

BOARD OF COMMISSIONERS MINUTES

March 12, 2024

The Cherry County Board of Commissioners convened in regular session on March 12, 2024 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 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 regular meeting minutes from February 27, 2024 were read. Nelson moved and DeNaeyer seconded to approve the minutes as read. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

The Board of Equalization meeting minutes from February 27, 2024 were read. Nelson 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 27, 2024 were read. McConaughy moved and Nelson seconded to approve the minutes as corrected. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

At 10:17 a.m. Chairman DeNaeyer opened the public hearing regarding the One- & Six-Year Highway Improvement Program. Highway Superintendent Lloyd Smith and Road Supervisor Doug Boyer reviewed planned projects throughout the county and projects completed since last spring. The Board discussed millings for S Eli Rd and some changes to the plans to include the addition of armor coat projects for Skull Lake Rd in District 1 and Merritt Dam Rd in District 3. There were no comments received from the public during the hearing. At 10:34 a.m. Chairman DeNaeyer closed the hearing. Nelson moved and DeNaeyer seconded to adopt Resolution #2024-01 to approve the plan as amended. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

Supervisor Boyer updated the Board regarding Road Department participation in County Government Day, improvements in road conditions, oil mix formula efficacy, ordering road signs, and equipment.

At 10:45 a.m. the meeting was moved to the Sheriff's Conference Room for the remainder of the meeting.

County Treasurer Kathy Hammond certified to the Board that on the 4th day of March 2024 all delinquent real estate taxes in Cherry County were offered for public auction. There were 32 parcels for sale totaling \$36,538.28. 16 parcels sold for \$32,584.50, leaving 16 parcels not sold for \$3,953.78. The decrease in investors present at the sale due to recent legislative changes and actions taken by Treasurer Hammond to notify owners of real estate with delinquent taxes were also discussed.

DeNaeyer reported regarding the KPCC Board meeting held on March 11th. The KPCC Board conducted their reorganization, reviewed bylaws, and discussed funding and contribution percentages.

At 11:00 a.m. Chairman DeNaeyer opened the public hearing regarding CUP #005/23 Billie Brockley and Mike Wescott – RV/Tent Camping Park. Interim Zoning Administrator Jessica Coyle reported that the Planning Commission had voted 4-2 to recommend approval of the application.

Applicants Billie Brockley and Mike Wescott provided historical information for the campground, discussed some items contained in the application, and answered questions from the Board. Planned operational details, restricting campfires to designated contained areas, access roads, and sharing costs for a privacy fence with an adjoining landowner were also discussed.

Sherri Bacon and Marla Shelbourn, Planning Commission members present at the hearing, were asked to offer their input regarding the CUP. Approximately four individuals provided oral testimony during the public hearing including: Jane Stolzenburg, Shane Daniels, Katrina Haase, and Roscoe Haase. Written testimony was submitted prior to the public hearing by Mark Kovar. At 11:35 a.m. Chairman DeNaeyer closed the public hearing.

DeNaeyer moved to approve and adopt Zoning Resolution #Z-94. The Board and County Attorney Eric Scott discussed what conditions for approval would be appropriate and within the Board's authority. The motion died for lack of a second.

The Board discussed time needed for research prior to voting on the CUP. McConaughey moved and Nelson seconded to table Zoning Resolution #Z-94 until March 26, 2024 at 11:00 a.m. Roll call vote: Aye – DeNaeyer, McConaughey, Nelson. The motion carried.

Emergency Management Director Jessica Coyle updated the Board regarding PSAP funds, recent wildfires, a disaster declaration, a SolaCom tech will be on-site next week, North Central 911 meeting will be held on March 21st, 911 call mapping, and upcoming participation in the school's standard reunification training.

Interim Administrator Coyle reported that the Planning Commission had voted 7-0 to recommend approval of CUP #002/24 Grant Moreland – Commercial Welding Shop. DeNaeyer moved and McConaughey seconded to set the time and date for the public hearing regarding CUP #002/24 Grant Moreland – Commercial Welding Shop to be held on April 9, 2024 at 10:15 a.m. in the Commissioners' Meeting Room. Roll call vote: Aye – McConaughey, Nelson, DeNaeyer. The motion carried.

A draft Zoning Administrator job description, office hours, work hours required, and current salary were discussed.

The Board recessed from 12:22 p.m. to 1:02 p.m.

Comments from the public were received during the allotted time. Ann Warren submitted written material to the Board.

