

# CHERRY COUNTY BOARD OF COMMISSIONERS

## MEETING MINUTES

### JUNE 10, 2024

The Cherry County Board of Commissioners convened in regular session on June 10, 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 10:02 a.m. by Chairman DeNaeyer. Roll call was taken. Present for the meeting were Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, and 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 May 28, 2024 were read. McConaughy moved and Nelson seconded to approve the minutes as read. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

The Board of Equalization meeting minutes from May 28, 2024 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 May 28, 2024 were read. McConaughy moved and Nelson seconded to approve the minutes as read. Roll call vote: Aye - McConaughy, Nelson, DeNaeyer. The motion carried.

The Board and Clerk Longcor discussed the authorized balance in the health insurance petty cash account. Said account is used to pay the county's employee health insurance claim and all expenditures are submitted to the Board twice a month for reimbursement to the account. The account with a balance of \$75,000 has been overdrawn in recent years and has resulted in emergency meetings to fund the account. McConaughy moved and DeNaeyer seconded to increase the balance of the petty cash health fund to \$100,000. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

Road Supervisor Doug Boyer provided the Board with a Request to Occupy County Right-of-Way for CenturyLink that was previously approved but had expired. Nelson moved and McConaughy seconded to approve the Request to Occupy County Right-of-Way for CenturyLink to construct fiber optic cable & enclosures along Borman Bridge Road and Pine Heights Drive. Roll call vote: Aye - DeNaeyer, McConaughy, Nelson. The motion carried.

Supervisor Boyer reported that Cherry County has received approval from Mark Kovar, NDOT to reclaim 4.75 miles in the Brownlee area of abandoned oil strip along Highway 83. The stipulations for access to the material would be that it must be used on county roads and the area would need to be hayed and reseeded. Figgins is working on a quote and process for reclaiming the material. If the material can be successfully reclaimed it would be enough for 20-25 miles of single lane road and can be laid back down, armor coated, and would not require adding additional oil. There are other oil strips with the potential to be reclaimed along Highway 20 and along Highway 2 in the Hyannis-Ashby area.

Commissioner McConaughy reported that he has received competitive bids for various rock materials and that he was going to move forward with the purchase of rock from Josh Whipple. No action was taken on the agenda item re: District 3 Rock Purchase. The invoice for said rock will be submitted with payroll claims in order to be paid during the current fiscal year. Requesting a spec for bidding out the processing of the material at the Eli site from Highway Superintendent Lloyd Smith several weeks ago was discussed.

Clerk Longcor informed the Board that during a recent Public Service Commission (PSC) audit of 911 funds it was realized that the funds for the purchase of a Computer Assisted Dispatch (CAD) system, as approved by PSC, were not returned to the Inheritance Tax Fund. Funds were transferred from the Inheritance Tax Fund to the 2914 911

Wireless Holding Fund in 2021 to purchase the CAD system. Nelson moved and McConaughy seconded to approve Resolution #2024-05 Fund Transfer for the reimbursement of the Inheritance Tax Fund for the purchase of a CAD system, as suggested by the Public Service Commission auditor. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

Emergency Management Director Jessica Coyle updated the Board regarding the near completion of the Motorola dispatch consoles project, there was \$41,000 of damage reported to NEMA caused by the storm on May 29<sup>th</sup>, a tornado reported north of Whitman, radio issues, Holt County would like to borrow the Communications trailer in July for The Nebraska State Fly-In and Airshow, a fire on June 6<sup>th</sup>, potential upcoming severe weather, 911 funds Public Service Commission audit, and the NC911 region will be deciding on call handling equipment at their next meeting. The Board requested more information from the county's insurance company prior to granting permission for the Communications trailer to be in Holt County and discussed how to transport the trailer.

