

BOARD OF COMMISSIONERS MINUTES
September 9, 2025

The Cherry County Board of Commissioners convened in regular session on September 9, 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 McConaughey. Roll call was taken. Present for the meeting were Cherry County Commissioners Mike McConaughey, Martin DeNaeyer, Nina Nelson, and Cherry 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 August 26, 2025 were read. Nelson moved and McConaughey seconded to approve the minutes with noted corrections. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The Board of Equalization meeting minutes from August 26, 2025 were read. McConaughey moved and DeNaeyer seconded to approve minutes as read. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

The Board of Corrections meeting minutes from August 26, 2025 were read. DeNaeyer moved and Nelson seconded to approved minutes as read. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. 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: routine maintenance, clearing down trees from storm, and equipment being fixed at Murphy Equipment. District 2 Road Foreman Steve Stichka gave an update re: routine maintenance and the truck is fixed and back to the district yard. District 1 Road Foreman JD Osburn provided an update re: routine maintenance, oil work, and patching on Sparks River Road.

Highway Superintendent JD Osburn discussed the traffic counter that arrived September 8, 2025, they will set the counter up in District 3 to begin accumulating data. The purchase of the counter and started kit was approximately \$600 and will be split equally between the three road districts.

The board discussed the Request to Occupy County Right of Way permit & policy with Mr. Osburn. Clerk Leonard explained the changes made based on the discussion with County Attorney Eric Scott. This change included adding the execution statement from the prior permit used by the County for the County Board of Commissioners to approve the permit. The permit now includes a signature line for the Board of Commissioners Chairperson and the Highway Superintendent to accept and approve the permit and policy. Mr. Osburn stated he feels the new permit is very specific to what can and cannot be done and holds the applicant accountable if damages do occur that need to be remedied. McConaughey moved and Nelson seconded to approve the NIRMA Right of Way policy and permit with changes made requiring execution of County Board of Commissioners. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

Emergency Management Director Jessica Coyle provided an update via email.

Zoning Administrator Jane Stolzenburg provided an update via email. The board discussed fee scheduling, employee classification, payroll, and Planning and Zoning board potentially using the Commissioner’s Meeting Owl to live stream their meetings. The board will discuss more details later with the Zoning Administrator.

At 10:30 a.m. the board met with County Surveyor Timothy Hanson to discuss invoices and budget. It was a consensus of the board to add a line item to the surveyor budget to include materials. Any invoices sent to the county that were not ordered by a road foreman will be expensed through the surveyor budget. The board will adjust the surveyor budget to include a materials line item. No action taken.

The board recessed from 11:29 a.m. to 12:30 p.m.

At 12:30 p.m. Candace Meredith with NACO provided a legislature update including district meetings, salary study/guidelines for appointed & elected officials, risk models for cash reserve, bond reading, budget workshop, unfunded/underfunded mandates, NTIA Bead program, and DMV license plate changes coming in 2029.

McConaughey moved and DeNaeyer seconded to adopt Resolution #2025-12 Authorization & Reauthorization of Petty Cash Funds. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

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

September 9, 2025
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	62,242.33	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of		\$	62,242.33

