

Cherry County Board Minutes



BOARD OF COMMISSIONERS MINUTES

May 17, 2022

The Cherry County Board of Commissioners convened in regular session on May 17, 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, and Cherry County Clerk Brittney Petersen. Commissioner James Ward had an excused absence. The Open Meetings Act Poster was acknowledged by Chairman Storer and the Pledge of Allegiance was recited.

The Cherry County Board of Commissioners meeting minutes from April 26, 2022 were read. DeNaeyer moved and Storer seconded to approve the minutes as read. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

The Cherry County Board of Equalization meeting minutes from April 26, 2022 were read. Storer moved and DeNaeyer seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, Storer. Absent – Ward. The motion carried.

The Cherry County Board of Corrections meeting minutes from April 26, 2022 were read. Storer moved and DeNaeyer seconded to approve the minutes as read. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

Spencer Thomas Novo Benefits Account Executive and Ray Meyer met with the Board to provide 2022-2023 health insurance renewal rates and to discuss plan design changes. The results of a recent survey sent to Cherry County employees currently enrolled on the health insurance, requirements/penalties for offering cash-in-lieu to employees, removal of preventive care limits and utilization, the potential benefits of an HSA, and coverage requirements if ACA grandfathered status is lost were also discussed. No Board action was taken.

The Board reviewed the final Road Project Agreement between Cherry County and the USDA, Forest Service, Nebraska National Forests & Grasslands for the mowing of County Road 5 Merritt Dam Road. A draft was previously approved for signatures. No Board action was required.

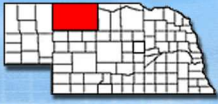
Cherry County Road Superintendent Kent Lopez spoke with the Board regarding routine road maintenance, patching work, and the potential purchase of a reclaimer.

Storer moved and DeNaeyer seconded to accept the resignation letter from Cherry County Weed Superintendent Barb Small and thank her for her service. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried. Advertising for the opening and an updated job description were discussed.

Cherry County Zoning Administrator Jessica Coyle provided information regarding Conditional Use Permit #001/22 as applied for by Snake River Founders LLC for temporary employee housing. The Cherry County Planning Commission recommended approval of the CUP. DeNaeyer moved and Storer seconded to set the time and date for the public hearing regarding CUP #001/22 – Snake River Founders LLC – Temporary Employee Housing for 11:00 AM on June 14, 2022. Roll call vote: Aye – DeNaeyer, Storer. Absent – Ward. The motion carried.

Storer moved and DeNaeyer seconded to set the public hearing time and date for 11:30 AM on June 14, 2022 for Application for Change of Location to Liquor License by Sharp's Outfitters LLC. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

Cherry County Emergency Management Director Matt Sandoz met with the Board to discuss grant information for an additional 5% from the 2019 disaster with Nebraska Department of Economic Development (NDED), GeoComm location services updates, emergency services provided by Civil Air Patrol in the Niobrara River Valley, SEAT plane usage and location, and FAA-required relocation of the Miller Field taxiway. Funding avenues for the taxiway relocation will be explored with Niobrara Council and U.S. Forest Service.



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The Board recessed for lunch from 12:01 PM to 1:08 PM.

There were no comments received from the public during the allotted time. Cherry County employee Jane Stolzenburg offered comments to the Board regarding the Colonial supplemental insurance.

Mike Bateman, Murphy Tractor & Equipment Co. Territory Sales Manager, informed the Board that the state bid on motor graders held by Murphy Tractor expires on June 23, 2022. Mr. Bateman provided information for machines purchased by several local counties.

Cherry County Highway Superintendent Lloyd Smith met with the Board to discuss correspondence received regarding wetlands delineation mapping for part of Kennedy Road to determine if the jurisdiction belongs to The Army Corps of Engineers or State of Nebraska DOR. An issue with a landowner along Kennedy Road regarding a fence was also discussed. It was a consensus of the Board to authorize Superintendent Smith to coordinate with Commissioner Ward and the landowner. Superintendent Smith informed the Board of plans that the State has to replace a bridge on Highway 12 crossing Minnechaduza Creek. The State is proposing a detour to accommodate truck traffic and will include the work for said detour in their contract. Superintendent Smith spoke with the Board regarding Marsh Lake Road. He stated that this is the fourth time he has researched said road and that there is no recorded right-of-way for Cherry County. His research included the Cherry County Road Record, numerical index for each section that is concerned and the 1994 maintenance classification map. Marsh Lake Road is classified as a low volume/low maintenance road and is on the state functional classification map, but that does not make it a county road because there is absolutely no recorded right-of-way.