EM Director Coyle presented the Board with bids from Applied Connective and Control Masters for installing security cameras and video storage at the Cherry County South building. A bid was requested and not provided by Boyd Electric. Video storage capabilities and installation timelines were discussed. McConaughy moved and DeNaeyer seconded to approve the quote from Applied Connective for \$10,653.93, to be paid out of the ARPA Fund, for the Cherry County South Courthouse security camera system, and authorize EM Director Coyle to sign the contract. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

Tourism Director Regina Osburn and Visitors Promotion Board members met with the Board to discuss the Interlocal Agreement – MPCC Convention Center. It was reported that County Attorney Eric Scott has received and reviewed said interlocal agreement and didn't see very many concerns, but that there a couple of details he would like to review. Ownership of the proposed convention center, design control of the project, and a committee to have involvement with the management of the convention center were discussed. Mid Plains Community College will receive the interlocal agreement with numbers for contributions, fundraising, and grants added by the Visitors Promotion Board and changes/additions deemed necessary by the County Attorney. Director Osburn and Commissioner DeNaeyer will coordinate with Mr. Scott prior to the next meeting. There was no action taken on the agenda item re: Interlocal Agreement – MPCC Interlocal Agreement. Said item will be added to the agenda for the June 25<sup>th</sup> meeting.

District Court Clerk Lorana Eggert met with the Board to provide an updated Statement of Acceptance that included dates as requested by the Board. The courtroom technology items and five-year service agreement totaling \$84,313.60 were gifted to Cherry County by the AOCF. After five years, there are no mandatory technology upgrades or updates, and the county will be granted control. Nelson moved and McConaughy seconded to approve the Statement of Acceptance of Possession and Future Responsibility re: AOCF Courtroom Technology. Roll call vote: Aye - DeNaeyer, McConaughy, Nelson. The motion carried.

The Board reviewed the Clerk of District Court fee report for May 2024, Clerk/Register of Deeds fee report for May 2024, Treasurer's Fund Balance for May 31, 2024, Operating Statement of budgeted v. actual spending for May 31, 2024, and BSH Kilgore (CUP #003/18) - Annual Update for 2024. The Board requested that the Zoning Administrator provide an update re: BSH Kilgore easements and leases at their next meeting. The Board and Clerk Longcor reviewed remaining fiscal year spending authority in department and fund budgets.

The potential provision of backup Emergency Manager services by a local fire chief was discussed with the Board. The Board recessed from 12:07 p.m. to 1:00 p.m. Comments from the public were received during the allotted time.

The Board recessed from regular session to convene as a Board of Equalization from 1:32 p.m. to 2:28 p.m.

The Board discussed travel reimbursement expenses and amounts in the Board's budget. DeNaeyer moved and McConaughy seconded to approve claims and hold check #24064159 until products are provided and services are completed. Roll call vote: Aye - DeNaeyer, McConaughy, Nelson. The motion carried.

June 10, 2024  
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	257,697.13	
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the General Fund in the amount of			\$ 257,697.13

**GENERAL**

Allen Monument Company	Services	\$485.00
Wade Andrews	Reimbursement	\$73.70
Applied Connective Technologies	Services	\$4,720.80
Black Hills Chemical	Services	\$691.10
Bob Barker Company Inc	Supplies	\$439.35
Bomgaars	Supplies	\$26.48
Michael Borders	Services	\$923.62
Boyd's Network Solutions	Services	\$11,100.08
Buckles Fuel Service	Services	\$62.34
CenturyLink	Services	\$1,840.09
Cherry County Court	Services	\$90.00
Cherry County District Court	Services	\$36.00
Cherry County Hospital	Services	\$4,926.50
Cherry County Implement	Services	\$317.99
Cherry County Sheriff	Services	\$422.10
Cherry County Treasurer	Bank Fees	\$5.00
Cherry Street Nursery	Supplies	\$51.25
Circle K Motor Company	Services	\$227.82
Clearly Communications	Telephone Service	\$318.55
CNA Surety	Services	\$100.00
DAS State Accounting 6506	Services	\$537.60
DAS State Accounting 6507	Services	\$220.55
Election Systems & Software	Services	\$1,190.25
Equature/DSS Corporation	Services	\$6,339.60
Ferris HVAC & Plumbing, LLC	Services	\$447.26
Firstnet/AT&T	Services	\$641.51
Michelle Garwood	Reimbursement	\$9.50
Geo-Comm Inc	Services	\$582.00
Pat Greenough	Reimbursement	\$100.00
GRP & Associates	Services	\$58.00
Timothy Hanson	Equipment	\$2,636.75
Heart City Drug	Supplies	\$449.25
Heart City Plumbing & Heating LLC	Services	\$346.85
Henderson's IGA Inc	Supplies	\$69.48
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,264.69
Journal Entry	Refund	-\$6.51
Jones Automotive	Services	\$3,245.00
Justice Data Solutions	Services	\$3,000.00
John Michalek	Services	\$192.00
Lake Mac Assessment, LLC	Services	\$64,500.00
Dave Leonard	Reimbursement	\$70.00
Brittany Longcor	Reimbursement	\$12.83
Diedre Markus	Services	\$303.75
Marvin Planning Consultants	Services	\$1,000.00
Valerie Matulka	Services	\$303.75

