

BOARD OF COMMISSIONERS MINUTES

March 11, 2025

The Cherry County Board of Commissioners convened in regular session on March 11, 2025 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 McConaughy. Roll call was taken. Present for the meeting were Cherry County Commissioners Mike McConaughy, Martin DeNaeyer, Nina Nelson, and Cherry County Clerk Samantha Leonard. The Open Meetings Act Poster was acknowledged by Chairman McConaughy and the Pledge of Allegiance was recited.

The Board of Commissioners' regular meeting minutes from February 25, 2025 were read. Nelson moved and DeNaeyer seconded to approve the minutes with noted corrections. Roll call vote: Aye – DeNaeyer, Nelson, McConaughy. The motion carried.

The Board of Equalization meeting minutes from February 25, 2025 were read. Nelson moved and McConaughy seconded to approve minutes as read. Roll call vote: Aye – Nelson, McConaughy. Abstain - DeNaeyer. The motion carried.

The Board of Corrections meeting minutes from February 25, 2025 were read. Nelson moved and McConaughy seconded to approved minutes as read. Roll call vote: Aye – McConaughy, Nelson. Abstain – DeNaeyer. The motion carried.

Comments from the public were received during the allotted time.

District 3 Road Foreman Brent Collier provided the board with an update re: maintenance on equipment, laying rock, hauling material, and trimming back trees along roadways. District 2 Road Foreman Steve Stichka gave an update re: tree removal & trimming over roads, machinery maintenance, minor equipment repairs, and hauling materials. District 1 Road Foreman JD Osburn provided an update re: equipment repairs, trimming back trees along roadways, and road repairs being done from the snow.

Highway Superintendent JD Osburn discussed a bridge list for a potential grant.

At 10:31 a.m. Chairman McConaughy opened the Public Hearing re: One – and – Six Year Highway Improvement Program Plan. Highway Superintendent JD Osburn and Road Foreman Steve Stichka & Brent Collier reviewed planned projects throughout the county. They discussed armor coat projects, milling projects, a new culvert on Medicine Lake Road, finishing Berry Bridge Road milling project and will go as far as possible with the millings left designated for that project. At 10:49 a.m. Chairman McConaughy closed the public hearing. McConaughy moved and Nelson seconded to adopt Resolution #2025-01 to approve the plan as presented. Roll call vote: Aye – DeNaeyer, Nelson, McConaughy. The motion carried.

The board reviewed the tax list certification presented by County Treasurer Kathy Hammond.

Emergency Management Director Jessica Coyle presented the board with the Motorola Eventide Logger Solution Agreement to update the 911 Recording System in the amount of \$40,909.00 for the initial cost and approximately \$10,000/year for Year 2-4 of maintenance, all to be paid out of the E911 Funds. Ms. Coyle informed the board the anticipated date of completion would be the end of April. McConaughy moved and DeNaeyer seconded to accept the Motorola contract and authorize Jessica Coyle to sign. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried.

Emergency Management Director Jessica Coyle provided the board with an update re: EM Conference in April, NEMA call re: the burn ban statute, Equiture system, North Central PET meeting attendance, Cherry County South building cameras needing moved, and working on issues pertaining to the new network system.

The board gave updates pertaining to the NRD Convention Center meeting, Ag Society, and Noxious Weed Superintendent trainings coming up.

At 11:30 a.m. Chairman McConaughy opened the Public Hearing re: CUP #25-01 Outback Sales LLC Poly Outdoor Furniture Fabrication Shop. Zoning Administrator Jane Stolzenburg informed the board all regulations have been met, and the Planning & Zoning Board voted 7 yes and 1 abstain at their meeting. Harvey Kuhns explained the overlay of the business. They use primarily recycled plastic products to build outdoor furniture. All scrap materials go back to the company where the recycled plastic was ordered from. Their long-term goal is to have a local company in town sell their product. There was no comment from the public. At 11:38 a.m. Chairman McConaughy closed the public hearing. Nelson moved and DeNaeyer seconded to approve CUP #25-01 and adopt Zoning Resolution #Z-98. Roll call vote: Aye – McConaughy, DeNaeyer, Nelson. The motion carried.

At 12:00 p.m. the board met with members of the Cherry County Ag Society re: a federally funded grant in which they discussed using the county's Sam.Gov number for the grant application. The Ag Society informed the board they can apply for a maximum of \$450,000 with a 25% "in-kind" match from the Ag Society for this specific grant. They have reached out to a grant writer in Ainsworth to help assist with the process. They would like to use this

grant money for bathrooms with showers, water lines for the new electrical hookups, add sidewalls to the open pavilion to be able to use more throughout the year, etc. The board asked the Ag Society members to visit with the grant writer first to have more information and data put together, present an application, and have an audit completed for them to make a decision. No action was taken.