Storer moved and DeNaeyer seconded to authorize wetlands delineation mapping for jurisdictional determination for Kennedy Road. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

At 2:30 PM DeNaeyer moved and Storer seconded to enter closed session, with the Board, Visitors Promotion Board members Greg Nollette and Rich Mercure, and Clerk Petersen to be present, for the purpose of discussing a potential real estate purchase. Roll call vote: Aye – DeNaeyer, Storer. Absent – Ward. The motion carried. At 2:54 PM Cherry County Attorney Eric Scott joined executive session. At 3:04 PM the meeting room doors were opened and the public was allowed to reenter the room. At 3:05 PM Storer moved and DeNaeyer seconded to return to open session. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

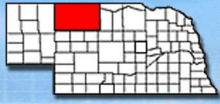
DeNaeyer moved and Storer seconded to authorize the Cherry County Attorney Eric Scott to negotiate the purchase of the lot south of the Visitor Center with funds to be used of the Visitors Improvement Fund, with half out of the Visitors Promotion Board's monies and half out of the Commissioners' monies. Roll call vote: Aye – Storer, DeNaeyer. Absent – Ward. The motion carried.

Judy Petersen and Carla Kimball, with Central Nebraska Economic Development District, Greg, Tim, and Cindy Nollette, owners of Niobrara Valley Vineyards, and Cherry County Attorney Eric Scott met with the Board to discuss the CDBG Tourism Grant documents. The Excessive Force Policy and Fair Housing Officer Appointment items were discussed at length with Attorney Scott. The adoption of said items would require Cherry County to mirror the federal government's policies and standards in the enforcement of the Civil Rights Act and that enforcement requirements could vary with every administration in power. The banking institution listed in the MOU and the grant payment process were also discussed. Steve Charleston, NDED Community Development Division Director, spoke with the Board regarding the wording contained in the FONSI-FFOR Notice. Wording changes in said Notice will be sent to NDED and Attorney Scott to approve prior to publication.

DeNaeyer moved and Storer seconded to approve the CDBG Tourism Grant documents as follows: Excessive Force Policy, Fair Housing Officer Appointment, General Administration Services, Federal Funding Accountability & Transparency Act Certification, Financial Management Certification, Procurement Procedures and Code of Conduct, Authorization to Request Funds, Memorandum of Understanding, FONSI-FFOR Notice, CNEDD General Administration Contract. Roll call vote: Aye – DeNaeyer, Storer. Absent – Ward. The motion carried. Any portion of a record that is public, including the previously listed CDBG documents, are available to view or copy by request in the Cherry County Clerk's Office during regular business hours.

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

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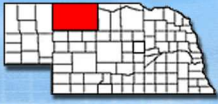


CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	95,808.73	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$		95,808.73

GENERAL

Applied Connective Technologies	Services	\$3,077.62
Ryan Benjamin	Reimbursement	\$50.00
Black Hills Chemical	Supplies	\$793.23
Michael Borders	Services	\$2,715.14
Brown County Clerk	Services	\$1,473.43
Buckles Fuel Service	Services	\$205.00
Central Valley AG Cooperative	Supplies	\$1,064.46
CenturyLink	Telephone Service	\$186.72
CenturyLink	Telephone Service	\$1,722.48
Cherry County Court	Court Fees	\$287.00
Cherry County District Court	Court Fees	\$177.00
Cherry County Hospital	Services	\$11,267.20
Cherry County Sheriff	Services	\$658.21
Cherry County Treasurer	Bank Fees	\$5.00
Clearly Communications	Telephone Service	\$294.44
Contryman Associates PC	Services	\$12,700.00
DAS State Accounting 6506	Services	\$448.00
DAS State Accounting 6507	Services	\$224.70
DAS State Accountg Central Finance	Supplies	\$25.00
Design Specialties	Services	\$798.00
DH Construction/Doug Hesse	Services	\$171.38
Dish Network	Services	\$132.06
Election Systems & Software	Supplies	\$5,157.43
Fairfield Inn & Suites	Lodging	\$96.00
Firstnet/AT&T Mobility	Telephone Service	\$652.13
Galls	Supplies	\$551.47
Pat Greenough	Reimbursement	\$100.00
Heart City Drug	Supplies	\$173.95
Henderson's IGA	Supplies	\$743.67
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,116.63
MARCO Technologies	Services	\$177.29
Microfilm Imaging Systems	Services	\$136.00
Midwest Special Services	Services	\$585.25
MIPS	Services	\$2,946.26
NACO	Dues/Fees/Training	\$25.00
Nextoner, LLC	Services	\$92.59
Niobrara Valley Consultants	Supplies	\$3.00
NK Waste Management	Services	\$184.00
Northeast NE Area Agency on Aging	Services	\$1,849.00
Office Products	Supplies	\$4,982.53
Outback Screenprinting & Embroidery	Supplies	\$458.00
Paper Tiger Shredding	Services	\$524.50
PIP Marketing Signs Print	Supplies	\$1,098.35
Platte Valley Communications	Services	\$5,224.15
Presto X	Services	\$85.00
Quadient Leasing USA	Services	\$1,303.72
Quadient Finance USA	Services	\$4,500.00



