

BOARD OF COMMISSIONERS MINUTES

June 25, 2024

The Cherry County Board of Commissioners convened in regular session on June 25, 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 Commissioners Martin DeNaeyer and Mike McConaughey and County Clerk Brittny Longcor. Commissioner Nina Nelson had an excused absence. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer and the Pledge of Allegiance was recited.

The Board of Commissioners meeting minutes from June 10, 2024 were read. McConaughey moved and DeNaeyer seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, McConaughey. Absent – Nelson. The motion carried.

The Board of Equalization meeting minutes from June 10, 2024 were read. DeNaeyer moved and McConaughey seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, McConaughey. Absent – Nelson. The motion carried.

Charil Moe, Flight Commander, and Jason Vaisvilas, Mission Observer, met with the Board to update them regarding Civil Air Patrol services and flight request protocol. A brief history of the organization, local flight practices, and fly along preauthorization were discussed.

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

June 28, 2024

CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	271,326.63	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the General Fund in the amount of			\$	271,326.63
GENERAL FUND				
AFLAC		Withholdings/Insurance		\$3,022.13
Ameritas Life Insurance/Retirement		Withholdings/Retirement		\$18,746.91
Ameritas Life Insurance/Dental		Withholdings/Insurance		\$3,402.84
Blue Cross Blue Shield		Health Insurance Funding		\$2,827.00
Cherry County Health Account		Health Claims Funding		\$39,281.04
Credit Management Services		Garnishment		\$559.87
EFTPS		Withholdings/Taxes		\$33,424.79
Holt County Treasurer		Dues/Fees		\$6,996.27
AUL Health Benefit Trust		Health Reimbursement Arrangement Funding		\$3,000.00
NACO		Dues/Fees/Training		\$250.00
NE Department of Revenue		Withholdings/Taxes		\$4,955.02
Pace Underwriters Insurance		Health Insurance Funding		\$21,066.36
Eric Scott Law		Clerical Salary/Rent/Telephone/Equipment		\$11,223.98
Vision Service Plan		Withholdings/Insurance		\$597.27
General Fund Payroll		Gross Payroll		\$164,138.03
		GROSS TOTAL		\$313,491.51
		Adjustment for employees' share of withholdings		(\$42,164.88)
		NET TOTAL		\$271,326.63

Claims were presented in the amount of \$ 380,434.22 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Road Fund in the amount of \$ 380,434.22

ROAD FUND

AFLAC	Withholdings/Insurance	\$1,699.41
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$8,111.00
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,166.08
Assurity Life Insurance Company	Withholdings/Insurance	\$14.50
Blue Cross Blue Shield	Health Claim Funding	\$770.00
Cherry County Health Account	Health Claim Funding	\$15,107.34
EFTPS	Taxes/Withholdings	\$15,483.25
Farritor Auto Parts	Services	\$175.00
Figgins Construction	Services	\$17,999.10
Josh Whipple Trucking	Services	\$210,246.80
Legal Shield	Services	\$67.80
MassMutual	Withholdings/Retirement	\$300.00
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$1,150.00
Modern Farm Equipment Corporation	Services	\$12,000.00
NE Department of Revenue	Taxes/Withholdings	\$2,191.69
NE Dept of Correctional Service	Supplies	\$1,500.00
NE Public Power District	Services	\$46.01
Pace Underwriters Insurance	Health Claim Funding	\$8,100.32
Pomp's Tire Service	Services	\$23,182.00
Vision Service Plan	Withholdings/Insurance	\$193.37
Westover Construction	Services	\$4,328.00
Road Fund Payroll	Gross Payroll	\$75,719.58
	GROSS TOTAL	\$399,551.25
	Adjustment for employees' share of withholdings	(\$19,117.03)
	NET TOTAL	\$380,434.22

Claims were presented in the amount of \$ 5,085.36 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Visitors Promotion Fund in the amount of \$ 5,085.36

VISITORS PROMOTION FUND

AFLAC	Withholdings/Insurance	97.37
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$437.77
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$62.12
EFTPS	Taxes/Withholdings	\$887.90
NE Department of Revenue	Taxes/Withholdings	\$107.66
Vision Service Plan	Withholdings/Insurance	\$31.84
Visitors Promotion Fund Payroll	Gross Payroll	\$4,491.32
	GROSS TOTAL	\$6,115.98
	Adjustment for employees' share of withholdings	(\$1,030.62)
	NET TOTAL	\$5,085.36

