

# Cherry County Board Minutes



## BOARD OF COMMISSIONERS MINUTES

April 26, 2022

The Cherry County Board of Commissioners convened in regular session on April 26, 2022 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice in the Valentine Midland News every week, with the agenda being on file in the office of the County Clerk. The meeting was called to order at 10:00 AM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, James Ward, and Cherry County Clerk Brittny Petersen. The Open Meetings Act Poster was acknowledged by Chairman Storer and the Pledge of Allegiance was recited.

The Board of Commissioners meeting minutes from April 12, 2022 were read. DeNaeyer moved and Ward seconded to approve the minutes as read to include a clerical error correction. Roll call vote: Aye – Storer, DeNaeyer, Ward. The motion carried.

Cherry County Highway Superintendent Lloyd Smith presented an application for Federal Lands Access Program (FLAP) funds for resurfacing Merritt Dam Road. The estimated price of millings included in the application was discussed. Storer moved and DeNaeyer seconded to approve the FLAP application for submission. Roll call vote: Aye – DeNaeyer, Ward, Storer. The motion carried.

Superintendent Smith discussed correspondence previously received from KC Pawling at Nebraska Intergovernmental Risk Management Association (NIRMA) regarding North Kilgore Road and based on the width of the road, it would require striping. Not striping a narrow bridge on said road and adding signage were also discussed. A bid previously received for the project was reviewed. Storer moved and Ward seconded to accept the bid from Straight Line Striping to stripe North Kilgore Road, with a friendly amendment from Ward to include: If prices change, Superintendent Smith will return to the Board with new pricing. Roll call vote: Aye – Ward, Storer, DeNaeyer. The motion carried.

Carla Kimball and Judy Petersen, with Central Nebraska Economic Development District, and Greg, Tim, and Cindy Nollette, owners of Niobrara Valley Vineyards, met with the Board to discuss the CDBG Tourism Grant. Chairman Storer stated that the Cherry County Attorney and legal counsel for NDED had not coordinated to discuss the issues that the Board had raised at the previous meeting. Greg Nollette stated that Sandhills State Bank is listed in the MOU to verify that Niobrara Valley Vineyards has the matching funds required for the grant. The language contained in the FONSI-FFOR Notice was also discussed. Ward moved and Storer seconded to table agenda items 1-10 on the CDBG Tourism Grant to May 17, 2022 to a time determined by the Clerk to enable the Cherry County Attorney and Nebraska Department of Economic Development legal counsel to coordinate any questions and answers. Roll call vote: Aye – Storer, DeNaeyer, Ward. The motion carried.

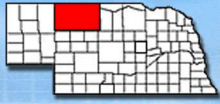
Superintendent Smith returned to the meeting to provide an update on the Lyons Bridge bid letting process and to inform the Board that the bid received from Straight Line Striping was still valid.

The Board reviewed the final Cooperative Forest Road Agreement between Cherry County and the USDA, Forest Service Nebraska National Forests and Grasslands to set forth the general terms and conditions for the cooperative planning, survey, design, construction, reconstruction, improvement, and maintenance of certain Forest Roads in Cherry County. A draft of the agreement was approved previously and the only difference noted between versions was a change from 30-days to 60-days written notice of termination. DeNaeyer moved and Ward seconded to sign the final agreement as presented. Roll call vote: Aye – DeNaeyer, Ward, Storer. The motion carried.

Judd Allen, NACO Benefit Services, met with the Board to provide and discuss a list of items required to provide a quote for health insurance coverage for Cherry County employees.

Cherry County Road Superintendent Kent Lopez updated the Board regarding a potential road department employee and to discuss replacing a guard rail on North Kilgore Road.

Cherry County Emergency Management Director Matt Sandoz informed the Board that iPads have been signed out to the road foremen to utilize NIC reporting software. The need to add an equipment maintenance reporting functionality for said software and the potential to interface the NIC reporting and ORION EM software were discussed. Director Sandoz stated that the county-wide



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fire ban will remain in place until significant moisture is received. Fire department mutual aid agreements and the utilization of radio channels were also discussed.

Director Sandoz informed the Board that uninterrupted power supply battery backup prices will be increasing May 1, 2022. Cherry County's UPS is currently considered end-of-life. The quotes previously received for said equipment were reviewed. No Board action was taken.

The Board recessed for lunch from 11:48 AM to 1:03 PM. No comments from the public were received during the allotted time.

Cherry County Treasurer Kathy Hammond spoke with the Board regarding the purchase of a new computer for her office and a large volume of work for Tiger Shredding. Treasurer Hammond will coordinate the installation of said computer with Director Sandoz. No Board action was required.

