

BOARD OF COMMISSIONERS MINUTES

July 29, 2025

The Cherry County Board of Commissioners convened in regular session on July 29, 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 10:01 a.m. by Chairman McConaughey. Roll call was taken. Present for the meeting were Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughey, and County Clerk Samantha Leonard. The Open Meetings Act Poster was acknowledged by Chairman McConaughey and the Pledge of Allegiance was recited.

The Board of Commissioners' regular meeting minutes from July 8, 2025 were read. DeNaeyer moved and Nelson seconded to approve minutes as read. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The Board of Equalization meeting minutes from July 8, 2025 were read. McConaughey moved and Nelson seconded to approve minutes with noted corrections. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

The Board of Equalization special meeting minutes from July 22, 2025 were read. Nelson moved and DeNaeyer seconded to approve minutes as read. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

The Board of Commissioners' special meeting minutes from July 22, 2025 were read. McConaughey moved and Nelson seconded to approve minutes as read. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

At 10:36 a.m. the meeting was moved to the Cherry County Courtroom.

Comments from the public were received during the allotted time.

The board discussed options of county usage for the privately owned bridge on Anderson Bridge Road, built by the Amish community. County Attorney Eric Scott advised the board they could come to an agreement with the Amish Community for an easement to the public for use. Representatives from the Amish Community voiced they had no concerns with doing an easement for the public and questioned liability issues. Mr. Scott advised them the only liability they would have is if there is a visual defect and do not close the bridge or put up signs. Mr. Scott asked for a copy of the nationwide permit obtained from the Core. The county has an engineering stamp in place for the bridge. Highway Superintendent told the board the bridge must have annual inspections to be compliant if being used by the public. Chairman McConaughey proposed the county pay for all inspections if the bridge is being used for county and public use. Mr. Scott will be meeting with the Amish Community representatives to gather correct legal descriptions and will draft an easement for consideration at the next regular board meeting. The board discussed if Anderson Bridge is a historical bridge and discussed the option to remove the bridge. Mr. Osburn will research the historical bridge list and report back at the next meeting.

The Amish Community met with the board re: naming new roads for GEOCOM and EM purposes. The board discussed the two options of Highland Trail or Meadlark Lane. After researching county road names, Meadlark Lane is a similar name to other roads in the county and were advised to stay away from that name. The county assumes no liability or maintenance of said road. They are strictly only naming the road for EM and GEOCOM purposes. The Amish Community also asked the board if they would be willing to name the roads that T off the main road as multiple homes are being built. The board asked the representatives to bring a detailed map and name options at the next regular board meeting for discussion.

The road foremen gave updates for their specific districts. Steve Stickha, Road District #2 Foreman, updated re: millings being laid down, hauling millings to Whitman Road, saving some millings for the winter patching, machine being repaired and general maintenance. Road District #3 Foreman Brent Collier updated re: general maintenance and working on the new culvert. Road District #1 JD Osburn updated re: routine maintenance, millings on Skull Lake Rd, and a motor grader and loader on the list to get fixed.

Highway Superintendent JD Osburn presented a draft template of the NIRMA Request to Occupy Right of Way Application and had a discussion of an application fee. The board asked County Attorney Eric Scott to review the application. No board action taken.

The board reviewed Contryman Associates engagement letter for the fiscal year 2024-2025 audit as presented by Clerk Leonard. Nelson moved and DeNaeyer seconded to accept Contryman Associates engagement letter for 2024-2025 fiscal year audit and authorize the Chairman to sign. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

Jim Bargaen, CEO of Cherry County Hospital, provided the board with an update re: quality and regulatory, workforce development and recruitment, financial resilience, community engagement, infrastructure and technology, and 2025 Quarter 1 financials.

The board discussed Cherry County Hospital Board of Trustees appointments with Mr. Bargen. There was discussion of going back to a 5-person board.

Emergency Management Director Jessica Coyle provided an update re: EM/Dispatch training and certification, weather, Merriman siren grant, NCPET, State certification meeting, and cybersecurity training.