Sheriff Rusty Osburn met with the Board to discuss purchasing a patrol vehicle. State bid prices, miles on vehicles, and the switching of communications equipment between different makes of vehicles were discussed. It was a consensus of the Board to authorize Sheriff Osburn to proceed with shopping for a patrol vehicle.

The Board reviewed the Clerk of District Court fee report for February 2024, Treasurer's fund balance listing for February 29, 2024, and Operating Statement report of budget v. actual spending for February 29, 2024.

Property Tax Administrator Sarah Scott met with the Board, County Assessor Jackie Moreland, and County Attorney Eric Scott to discuss a report issued in accordance with Neb. Rev. Stat. § 77-1330, regarding the statutory compliance of the Cherry County Assessor's Office. Assessor Moreland presented a 10-Step Action Plan to meet statutory requirements and be in compliance. Sarah Scott reviewed issues, findings, and corrective measures contained in the report. Monthly reporting, upcoming statutory deadlines, assistance from the Property Assessment Division, and resources required to implement corrective measures were discussed. No Board action was taken.

The Board discussed the Zoning Administrator position with interim Administrator Coyle and Mr. Scott. DeNaeyer moved and Nelson seconded to adopt the Cherry County Planning & Zoning Administrator job description as presented by Jessica Coyle. Roll call vote: Aye – Nelson, DeNaeyer, McConaughey. The motion carried.

Nelson moved and McConaughey seconded to set the Zoning Administrator office hours to be on Tuesdays and Thursdays from 8:30 a.m. – 4:30 p.m. plus additional hours as required in the job description, the salary to be \$20,975 per year, and for the position to remain part-time, salaried, exempt. Roll call vote: Aye – DeNaeyer, McConaughey,

Nelson. The motion carried. Advertising for the position was discussed and applications for the position are to be submitted to the Clerk's Office.

At 2:05 p.m. Chairman DeNaeyer closed the acceptance of bids for the Northwest Wing Extension – Bridge COE1605905P. Sealed bids were opened for the material and labor for the installation of an extension to the northwest wing for an existing 23'-9 wide by 60'-0 long single span bridge. Bids were received as follows:

- 1.) Norfolk Contracting, Inc. \$90,645.00
- 2.) Kea Constructors \$205,053.36

Highway Superintendent Smith was present to answer questions from the Board and confirmed that both companies have done satisfactory work for Cherry County in the past. DeNaeyer moved and McConaughey seconded to accept the bid from Norfolk Contracting, Inc. totaling \$90,645 for the northwest wing extension of the Seneca Rd Bridge over the North Loup River (Structure COE1605905P). Roll call vote: Aye – McConaughey, Nelson, DeNaeyer. The motion carried.

Mike Bateman, Murphy Tractor Territory Sales Manager, informed the Board that Murphy Tractor has the state bid for all-wheel-drive motor graders that expires later this year. Production lead times were also discussed.

Mid-Plains Community College (MPCC) President Ryan Purdy, MPCC Vice President of Administrative Services Mike Steele, and MPCC Valentine Campus Administrator Jennifer Edson met with the Board, County Attorney Eric Scott, Tourism Director Regina Osburn, and members of the Visitors Promotion Board to discuss the possibility of adding a convention center onto the existing MPCC building. Estimated construction costs, a convention center concept drawing, ownership structure, funding, and comparable facilities within the MPCC network were discussed. The Board informally agreed to move forward with the exploratory phase of the proposed convention center project.

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

March 12, 2024 CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$		60,426.00
and disallowed in the amount of	\$		-
A warrant was ordered drawn on the General Fund in the amount of			\$ 60,426.00
GENERAL			
Ainsworth Star Journal		Services	\$193.20
Anderson Electric Inc		Services	\$1,153.60
Applied Connective Technologies		Services	\$4,744.10
Black Hills Chemical		Services	\$335.67
Bomgaars		Supplies	\$40.48
Buckles Fuel Service		Services	\$93.02
Aisha Carr		Services	\$1,253.75
Centurylink		Telephone Service	\$208.14
Centurylink		Telephone Service	\$1,829.46
Cherry County Court		Services	\$255.00
Cherry County District Court		Services	\$36.00
Cherry County Hospital		Services	\$5,607.50
Cherry County Sheriff		Services	\$6.00
Cherry County Treasurer		Bank Fees	\$5.00
Clearly Communications		Telephone Service	\$320.10
Comfort Inn		Lodging	\$193.70
Crowne Plaza/IHG Hotel		Lodging	\$189.00

