

# BOARD OF COMMISSIONERS MINUTES

## April 11, 2023

The Cherry County Board of Commissioners convened in regular session on April 11, 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 March 28, 2023 were read. DeNaeyer moved and McConaughy seconded to approve the minutes as read. Roll call vote: Aye - DeNaeyer, McConaughy. Abstain – Nelson. The motion carried.

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

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

Clerk Longcor provided background information regarding the fees for public records. DeNaeyer moved and Nelson seconded to change the charge for digital/electronic public records from \$15 to free. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

DeNaeyer moved and McConaughy seconded to reappoint Edward Heinert to the Cherry County Extension Board – District 6 for a term set to expire December 31, 2025. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

The Board reviewed a list of people from which the Extension Board would like to make its recommendation for filling the District 3 vacancy. McConaughy moved and Nelson seconded to approve the Cherry County Extension Board – District 3 candidate list. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

Cherry County Highway Superintendent Lloyd Smith updated the Board regarding available millings, armor coat project bid letting for N. Kilgore Rd and N. Cody Rd, and that signs have been ordered for Borman Bridge Rd.

McConaughy moved and DeNaeyer seconded to approve the Cherry County Road Shop Manager job description. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried. Payroll change notices for promotions and merit-based increases were reviewed and signed by the Board. Commissioner McConaughy stated that he would like to purchase rock trailers with some of the LATCF money.

At 10:46 AM, McConaughy moved and DeNaeyer seconded to enter closed session for the purpose of updating and discussing current and future litigation and strategy regarding the Snake River/EPA matter with the Board, County Attorney Eric Scott, Superintendent Smith, and Clerk Longcor to be present. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried. Chairman DeNaeyer restated the limitation of subject matter of the closed session to be updating and discussing current and future litigation and strategy regarding the Snake River/EPA matter.

At 11:32 AM the meeting room doors were opened and the public was allowed to reenter. At 11:33 AM DeNaeyer moved and McConaughy seconded to return to open session. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

McConaughy moved and Nelson seconded to enter into the Mainelli Wagner Associates, Inc. Consultant Contract for phases 1-3 and designate Chairman DeNaeyer to sign said contract. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. Regarding the alleged EPA violation, Mr. Scott. stated that hopefully both parties will come to an agreement to avoid court, but the legal process cannot be avoided.

Cherry County Hospital Board of Trustees member, Deanna Scott, updated the Board regarding their most recent meeting and special meeting.

The Board recessed for lunch from 12:00 PM to 1:02 PM.

The Board received comments from the public during the allotted time. Josh Whipple provided the Board with liability insurance & mine license information and rock freight prices.

The Board met with Valentine City Council President Kyle Arganbright via Zoom, Cherry County Visitors Promotion Board, and Cherry County Tourism Director Regina Osburn to discuss a collaboration between the City of Valentine and Cherry County/Cherry County Visitors Promotion concerning the idea of a joint project for a wellness & convention center. The project would involve a feasibility study engaging an architect and a contractor; to include clear design & cost estimates, a financing plan, and community input prior to any further commitments from either subdivision.

At 1:28 PM Nelson moved and DeNaeyer seconded to enter closed session for the purpose of discussing potential real estate purchases and/or strategy regarding potential real estate purchases with the Board; County Attorney Eric Scott; Clerk Longcor; Visitors Promotion Board members, Greg Nollette, Rich Mercure, Anne Clark; Tourism Director Regina Osburn, and City Council President Kyle Arganbright to be present. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried. Chairman DeNaeyer restated the limitation of subject matter of the closed session to be the discussion of potential real estate purchases and/or strategy regarding potential real estate purchases. At 1:45 PM Commissioner McConaughy was excused for the remainder of the meeting. At 1:57 PM City Council President Arganbright exited the closed session.

At 2:07 PM the meeting room doors were opened and the public was allowed to reenter. At 2:08 PM DeNaeyer moved and Nelson seconded to return to open session. Roll call vote: Aye – Nelson, DeNaeyer. Absent – McConaughy. The motion carried.

Nelson moved and DeNaeyer seconded to authorize the Cherry County Visitors Promotion Board to proceed with partnering on a project feasibility study with the City of Valentine. Roll call vote: Aye – Nelson, DeNaeyer. Absent – McConaughy. The motion carried.

There was no Emergency Management update due to the McCann Canyon Fire.

There was no Board action taken on the agenda item regarding the Regroup Mass Notification Subscription Agreement and it will be added to the next regular meeting agenda.

The Board reviewed the Clerk of the District Court fee report for March 2023, Treasurer's fund balance listing for March 31, 2023, Operating Statement report of budget vs. actual spending for March 31, 2023, and correspondence from NDOT regarding the Merritt Reservoir North project.