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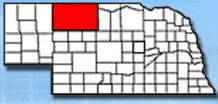
Ron's Quik Lube	Services	\$304.80
Sandhill Oil Company	Services	\$643.38
Eric Scott	Clerical Salary/Rent/Telephone/Equipment	\$8,674.64
Scotty's Ranchland Foods	Supplies	\$388.44
Cardmember Service	Supplies	\$53.70
Sennett, Duncan, Jenkins & Wickham PC	Services	\$1,660.07
Samuel Spain	Services	\$50.00
True Value	Supplies	\$15.97
US Cellular	Services	\$88.14
Valentine Midland News	Services	\$2,516.89
City of Valentine	Utilities	\$3,871.73
Ward Plumbing & Heating	Services	\$570.60
Western Oil/Conoco	Fuel/Car Wash	\$10.00
Wex Fleet Universal	Fuel	\$2,718.38
	TOTAL	\$95,808.73

Claims were presented in the amount of \$ **207,406.46**
and disallowed in the amount of \$ _____

A warrant was ordered drawn on the Road Fund in the amount of \$ **207,406.46**

ROAD

Applied Connective Technologies	Services	\$37.50
Ashby Lumber Company	Services	\$52.95
Bacon Repair	Services	\$3,154.75
Bomgaars	Supplies	\$1,393.65
Buckles Fuel Service, Inc	Services	\$8,873.10
Central Valley AG Cooperative	Services	\$8,900.01
Cherry County Implement	Supplies	\$123.12
Circle K Motor Company	Services	\$39,734.34
Cody Oil Company	Services	\$23.00
Consolidated Telephone	Services	\$298.98
Crossroads Auto Repair Specialists	Services	\$1,383.00
Custer Public Power District	Services	\$168.18
D/W Machine & Manufacturing	Services	\$510.00
DAS State Accounting 6507	Services	\$27.70
DAS State Acctg Central Finance	Services	\$100.00
Dooley Oil Inc	Services	\$1,192.30
Great Plains Communications	Services	\$213.90
Grimm's Pump & Industrial Supply	Services	\$914.84
Handyman Hardware	Services	\$21.28
Hometown Lumber & Construction Inc	Supplies	\$15.68
Huskerland Communications	Services	\$29.98
Inland Truck Parts Company	Services	\$2,060.14
KBR Rural Public Power District	Utilities	\$345.94
KL Wood & Company LLC	Services	\$42,348.90
Lawson Products	Supplies	\$338.76
Martin Auto Parts II	Supplies	\$19.39
Mathis Equipment	Services	\$47.00
Medical Enterprises Inc	Supplies	\$110.00
Menards	Supplies	\$57.91
Village of Merriman	Services	\$61.26
Metropolitan Compounds Inc	Services	\$445.60
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$27.23
Neal Oil & Auto Center Inc	Services	\$920.00



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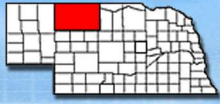


Nebraska Dept of Correctional Service	Services	\$39,240.30
Nebraska Public Power District	Services	\$47.03
Nebraska Truck Center	Supplies	\$405.74
Newman Signs Inc/Traffic Signs	Supplies	\$3,143.92
Office Products Center	Supplies	\$307.16
The Parts Company	Supplies	\$748.20
Perrett Construction LTD	Services	\$1,102.79
Petty Cash	Reimbursement	\$20.00
Pit Stall	Services	\$7,771.08
Plus One Industries	Services	\$20,000.00
Powerplan	Services	\$2,476.32
PREMA	Services	\$102.12
R Kruger Extinguishers	Services	\$1,033.30
Reese Inc	Services	\$1,768.60
Sandhill Oil Company Inc	Services	\$9,423.40
Security First Bank	Services	\$3,985.21
Unitech Inc	Supplies	\$159.00
US Cellular	Services	\$72.26
Valentine Medical Clinic	Services	\$180.00
City of Valentine	Services	\$1,279.64
Western Oil Inc/Conoco	Services	\$10.00
	TOTAL	\$207,406.46

