

BOARD OF COMMISSIONERS MINUTES

May 30, 2023

The Cherry County Board of Commissioners convened in regular session on May 30, 2023 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 10:02 a.m. 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 May 9, 2023 were read. McConaughy moved and Nelson moved to approve the minute as read. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

Building & Grounds Superintendent Pat Greenough met with the Board to provide an update regarding the sprinkler system, Justice Center roof repair, completion of the highway project and sod installation adjacent to the Courthouse, to discuss an area of grass in front of the ballot drop box, and the upcoming budget for salaries.

Cherry County Road Supervisor Doug Boyer updated the Board regarding road maintenance work, that material samples have been sent in for testing, prices of oil, remaining fiscal year spending authority, and the hours worked due to severe weather and road conditions that occurring during the preceding winter.

McConaughy moved and Nelson seconded to give the three road foremen and the road supervisor a \$5,000 bonus, per individual, for the excessive amounts of overtime worked during the 2022-2023 winter season, due to extreme weather conditions. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried. The Board expressed their gratitude to the road crews for the hard work and long hours put in during the preceding winter.

A list of road department items to be declared as surplus was reviewed. No Board action was taken pending additional items to be added to the list.

At 11:07 AM Chairman DeNaeyer closed the acceptance of bids for the 2023 Armor Coat Project. Cherry County Highway Superintendent Lloyd Smith informed the Board that, in addition to the publication requirements for the project, he had also sent notice to 11 contractors. Sealed bids were opened for the 2023 Armor Coat Project, Cherry County, Nebraska. The contract provides for approximately: Alternate 1: North Cody Road 28,364 SY 12,156' (feet) x 21' (foot) wide, Alternate 2: North Kilgore Road 95,878 SY 32,440' (feet) x 26.6' (foot) average width. Bids were received as follows:

- | | | | |
|---------------------------|-----------|--------------------|--------------------|
| 1.) Figgins Construction | \$.58 SY | Alt 1. \$16,451.12 | Alt 2. \$55,609.24 |
| 2.) Topkote Inc. | \$.38 SY | Alt 1. \$10,778.32 | Alt 2. \$36,433.64 |
| 3.) Sta-Bilt Construction | \$.97 SY | Alt 1. \$27,513.08 | Alt 2. \$93,001.66 |

McConaughy moved and DeNaeyer seconded to award the bid to Topkote Inc. for the 2023 Armor Coat Project, Alternate 1. North Cody Road and Alternate 2. North Kilgore Road. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

Superintendent Smith spoke with the Board regarding a public records request for Anderson Bridge Road correspondence and that he will seek guidance from the County Attorney regarding any disclosable records.

The Board spoke with Woods Aitken LLP attorney, Ashley Connell, via telephone regarding the Cherry County Employee Handbook. Issues discussed included the FMLA defined 12-month period, gap time vs. compensatory time, vacation and sick leave calculation rates, and harassment-free workplace reporting. No Board action was taken on the employee handbook revision agenda item.

The Board recessed for lunch from 12:22 p.m. to 1:07 p.m. Comments from the public were received during the allotted time.

The Board reviewed the Cherry County Hospital Balance Sheets and Financial Report from March 31, 2023 and written correspondence from Bill Ward. The Board acknowledged receipt of Virginia Lee's resignation from the Cherry County Hospital Board of Trustees effective after the June 27, 2023 Board of Trustees meeting.

The Board recessed from regular session to convene as a Board of Equalization from 1:15 p.m. to 1:24 p.m.

No Board action was taken on the agenda item regarding the GIS Tab Subscriptions.

Superintendent Smith spoke with the Board regarding the performance of a load rating on Anderson Bridge and several private road issues throughout the county.

The Board recessed from regular session to convene as a Board of Corrections from 1:34 p.m. to 2:30 p.m.

Dennis Maggart, Mike Boden, and Judd Allen met with the Board to discuss the Cherry County employee health insurance renewal through NACO Blue Cross Blue Shield and McInnes Group. Aggregating and specific deductible options, plan year totals, stop loss company options, and renewal timing were discussed. No Board action was taken on the Cherry County employee health insurance renewal agenda item.

Emergency Management Director Matt Sandoz and Deputy Emergency Manager Jessica Coyle updated the Board regarding the McCann Canyon Fire paperwork, tornado alert system test, SEAT plane, and EM Facebook page.

Zoning Administrator Jessica Coyle updated the Board regarding the Planning Commission's upcoming TK Angus CUP public hearing, notices sent to landowners, and the timing of the Commissioners' public hearing after the Planning Commission provides a recommendation.

Clerk Longcor provided background information regarding payments received from the Department of the Interior. Cherry County received \$77,769.32 from the Forest Reserve Fund and \$ 8.92 from the Public Grazing Fund. DeNaeyer moved and Nelson seconded to adopt Resolution #2023-4 Forest Reserve Funds Distribution to give one-fifth to the Road Fund and the remainder to the Bookmobile Fund. Roll call vote: Aye – McConaughey, Nelson, DeNaeyer. The motion carried. McConaughey moved and Nelson seconded to adopt Resolution #2023-5 Public Grazing Funds Distribution 2023. Roll call vote: Aye – Nelson, DeNaeyer, McConaughey. The motion carried.

DeNaeyer moved and McConaughey seconded to approve the Cherry County Extension Board – District 3 candidate list. Roll call vote: Aye – DeNaeyer, McConaughey, Nelson. The motion carried.