DAS State Accounting 6506	Services	\$537.60
DAS State Accounting 6507	Services	\$220.55
Daugherty Construction	Services	\$250.00
Journal Entry	Void ck# 24023224	(\$40.00)
Firstnet/AT&T	Services	\$652.13
Galls Parent Holdings	Supplies	\$146.51
Michelle Garwood	Reimbursement	\$218.42
Grafix Shoppe	Services	\$638.22
Pat Greenough	Reimbursement	\$100.00
GRP	Services	\$58.00
Kathy Hammond	Reimbursement	\$177.55
Hampton Inn	Lodging	\$170.10
Timothy Hanson	Equipment	\$2,636.75
Heart City Lock and Key	Services	\$290.00
Heart City Plumbing	Services	\$471.85
Henderson's IGA	Supplies	\$99.83
Interstate All Battery Center	Supplies	\$149.10
Isoclima Specialty Glass	Services	\$1,030.14
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,259.47
Dave Leonard	Reimbursement	\$329.51
Mellette County	Services	\$1,139.00
Microfilm Imaging Systems	Services	\$136.00
Midplains Community College	Services	\$390.00
MIPS	Services	\$3,177.62
NACO	Dues/Fees/Trainings	\$50.00
NACO Planning and Zoning	Dues/Fees/Trainings	\$40.00
Nebraska Assn of County Assessors	Dues/Fees/Trainings	\$75.00
Nebraska Assn of County Clerks	Dues/Fees/Trainings	\$50.00
Nebraska Extension-UNL	Services	\$1,200.00
Nebraska Planning & Zoning	Dues/Fees/Trainings	\$235.00
Nebraska Safety & Fire Equip	Services	\$295.00
Nebraska State Patrol	Services	\$58.00
Nebraska Weed Control Association	Dues/Fees/Trainings	\$150.00
NK Waste Management	Services	\$184.00
NPZA	Services	\$365.00
Office Products	Supplies	\$1,153.66
Outback Screenprinting & Embroidery	Supplies	\$425.75
Paper Tiger Shredding	Services	\$55.00
The Parts Company	Supplies	\$9.48
PIP Marketing Signs Print	Services	\$1,213.75
Pit Stall	Services	\$109.66
Platte Valley Communications	Services	\$750.00
Presto X	Services	\$103.73
Quadient Leasing USA	Services	\$175.52
Quadient Finance USA	Services	\$2,200.00
Radiology Services	Services	\$174.38
Reese Inc	Services	\$818.35
Sandhill Oil Co	Supplies	\$415.99
Eric Scott Law Office	Clerical Salary/Rent/Telephone/Equipment	\$5,356.46
Scotty's Ranchland Foods	Supplies	\$103.91
True Value	Supplies	\$135.69
UNL Panhandle Research & Extension	Services	\$422.78
US Cellular	Services	\$61.14

Valentine Dental Clinic LLC	Services	\$124.50
Valentine Midland News	Services	\$2,918.21
City of Valentine	Utilities	\$5,360.10
Ward Plumbing & Heating	Services	\$25.00
West Central Dist Assessor's Assn	Dues/Fees/Trainings	\$25.00
Western Oil Inc	Services	\$51.77
Wex Bank	Services	\$1,832.10
	Total	\$60,426.00

Claims were presented in the amount of	\$	91,895.21	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$