The board discussed the FEMA Grant with EM Director Coyle to replace the Village of Merriman siren. McConaughey voiced his concerns that the current siren in the Village of Merriman does not work and there is no early warning for Merriman residents. The grant awarded is a reimbursement grant. McConaughey moved and DeNaeyer seconded to accept the FEMA-4778-DR-NE Hazard Mitigation Grant. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

The board discussed two quotes from Blue Valley for the Village of Merriman siren. Quote 722251443 includes a smaller siren for \$28,690.80. Quote 722251444 includes a larger siren for \$32,361.35. The board discussed their concerns about the smaller siren not being able to reach Cottonwood Lake for campers to be notified. The quotes are only for equipment, Platte Valley would connect the siren to dispatch. The grant will cover both the equipment and labor for installation. DeNaeyer moved and McConaughey seconded to accept Quote #722251444 for \$32,361.35 and authorize EM Director Coyle to sign. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The board met with Andrea Brown, a potential appointee for the Cherry County Hospital Board of Trustees. Andrea presented her resume and gave her background. Nelson moved and McConaughey seconded to appoint Andrea Brown to a 6-year term, to expire July 31, 2031, to fill Sheila Wheeler's vacancy. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

McConaughey moved and DeNaeyer seconded to re-appoint Deanna Scott for a 4-year term, to expire July 31, 2029 for the Cherry County Hospital Board of Trustees. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

Clerk Leonard provided an email re: the joint public hearing postcard printing services. McConaughey moved and DeNaeyer seconded to approved MIPS as the joint public hearing postcard printing service. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The board discussed the employee classification analysis memos. Planning and Zoning Administrator being changed from salary to hourly was discussed, and options on how to structure payroll and office hours to work with the Clerk's office, as the current administrator fulfills both duties of Zoning Administrator and a staff member of the Clerk's Office. The board will discuss it at the next regular board meeting. No board action taken.

The board recessed from 12:29 p.m. to 1:00 p.m.

The board recessed from 1:00 p.m. to 1:18 p.m. to convene as a Board of Equalization.

The board recessed from 1:30 p.m. to 1:40 p.m. to convene as a Board of Corrections.

The board recessed from 1:40 p.m. to 2:04 p.m.

At 2:04 p.m. the board met with County Attorney Eric Scott re: TK Angus vs. Cherry County Court case #CI23-54 decision. Stephen Mossman, representing TK Angus, joined via Zoom. Mr. Scott received an email from Mr. Mossman stating TK Angus' proposed conditions that Mr. Scott shared with the board. TK Angus agrees to best practices for the facility. McConaughey asked Mr. Mossman for condition #3 – soil testing, why there is no continuation of soil testing being completed after the initial test is done. Mr. Mossman stated moving forward after the initial test is finished, it is part of the NDWEE to regulate soil testing. TK Angus agrees to share soil & water testing results from NDWEE with Cherry County Commissioners. The board voiced their main concern is the practices of the facility to take place to protect the public from harm. Mr. Mossman stated the proposed conditions presented by TK Angus are over and above any other facilities across the state. If conditions proposed by TK Angus are approved by the board, and not met, the county can enforce land use and zoning regulations, and NDWEE will enforce regulations outside of county jurisdiction. Nelson voiced her concerns of condition #1 mortality, and asked Mr. Mossman if there are maps they could provide to show the soil types in the area besides the two soil types listed in the condition. Rick Marlett, TK Angus, provided the board with maps from the NRCS showing all soil types. Mr. Scott asked Mr. Mossman to prepare a newly proposed conditions list with best practices as the #1 condition. Mr. Marlett informed the board they must be approved with the NDEQ fulfilling all requirements before the project beings, and all conditions being proposed are part of the NDEQ requirements. The board created Z-98 resolution to include all conditions being proposed. After Mr. Mossman stated they accept Z-98, Mr. Scott asked Mr. Mossman if TK Angus agrees to abide by the conditions included in Zoning Resolution Z-98, if passed. TK Angus owners Rick & Tim Marlett both said yes. Tim Marlett stated for the record he is the president of TK Angus. McConaughey moved and DeNaeyer seconded to approve Zoning Resolution Z-98 which will ultimately approve CUP 001-23. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