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

May 31, 2023 CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	117,174.73	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$		117,174.73
GENERAL FUND			
AFLAC	Withholdings/Insurance		\$2,639.50
Ameritas Life Insurance/Retirement	Withholdings/Retirement		\$17,703.89
Ameritas Life Insurance/Dental	Withholdings/Insurance		\$2,754.06
Blue Cross Blue Shield	Health Insurance Funding		\$1,980.00

Cherry County Health Account	Health Claims Funding	\$36,634.96
EFTPS	Withholdings/Taxes	\$31,977.13
HM Life Insurance Company	Health Insurance Funding	\$11,907.72
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$3,386.00
NE Department of Revenue	Withholdings/Taxes	\$4,853.20
Eric Scott Law	Clerical Salary/Rent/Telephone/Equipment	\$8,409.08
Vision Service Plan	Withholdings/Insurance	\$480.46
General Fund Payroll	Gross Wages & Salaries	\$156,187.13
	GROSS TOTAL	\$278,913.13
	Adjustment for employees' share of withholdings	(\$39,012.40)
	NET TOTAL	\$117,174.73

Claims were presented in the amount of \$ **124,623.64** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Road Fund in the amount of \$ **124,623.64**

ROAD FUND

AFLAC	Withholdings/Insurance	\$1,530.96
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$9,640.60
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,172.76
Assurity Life Insurance Company	Withholdings/Insurance	\$14.50
Blue Cross Blue Shield	Health Claim Funding	\$880.00
Cherry County Health Account	Health Claim Funding	\$16,994.44
EFTPS	Taxes/Withholdings	\$18,486.64
HM Life Insurance Company	Health Claim Funding	\$5,430.84
Legal Shield	Services	\$101.70
MassMutual	Withholdings/Retirement	\$300.00
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$1,300.00
NE Department of Revenue	Taxes/Withholdings	\$2,983.28
Vision Service Plan	Withholdings/Insurance	\$158.60
Road Fund Payroll	Gross Wages & Salaries	\$88,118.11
	GROSS TOTAL	\$147,112.43
	Adjustment for employees' share of withholdings	(\$22,488.79)
	NET TOTAL	\$124,623.64

Claims were presented in the amount of \$ **4,310.24** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Visitors Promotion Fund in the amount of \$ **4,310.24**

VISITORS PROMOTION FUND

AFLAC	Withholdings/Insurance	97.37
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$425.02
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$56.46
EFTPS	Taxes/Withholdings	\$784.33
NE Department of Revenue	Taxes/Withholdings	\$105.41
Vision Service Plan	Withholdings/Insurance	\$28.17
Visitors Promotion Fund Payroll	Gross Wages & Salaries	\$3,777.98
	GROSS TOTAL	\$5,274.74
	Adjustment for employees' share of withholdings	(\$964.50)
	NET TOTAL	\$4,310.24

Claims were presented in the amount of \$ **11,497.87** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ **11,497.87**

EMERGENCY MANAGEMENT FUND

Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$754.23
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$112.92
Blue Cross Blue Shield	Health Claim Funding	\$110.00
Cherry County Health Account	Health Claim Funding	\$2,835.92
EFTPS	Taxes/Withholdings	\$1,309.62
HM Life Insurance Company	Health Claim Funding	\$845.40
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$200.00
NE Department of Revenue	Taxes/Withholdings	\$195.78
Vision Service Plan	Withholdings/Insurance	\$28.17
Emergency Management Fund Payroll	Gross Wages & Salaries	\$6,704.28

GROSS TOTAL \$13,096.32

Adjustment for employees' share of withholdings (\$1,598.45)

NET TOTAL \$11,497.87

Claims were presented in the amount of	\$	43,500.00	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of	\$	43,500.00	

INHERITANCE TAX

Circle K Motors Company	Services	\$43,500.00
	TOTAL	\$43,500.00

The Board discussed the Courthouse hours, the possibility of adding an additional postage machine, and reviewed and signed Payroll Change Notices for merit-based increases for two Cherry County Road employees.

At 4:45 p.m., 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.

BOARD OF EQUALIZATION MINUTES

May 30, 2023

The Cherry County Board of Commissioners convened as a Board of Equalization on May 30, 2023 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice published May 10, 2023 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 1:15 PM by Chairman DeNaeyer. Roll call was taken. Present for the meeting were Cherry County Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, Cherry County Clerk Brittny Longcor, Cherry County Treasurer Kathy Hammond, and Cherry County Deputy Assessor Andrea Andre. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

Deputy Assessor Andre provided information for a tax list correction due to a data entry duplication. Nelson moved and DeNaeyer seconded to approve tax list correction #2022-8 Property ID: 160665832-PP. Roll call vote: Aye – Nelson, McConaughy. Abstain – DeNaeyer. The motion carried.

There wasn't an update of assessment actions for the 2023 tax year.

Assessor Hammond presented an application for exemption from motor vehicle taxes by qualifying nonprofit organizations. Nelson moved and McConaughy seconded to approve the Application for Exemption from Sandhills Church of Hope for a 2002 GMC van. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

At 1:24 PM Chairman DeNaeyer declared the meeting adjourned.

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BOARD OF CORRECTIONS MINUTES

May 30, 2023

The Cherry County Board of Commissioners convened as a Board of Corrections on May 30, 2023 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice published May 10, 2023 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 1:34 PM by Chairman DeNaeyer. Roll call was taken. Present for the meeting were Cherry County Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, Cherry County Clerk Brittny Longcor, and Cherry County Justice Center Administrator Sharon Hesse. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

Administrator Hesse updated the Board regarding the jail and staff census. The Justice Center pay scale, hiring and retention incentives, and workforce ideas were also discussed. Sheriff Rusty Osburn met with the Board to discuss the potential of adding deputy sheriff positions with the intent for them to work some hours in the jail. The Board requested Administrator Hesse to conduct staff performance evaluations and return to the Board with wage increase suggestions. No Board action was taken.

At 2:30 PM Chairman DeNaeyer declared the meeting adjourned.

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