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

April 11, 2023  
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	60,293.28	
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the General Fund in the amount of			\$ 60,293.28

**GENERAL**

Ainsworth Star Journal	Services	\$78.00
Black Hills Chemical	Services	\$85.39
Central Valley Ag Coop	Supplies	\$3,245.35
Centurylink	Telephone Service	\$181.05
Centurylink	Telephone Service	\$1,764.65
Cherry County Clinic	Services	\$329.70
Cherry County Court	Services	\$222.00
Cherry County District Court	Services	\$36.00
Cherry County Hospital	Services	\$6,793.50
Cherry County Sheriff	Services	\$431.82
Cherry County Treasurer	Bank Fees	\$5.00
Clearly Communications	Telephone Service	\$316.10
Cornhusker State Industries	Supplies	\$1,524.00
Jessica Coyle	Reimbursement	\$636.33
Crowne Plaza/IHG Hotel	Lodging	\$674.75
DAS State Accounting 6506	Services	\$448.00
DAS State Accounting 6507	Services	\$83.54
Firstnet/AT&T	Services	\$652.13
Michelle Garwood	Reimbursement	\$78.33
Government Forms & Supplies	Supplies	\$98.00
Pat Greenough	Reimbursement	\$100.00
Kathy Hammond	Reimbursement	\$183.40
Timothy Hanson	Reimbursement	\$2,636.75
Henderson's IGA	Supplies	\$382.05
Holiday Inn Express-Lexington	Lodging	\$196.00
Johnson Controls Inc	Services	\$2,033.00
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,144.28
Dave Leonard	Reimbursement	\$218.17
Lifeguard MD Inc	Services	\$202.00
Brittney Longcor	Reimbursement	\$174.23
Vince Lopez	Services	\$150.00
Marco Technologies	Services	\$22.62
Microfilm Imaging Systems	Services	\$136.00
Midwest Radar & Equipment	Services	\$120.00
Midwest Special Services	Services	\$504.14
MIPS	Services	\$3,145.75
NE Clerks of District Court ASSN	Dues/Fees/Training	\$75.00
NACEB	Dues/Fees/Training	\$140.00
Nebraska ASSN of County Treasurers	Dues/Fees/Training	\$150.00
Nebraska Department of Revenue	Services	\$1,300.00
NK Waste Management	Services	\$184.00
North Platte Telegraph	Services	\$79.66
North Star Electric	Services	\$542.15
Office Products	Supplies	\$1,676.83
Paper Tiger Shredding	Services	\$50.00

Petty Cash	Reimbursement	\$65.00
Presto X	Services	\$96.05
Quadient Finance USA	Services	\$2,700.00
Quill Corporation	Services	\$26.87
Region IV	Services	\$2,626.00
Ron's Quik Lube	Services	\$218.45
Sandhill Oil Co	Supplies	\$1,689.92
Eric Scott	Clerical Salary/Rent/Telephone/Equipment	\$4,408.00
Scotty's Ranchland Foods	Supplies	\$237.96
Cardmember Service	Supplies	\$372.24
Sennett, Duncan, Jenkins & Wickham	Services	\$4,468.94
Samuel Spain	Services	\$300.00
UNL Panhandle Research	Services	\$449.11
US Cellular	Services	\$177.28
Valentine Dental Clinic II	Services	\$197.25
City of Valentine	Utilities	\$4,160.76
Western Oil/Conoco	Fuel/Car Wash	\$161.90
Wex Bank	Fuel	\$1,707.88
	Total	<b>\$60,293.28</b>

Claims were presented in the amount of \$ 155,569.85  
and disallowed in the amount of \$ -  
A warrant was ordered drawn on the Road Fund in the amount of \$ 155,569.85

**ROAD**

Ameritas Life Insurance Corp	Withholdings/Retirement	\$395.98
Andersen & Sons NAPA Auto Parts	Supplies	\$152.77
Andy's Glass Shop	Services	\$90.00
Bacon Repair	Services	\$11,768.11
Baum Hydraulics Corporation	Supplies	\$221.55
Bomgaars	Supplies	\$1,861.94
Central Valley Ag Cooperative	Supplies	\$5,001.76
Cody Oil	Services	\$1,138.20
Consolidated Telephone	Services	\$303.30
Crossroads Auto Repair Specialists	Services	\$46.98
Custer Public Power District	Services	\$177.23
D&L Sand & Gravel	Services	\$200.00
Danielski Farms	Services	\$1,236.38
DAS State Accounting Central Finance	Services	\$27.70
Dooley Oil	Services	\$2,190.25
EFTPS (Federal Tax Payment)	Taxes/Withholdings	\$643.86
Emerson Equipment	Services	\$350.52
Great Plains Communications	Services	\$213.90
Hometown Lumber & Construction Inc	Supplies	\$251.00
Independent Salt Co	Services	\$1,050.92
Inland Truck Parts Company	Services	\$7,752.09
Interstate Battery System	Services	\$1,079.60
J&J Trailer Sales LLC	Services	\$24.50
KBR Rural Public Power District	Services	\$623.46
Kimball Midwest	Services	\$3,289.97
Roland Lamle	Gross Wages	\$3,519.88
Martin Auto Parts II	Services	\$110.22
Bentz Kenyon McWhirter	Reimbursement	\$18.52
Menards	Supplies	\$662.35