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

Claims were presented in the amount of	\$	355,080.39	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$	355,080.39	
GENERAL FUND			
AFLAC	Withholdings/Insurance	\$2,881.97	
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$21,969.56	
Blue Cross Blue Shield	Health Insurance Administration Fees	\$643.00	
Betty Copeland	Prior Service	\$132.00	
Delta Dental of Nebraska	Withholdings/Insurance	\$2,264.18	
EFTPS	Withholdings/Taxes	\$38,902.05	
Margaret Lutter	Prior Service	\$72.00	
Medica Health Insurance	Withholdings/Insurance	\$128,362.08	
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$4,800.00	
MidAmerica Admin & Retirement Solutions	Health Insurance Administration Fees	\$648.00	
NE Department of Revenue	Withholdings/Taxes	\$5,824.99	
Gloria Ritchey	Prior Service	\$180.00	
Eric Scott Law	Clerical Salary/Rent/Telephone/Equipment	\$6,639.61	
Security 1st Health Savings Account	Withholdings/Insurance	\$4,091.66	
Vision Service Plan	Withholdings/Insurance	\$530.50	
Andre, Andrea	Gross Wages	\$4,618.80	
Bancroft, Kaetryn	Gross Wages	\$464.00	
Bancroft, Melissa	Gross Salary	\$4,929.21	
Blume, Ashley	Gross Wages	\$5,052.93	
Brockley, Billie	Gross Wages	\$4,000.00	
Buechle, Shelbie	Gross Wages	\$6,172.76	
Coates, Sonia	Gross Wages	\$4,085.08	
DeNaeyer, Martin	Gross Salary	\$2,012.50	
Dobbins, Cynthia	Gross Wages	\$2,863.40	
Duffield, Janette	Gross Wages	\$5,835.53	
Froning, Ellen	Gross Wages	\$1,240.52	
Goodrich, Dustina	Gross Wages	\$3,726.87	
Goodrich, Weston	Gross Wages	\$5,211.57	
Greenough, Pat	Gross Wages	\$4,844.78	
Hammond, Kathy	Gross Salary	\$4,929.21	
Hanson, Jessica	Gross Wages	\$4,929.21	
Hanson, Timothy	Gross Salary	\$2,464.60	
Hesse, Sharon	Gross Salary	\$5,208.33	
Hooper, Patrick	Gross Wages	\$3,348.78	
Hunt, Clarissa	Gross Wages	\$3,312.99	
Jackson, Gary	Gross Wages	\$6,103.09	
Johnson, Andrew	Gross Salary	\$3,608.25	
Knox, Calvin	Gross Wages	\$5,174.72	
Leonard, Samantha	Gross Wages	\$4,929.21	
Lopez, Vincent	Gross Wages	\$991.00	
Lutter, Tammy	Gross Wages	\$3,619.63	
McConaughey, Michael	Gross Salary	\$2,012.50	
McSweeney, Ryan	Gross Wages	\$5,819.16	
Menze, Caitlyn	Gross Wages	\$3,303.95	
Miller, Eve	Gross Wages	\$596.10	
Nelson, Nina	Gross Salary	\$2,012.50	
Ormesher, Katie	Gross Wages	\$4,835.42	
Osborne, Joanie	Gross Wages	\$811.20	
Osburn, Albert	Gross Salary	\$5,087.02	
Peterson, Efran	Gross Wages	\$3,176.55	
Pier, Shelley	Gross Wages	\$3,917.88	
Price, Cassandra	Gross Wages	\$5,073.56	
Red Fish, Cheyenne	Gross Wages	\$6,164.92	
Renning, Maxwell	Gross Wages	\$5,787.53	
Running Bear, Brittany	Gross Wages	\$2,545.89	
Scott, Eric	Gross Salary	\$5,551.16	
Starr, Christopher	Gross Wages	\$5,385.70	
Stec, Nicholas	Gross Wages	\$5,076.42	
Stoeger, David	Gross Wages	\$5,281.04	
Stolzenburg, Jane	Gross Wages	\$4,740.67	
Wickman, Erick	Gross Wages	\$6,574.55	
	GROSS TOTAL	\$405,372.29	
	Adjustment for employees' share of withholdings	(\$50,291.90)	
	NET TOTAL	\$355,080.39	
Claims were presented in the amount of	\$	179,465.25	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of	\$	179,465.25	