Claims were presented in the amount of \$ 11,320.63 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Health Claims Fund in the amount of \$ 11,320.63

HEALTH CLAIMS FUND

Cherry County Clerk	Health Insurance Claims	\$11,320.63
	TOTAL	\$11,320.63

Claims were presented in the amount of \$ 7,626.40 .

and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Emergency Management Fund in the amount of	\$		7,626.40
EMERGENCY MANAGEMENT FUND			
AFLAC	Withholdings/Insurance		143.39
Ameritas Life Insurance/Retirement	Withholdings/Retirement		\$529.07
Ameritas Life Insurance/Dental	Withholdings/Insurance		\$124.24
Blue Cross Blue Shield	Health Claim Funding		\$55.00
Cherry County Health Account	Health Claim Funding		\$1,417.96
EFTPS	Taxes/Withholdings		\$991.85
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding		\$100.00
NE Department of Revenue	Taxes/Withholdings		\$129.50
Pace Underwriters Insurance	Health Claim Funding		\$733.88
Vision Service Plan	Withholdings/Insurance		\$31.84
Emergency Management Fund Payroll	Gross Payroll		\$4,702.88
		GROSS TOTAL	\$8,959.61
		Adjustment for employees' share of withholdings	(\$1,333.21)
		NET TOTAL	\$7,626.40

Cherry County Hospital CEO Jim Barga presented the Board with the fiscal year 2025 operating budget and capital expenditures. Mr. Barga updated the Board regarding accounts receivable status and changes to the budgeted expenses and revenues compared to the previous year were discussed. The currently proposed budget is an overview of what the final budget will be until after financial statements from 2024 are completed. Staff recruitment and retention were also discussed. McConaughy moved and DeNaeyer seconded to approve Fiscal Year 2025 Operating Budget for Cherry County Hospital as presented by CEO Jim Barga. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

Emergency Management Director Jessica Coyle updated the Board regarding the mutual aid meeting for fire departments, UPS battery backup installation progress, flood warnings, the Motorola dispatch consoles project will be complete pending final inspection and signoff in July, upcoming NC911 and PET region meetings, Applied Connective will be installing security cameras next week, and mowing required around communications towers. Director Coyle informed the Board that she will be speaking to the Keya Paha County Commissioners later today regarding the emergency management interlocal agreement and funding.

Director Coyle reviewed information regarding emergency management funding cuts that have been made at the federal level. She provided a letter to be sent to our Congressional Representative to support restoring prior funding levels. McConaughy moved and DeNaeyer seconded to approve the Letter of Support to Congressional Representative for Emergency Management Funding from Director Coyle. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

At 11:02 a.m. the meeting moved to the Sheriff’s Conference Room for the remainder of the meeting.

The Board opened sealed bids for the processing of county-owned asphalt millings. Bids were received as follows:

1. Figgins Construction Co., Inc. - \$63 per ton to process millings.

McConaughy moved and DeNaeyer seconded to approve the proposal from Figgins Construction to process the millings at the Eli site for \$63 per ton. Roll call vote: Aye – McConaughy, DeNaeyer. Absent – Nelson. The motion carried.

Clint Baker, Figgins Construction Project Manager, spoke with the Board regarding the proposed oil strip reclamation project and Figgins’ company history. The method for reclaiming the millings, preliminary oil content tests, and the tonnage of millings to be reclaimed were discussed. Mr. Baker informed the Board that he would like to do more testing at no cost to the county. It was a consensus of the Board to approve Figgins to do a more thorough survey of the highway reclaiming project along Highway 83.

Road Supervisor Doug Boyer and Highway Superintendent Lloyd Smith updated the Board regarding routine road maintenance, District 2 hired a new foreman, upcoming federal surplus compliance check, and the Brownlee Bridge project timeline.

