

BOARD OF COMMISSIONERS MINUTES

September 10, 2024

The Cherry County Board of Commissioners convened in regular session on September 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 10:00 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 August 27, 2024 were read. DeNaeyer moved and McConaughy seconded to approve the minutes. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

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

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

Comments from the public were received during the allotted time.

Road Supervisor Doug Boyer updated the Board regarding the Minnechaduzza Bridge detour, rough road complaints received, and additional Perma-Zyme sampling completed.

DeNaeyer moved and Nelson seconded to accept Road Supervisor Doug Boyer's notice of retirement effective December 31, 2024. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried. The Board expressed appreciation to Doug Boyer for his 48 years of service to Cherry County.

The Board reviewed an Emergency Management update received via email from EM Director Jessica Coyle.

DeNaeyer moved and McConaughy seconded to set the time and date for bids to be opened for skid steers, to meet the requirements as set forth by Road District #1 and Road District #2, to be on October 8, 2024 at 11:00 a.m. Roll call vote: Aye - DeNaeyer, McConaughy, Nelson. The motion carried.

Zoning Administrator Jane Stolzenburg updated the Board regarding expired Board of Adjustments appointments, Comprehensive Plan update progress, an upcoming CUP public hearing, and Zoning fee schedule.

Audit fee amounts in the three-year contract with Contryman Associates were reviewed. Nelson moved and DeNaeyer seconded to approve the Contryman Associates, P.C. 2023-2024 Fiscal Year Audit Engagement Letter. Roll call vote: Aye - McConaughy, Nelson, DeNaeyer. The motion carried.

The Board reviewed the District Court Clerk fee report for August 2024, Treasurer fund balances for August 31, 2024, and Operating Statement report of budget v. actual spending for August 2024.

At 11:00 a.m., as advertised, bids were opened for the Armor Coat Project – German Settlement Rd, Loup River Rd, and Brownlee Rd. Bids were received as follows:

1. TopKote Inc. – \$.43 SY
Loup River Rd – 24,935 SY - \$10,722.05
German Settlement Rd – 60,661 SY - \$26,084.23
Brownlee Rd – 41,067 SY - \$17,658.81
With any additional SY to be billed at \$.43 per square yard

The Board reviewed 2023 armor coat project bid prices. Highway Superintendent Lloyd Smith confirmed that the projects qualify for the use of 650 Highway funds and that Eli Rd could be added onto to the bid for the same square yard price. DeNaeyer moved and Nelson seconded to award the bid to TopKote Inc. at \$.43 per square yard for the Armor Coat Project – German Settlement Rd, Loup River Rd, and Brownlee Rd. Roll call vote: Aye - Nelson, DeNaeyer, McConaughy. The motion carried.

The Board recessed from regular session to convene as a Board of Equalization from 11:19 a.m. to 11:47 a.m.

The Board and County Attorney Eric Scott spoke with Property Tax Administrator Sarah Scott via telephone regarding services potentially required from the Property Assessment Division during the timeframe that Cherry County does not have a qualified person in the Assessor's Office. Curtis Stephen, Manager of Field Operations, and Chelsea Fessler, Field Liaison for Cherry County were present for the conversation. Notice requirements for assessor certificate testing and estimated costs for services provided by the State to Cherry County were discussed. Potentially hiring someone in a lesser capacity than Assessor to gain experience and familiarity to pass the assessor certificate exam was discussed as an option. No formal Board action was taken.

The Board recessed from 12:17 p.m. to 1:30 p.m.

At 1:30 p.m. Chairman DeNaeyer opened the public hearing for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed 2024-2025 budget. Budget preparer, Brittny Longcor, provided a brief overview of the differences between the proposed budget and the prior year’s budget. Fund tax request amounts, proposed levy rate, total operating budget, and remaining Road Bond payments were discussed with the Board and various members of the public. At 2:05 p.m. Chairman DeNaeyer closed the budget hearing.