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

Claims were presented in the amount of	\$	56,695.62	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$ 56,695.62

GENERAL

Alcohol Countermeasure System	Services	\$30.00
Anderson Electric Inc	Services	\$596.46
Applied Connective	Services	\$5,294.80
Black Hills Chemical	Services	\$663.24
Bomgaars	Services	\$155.83
Michael Borders	Services	\$712.25
Butler Veterinary Clinic	Services	\$105.42
Centurylink	Services	\$2,053.45
Cherry County Court	Services	\$807.00
Cherry County District Court	Services	\$175.00
Cherry County Hospital	Services	\$5,172.00
Cherry County Sheriff	Services	\$33.70
Cherry County Treasurer	Bank Fees	\$10.00
Circle K Motor Company	Services	\$750.32
Clearly Communications	Telephone Service	\$325.17
Crowne Plaza	Lodging	\$179.00
DAS State Accounting 6506	Services	\$537.60
DAS State Accounting 6507	Services	\$220.55
James Edwards	Services	\$100.00
Firstnet/AT&T Mobility	Services	\$588.52
Galls Parent Holdings	Supplies	\$197.73
Pat Greenough	Reimbursement	\$100.00
Jessica Hanson	Reimbursement	\$196.68
Timothy Hanson	Equipment	\$2,636.75
Heart City Lock & Key	Services	\$40.00
Henderson's IGA Inc	Supplies	\$138.07
Kami Hooey	Services	\$25.10
Journal Entry	Insurance	\$90.16
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$2,509.30
Mellette County	Services	\$740.00
Microfilm Imaging Systems	Services	\$186.00
Midland News	Services	\$1,661.18
Midland Printing	Services	\$63.00
MIPS	Services	\$3,337.88
Nebraska Assn of County Clerks	Dues/Fees/Training	\$50.00
Nebraska Law Enforcement Training	Dues/Fees/Training	\$24.90
Nextoner	Supplies	\$128.50
NPZA: NE Planning and Zoning	Dues/Fees/Training	\$365.00
Office Products	Supplies	\$1,430.23
Outback Screenprinting & Embroidery	Supplies	\$90.00
Heather Peterson	Reimbursement	\$9.68
Presto X	Services	\$114.10
Reese Inc	Services	\$2,795.13
Sandhill Oil Co	Supplies	\$145.90
Sandhills Area Sheriff's Association	Dues/Fees/Training	\$150.00
Eric Scott Law	Clerical Salary/Rent/Telephone/Equipment	\$6,653.54
Scotty's Ranchland Foods	Supplies	\$113.68
Cardmember Services	Supplies	\$1,093.69
Sennet Duncan Jenkins & Wickham	Services	\$2,006.44
Tony's Tire & Auto Repair	Services	\$89.00
True Value	Supplies	\$88.93
UNL c/o NE Extension/Cherry County	Services	\$3,258.83
US Cellular	Telephone Service	\$59.50
Valentine Dental Clinic	Services	\$72.75
City of Valentine	Utilities	\$5,323.97
Bill Wachob	Mileage	\$131.60
Western Oil/Conoco	Services	\$45.77
Wex Bank	Services	\$1,913.17
Wrenched Tire & Auto	Services	\$109.15
	TOTAL	\$56,695.62

Claims were presented in the amount of	\$	81,925.43	.
and disallowed in the amount of			
A warrant was ordered drawn on the Road Fund in the amount of			\$ 81,925.43

ROAD

Allard Precast	Services	\$2,850.00
Bauerkempers Inc	Services	\$70.14
Bomgaars	Supplies	\$1,436.00
Boardertown Discount Fuel LLC	Services	\$2,289.53