Tourism Director Regina Osburn and Visitors Promotion Board member Kim Epke met with the Board to discuss the updates made to the proposed Interlocal Agreement after review by the County Attorney. Payment amounts, construction timeline, and fund balances were discussed. The Board reiterated that there will not ever be bonds issued or property taxes collected to fund the project. DeNaeyer moved and McConaughy seconded to approve the Interlocal Cooperation Act Agreement with the County of Cherry, Nebraska and Mid-Plains Community College Regarding Construction and Use of a Convention Center. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

Prompted by the 2024 BSH Kilgore Annual Update, Zoning Administrator Jane Stolzenburg provided information to the Board regarding Cherry County Wind and BSH Kilgore easement agreements and wind energy leases filed in the Register of Deeds Office. The matter will be referred to the County Attorney. Administrator Stolzenburg informed the Board that the Planning Commission's review of the Comprehensive Plan is complete and a date for a public hearing will be set for July. After review of Keith Marvin's contract, additional trips for public hearings might be necessary and will be added to the Board's next agenda for authorization.

After review of a letter from Veterans Service Officer Shawn Hamling, McConaughy moved and DeNaeyer seconded to appoint Jerry Fullerton to the Cherry County Veterans Service Committee to a five-year term set to expire June 30, 2029. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried. Mr. Fullerton will be filling the position vacated by Bill Williams. The Board expressed their appreciation to Mr. Williams for his years of service.

The Board reviewed information from the U.S. Department of Labor Wage and Hour Division regarding Final Rule: Restoring and Extending Overtime Protections. The Board and Clerk Longcor reviewed the timeline and salary thresholds for employees to be classified as exempt and not paid overtime. The July 1, 2024 standard salary level for exempt employees will be set at \$43,888 per year and the January 1, 2025 standard salary level will be set at \$58,656 per year. DeNaeyer moved and McConaughy seconded to convert the Noxious Weed Control Superintendent position from exempt, salary to non-exempt, hourly based on 35 hours per week, with hourly wage to be set at \$18.60 per hour, effective July 1, 2024, based on the U.S. Department of Labor Final Rule. Roll call vote: Aye – McConaughy, DeNaeyer. Absent – Nelson. The motion carried.

The Board recessed from 12:24 p.m. to 1:01 p.m. Comments from the public were received during the allotted time.

The Board spoke with former Zoning Administrator Jessica Coyle regarding the length of time between when she was hired as EM Director and when the new Zoning Administrator was hired and the salary she was being paid. The Board agreed that any additional pay is not a bonus; the wages were earned and already in place at a set amount. DeNaeyer moved and McConaughy seconded to retroactive pay Jessica Coyle for the three months she served as the Zoning Administrator at her former salaried wage of \$1,773.73, totaling \$5,321.19. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

The Board recessed from regular session to convene as a Board of Corrections from 1:15 p.m. to 1:21 p.m.

The Board reviewed correspondence from Extension employees, Michelle Garwood and Eve Millar, regarding the use of the TimeClock Plus timekeeping software. It was a consensus of the Board to allow Extension employees to use the TimeClock Plus app at their own expense.

McConaughy moved and DeNaeyer seconded to designate the joint public hearing postcard printing service to be NACO/MIPS's partner CSG. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

The Board recessed from regular session to convene as a Board of Equalization from 1:45 p.m. to 3:33 p.m.

At 3:34 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.

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BOARD OF CORRECTIONS MINUTES

June 25, 2024

The Cherry County Board of Commissioners convened as a Board of Corrections on June 25, 2024 in the Sheriff's Conference Room of the Cherry County Courthouse, as per notice published June 12, 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 1:15 p.m. by Chairman DeNaeyer. Present were Commissioners Martin DeNaeyer and Mike McConaughy, County Clerk Brittny Longcor, and Justice Center Administrator Sharon Hesse. Commissioner Nina Nelson had an excused absence. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

Administrator Hesse updated the Board regarding jail school completion by two staff members, staff census, hospital billing, jail census, and Justice Center revenue. There was no business to come before the Board.

At 1:21 p.m. Chairman DeNaeyer adjourned the meeting.