The Board discussed correspondence received from Bonnie Rothleutner regarding the closure of the Kilgore Post Office. It was stated that the Board has no actual authority but would like to be on record as supporting the Kilgore community in keeping their post office open. Storer moved and Ward seconded to send a letter of support regarding the Kilgore Post Office to the Postmaster General to read "The Cherry County Board of Commissioners encourages the United States Postal Service to reopen the lobby of the Kilgore, Nebraska Post Office, and reinstate services for the patrons of the Kilgore Community. Cherry County is a very rural, agriculture-based community and the basic service of the United States Postal Service is vital for day-to-day business to function. The closure of the lobby was understood to be temporary for the purpose of some remodeling. It has now been closer for over nine months. The nearest Post Office is over 17 miles away, creating a tremendous burden on the citizens of the Kilgore community and inhibiting vital commerce." Roll call vote: Aye – DeNaeyer, Ward, Storer. The motion carried.

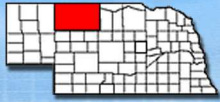
The Board reviewed the Noxious Weeds Reports and Requirements Summary for Cherry County received from the Nebraska Department of Agriculture. The report uses a scoring system to determine if a county is meeting the requirements of the Nebraska Noxious Weed Control Act. As indicated on the report, Cherry County has met the requirements set forth in the Act for 2021. DeNaeyer moved and Ward seconded to approve the Report and Requirements Summary and authorize the Chairman to sign. Roll call vote: Aye – Ward, Storer, DeNaeyer. The motion carried.

DeNaeyer moved and Ward seconded to approve claims. Roll call vote: Aye – Storer, DeNaeyer, Ward. The motion carried.

April 28, 2022

## CHERRY COUNTY CLAIMS LISTING

|  |                                 |              |              |
|--|---------------------------------|--------------|--------------|
| Claims were presented in the amount of                           | \$                              | 204,262.81   | .            |
| and disallowed in the amount of                                  | \$                              | -            | .            |
| A warrant was ordered drawn on the General Fund in the amount of |                                 |              | \$           |
|  |                                 |              | 204,262.81   |
| <b>GENERAL</b>   |                                 |              |              |
| AFLAC  | Withholdings/Insurance          | \$2,385.50   |              |
| Ameritas Life Insurance/Retirement                               | Withholdings/Retirement         | \$14,422.75  |              |
| Ameritas Life Insurance/Dental                                   | Withholdings/Insurance          | \$2,643.32   |              |
| Cherry County Health Account                                     | Health Claims Funding           | \$40,982.14  |              |
| Colonial Life  | Supplemental Insurance Premiums | \$4,364.30   |              |
| EFTPS  | Withholdings/Taxes              | \$25,342.31  |              |
| Journal Entry  | Refund Claim# 22048361          | (\$230.10)   |              |
| Legal Shield   | Services                        | \$27.90      |              |
| MassMutual   | Withholdings/Retirement         | \$100.00     |              |
| Meritain Health  | Health Insurance Premiums       | \$15,765.74  |              |
| NE Department of Revenue   | Withholdings/Taxes              | \$3,459.86   |              |
| Vision Service Plan  | Withholdings/Insurance          | \$540.45     |              |
| General Fund Payroll   | Gross Wages & Salaries          | \$126,896.12 |              |
| GROSS TOTAL  |                                 |              | \$236,700.29 |



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Adjustment for employees' share of withholdings (\$32,437.48)  
**NET TOTAL \$204,262.81**

Claims were presented in the amount of \$ **101,709.18** .  
 and disallowed in the amount of \$ - .  
 A warrant was ordered drawn on the Road Fund in the amount of \$ **101,709.18**

## ROAD

|                                    |   |                     |
|------------------------------------|---|---------------------|
| AFLAC                              | Withholdings/Insurance                          | \$1,459.85          |
| Ameritas Life Insurance/Retirement | Withholdings/Retirement                         | \$7,152.02          |
| Ameritas Life Insurance/Dental     | Withholdings/Insurance                          | \$1,165.04          |
| Assurity Life Insurance Company    | Withholdings/Insurance                          | \$14.50             |
| Cherry County Health Account       | Health Claim Funding                            | \$19,811.76         |
| Colonial Life                      | Supplemental Insurance Premiums                 | \$2,282.16          |
| EFTPS                              | Taxes/Withholdings                              | \$13,028.11         |
| Legal Shield                       | Services  | \$110.65            |
| MassMutual                         | Withholdings/Retirement                         | \$300.00            |
| Meritain Health                    | Health Insurance Premiums                       | \$7,973.10          |
| NE Department of Revenue           | Taxes/Withholdings                              | \$1,900.94          |
| Vision Service Plan                | Withholdings/Insurance                          | \$206.43            |
| Road Fund Payroll                  | Gross Wages & Salaries                          | \$63,573.39         |
|                                    | <b>GROSS TOTAL</b>                              | <b>\$118,977.95</b> |
|                                    | Adjustment for employees' share of withholdings | (\$17,268.77)       |
|                                    | <b>NET TOTAL</b>                                | <b>\$101,709.18</b> |

Claims were presented in the amount of \$ **5,673.25** .  
 and disallowed in the amount of \$ - .  
 A warrant was ordered drawn on the Visitor Promotion Fund in the amount of \$ **5,673.25**