Village of Merriman	Services	\$62.23
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$77.32
Village of Mullen	Services	\$129.00
Murphy Tractor & Equipment Company	Services	\$20,500.00
Nebraska Department of Revenue	Taxes/Withholdings	\$92.11
Nebraska Machinery Company	Services	\$24,372.98
Nebraska Motor Fuels Division	Services	\$1,286.00
Nebraska Public Power District	Services	\$121.08
NK Waste Management	Services	\$345.00
Northern Safety Co	Supplies	\$572.04
Office Products Center	Supplies	\$67.05
The Parts Company	Supplies	\$430.54
Perrett Construction	Services	\$568.69
Pit Stall	Services	\$1,954.05
Powerplan	Services	\$13,190.15
Prema	Services	\$129.06
Quadient Finance USA	Services	\$300.00
Reese Inc	Services	\$3,241.26
Sahling Kenworth Kearney	Services	\$704.71
Sandhill Oil Company Inc	Services	\$33,670.80
Sandhills Ranch Supply	Services	\$302.41
Security First Bank	Services	\$3,985.21
Sheridan County Journal Star	Services	\$63.00
Truck Center Companies	Services	\$183.05
US Cellular	Services	\$145.52
City of Valentine	Services	\$1,244.92
Vander Haag's Inc	Services	\$528.21
Western Oil Inc	Services	\$10.00
3S Fabrication & Repair	Services	\$3,335.61
	Adjustment for employees' share of withholdings	(\$625.09)
	<b>TOTAL</b>	<b>\$155,569.85</b>

Claims were presented in the amount of	\$	2,263.76	.
and disallowed in the amount of			.
A warrant was ordered drawn on the Emergency Bridge Fund in the amount of	\$	2,263.76	
<b>Emergency Bridge</b>			
Niobrara Valley Consultants	Services	\$	2,263.76
	<b>TOTAL</b>		<b>\$2,263.76</b>

Claims were presented in the amount of	\$	3,387.26	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of	\$	3,387.26	

**VISITOR PROMOTION**

Cherry County Visitors Promo Board	Reimbursement	\$10.45
Great Plains Communications	Services	\$182.57
Nebraska Travel Association	Services	\$125.00
Norfolk Daily News	Services	\$505.00
Valentine Chamber of Commerce	Services	\$2,200.00
City of Valentine	Services	\$364.24
	<b>TOTAL</b>	<b>\$3,387.26</b>

Claims were presented in the amount of	\$	11,603.41	.
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and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of			\$	<b>11,603.41</b>
<b>EMPLOYEE HEALTH INSURANCE CLAIMS</b>				
Cherry County Clerk		Health Insurance Claims		\$11,603.41
		<b>TOTAL</b>		<b>\$11,603.41</b>
Claims were presented in the amount of	\$	<b>10,001.08</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$	<b>10,001.08</b>
<b>BOOKMOBILE</b>				
Thomas County Library		Bookmobile	\$	574.00
Valentine Public Library		Bookmobile		\$9,427.08
		<b>TOTAL</b>	\$	<b>10,001.08</b>
Claims were presented in the amount of	\$	<b>106,993.00</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Grant Fund in the amount of			\$	<b>106,993.00</b>
<b>GRANT FUND</b>				
Murphy Tractor & Equipment		Services		\$106,993.00
		<b>TOTAL</b>		<b>\$106,993.00</b>
Claims were presented in the amount of	\$	<b>9,060.00</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Covid American Rescue Plan Fund in the amount of			\$	<b>9,060.00</b>
<b>COVID ARPF</b>				
Platte Valley Communications		Services		\$9,060.00
		<b>TOTAL</b>		<b>\$9,060.00</b>
Claims were presented in the amount of	\$	<b>2,111.80</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	<b>2,111.80</b>
<b>EMERGENCY MANAGEMENT</b>				
Bomgaars		Supplies		\$255.99
Centurylink		Services		\$257.74
Grant Writing USA		Services		\$495.00
KBR Rural Public Power District		Services		\$96.95
Prema		Services		\$226.86
John Ravenscroft		Services		\$200.00
Matt Sandoz		Reimbursement		\$540.28
True Value		Supplies		\$38.98
		<b>TOTAL</b>		<b>\$2,111.80</b>
Claims were presented in the amount of	\$	<b>3,795.00</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of			\$	<b>3,795.00</b>
<b>INHERITANCE TAX</b>				
Houghton Bradford Whitted PC		Services		\$3,795.00
		<b>TOTAL</b>		<b>\$3,795.00</b>
Claims were presented in the amount of	\$	<b>27.42</b>	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$	<b>27.42</b>
<b>911 EMERGENCY SERVICES (2910)</b>				

Great Plains Communications Inc	Services	\$27.42
	<b>TOTAL</b>	<b>\$27.42</b>

Claims were presented in the amount of	\$	155.40	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of		\$	<b>155.40</b>

**911 WIRELESS SERVICE (2913)**

Great Plains Communications Inc	Services	\$155.40
	<b>TOTAL</b>	<b>\$155.40</b>

At 2:50 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.***

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