Buche Hardware	Supplies	\$40.37	
Buckles Fuel Service	Services	\$710.14	
CC Angus Ranch LLC	Services	\$11,000.00	
Central Valley Ag Cooperative	Services	\$5,861.90	
Cherry County Implement	Services	\$1,396.05	
Circle K Motor Company	Services	\$3,606.86	
Colonial Research Chemical Company	Services	\$486.94	
Consolidated Telephone	Services	\$286.78	
Custer Public Power District	Services	\$215.32	
Danielski Farms	Services	\$7,886.18	
DAS State Accounting Central Finance	Services	\$27.70	
Farritor Auto Parts	Services	\$1,200.00	
Great Plains Communications	Services	\$321.29	
Hometown Lumber	Services	\$9.29	
Inland Truck Parts Company	Supplies	\$969.14	
Interstate Battery System	Services	\$663.75	
KBR Rural Public Power District	Services	\$659.53	
Kimball Midwest	Services	\$2,159.14	
Kohler Trailer Sales	Services	\$1,361.80	
Koinzan Trucking	Services	\$3,095.60	
Martin Auto Parts II	Services	\$843.86	
Mathis Equipment	Services	\$188.40	
Medical Enterprises	Services	\$41.00	
Village of Merriman	Services	\$72.45	
Mips Inc	Services	\$180.00	
Mullen Auto & Diesel	Services	\$1,833.02	
Nebraska Machinery Company	Services	\$2,442.79	
Nebraska Public Power District	Services	\$302.15	
Nebraska Truck Center	Services	\$1,128.83	
O'Reilly Auto Parts	Supplies	\$15.39	
Office Products	Supplies	\$150.34	
Ogallala Community Hospital	Services	\$40.00	
The Parts Company	Supplies	\$1,483.73	
Perrett Construction LTD	Services	\$317.32	
Petty Cash	Services	\$20.00	
Powerplan	Services	\$9,429.59	
Prema	Services	\$235.73	
Reese Inc	Supplies	\$981.50	
Sandhill Oil Company	Services	\$5,061.90	
Sandhills Ranch Supply	Services	\$892.91	
Tehrani Motor Company	Services	\$157.82	
Troyer Enterprises Inc	Services	\$5,613.15	
City of Valentine	Services	\$1,502.10	
3s Fabrication & Repair	Services	\$388.00	
	TOTAL		\$81,925.43
Claims were presented in the amount of	\$	2,929.02	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$ 2,929.02
VISITOR PROMOTION			
Cherry Street Rentals	Services	\$1,020.00	
Great Plains Communications	Services	\$182.18	
Tony Hanson	Services	\$300.00	
Nebraska Travel Association	Services	\$1,010.00	
City of Valentine	Services	\$416.84	
	TOTAL		\$2,929.02
Claims were presented in the amount of	\$	110,150.28	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of			\$
EMPLOYEE HEALTH INSURANCE CLAIMS			
Cherry County Clerk	Health Insurance Claims	\$110,150.28	
	TOTAL		\$110,150.28
Claims were presented in the amount of	\$	10,001.19	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$ 10,001.19
BOOKMOBILE			
Valentine Public Library	Bookmobile	\$10,001.19	
	TOTAL		\$ 10,001.19
Claims were presented in the amount of	\$	28,210.48	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Covid American Rescue Plan Fund in the amount of			\$ 28,210.48
COVID ARPF			
Motorola Solutions	Services	\$28,210.48	
	TOTAL		\$28,210.48
Claims were presented in the amount of	\$	549.78	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$ 549.78
EMERGENCY MANAGEMENT			
Firstnet	Services	\$53.73	
KBR Public Power District	Services	\$99.37	

Nebraska Assn of Emergency Mgt		Dues/Fees	\$135.00
Prema		Services	\$261.68
		TOTAL	\$549.78
Claims were presented in the amount of	\$	17,953.70	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of		\$	17,953.70
INHERITANCE TAX			
APC Management		Services	\$11,803.70
Houghton Bradford Whitted PC		Services	\$2,550.00
Office Products		Services	\$3,600.00
		TOTAL	\$17,953.70
Claims were presented in the amount of	\$	5,214.08	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of		\$	5,214.08
911 EMERGENCY SERVICES (2910)			
Centurylink		Services	\$272.95
Solacom Technologies		Services	\$4,941.13
		TOTAL	\$5,214.08
Claims were presented in the amount of	\$	1,140.94	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of		\$	1,140.94
911 WIRELESS SERVICE (2913)			
Great Plains Communications Inc		Services	\$163.34
OPTK Networks		Services	\$977.60
		TOTAL	\$1,140.94

The board recessed from 12:28 p.m. to 1:00 p.m.

At 1:00 p.m. the board conducted interviews with four potential candidates to fill the Cherry County Noxious Weed Superintendent position. At 1:38 p.m. McConaughy moved, and Nelson seconded to enter executive session for the discussion of the Noxious Weed Superintendent job applicants with the Board and Clerk to be present. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried. At 2:04 p.m. McConaughy moved and DeNaeyer seconded to exit executive session, and the public was allowed to re-enter. Roll call vote: Aye – McConaughy, DeNaeyer, Nelson. The motion carried.

At 2:08 p.m. DeNaeyer moved, and Nelson seconded to enter executive session to discuss litigation and strategy for the upcoming TK Angus court case, with the Board, Clerk, and County Attorney to be present. Roll call vote: Aye – DeNaeyer, Nelson, McConaughy. The motion carried. At 2:55 p.m. McConaughy moved and DeNaeyer seconded to exit executive session, and the public was allowed to re-enter. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried.

At 2:56 p.m. the board met via Zoom with the Keya Paha County Commissioners to discuss dispatching for Keya Paha County. Justice Administrator Sharon Hesse provided the board with a report on extra administrative work, training record requirements, absorbing radio traffic and documentation, and calculations of extra costs that will be incurred by Cherry County. Keya Paha County Commissioners confirmed they are ready to commit to an annual contract of \$20,000, with an initial cost of \$7,500 for the tower upgrade. Keya Paha County Commissioners will be in contact with Emergency Management Director Jessica Coyle on the tower upgrade needing completed. The board informed Keya Paha County Commissioners they would discuss the terms with County Attorney Eric Scott and ask him to draft a contract to be presented to both boards for signatures.

The board discussed options for the Cherry County Noxious Weed Superintendent appointment including an employee, contract labor, budget, etc. McConaughy moved and DeNaeyer seconded to offer Patrick Hooper the position for Cherry County Noxious Weed Superintendent at the current pay rate. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried.

At 3:42 p.m. Chairman McConaughy adjourned the meeting.

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

I, Samantha Leonard, 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 25th day of March 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughy, Chairperson
Cherry County Board of Commissioners

DRAFT