Claims were presented in the amount of	\$	7,525.87	.
and disallowed in the amount of			.
A warrant was ordered drawn on the Emergency Bridge Fund in the amount of	\$	7,525.87	
Emergency Bridge			
Mainelli Wagner & Associates	Services	\$	1,742.90
Niobrara Valley Consultants	Services	\$	5,782.97
	TOTAL		\$7,525.87

Claims were presented in the amount of	\$	3,251.41	.
and disallowed in the amount of			.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of	\$	3,251.41	
VISITOR PROMOTION			
Cherry County Visitors Promo Board	Reimbursement		\$65.67
Great Plains Communications	Services		\$181.94
Henderson's IGA Inc	Supplies		\$96.10
Hollman Media LLC	Services		\$410.00
NK Waste Management	Services		\$89.00
Regina Osburn	Reimbursement		\$281.95
Valentine Rotary Club	Dues/Fees/Training		\$102.00
City of Valentine	Services		\$344.22
4imprint	Services		\$1,680.53
	TOTAL		\$3,251.41

Claims were presented in the amount of	\$	8,560.11	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of	\$	8,560.11	
EMPLOYEE HEALTH INSURANCE CLAIMS			
Cherry County Clerk	Health Insurance Claims	\$	8,560.11
	TOTAL	\$	8,560.11



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Claims were presented in the amount of	\$	823.24	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Veterans Aid Fund in the amount of			\$	823.24
Veteran Aid Fund				
Cherry County Veteran's Aid		Services	\$	823.24
		TOTAL	\$	823.24

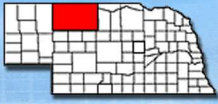
Claims were presented in the amount of	\$	8,649.31	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$	8,649.31
BOOKMOBILE				
Valentine Public Library		Bookmobile		\$8,649.31
		TOTAL	\$	8,649.31

Claims were presented in the amount of	\$	27,003.63	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Disaster Fund in the amount of			\$	27,003.63
DISASTER FUND				
BOKF,NA		Interest Payment		\$27,003.63
		TOTAL		\$27,003.63

Claims were presented in the amount of	\$	100,941.75	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Covid American Rescue Plan Fund in the amount of			\$	100,941.75
COVID ARPF				
Motorola Solutions Inc		Services		\$98,721.75
Platte Valley Communications Inc		Services		\$2,220.00
		TOTAL		\$100,941.75

Claims were presented in the amount of	\$	4,505.40	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	4,505.40
EMERGENCY MANAGEMENT				
Applied Connective Technologies		Services		\$3,493.03
CenturyLink		Services		\$241.34
Galls		Services		\$271.04
Henderson's IGA		Supplies		\$49.79
Journal Entry		Refund		(\$5.00)
KBR Rural Public Power District		Services		\$90.17
Office Products		Supplies		\$88.14
PREMA		Services		\$197.76
Matt Sandoz		Reimbursement		\$79.13
		TOTAL		\$4,505.40

Claims were presented in the amount of	\$	28,592.99	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of			\$	28,592.99
INHERITANCE TAX				
Contryman Associates		Services		\$15,000.00
Houghton Bradford Whitted PC		Services		\$13,592.99
		TOTAL		\$28,592.99



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Claims were presented in the amount of	\$	102.44	.	
and disallowed in the amount of	\$	-		
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$	102.44
911 EMERGENCY SERVICES (2910)				
Century Link		Services		\$41.94
Geo Comm Inc		Services		\$100.71
Great Plains Communications Inc		Services		\$30.09
Journal Entry		Refund		(\$226.72)
OPTK Networks		Services		\$156.42
		TOTAL		\$102.44

Claims were presented in the amount of	\$	537.75	.	
and disallowed in the amount of	\$	-		
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of			\$	537.75
911 WIRELESS SERVICE (2913)				
CenturyLink		Services		\$220.15
Geo Comm Inc		Services		\$528.71
Great Plains Communications Inc		Services		\$157.99
Journal Entry		Refund		(\$1,190.28)
OPTK Networks		Services		\$821.18
		TOTAL		\$537.75

At 4:58 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.