## Visitor Promotion Fund

|                                    |   |                   |
|------------------------------------|---|-------------------|
| AFLAC                              | Withholdings/Insurance                          | 97.37             |
| Ameritas Life Insurance/Retirement | Withholdings/Retirement                         | \$425.02          |
| Ameritas Life Insurance/Dental     | Withholdings/Insurance                          | \$54.28           |
| EFTPS                              | Taxes/Withholdings                              | \$999.03          |
| NE Department of Revenue           | Taxes/Withholdings                              | \$115.20          |
| Vision Service Plan                | Withholdings/Insurance                          | \$28.17           |
| Visitors Promotion Fund Payroll    | Gross Salaries & Wages                          | \$5,043.98        |
|                                    | <b>GROSS TOTAL</b>                              | <b>\$6,763.05</b> |
|                                    | Adjustment for employees' share of withholdings | (\$1,089.80)      |
|                                    | <b>NET TOTAL</b>                                | <b>\$5,673.25</b> |

Claims were presented in the amount of \$ **17,988.89** .  
 and disallowed in the amount of \$ - .  
 A warrant was ordered drawn on the Health Claims Fund in the amount of \$ **17,988.89**

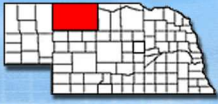
## HEALTH CLAIMS FUND

|                     |                         |                    |
|---------------------|-------------------------|--------------------|
| Cherry County Clerk | Health Insurance Claims | \$17,988.89        |
|                     | <b>TOTAL</b>            | <b>\$17,988.89</b> |

Claims were presented in the amount of \$ **13,591.91** .  
 and disallowed in the amount of \$ - .  
 A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ **13,591.91**

## EMERGENCY MANAGEMENT

|                                    |                                 |            |
|------------------------------------|---------------------------------|------------|
| Ameritas Life Insurance/Retirement | Withholdings/Retirement         | \$1,124.61 |
| Cherry County Health Account       | Health Claim Funding            | \$1,490.28 |
| Colonial Life                      | Supplemental Insurance Premiums | \$277.58   |



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|                                   |   |                    |
|-----------------------------------|---|--------------------|
| EFTPS                             | Taxes/Withholdings                              | \$2,160.82         |
| Meritain Health                   | Health Insurance Premiums                       | \$495.62           |
| NE Department of Revenue          | Taxes/Withholdings                              | \$338.76           |
| Vision Service Plan               | Withholdings/Insurance                          | \$28.17            |
| Emergency Management Fund Payroll | Gross Wages & Salaries                          | \$9,996.58         |
|                                   | GROSS TOTAL                                     | \$15,912.42        |
|                                   | Adjustment for employees' share of withholdings | (\$2,320.51)       |
|                                   | NET TOTAL                                       | <b>\$13,591.91</b> |

The Board recessed from 1:53 PM to 2:17 PM to attend the Investiture Ceremony for Debra Hand as Clerk Magistrate of the Cherry County Court.

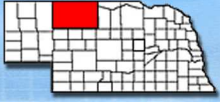
At 2:18 PM the Board recessed from regular session to convene as a Board of Equalization. At 2:39 PM the Board returned to regular session.

At 2:43 PM the Board recessed from regular session to convene as a Board of Corrections. At 2:46 PM the Board returned to regular session.

At 2:47 PM, with no further business to come before the Board, Chairman Storer declared the meeting adjourned.

***These minutes are not the official record and may be corrected. A copy of the approved, official minutes is available to the public in the Cherry County Clerk's Office.***

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# Cherry County Board Minutes



## BOARD OF EQUALIZATION MINUTES April 26, 2022

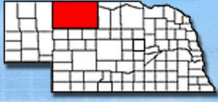
The Cherry County Board of Commissioners convened as a Board of Equalization on April 26, 2022 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice published April 13, 2022 in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. The meeting was called to order at 2:18 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, James Ward, Cherry County Clerk Brittny Petersen, Cherry County Assessor Betty Daugherty, and Cherry County Deputy Assessor Jackie Moreland. The Open Meetings Act Poster was acknowledged by Chairman Storer.

Assessor Daugherty provided information regarding a tax list correction due to a State audit for a homestead exemption for Parcel ID: 16000454. DeNaeyer moved and Ward seconded to approve tax list correction #2019-19 as presented by Assessor Daugherty and authorize the Chairman to sign. Roll call vote: Aye – DeNaeyer, Ward, Storer. The motion carried.

The process for permissive exemptions based on State regulations and the large influx of real estate transfers received by Cherry County were discussed.

At 2:39 PM Chairman Storer declared the meeting adjourned.

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# Cherry County Board Minutes



## BOARD OF CORRECTIONS MINUTES April 26, 2022

The Cherry County Board of Commissioners met as a Board of Corrections on April 26, 2022 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice published April 13, 2022 in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. The meeting was called to order at 2:43 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, James Ward, and Cherry County Clerk Brittny Petersen. The Open Meetings Act Poster was acknowledged by Chairman Storer.

The jail census, food service, and inmate work release were briefly discussed. No Board action was taken.

At 2:47 PM Chairman Storer declared the meeting adjourned.

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