Microfilm Imaging Systems	Services	\$216.00
MidAmerica Admin & Retirement Solutions	Dues/Fees/Training	\$732.00
MIPS	Services	\$3,177.62
NACO	Dues/Fees/Training	\$2,151.61
Nebraska Weed Control Association	Dues/Fees/Training	\$150.00
Ann Neiffer	Mileage	\$2.68
NIRMA	Dues/Fees/Training	\$120,215.00
NK Waste Management Inc	Services	\$184.00
Office Products	Supplies	\$2,200.47
Petty Cash	Reimbursement	\$85.46
Platte Valley Communications	Services	\$1,545.50
Postmaster	Services	\$460.00
Presto-X	Services	\$103.73
Quadient Finance USA	Services	\$400.00
Sandhill Oil Co	Supplies	\$542.47
Cynthia Scott	Services	\$303.75
Scotty's Ranchland Foods	Supplies	\$50.00
Ryan Sexson	Mileage	\$53.60
Marla Shelbourn	Mileage	\$272.02
Stanek Fire Protection	Services	\$173.00
Steele Feed Service	Services	\$40.00
Timeclock Plus	Services	\$288.53
True Value	Supplies	\$45.24
US Cellular	Services	\$57.00
Valentine Midland News	Services	\$266.39
City of Valentine	Utilities	\$3,692.09
Western Oil Inc	Services	\$10.00
Wex Bank	Services	\$2,603.34
Lindsay Wonnenberg	Services	\$303.75
	<b>Total</b>	<b>\$257,697.13</b>

Claims were presented in the amount of	\$	508,133.61	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$
<b>ROAD</b>			<b>508,133.61</b>

AKRS Equipment	Services	\$1,635.18
Allard Precast	Services	\$3,300.00
Andy's Glass Shop	Services	\$375.00
Applied Connective Technologies	Services	\$1,054.41
Bacon Repair	Services	\$25.40
Big State Industrial Supply	Services	\$199.80
Bill's Garage	Services	\$52.98
Bomgaars	Supplies	\$942.87
Doug Boyer	Reimbursement	\$10.00
Buckles Fuel Service	Services	\$5,095.16
Central Valley Ag Cooperative	Services	\$9,527.53
Cherry County Implement	Services	\$66.97
Circle K Motor Company	Services	\$14,496.89
Cody Oil	Services	\$4,488.75
Brent Collier	Reimbursement	\$64.01
Colonial Research Chemical Company	Services	\$1,375.39
Consolidated Telephone	Services	\$288.64
Custer Public Power District	Services	\$133.65

Daly Enterprises	Services	\$2,975.00
Danielski Farms	Services	\$28,796.80
DAS State Accounting Central Finance	Services	\$27.70
Deere Credit Inc	Services	\$83,893.00
Dooley Oil Inc	Services	\$509.65
Flat Creek Construction	Services	\$38,425.00
Gary Gross Truck & Assessories	Services	\$37,900.00
Great Plains Communications	Services	\$320.45
Great Plains Health	Services	\$28.00
Hoef's Skidloader Works LLC	Services	\$7,611.00
Hooker County Tribune	Services	\$120.00
J&J Trailer Sales	Services	\$24.00
Jebro Inc	Supplies	\$61,087.01
Journal Entry	Void Ck# 20074111	-\$240.00
JM Parts & Equipment	Services	\$89.96
Josh Whipple Trucking	Services	\$8,052.60
KBR Rural Public Power District	Services	\$254.09
Kimball Midwest	Services	\$343.00
Martin Marietta Materials	Services	\$3,563.11
Brent McIntosh	Reimbursement	\$501.11
Bentz Kenyon McWhirter	Reimbursement	\$99.99
Medical Enterprises	Services	\$40.00
Village of Merriman	Services	\$61.50
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$6,402.34
Murphy Tractor & Equipment Company	Services	\$36,050.00
Nebraska Dept of Correctional Services	Services	\$31,563.80
Nebraska Machinery Company	Services	\$3,076.95
Nebraska Truck Center	Services	\$2,750.51
Newman Signs	Supplies	\$13,993.96
Niobrara Valley Consultants	Services	\$3,112.50
Nirma	Services	\$67,386.00
NK Waste Management Inc	Services	\$115.00
O'Reilly Auto Parts	Supplies	\$38.00
J.D. Osburn	Reimbursement	\$235.67
Perrett Construction LTD	Services	\$881.92
Petty Cash	Reimbursement	\$10.00
Powerplan	Services	\$12,785.55
Prema	Services	\$115.26
Quadient Finance USA	Services	\$100.00
Sandhill Oil Company	Services	\$10,760.32
Sheridan County Journal Star	Services	\$84.00
The Dent and Tint Shop	Services	\$160.00
US Cellular	Services	\$105.74
City of Valentine	Services	\$600.49
Western Oil	Services	\$10.00
	<b>TOTAL</b>	<b>\$508,133.61</b>

Claims were presented in the amount of	\$	3,757.54	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of	\$		<b>3,757.54</b>
<b>VISITOR PROMOTION</b>			
Cherry County Visitors Promo Board	Reimbursement		\$424.98

Great Plains Communication	Services	\$184.87
John L Michalek	Services	\$100.00
KVSH	Services	\$500.00
Nebraska Travel Association	Services	\$500.00
Office Products	Services	\$320.46
Regina Osburn	Reimbursement	\$1,500.14
City of Valentine	Services	\$227.09
	<b>TOTAL</b>	<b>\$3,757.54</b>

Claims were presented in the amount of \$ **8,728.00** .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Visitor Improvement Fund in the amount of \$ **8,728.00**

**VISITOR IMPROVEMENT (995)**

Central Nebraska Economic Dev Dist	Services	\$8,728.00
	<b>TOTAL</b>	<b>\$8,728.00</b>

Claims were presented in the amount of \$ **1,057.50** .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Register of Deeds P&M Fund in the amount of \$ **1,057.50**

**REGISTER OF DEEDS P&M**

Spectra Associates	Supplies	\$ 1,057.50
	<b>TOTAL</b>	<b>\$1,057.50</b>

Claims were presented in the amount of \$ **130,239.88** .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of \$ **130,239.88**

**EMPLOYEE HEALTH INSURANCE CLAIMS**

Cherry County Clerk	Health Insurance Claims	\$130,239.88
	<b>TOTAL</b>	<b>\$130,239.88</b>

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
	<b>TOTAL</b>	<b>\$ 9,709.89</b>

Claims were presented in the amount of \$ **1,647.88** .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ **1,647.88**

**EMERGENCY MANAGEMENT**

Applied Connective Technologies	Services	\$1,332.48
KBR Rural Public Power	Services	\$96.57
Office Products	Supplies	\$94.28
Prema	Services	\$124.55
	<b>TOTAL</b>	<b>\$1,647.88</b>

Claims were presented in the amount of \$ **1,140.00** .  
and disallowed in the amount of \$ - .  
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of \$ **1,140.00**

**INHERITANCE TAX**

Houghton Bradford Whitted PC	Services	\$1,140.00
	<b>TOTAL</b>	<b>\$1,140.00</b>

Claims were presented in the amount of \$ **6,866.11** .

and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of	\$		<b>6,866.11</b>
<b>911 EMERGENCY SERVICES (2910)</b>			
Boyd's Network Solutions		Services	\$140.00
CenturyLink		Services	\$255.91
Geo-Comm		Services	\$6,353.00
Great Plains Communications		Services	\$117.20
		<b>TOTAL</b>	<b>\$6,866.11</b>

Claims were presented in the amount of	\$	<b>1,033.48</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of	\$		<b>1,033.48</b>
<b>911 WIRELESS SERVICE (2913)</b>			
Great Plains Communications Inc		Services	\$55.88
OPTK Networks		Services	\$977.60
		<b>TOTAL</b>	<b>\$1,033.48</b>

Claims were presented in the amount of	\$	<b>20,013.00</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Holding Fund in the amount of	\$		<b>20,013.00</b>
<b>911 WIRELESS Holding (2914)</b>			
Cherry County Treasurer		Fund Transfer	\$20,013.00
		<b>TOTAL</b>	<b>\$20,013.00</b>

Claims were presented in the amount of	\$	<b>5,450.00</b>	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Courthouse (Special Building) Fund in the amount of	\$		<b>5,450.00</b>
<b>Courthouse (Special Building)</b>			
Bob's Signs		Services	\$4,450.00
Nelsen Furniture		Services	\$1,000.00
		<b>TOTAL</b>	<b>\$5,450.00</b>

At 2:38 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.***

# CHERRY COUNTY BOARD OF EQUALIZATION

## MEETING MINUTES

### JUNE 10, 2024

The Cherry County Board of Commissioners convened as a Board of Equalization on June 10, 2024 in the Commissioners Meeting Room of the Cherry County Courthouse, as per notice published May 29, 2024 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 1:32 p.m. by Chairman DeNaeyer. Present for the meeting were Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, County Clerk Brittny Longcor, County Assessor Jackie Moreland, and Deputy Assessor Andrea Andre. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

There were no tax list corrections.

Assessor Moreland provided information for 409 valuation errors in the residential lot model and for 2,757 valuation errors in Ag Land 3GF soil type. The Board and Assessor Moreland discussed what caused the errors and why the errors weren't realized to avoid the incorrect valuation notices to be sent. Assessor Moreland stated that the incorrect valuations were caused by data entry errors. The Property Assessment Division liaison for Cherry County directed Assessor Moreland to correct the errors through the submission of Overvalued, Undervalued, and Omitted Property Reports. The Board requested Assessor Moreland issue an apology and a public acknowledgement regarding the errors, with Assessor Moreland taking responsibility for her actions and the mistakes made, to be on the radio and in the newspaper. The Board discussed Assessor Moreland's probation and notifying the Department of Revenue regarding the errors. The Board and Assessor Moreland discussed land valuations throughout the villages and City of Valentine and acceptable valuation ranges for different classifications. DeNaeyer moved and Nelson seconded to approve the Overvalued, Undervalued, and Omitted Property Reports – Residential Lot Model and Ag Land 3GF Values as presented by Assessor Moreland. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

Assessor Moreland informed the Board that she had received information from the State that Sparks Fairgrounds (Old Settler's) would need to edit their application to change the Type of Organization from Agricultural Society to Charitable Organization. McConaughy moved and Nelson seconded to approve of Old Settler's modifying their permissive exemption application (Form 451) to be a charitable organization, rather than an agricultural society, at the request of the Department of Revenue. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

The Board and Assessor Moreland discussed the Order for Single Commissioner and Notice of Hearing for Beatrice M. Jones, Appellant, v. Cherry County Board of Equalization, Appellee. The property for the appeal has been sold in the interim and Brian Hill, Lake Mac Assessment, would be an expert to appear on behalf of Cherry County. There was no action taken on the agenda item re: TERC Hearing.

Assessor Moreland informed the Board that informal hearings will be held in her office on June 18<sup>th</sup>, with an additional day to be set aside if necessary.

At 2:28 p.m. Chairman DeNaeyer declared the meeting adjourned.

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