the retirement of Saline County Commissioner Phil Weber on December 28, 2004 from 2:00 P.M. until 4:00 P.M.

Various committee reports were given.

County Board members reviewed the November fund balance listing from the County Treasurer and the November Nebraska Veterans Aid and Buffalo County Veterans Aid monthly reports; the R.Y.D.E. report for the month of November, 2004 from Community Action Partnership of Mid-Nebraska and November monthly reports from the City of Kearney on Cottonmill, Kearney Area Solid Waste Agency, Kearney/Buffalo County Communication's Center, Kearney Public Library and Information Center. Moved by Klein, seconded by Barney to accept the reports as presented. Upon roll call vote, the following Board members voted "Aye": Klein, Barney, Dannehl, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Dannehl, seconded by Loewenstein to re-appoint the following to the Buffalo County Land Use Planning & Zoning Commission: Paul Steinbrink and Marlin Heiden to a three-year term ending 11/30/07. A third member will be appointed at the December 28, 2004 County Board meeting. Upon roll call vote, the following Board members voted "Aye": Dannehl, Loewenstein, Barney, Klein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Loewenstein, seconded by Morrow to approve the increase in amount allowed for mileage reimbursement from 37.5 cents per mile to 40.5 cents per mile for county officials and employees, as established by the Department of Administrative Services (DAS) with approval of an additional 3 cents for the County Sheriff allowed for serving papers and orders. The new rate will be effective January 1, 2005. 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.

Moved by McMullen, seconded by Loewenstein to reappoint Paul Younes and add Jim Gardner to the Kearney Visitor's Bureau as Directors for three-years with said terms to expire in 2007. Upon roll call vote, the following Board members voted "Aye": McMullen, Loewenstein, Barney, Dannehl, Klein, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Buffalo County Sheriff Neil Miller came before the Board to request reappointments to the Central Nebraska Drug Court of Kearney and for discussion of an additional member from Buffalo County. After discussion, it was moved Morrow, seconded by Dannehl to reappoint Public Defender Gary Hogg and Chief Dan Lynch to the Board of Directors for the Central Nebraska Drug Court for terms ending in January 2006, to serve with the appointed members from Hall, Phelps, Kearney and Buffalo Counties pursuant to interlocal agreement. 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 Klein to appoint Buffalo County Attorney Shawn Eatherton to serve on the Board of Directors for the Central Nebraska Drug Court for the term ending in January 2006, to serve with the appointed members from Hall, Phelps, Kearney and Buffalo Counties pursuant to interlocal agreement. 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.

Discussion was held on the agenda item for the county audit contract. Randy Tonniges of Tonniges & Associates was present for discussion and offered some sample (RFP's) request for proposals. The county audit agenda item was withdrawn from the agenda.

At 10:08 A.M. Chairman Pierce called for the opening of the (RFQ's) Request for Qualifications for Courthouse Renovation and Expansion and turned the meeting over to Building and Grounds Supervisor Dannehl who requested County Clerk Judy Jobman to open each proposal. The following companies submitted RFQ's: Wilkins, Hinrichs, Stober Architects, L.L.C., Kearney, Nebraska; Berggren Architects, Lincoln, Nebraska; ACI Boland Inc., Leawood, Kansas; Goldberg Group Architects PC., Saint Joseph, Missouri; DLR Group, Inc., Omaha, Nebraska; Reilly Johnson Architecture, Denver, Colorado; Carlson West Povondra Architects, Omaha, Nebraska; and Shaughnessy, Fickel and Scott, Kansas City, Missouri. The RFQ's were turned over to the Building and Grounds Committee and a recommendation to the County Board will be made at a later date.

Buffalo County Highway Superintendent Ron Sklenar was present at this time to discuss various agenda items.

Chairman Pierce turned the meeting over to Road Committee Chairman Supervisor William McMullen who requested County Clerk Judy Jobman to open each bid received for the Cab & Chassis as advertised and read them aloud. The following companies submitted bids: Midway Chevrolet Inc., Kearney, Nebraska and Killion Motors Inc., Kearney, Nebraska.

Discussion was held concerning the excavator bid, it was moved by McMullen, seconded by Dannehl to table until December 28, 2004 the decision on the purchase of the Excavator to allow the county operator who would be running the excavator a demo drive of the type units submitted in the proposals. 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 request for pavement of two shoulder approaches into Blue Sky Estates Subdivision was turned over to the Highway Department.

County Attorney Shawn Eatherton will review the bill submitted by Koss Construction for Cold-In-Place Recycle projects.

County Weed Superintendent Dick Kincaid was present to request a bid letting date be set for purchase of a 1 ton Cab/Chassis for use by the Weed Department. Moved by Klein, seconded by Dannehl to set January 25, 2005 at 10:30 A.M. for the bid letting of one (1) 2005 1 ton Cab & Chassis Truck 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": Klein, Dannehl, Barney, Loewenstein, McMullen, Morrow and Pierce. None voted "Nay". Absent: None. Motion declared carried.

Moved by Loewenstein, seconded by Morrow to recess the regular meeting of the Board of Supervisors at 10:48 A.M. and reconvene as a Board of Equalization for the purpose of approval of tax list adjustments and an application for motor vehicle exemption. 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.

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

Chairman Pierce called the Board of Equalization to order in open session. County Assessor Joe Woodward was present.

Moved by Morrow, seconded by Dannehl to approve the tax list adjustments 2180-2182 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.

Moved by Loewenstein, seconded by Dannehl to approve the application of an additional vehicle for motor vehicle tax exemption for St. Lukes Good Samaritan Village on a 2003 Dodge Caravan. 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 Klein, seconded by Loewenstein to recess the Board of Equalization at 10:50 A.M. and return to a 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-**

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

Emergency Manager Darrin Lewis and Sheriff Neil Miller were present to discuss various agenda items with the county board.

Moved by Loewenstein, seconded by Morrow subject to the publishing of the new Nebraska State Contract with Motorola the Buffalo County Emergency Manager Darrin Lewis is authorized to purchase radio equipment as outlined in our (CNRI) Central Nebraska Regions for Interoperability grant. These items will be utilized by law enforcement in Buffalo County. 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.

Supervisor Barney requested the Buffalo County Emergency Manager and Buffalo County Attorney to work together with NEMA for further clarification of who owns homeland security grant purchased equipment so that Buffalo County is in compliance with all record keeping requirements.

Moved by Morrow, seconded by Loewenstein to use the state contract bid for purchase of Medtronics AED's with the federal grant money from (CNPAD) Central Nebraska Public Access

Defibrillator Coalition (HRSA) Health Resources and Services Administration. 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.

Emergency Manager Lewis updated the County Board on the (DCC) Dialogic Communications Corporation High Speed Public Notification System and his hope for March 1, 2005 activation.

At 11:30 A.M. it was moved by Morrow, seconded by McMullen to enter into an Executive Session to discuss personnel issues and pending litigation. Upon roll call vote, the following Board members voted "Aye": Morrow, McMullen, Barney, Dannehl, Klein, Loewenstein, and Pierce. 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 12:10 P.M. 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.

Chairman Pierce called the County Board meeting to order in open session.

Chairman Pierce declared the meeting adjourned at 12:19 P.M. until the work session meeting on Tuesday, December 21, 2004 at 9:00 A.M. and instructed County Clerk Judy Jobman to publish notice for the same according to Nebraska law.