ROAD

Bacon Repair	Services	\$1,820.62
Bomgaars	Supplies	\$1,254.56
Buche Hardware	Supplies	\$264.91
Buckles Fuel Service	Services	\$80.00
Central Nebraska Bobcat	Services	\$11.12
Cherry County Implement	Services	\$451.06
Cody Oil	Services	\$2,349.84
Village of Cody	Services	\$157.10
Collier, Brent	Reimbursement	\$140.01
Consolidated Telephone	Services	\$327.43
Crowne Plaza/IHG Hotel	Lodging	\$144.95
Custer Public Power District	Services	\$189.18
DAS State Accounting Central Finance	Services	\$27.70
Garrett Egger	Reimbursement	\$250.00
Galaway Field Repair LLC	Services	\$2,569.76
Grainger	Services	\$288.36
Great Plains Communications	Services	\$320.87
Grimm's Pump & Industrial Supply	Services	\$70.26
Hampton Trucking	Services	\$3,960.00
Hoef's Skidloader Works LLC	Services	\$4,735.00
Interstate Battery System	Services	\$623.80
KBR Rural Public Power District	Services	\$418.13
Kimball Midwest	Services	\$608.41
L&L Gravel	Services	\$19,750.00
MARC/Mid American Research Chemical	Services	\$1,180.00
Bentz Kenyon McWhirter	Reimbursement	\$56.38
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$2,099.16
Village of Mullen	Services	\$144.00
Nebraska Machinery Company	Services	\$1,501.71
Nebraska Public Power District	Services	\$93.21
Nebraska Truck Center	Services	\$969.80
Niobrara Valley Consultants	Services	\$2,700.00
NK Waste Management Inc	Services	\$115.00
Office Products Center	Supplies	\$25.52
J.D. Osburn	Reimbursement	\$240.70
The Parts Company	Services	\$819.11
Terry Pearman	Reimbursement	\$426.00
Perrett Construction	Services	\$2,195.28
Pit Stall Inc	Services	\$1,064.85

Powerplan	Services	\$4,217.63
Prema	Services	\$204.09
Quadient Finance USA	Services	\$50.00
Rau Repair	Services	\$1,609.00
Reese Inc	Services	\$2,317.81
Sandhill Oil Company	Services	\$14,185.96
Sandhills Ranch Supply	Supplies	\$275.02
Select Parts Inc	Supplies	\$742.53
Surplus Center	Supplies	\$789.86
Brye Szakacs	Reimbursement	\$240.58
US Cellular	Services	\$105.79
City of Valentine	Services	\$1,479.31
Vander Haag's Inc	Services	\$588.34
Western Oil Inc	Services	\$30.00
3S Fabrication & Repair	Services	\$10,435.50
	TOTAL	\$91,895.21

Claims were presented in the amount of \$ 4,039.61 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of \$ 4,039.61

VISITOR PROMOTION

Cherry Street Rentals LLC	Services	\$1,020.00
Great Plains Communication	Services	\$179.35
Tony Hanson	Services	\$150.00
John Michalek/K-Lawn	Services	\$155.00
Regina Osburn	Reimbursement	\$1,635.93
Scotty's Ranchland Foods	Services	\$200.00
Valentine Chamber of Commerce	Services	\$300.00
City of Valentine	Services	\$399.33
	TOTAL	\$4,039.61

Claims were presented in the amount of \$ 13,215.62 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Employee Health Insurance Claims Fund in the amount of \$ 13,215.62

EMPLOYEE HEALTH INSURANCE CLAIMS

Cherry County Clerk	Health Insurance Claims	\$13,215.62
	TOTAL	\$13,215.62

Claims were presented in the amount of \$ 9,709.89 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Bookmobile Fund in the amount of \$ 9,709.89

BOOKMOBILE

Valentine Public Library	Bookmobile	\$9,709.89
	TOTAL	\$ 9,709.89

Claims were presented in the amount of \$ 1,668.39 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ 1,668.39

EMERGENCY MANAGEMENT

Century Link	Services	\$260.47
Jessica Coyle	Reimbursement	\$533.08
KBR Rural Public Power	Services	\$92.14

KSDZ & KDJL	Services	\$300.00
Office Products	Supplies	\$45.68
Prema	Services	\$261.02
Valentine Midland News	Services	\$176.00
	TOTAL	\$1,668.39

Claims were presented in the amount of \$ 3,495.00 .
and disallowed in the amount of \$ -
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of \$ 3,495.00

INHERITANCE TAX

Houghton Bradford Whitted PC	Services	\$2,495.00
Marvin Planning Consultants	Services	\$1,000.00
	TOTAL	\$3,495.00

Claims were presented in the amount of \$ (5.49) .
and disallowed in the amount of \$ -
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of \$ (5.49)

911 EMERGENCY SERVICES (2910)

Great Plains Communications Inc	Services	\$19.04
Journal Entry	Vendor Correction	(\$171.17)
OPTK Networks	Services	\$146.64
	TOTAL	-\$5.49

Claims were presented in the amount of \$ 1,110.03 .
and disallowed in the amount of \$ -
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of \$ 1,110.03

911 WIRELESS SERVICE (2913)

Great Plains Communications Inc	Services	\$107.90
Journal Entry	Vendor Correction	\$171.17
OPTK Networks	Services	\$830.96
	TOTAL	\$1,110.03

At 3:39 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.