Due to a newspaper publication omission, the public hearing re: setting the final tax request could not be held. No Board action was taken on the agenda items to adopt Resolutions #2024-09, #2024-10, and #2024-11.

Statute 81-3717 was reviewed to ensure compliance regarding a claim payable to Sandhills Area Foundation for the Heart City Theatre grant. The Board would like to meet with representatives from the Visitor Improvement Board and Mid Plains Community College prior to issuing the first payment contained in the Convention Center Interlocal Agreement. DeNaeyer moved and Nelson seconded to approve claims, withholding Claim#24094726 payable to Mid Plains Community College. Roll call vote: Aye - McConaughey, Nelson, DeNaeyer. The motion carried.

September 10, 2024 CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	76,404.29	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$ 76,404.29
GENERAL			
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$	371.18
Anderson Electric Inc	Services		\$254.50
Applied Connective Technologies	Services		\$4,922.00
Daniel Bauer	Reimbursement		\$118.13
Ryan Benjamin	Reimbursement		\$208.37
Black Hills Chemical	Services		\$304.11
Bomgaars	Supplies		\$113.23
Buckles Fuel Service	Services		\$81.05
Central Plains Valuation LLC	Services		\$19,276.92
Cherry County Court	Services		\$334.00
Cherry County District Court	Services		\$112.00
Cherry County Hospital	Services		\$5,401.00
Cherry County Sheriff	Services		\$155.80
Cherry County Treasurer	Bank Fees		\$15.00
Clearly Communications	Telephone Service		\$319.36
Crowne Plaza/IHG Hotel	Lodging		\$299.90
DAS State Accounting 6506	Services		\$537.60
DAS State Accounting 6507	Services		\$220.55
Cynthia Dobbins	Reimbursement		\$11.97
EFTPS	Taxes/Withholdings		\$684.06
Firstnet/AT&T	Services		\$641.88
Galls Parent Holdings LLC	Supplies		\$92.80
Michelle Garwood	Reimbursement		\$284.00
Pat Greenough	Reimbursement		\$100.00
Shawn Hamling	Gross Wages		\$3,299.40
Timothy Hanson	Equipment		\$2,636.75
Heart City Drug	Supplies		\$181.39
Henderson's IGA Inc	Supplies		\$94.81
Holiday Inn	Lodging		\$269.90
Huskerland Communications	Supplies		\$34.99
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment		\$4,267.55
Dave Leonard	Reimbursement		\$550.88
Microfilm Imaging Systems	Services		\$136.00
MIPS	Services		\$3,295.54
NACO	Dues/Fees/Training		\$25.00
NE Department of Revenue	Taxes/Withholdings		\$87.74
Nebraska Dept Correctional Services	Services		\$2,033.60
Nebraska Safety and Fire Equip	Services		\$295.00
Nextoner LLC	Supplies		\$92.59
Office Products	Supplies		\$1,463.99
Petty Cash	Reimbursement		\$90.96
Premier Parts and Paint	Services		\$525.00
Sandhill Oil Co	Supplies		\$178.35
Eric Scott Law Office	Clerical Salary/Rent/Telephone/Equipment		\$11,498.46
Scotty's Ranchland Foods	Supplies		\$39.63
Cardmember Service	Services		\$465.84

Joseph Smith	Services	\$160.00
True Value	Supplies	\$98.58
UNL Haskell Ag Lab	Services	\$115.00
US Cellular	Services	\$59.12
Valentine Midland News	Services	\$2,362.42
City of Valentine	Utilities	\$5,624.19
Western Oil Inc	Services	\$53.65
Wex Bank	Services	\$1,879.73
Willoughby Industries	Services	\$296.69

GROSS TOTAL **\$77,072.16**

Adjustment for employees' share of withholdings -\$667.87

NET TOTAL **\$76,404.29**

Claims were presented in the amount of \$ **94,770.30** .
and disallowed in the amount of .
A warrant was ordered drawn on the Road Fund in the amount of \$ **94,770.30**