ROAD FUND

AFLAC	Withholdings/Insurance	\$1,588.76
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$11,809.73
Blue Cross Blue Shield	Health Insurance Administration Fees	\$225.00
Delta Dental of Nebraska	Withholdings/Insurance	\$826.53
EFTPS	Taxes/Withholdings	\$23,414.55
Merle Ford	Prior Service	\$300.00
Legal Shield	Services	\$33.90
Medica Health Insurance	Withholdings/Insurance	\$56,024.46
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$1,900.00
NE Department of Revenue	Taxes/Withholdings	\$3,575.44
Security 1st Health Savings Account	Withholdings/Insurance	\$1,550.00
Vernon Shears	Prior Service	\$72.00
Charle Smith	Prior Service	\$288.00
Vision Service Plan	Withholdings/Insurance	\$215.59
Jim Weisbeck	Prior Service	\$192.00
Buechle, Jordan	Gross Wages	\$6,408.93
Bunner, Bradley	Gross Wages	\$5,192.00
Cash, Tyler	Gross Wages	\$5,721.92
Coetzee, Daniel	Gross Wages	\$4,782.62
Collier, David	Gross Salary	\$5,000.00
Donner, Abigayle	Gross Wages	\$4,606.88
Egger, Garrett	Gross Wages	\$5,808.14
Fanning, Eden	Gross Wages	\$427.50
Fernau, Bradly	Gross Wages	\$6,279.60
Graeff, Randy	Gross Wages	\$6,671.26
Hampton, Donald	Gross Wages	\$1,477.44
Hart Benjamin	Gross Wages	\$2,241.47
McWhirter, Bentz	Gross Wages	\$5,929.53
Olson, Arnold	Gross Wages	\$4,816.26
Osburn, Jay D	Gross Salary	\$5,750.00
Pearman, Terry	Gross Wages	\$6,210.00
Reese, Kay	Gross Wages	\$2,727.29
Songer, LeRoy	Gross Wages	\$5,492.54
Szakacs, Ryan	Gross Wages	\$4,858.20
Stichka, Steven	Gross Salary	\$5,000.00
Thompson, Shawn	Gross Wages	\$6,177.28
Vest, Daniel	Gross Wages	\$4,596.28
	GROSS TOTAL	\$208,191.10
	Adjustment for employees' share of withholdings	(\$28,725.85)
	NET TOTAL	\$179,465.25

Claims were presented in the amount of	\$	7,226.10	
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Visitors Promotion Fund in the amount of			\$ 7,226.10

VISITORS PROMOTION FUND

AFLAC	Withholdings/Insurance	97.37
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$711.81
Delta Dental of Nebraska	Withholdings/Insurance	\$62.83
EFTPS	Taxes/Withholdings	\$1,264.18
Journal Entry	Vendor Correction	(\$778.74)
Great Plains Communication	Telephone	\$178.74
NE Department of Revenue	Taxes/Withholdings	\$164.58
NETA	Dues/Fees	\$600.00
Vision Service Plan	Withholdings/Insurance	\$31.84
Braun, Regina	Gross Wages	\$4,804.48
Graeff, Lynn	Gross Wages	\$1,522.75
	GROSS TOTAL	\$8,659.84
	Adjustment for employees' share of withholdings	(\$1,433.74)
	NET TOTAL	\$7,226.10