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BOARD OF EQUALIZATION MINUTES

June 25, 2024

The Cherry County Board of Commissioners convened as a Board of Equalization on June 25, 2024 in the Sheriff's Conference Room of the Cherry County Courthouse, as per notice published June 12, 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 1:45 p.m. by Chairman DeNaeyer. Present were Commissioners Martin DeNaeyer and Mike McConaughy, Clerk Brittny Longcor, Deputy Assessor Andrea Andre, and Treasurer Kathy Hammond. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

Treasurer Hammond presented an Application for Exemption from motor vehicle taxes for a 2014 Chevrolet van and a 1986 Chevrolet bus by Berean Bible Church and Lakota Mission. DeNaeyer moved and McConaughy seconded to approve the motor vehicle tax exemption for Berean Bible Church as presented by Treasurer Hammond. Roll call vote: Aye – McConaughy, DeNaeyer. Absent – Nelson. The motion carried.

Bryan Hill, Lake Mac Assessment appraiser, met with the Board to discuss the 2024 revaluation that was completed. Land values in Valentine and the villages and the combining of assessment neighborhoods were discussed.

For all property valuation protests, Assessor Moreland provided her recommendations in writing and Deputy Assessor Andre was present to confirm the recommendations.

Protest #422-24-01 - #422-24-07 for Property IDs: 160154111, 160156211, 160151570, 160151589, 160154081, 160156203, 160154103 were filed by Kirk Barnes who was not present. Assessor Moreland recommended reclassifying the property to NBHD 232 for #01. DeNaeyer moved and McConaughy seconded to accept the Assessor's recommendation for Protest #01. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried. Assessor Moreland recommended reclassifying the use to agricultural for #02-05, #07 per lease confirmation. DeNaeyer moved and McConaughy seconded to accept the Assessor's recommendation for Protests #02-05, #07. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried. Assessor Moreland recommended no change in value after reviewing the record card with Kirk and no errors were found for #06. McConaughy moved and DeNaeyer seconded to accept the Assessor's recommendation of no change in value for Protest #06. Roll call vote: Aye – McConaughy, DeNaeyer. Absent – Nelson. The motion carried.

Protest #422-24-08 for Property ID: 160665238 was filed by Whitney Barnes who was not present. After reviewing the record card, Assessor Moreland recommended correcting the basement finish. DeNaeyer moved and McConaughy seconded to accept the Assessor's recommendation for Protest #08. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

Protest #422-24-09 for Property ID: 160002710 was filed by Douglas & Brenda Sanford, with Mr. Sandford being present. The property was inspected and the record card was reviewed and Assessor Moreland recommended no change in value. The Board requested that Deputy Assessor Andre and Mr. Hill provide the Board with neighboring property values and valuation changes.

Protest #422-24-10 for Property ID: 160648316 was filed by Michael R. & Kelly J. Petersen who were not present. The record card was reviewed and the property was purchased in 2018 for more than the current assessed value. Assessor Moreland recommended no change in value. DeNaeyer moved and McConaughy seconded to accept the Assessor's recommendation of no change in value for Protest #10. Roll call vote: Aye – DeNaeyer, McConaughy. Absent – Nelson. The motion carried.

Protest #422-24-12 for Property ID: 160008832 was filed by Michael W. Elliott who was not present. The record card was viewed and the property was inspected. Assessor Moreland recommended no change in value. DeNaeyer moved

and McConaughey seconded to accept the Assessor's recommendation of no change in value for Protest #12. Roll call vote: Aye – McConaughey, DeNaeyer. Absent – Nelson. The motion carried.

Protest #422-24-13 - #422-24-14 for Property IDs: 160149185, 160262445 were filed by William Sherman who was present. The record cards were reviewed and 25% economic depreciation was applied in error, increasing the property values instead of decreasing them. DeNaeyer moved and McConaughey seconded to accept the Assessor's recommendations for Protests #13, #14. Roll call vote: Aye – DeNaeyer, McConaughey. Absent – Nelson. The motion carried.

The Board reviewed neighboring property values and valuation changes for Protest #09 and all residential sales in Valentine from October 2021 through September 2023. McConaughey moved and DeNaeyer seconded to accept the Assessor's recommendation of no change in value for Protest #09. Roll call vote: Aye – DeNaeyer, McConaughey. Absent – Nelson. The motion carried.

At 3:33 p.m. Chairman DeNaeyer adjourned the meeting.

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