ROAD

ATC Group Services	Services	\$3,500.00
Bomgaars	Supplies	\$670.25
Buckles Fuel Service	Services	\$6,768.30
Central Valley Ag Cooperative	Services	\$6,629.83
Cherry County Implement	Services	\$172.00
Circle K Motor Company	Services	\$5,424.51
Cody Livestock Supply	Supplies	\$91.55
Cody Oil	Services	\$2,277.47
Village of Cody	Services	\$195.60
Brent Collier	Reimbursement	\$865.45
Consolidated Telephone	Services	\$297.85
Custer Public Power District	Services	\$130.38
Daly Enterprises	Services	\$850.00
Danielski Farms	Services	\$5,766.30
DAS State Accounting Central Finance	Services	\$27.70
Abigayle Donner	Reimbursement	\$145.78
Emerson Equipment	Supplies	\$536.72
Great Plains Communications	Services	\$320.85
Hoefs Skidloader Works	Services	\$1,467.00
Huskerland Communications	Services	\$29.99
KBR Rural Public Power District	Services	\$208.55
Lanair Products LLC	Supplies	\$1,523.00
Light and Siren	Services	\$2,279.00
MARC/Mid American Research Chemical	Services	\$1,062.00
Martin Auto Parts	Services	\$65.89
Mid Plains Community College	Services	\$159.00
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$945.88
Nebraska Public Power District	Services	\$60.39
Nebraska Truck Center	Services	\$4,291.09
Office Products	Supplies	\$105.98
Paulsen Inc	Services	\$10,231.00
Perrett Construction LTD	Services	\$227.27
Powerplan	Services	\$28.45
Prema	Services	\$77.03
Ranch Supply	Supplies	\$38.37
Reese Inc	Services	\$71.50
Sandhill Oil Company	Services	\$5,332.08
Triple G Redimix	Services	\$4,204.80
US Cellular	Services	\$103.73
Valentine Midland News	Services	\$46.00
City of Valentine	Services	\$221.76
Werner Construction	Services	\$27,130.00
Western Oil Inc	Services	\$10.00
	Total	\$94,770.30

Claims were presented in the amount of \$ **90,645.00** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Highway Street/Bridge Buyback Fund in the amount of \$ **90,645.00**

Highway Street/Bridge Buyback

Norfolk Contracting	Services	\$ 90,645.00
	TOTAL	\$90,645.00

Claims were presented in the amount of \$ **30,778.54** .

and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of		\$		30,778.54
VISITOR PROMOTION				
Cherry County Visitors Promo Board		Reimbursement		\$4.61
Great Plains Communication		Services		\$181.43
Hand's Lawn Service LLC		Services		\$820.00
Kelo TV		Services		\$15,160.00
MCB Productions		Services		\$1,000.00
Niobrara Valley Vineyards		Grant		\$4,000.00
NRG Media LLC		Services		\$8,975.00
Office Products		Supplies		\$295.56
Valentine Rotary Club		Services		\$102.00
City of Valentine		Services		\$239.94
		TOTAL		\$30,778.54
Claims were presented in the amount of	\$	300,000.00	.	
and disallowed in the amount of	\$	250,000.00	.	
A warrant was ordered drawn on the Visitor Improvement Fund in the amount of		\$		50,000.00
VISITOR IMPROVEMENT (995)				
Mid Plains Community College		Convention Center		\$250,000.00
Sandhills Area Foundation		Heart City Theater		\$50,000.00
		Disallowed		(\$250,000.00)
		TOTAL		\$50,000.00
Claims were presented in the amount of	\$	30,009.23	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of		\$		30,009.23
EMPLOYEE HEALTH INSURANCE CLAIMS				
Cherry County Clerk		Health Insurance Claims		\$30,009.23
		TOTAL		\$30,009.23
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	\$	3,292.20	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of		\$		3,292.20
EMERGENCY MANAGEMENT				
KBR Rural Public Power		Services		\$94.88
Office Products		Supplies		\$77.52
Page My Cell		Services		\$3,000.00
Prema		Services		\$119.80
		TOTAL		\$3,292.20
Claims were presented in the amount of	\$	2,370.00	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of		\$		2,370.00
INHERITANCE TAX				
Houghton Bradford Whitted PC		Services		\$2,370.00
		TOTAL		\$2,370.00
Claims were presented in the amount of	\$	313.54	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of		\$		313.54
911 EMERGENCY SERVICES (2910)				
Century Link		Services		\$257.66
Great Plains Communications		Services		\$55.88
		TOTAL		\$313.54
Claims were presented in the amount of	\$	1,094.80	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of		\$		1,094.80
911 WIRELESS SERVICE (2913)				
Great Plains Communications Inc		Services		\$117.20
OPTK Networks		Services		\$977.60
		TOTAL		\$1,094.80
Claims were presented in the amount of	\$	575.00	.	