Claims were presented in the amount of	\$	34,488.45	
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Health Claims Fund in the amount of			\$ 34,488.45

HEALTH CLAIMS FUND

Cherry County Clerk	Health Insurance Claims	\$34,488.45
	TOTAL	\$34,488.45

Claims were presented in the amount of	\$	11,564.92	
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$ 11,564.92

EMERGENCY MANAGEMENT FUND

AFLAC	Withholdings/Insurance	143.39
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$691.15

Blue Cross Blue Shield	Health Insurance Administration Fees	\$15.00	
Delta Dental of Nebraska	Withholdings/Insurance	\$80.24	
EFTPS	Taxes/Withholdings	\$1,337.77	
Medica Health Insurance	Withholdings/Insurance	\$4,310.20	
NE Department of Revenue	Taxes/Withholdings	\$185.69	
Security 1st Health Savings Account	Withholdings/Insurance	\$500.00	
Vision Service Plan	Withholdings/Insurance	\$31.84	
Coyle, Jessica	Gross Salary	\$4,888.00	
Reese, Kay	Gross Wages	\$1,255.55	
	GROSS TOTAL	\$13,438.83	
	Adjustment for employees' share of withholdings	(\$1,873.91)	
	NET TOTAL	\$11,564.92	
Claims were presented in the amount of	\$	40,000.00	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Grant (2500) Fund in the amount of		\$	40,000.00
Grant Fund			
Strong1, LLC	Services	\$	40,000.00
	TOTAL	\$	40,000.00

At 4:10 p.m. Chairman McConaughey 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 12th day of August 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioners

BOARD OF EQUALIZATION MINUTES
July 29, 2025

The Cherry County Board of Commissioners convened as a Board of Equalization on July 29, 2025 in the Commissioner Meeting Room of the Cherry County Courthouse, as per notice published in the Valentine Midland News. The current agenda being on file in the office of the County Clerk. The meeting was called to order at 1:00 p.m. by Chairman McConaughey. Present were Commissioners Nina Nelson, Mike McConaughey, Martin DeNaeyer, County Clerk Samantha Leonard, and County Assessor Melissa Bancroft. The Open Meetings Act Poster was acknowledged by Chairman McConaughey.

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

No tax list corrections were presented.

The board reviewed Assessor Bancroft’s 3-Year Assessment Plan.

The board reviewed the 2025 Cherry County Cemetery Report. Assessor Bancroft informed the board the only change is adding two pieces of Mount Hope Cemetery previously not on the report.

The board review Lake Mac Assessments contract for 2026. The contract includes reviewing villages, building land and depreciation tables according to the current market value for these parcels. Lake Mac Assessments agreed to conduct four 4-hour training days with the Assessor’s Office to complete desk reviews of rural properties. Nelson moved and DeNaeyer seconded to accept Lake Mac Assessments 2026 contract. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

At 1:18 p.m. Chairman McConaughey 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 12th day of August 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioners

BOARD OF CORRECTION MINUTES
July 29, 2025

The Cherry County Board of Commissioners convened as a Board of Corrections on July 29, 2025 in the Commissioner Meeting Room of the Cherry County Courthouse, as per notice published in the Valentine Midland News. The current agenda being on file in the office of the County Clerk. The meeting was called to order at 1:30 p.m. by Chairman McConaughey. Present were Commissioners Nina Nelson, Mike McConaughey, Martin DeNaeyer, and County Clerk Samantha Leonard. The Open Meetings Act Poster was acknowledged by Chairman McConaughey.

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

Justice Administrator Sharon Hesse provided an update via email.

At 1:31 p.m. sealed bids were opened re: the Cherry County Jail Access Control System. One bid was received from Midwest Alarms. The board reviewed the bid. The board would like Administrator Hesse to review the bid before acceptance and will discuss it at the next regular Board of Corrections meeting. No board action taken.

At 1:40 p.m., Chairman McConaughey 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 12th day of August 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioners