

# BOARD OF COMMISSIONERS MINUTES

## March 14, 2023

The Cherry County Board of Commissioners convened in regular session on March 14, 2023 in the 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 DeNaeyer. Roll call was taken. Present for the meeting were Cherry County Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, and Cherry County Clerk Brittny Longcor. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer and the Pledge of Allegiance was recited.

The Board of Commissioners meeting minutes from February 28, 2023 were read. McConaughy moved and Nelson seconded to approve the minutes as corrected. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

The Board of Equalization meeting minutes from February 28, 2023 were read. DeNaeyer moved and McConaughy seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

The Board of Corrections meeting minutes from February 28, 2023 were read. Nelson moved and McConaughy seconded to approve the minutes as read. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

The Board reviewed the Clerk of the District Court fee report for February 2023, Treasurer's fund balance listing for February 28, 2023, Operating Statement report of budget vs. actual spending for February 28, 2023, Cherry County Visitors Promotion Board minutes from February 7, 2023, and the Cherry County Hospital Balance Sheets & Financial Report from January 31, 2023.

Cherry County Veterans' Memorial Committee members, Don Nelsen and Bob Stetter, were present to provide an update to the Board regarding the Memorial Park project. There will be six new flagpoles placed, with brass plaques for each. The Committee requested permission to place a brass plaque on the existing flagpole and will return to update the Board prior to completion of the project.

CNEDD Deputy Director Carla Kimball met with the Board to provide information about the process for paying invoices and requesting funds from the Community Development Block Grant Program for the grant previously awarded to Cherry County to benefit Niobrara Valley Vineyards. Niobrara Valley Vineyards co-owner Greg Nollette updated the Board regarding construction progress for the project and matching funds. Nelson moved and McConaughy seconded to approve the Authorization to Request Grant Funds for Grant Number 21TD0001. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

Cherry County Highway Superintendent Lloyd Smith presented the Board with an agreement from Mark Kovar District 8 Engineer for a State Highway detour onto County Roads. The State will be replacing the bridge over the Minnechaduza Creek on Highway 12. The State will build the detour route to their standards, reimburse the County for maintenance, and the designated route will be returned to its prior condition upon completion of the Project. Local traffic not following the detour route was also discussed. McConaughy moved and Nelson seconded to accept Agreement No. XL2305 State of Nebraska, Department of Transportation Project No. STP-12-2(106) Minnechaduza Creek Bridge – State Highway Detour. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

Cherry County Treasurer Kathy Hammond certified to the Board that on the 6<sup>th</sup> day of March 2023, all delinquent real estate taxes in Cherry County were offered for public auction. There were 26 parcels for sale totaling \$23,661.02. 20 parcels sold for \$23,233.26, leaving 6 parcels not sold for \$437.76.

Superintendent Smith presented the Board with Requests to Occupy County Right-of-Way from CenturyLink to construct fiberoptic cables & enclosures and telecommunications utilities along and crossing Berry Bridge Road on

the Fort Niobrara National Wildlife Refuge. DeNaeyer moved and Nelson seconded to Approve the Requests to Occupy County Right-of-Way submitted by CenturyLink. Roll call vote: Aye - McConaughy, Nelson, DeNaeyer. The motion carried.

Superintendent Smith and Greg Nollette spoke with the Board regarding a private road that provides access for several landowners and access to Niobrara Valley Vineyards. Increased truck traffic on the road has accelerated deterioration. Commissioner McConaughy will check into the issue.

Commissioner Nelson reported that she had attended a NIRMA webinar hosted by Woods Aitken employment law attorneys, Pam Bourne and Ashley Connell, regarding employee handbooks and best employment practices and is interested in services offered to review the County's handbook. The Board spoke with Pam Bourne via telephone regarding said services. An estimate of \$3,000 was provided to review, revise, and include compliance with state and federal law for the handbook. The timeline and process for handbook revision was discussed. McConaughy moved and Nelson seconded to have NIRMA attorney Pam Bourne revise the Cherry County Employee Handbook. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

Cherry County Emergency Management Director Matt Sandoz updated the Board regarding the recent widespread school shooter hoax, Motorola dispatch consoles project, upcoming Weather Service trainings, grants, and the relocation of the SEAT plane to Ainsworth.

The Board recessed for lunch from 12:13 PM to 1:00 PM.

Comments from the public were received during the allotted time.

Cherry County Road Superintendent Doug Boyer updated the Board regarding surplus equipment he would like to sell on Purple Wave, a signing workshop put on by NIRMA, restructuring the pay scale to add another tier for assistant shop foreman, equipment repairs, and road maintenance.

Cherry County Hospital Board of Trustees member, Deanna Scott, met with the Board to provide an update regarding their most recent meeting.

Bids were opened for one (1) used wheel loader with minimum specifications or approved equal to a 2000 or newer with 6,000 hours or less.

- 1.) Murphy Tractor & Equipment Co. submitted a bid totaling \$139,526 (\$160,526 - \$21,000 rental) for a 2018 John Deere 624K-II wheel loader with 5,916 hours.
- 2.) Murphy Tractor & Equipment Co. submitted a bid totaling \$253,500 for a new 2023 John Deere 624P wheel loader.
- 3.) NMC, Inc. submitted a bid totaling \$256,500 for a 2015 Caterpillar 950M wheel loader with 2,637 hours.
- 4.) NMC, Inc. submitted a bid totaling \$170,000 for a 2019 Caterpillar 938M wheel loader with 8,560 hours.

Commissioner McConaughy stated that he would like to wait to purchase a wheel loader until next fiscal year and solicit bids for a new machine. McConaughy moved and DeNaeyer seconded to reject all bids. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

Bids were opened for one (1) 2011 or newer AWD motor grader with 6,000 hours or less.

- 1.) Murphy Tractor & Equipment Co. submitted a bid totaling \$106,993 (\$140,743 - \$33,750 rental) for a 2011 John Deere 672G motor grader with 5,463 hours.
- 2.) Murphy Tractor & Equipment Co. submitted a bid totaling \$381,003 for a new 2023 John Deere 772G motor grader.
- 3.) NMC, Inc. submitted a bid totaling \$196,540 (\$210,000 - \$13,460 rental) for a 2016 Caterpillar 12M3 motor grader with 3,412 hours.

Nelson moved and DeNaeyer seconded to award the bid to Murphy Tractor & Equipment Co. for a 2011 John Deere 672G motor grader in the amount of \$106,993 to be paid with LATCF money. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

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

March 14, 2023  
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	85,711.94	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$

**GENERAL**

Anderson Electric Inc	Services	\$1,658.72
Applied Connective Technologies	Services	\$5,589.07
Black Hills Chemical	Services	\$734.50
Boarders Inn & Suites	Lodging	\$288.00
Bomgaars	Supplies	\$122.73
Michael S Borders	Services	\$3,756.66
Boyd's Network Solutions	Services	\$1,710.00
Clint Burney	Services	\$40.61
Central Plains Valuation LLC	Services	\$10,000.00
Central Valley Ag Coop	Supplies	\$3,197.51
Centurylink	Telephone Service	\$187.59
Centurylink	Telephone Service	\$1,771.30
Cherry County Court	Services	\$221.00
Cherry County Hospital	Services	\$6,095.00
Cherry County Sheriff	Services	\$158.38
Cherry County Treasurer	Bank Fees	\$5.00
Clearly Communications	Telephone Service	\$317.49
Consolidated Management Company	Services	\$59.05
DAS State Accounting 6506	Services	\$448.00
DAS State Accounting 6507	Services	\$83.54
Dawson County Sheriff's Office	Services	\$18.69
Lorana Eggert	Reimbursement	\$419.93
Equature/DSS Corporation	Services	\$1,174.00
Firstnet/AT&T	Services	\$652.13
Michelle Garwood	Reimbursement	\$627.49
Government Forms & Supplies	Supplies	\$99.54
Grant County Sheriff	Services	\$65.00
Pat Greenough	Reimbursement	\$100.00
GRP & Associates	Services	\$111.00
Hall County Sheriff	Services	\$8.74
Stephen Hamling	Services	\$50.00
Hampton Inn Kearney	Lodging	\$160.55
Timothy Hanson	Reimbursement	\$2,636.75
Edward Heinert	Reimbursement	\$23.58
Henderson's IGA	Supplies	\$162.42
Interstate All Battery Center	Services	\$137.00
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,185.47
Lancaster County Sheriff's Office	Services	\$18.69
Dave Leonard	Reimbursement	\$220.00
Lifeguard MD Inc	Services	\$202.00

Lincoln County Sheriff	Services	\$18.86
Angie Lincoln	Reimbursement	\$26.20
Vince Lopez	Services	\$300.00
Microfilm Imaging Systems	Services	\$136.00
Midwest Connect	Services	\$105.00
Midwest Portland LLC	Services	\$843.26
MIPS	Services	\$3,166.75
NACO	Services	\$105.00
Nebraska Assn of County Clerks	Dues/Fees/Training	\$50.00
Nebraska Law Enforcement Training	Dues/Fees/Training	\$20.20
Nebraska Safety & Fire Equip	Services	\$1,285.50
NK Waste Management	Services	\$368.00
NPZA	Services	\$110.00
Office Products	Supplies	\$3,442.26
Petty Cash	Reimbursement	\$123.60
Pit Stall	Services	\$95.17
Platte Valley Communications	Services	\$250.00
Presto X	Services	\$96.05
Quadient Finance USA	Services	\$1,546.78
Ramada Columbus Hotel & Conference	Lodging	\$192.00
Region 4 Behavioral Health System	Services	\$5,390.25
Sandhill Oil Co	Supplies	\$1,873.80
Eric Scott	Clerical Salary/Rent/Telephone/Equipment	\$8,580.92
Scotty's Ranchland Foods	Supplies	\$94.09
Cardmember Service	Supplies	\$291.63
Sirchie	Services	\$100.15
Samuel Spain	Services	\$150.00
True Value	Supplies	\$19.76
UNL Lincoln	Services	\$1,200.00
US Cellular	Services	\$88.64
Valentine Midland News	Services	\$1,469.86
City of Valentine	Utilities	\$4,368.91
Ward Plumbing & Heating	Services	\$499.04
Western Oil/Conoco	Fuel/Car Wash	\$10.00
Wex Bank	Fuel	\$1,456.65
Laura Willert	Reimbursement	\$35.37
Wrenched Tire & Auto LLC	Services	\$265.11
3S Fabrication & Repair LLC	Services	\$20.00

Total **\$85,711.94**

Claims were presented in the amount of	\$	<b>203,128.86</b>	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$ <b>203,128.86</b>

**ROAD**

AKRS Equipment	Supplies	\$1,932.59
Andersen & Sons NAPA Auto Parts	Supplies	\$1,019.18
Big Boy Tools & Services	Services	\$135.00
Earl Blizzard	Reimbursement	\$188.92
Bomgaars	Supplies	\$570.36
Boyd's Network Solutions	Services	\$2,575.00
Jordan Buechle	Reimbursement	\$165.06
Cherry County Clinic	Services	\$244.60

Cherry County Implement	Services	\$38.28
Village of Cody	Services	\$106.70
Consolidated Telephone	Services	\$303.30
Custer Public Power District	Services	\$208.54
Daly Enterprises	Services	\$34.40
Danielski Farms	Services	\$36,308.27
DAS State Accounting Central Finance	Services	\$27.70
Dooley Oil	Services	\$1,360.05
Great Plains Communications	Services	\$213.90
Heart City Lock & Key	Services	\$5.00
Hinn's Gordon Auto Supply	Services	\$802.08
Huskerland Communications LLC	Services	\$229.98
Inland Truck Parts Company	Services	\$68.84
Interstate Battery System	Services	\$269.90
J&J Trailer Sales LLC	Services	\$75.56
KBR Rural Public Power District	Services	\$572.88
Kimball Midwest	Services	\$474.34
Medical Enterprises Inc	Services	\$105.00
Village of Merriman	Services	\$63.21
Midwest Petroleum	Services	\$851.38
Mills Hardware	Services	\$499.00
Mips Inc	Services	\$180.00
Modern Farm Equipment Corporation	Services	\$450.29
Mullen Auto & Diesel	Services	\$50.09
Murphy Tractor & Equipment Company	Services	\$13,750.00
Nebraska Machinery Company	Services	\$20,424.51
Nebraska Public Power District	Services	\$93.22
Niobrara Valley Consultants	Services	\$2,437.50
Office Products Center	Supplies	\$61.53
J.D. Osburn	Reimbursement	\$144.44
The Parts Company	Supplies	\$567.04
Perrett Construction	Services	\$682.35
Pit Stall	Services	\$359.94
Pomp's Tire Service Inc	Services	\$2,986.00
Powerplan	Services	\$30,999.08
Prema	Services	\$124.54
Reese Inc	Services	\$3,868.04
Kay Reese	Reimbursement	\$29.97
Sahling Kenworth Kearney	Services	\$2,118.67
Sandhill Oil Company Inc	Services	\$62,410.63
Sandhills Ranch Supply	Services	\$1,411.62
Security First Bank	Services	\$3,985.21
Sturdevant's Auto Parts	Supplies	\$48.32
City of Valentine	Services	\$1,455.85
Village of Thedford	Services	\$424.00
Western Oil Inc	Services	\$10.00
3S Fabrication & Repair	Services	\$4,607.00
	<b>TOTAL</b>	<b>\$203,128.86</b>

Claims were presented in the amount of	\$	1,707.58	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$
<b>VISITOR PROMOTION</b>			<b>1,707.58</b>

Great Plains Communications	Services	\$181.83
Tony Hanson	Services	\$75.00
J&J K Lawn	Services	\$143.00
Regina Osburn	Reimbursement	\$930.90
City of Valentine	Services	\$376.85
	<b>TOTAL</b>	<b>\$1,707.58</b>

Claims were presented in the amount of \$ 27,563.73 .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of \$ 27,563.73

**EMPLOYEE HEALTH INSURANCE CLAIMS**

Cherry County Clerk	Health Insurance Claims	\$27,563.73
	<b>TOTAL</b>	<b>\$27,563.73</b>

Claims were presented in the amount of \$ 9,427.08 .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Bookmobile Fund in the amount of \$ 9,427.08

**BOOKMOBILE**

Valentine Public Library	Bookmobile	\$9,427.08
	<b>TOTAL</b>	<b>\$ 9,427.08</b>

Claims were presented in the amount of \$ 165,435.57 .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Grant Fund in the amount of \$ 165,435.57

**GRANT FUND**

Central Nebraska Economic Dev Dist	Administration	\$10,540.00
Niobrara Valley Vineyards LLC	Grant	\$154,895.57
	<b>TOTAL</b>	<b>\$165,435.57</b>

Claims were presented in the amount of \$ 38,723.27 .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Covid American Rescue Plan Fund in the amount of \$ 38,723.27

**COVID ARPF**

Senior Services Inc	Services	\$38,723.27
	<b>TOTAL</b>	<b>\$38,723.27</b>

Claims were presented in the amount of \$ 1,187.64 .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ 1,187.64

**EMERGENCY MANAGEMENT**

Capital One Trade Credit	Services	\$212.81
Centurylink	Services	\$247.68
Henderson's IGA	Supplies	\$57.98
KBR Rural Public Power District	Services	\$92.83
Nebraska Assn/Emergency MGMT	Services	\$110.00
Niobrara Valley Consultants	Services	\$18.00
Outback Screenprinting & Embroidery	Services	\$66.00
Platte Valley Communications	Services	\$164.16
Prema	Services	\$218.18
	<b>TOTAL</b>	<b>\$1,187.64</b>

Claims were presented in the amount of \$ 4,121.99 .  
and disallowed in the amount of \$ - .

A warrant was ordered drawn on the Inheritance Tax Fund in the amount of		\$	<b>4,121.99</b>
<b>INHERITANCE TAX</b>			
Houghton Bradford Whitted PC	Services		\$3,309.49
Mainelli Wagner & Associates	Services		\$812.50
	<b>TOTAL</b>		<b>\$4,121.99</b>

Claims were presented in the amount of	\$	<b>2,090.49</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of		\$	<b>2,090.49</b>
<b>911 EMERGENCY SERVICES (2910)</b>			

Boyd's Network Solutions	Services		\$1,023.21
Equature/DSS Corporation	Services		\$704.40
Geo-Comm Inc	Services		\$188.82
Great Plains Communications Inc	Services		\$27.42
OPTK Networks	Services		\$146.64
	<b>TOTAL</b>		<b>\$2,090.49</b>

Claims were presented in the amount of	\$	<b>11,846.19</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of		\$	<b>11,846.19</b>
<b>911 WIRELESS SERVICE (2913)</b>			

Boyd's Network Solutions	Services		\$5,798.21
Equature/DSS Corporation	Services		\$3,991.60
Geo-Comm Inc	Services		\$1,070.02
Great Plains Communications Inc	Services		\$155.40
OPTK Networks	Services		\$830.96
	<b>TOTAL</b>		<b>\$11,846.19</b>

Claims were presented in the amount of	\$	<b>965.27</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Courthouse (Special Building) Fund in the amount of		\$	<b>965.27</b>
<b>Courthouse (Special Building)</b>			

Johnson Controls Inc	Services		\$965.27
	<b>TOTAL</b>		<b>\$965.27</b>

At 2:21 PM, with no further business to come before the Board, Chairman DeNaeyer 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.***