and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Holding Fund in the amount of		\$	575.00
911 WIRELESS Holding (2914)			
Boyd's Network Solutions	Services		\$575.00
	TOTAL		\$575.00

At 2:40 p.m. Chairman DeNaeyer adjourned the meeting.

State of Nebraska,)
) SS.
 County of Cherry,)

I, Brittny N. Longcor, the undersigned County Clerk of Cherry County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 24th day of September 2024.

 Brittny N. Longcor
 Cherry County Clerk

 Martin K. DeNaeyer, Chairperson
 Cherry County Board of Commissioners

BOARD OF EQUALIZATION MINUTES

September 10, 2024

The Cherry County Board of Commissioners convened as a Board of Equalization on September 10, 2024 in the Commissioner Meeting Room of the Cherry County Courthouse, as per notice published September 4, 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 11:19 a.m. by Chairman DeNaeyer. Present were Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, County Clerk Brittny Longcor, County Assessor Jackie Moreland, and County Attorney Eric Scott. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer.

No comments from the public were received during the allotted time.

Property Tax Administrator Sarah Scott joined the meeting via telephone and reviewed the required proper procedures for tax list corrections concerning personal property returns. Ms. Scott stated that she had reviewed the tax list corrections and documentation submitted to the Board during their August 27, 2024 meeting. Tax list correction #2023-39 is related to an acceleration of tax and should be approved to ensure the proper collection and disbursement of taxes. The remaining 13 tax list corrections were related to omitted personal property. Five of the tax list corrections had proper documentation and the remaining eight should be sent notices to provide the taxpayers due process to protest the valuation. County Attorney Eric Scott reviewed the due process requirements for the Board of Equalization concerning the tax list corrections. The 25% late filing penalties imposed were discussed and it was determined that said penalties can only be removed if they are wrongfully imposed.

McConaughy moved and Nelson seconded to approve tax list corrections #2023-39, #2023-40, #2023-42, #2023-43, #2023-44, and #2023-49. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

County Clerk staff member, Jane Stolzenburg, assumed the role of taking minutes. Assessor Moreland reviewed information in her recommendation regarding Protest #422-24-278 filed by Brittny Longcor. Nelson moved and McConaughy seconded to accept the Assessor’s recommendation of no change in value for Protest #278. Roll call vote: Aye - McConaughy, Nelson, DeNaeyer. The motion carried.

Clerk Longcor resumed the role of taking minutes. At 1:44 p.m. Chairman DeNaeyer adjourned the meeting.

State of Nebraska,)
) SS.
County of Cherry,)

I, Brittny N. Longcor, the undersigned County Clerk of Cherry County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal this 24th day of September 2024.

Brittny N. Longcor
Cherry County Clerk

Martin K. DeNaeyer, Chairperson
Cherry County Board of Commissioners