GENERAL

Anderson Electric Inc	Services	\$2,507.30
Wade Andrews	Mileage	\$77.00
Andy's Glass Shop	Services	\$575.00
Applied Connective	Services	\$9,051.61
Benchmark Government	Services	\$8.95
Black Hills Chemical	Services	\$1,698.70
Bomgaars	Supplies	\$137.41
Michael Borders	Services	\$3,719.19
CenturyLink	Services	\$2,047.73
Cherry County Court	Services	\$313.75
Cherry County Hospital	Services	\$6,930.00
Cherry County Sheriff	Services	\$121.15
Cherry County Treasurer	Bank Fees/Transfer	\$10.00
Cidnet	Supplies	\$300.00
Clearly Communications	Telephone Service	\$324.95
DAS State Accounting 6506	Services	\$537.60
DAS State Accounting 6507	Services	\$203.80
Dept Correctional Services	Services	\$903.50
FirstNet/AT&T Mobility	Services	\$392.26
Galls Parent Holdings	Supplies	\$121.99
Michelle Garwood	Reimbursement	\$115.50
Pat Greenough	Reimbursement	\$100.00
Jessica Hanson	Reimbursement	\$83.23
Timothy Hanson	Equipment	\$2,636.75
Heart City Drug	Supplies	\$31.11
Henderson's IGA	Supplies	\$601.19
Patrick Hooper	Reimbursement	\$480.61
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$3,167.32
JW Klawn	Services	\$384.00
KBR Rural Public Power	Services	\$96.13
Samantha Leonard	Reimbursement	\$563.38
Lincoln Financial Group	Insurance	\$757.46
William Marshall	Services	\$250.00
Midland News	Services	\$884.26
MIPS	Services	\$3,229.29
Ne DHHS	Services	\$436.21
Niobrara Valley Consultants	Services	\$953.10
NK Waste Management	Services	\$193.00
Office Products	Supplies	\$2,032.30
Outback Screen Printing	Supplies	\$284.00
Paper Tiger Shredding	Services	\$55.00
Prema	Services	\$211.74
Presto X	Services	\$124.37
Quadient Leasing	Services	\$54.98
Reese Inc	Services	\$80.00
Sandhill Oil Company	Services	\$199.69
Scotty's Ranchland Foods	Supplies	\$605.19
Cardmember Service	Services	\$162.20
Sennet Duncan Jenkins & Wickhad	Services	\$4,391.13
Jane Stolzenburg	Reimbursement	\$69.42
Tony's Tire & Auto Repair	Services	\$75.50
True Value	Supplies	\$120.95
UNL/NE Extension/Cherry County	Reimbursement	\$394.48
Valentine Dental Clinic	Services	\$335.25
Valentine Vision Center	Services	\$127.00
City of Valentine	Utilities	\$5,638.67
Veterans Information Service	Services	\$36.00
Viaero Wireless	Services	\$73.92
Bill Wachob	Reimbursement	\$131.60
Ward Plumbing & Heating	Services	\$433.56
Western Oil/Conoco	Services	\$22.84
Wex Bank	Services	\$1,638.11
	TOTAL	\$62,242.33

Claims were presented in the amount of

\$

116,282.11

and disallowed in the amount of

A warrant was ordered drawn on the Road Fund in the amount of

\$

116,282.11

ROAD

AKRS Equipment	Supplies	\$622.53
Bacon Repair	Services	\$81.30
Barco Municipal Products Inc	Services	\$445.68

Baum Hydraulics Corporation	Services		\$17.30
Bomgaars	Supplies		\$1,029.63
Bordertown Discount Fuel	Services		\$4,822.89
Buckles Fuel Service	Services		\$5,959.37
Central Valley Ag Cooperative	Services		\$3,985.40
Cherry County Clinic	Services		\$117.00
Cherry County Implement	Supplies		\$166.73
Circle K Motor Company	Services		\$3,554.28
Consolidated Telephone	Services		\$284.31
Croell Inc	Services		\$655.39
Custer Public Power District	Services		\$141.86
DAS State Accounting Central Finance	Services		\$27.70
Flat Creek Construction	Services		\$25,250.00
Floyd's Truck Center	Services		\$3,941.70
Great Plains Communications	Services		\$321.21
Hoefs Skidloader Works	Services		\$7,139.00
Interstate Battery System	Supplies		\$523.64
J&J Trailer sales	Services		\$386.00
Josh Whipple Trucking	Services		\$1,200.00
KBR Rural Public Power District	Services		\$231.64
Kimball Midwest	Services		\$165.46
Lawson Products	Services		\$186.66
Marc/Mid-American Research Chemical	Supplies		\$631.86
Midland News	Services		\$56.00
Mips Inc	Services		\$180.00
Mullen Auto & Diesel	Services		\$2,516.71
Nebraska Machinery Company	Services		\$92.43
Nebraska Public Power District	Services		\$45.57
North Central Nebraska RC&D	Services		\$3,381.01
Office Products	Supplies		\$127.53
The Parts Company	Supplies		\$223.86
Perrett Construction	Services		\$825.79
Powerplan	Services		\$563.57
Prema	Services		\$77.25
Sandhill Oil Company	Services		\$8,706.79
Sandhill Ranch Supply	Supplies		\$357.47
Security First Bank	Services		\$34,473.99
Southwest Farm & Auto Supply	Services		\$25.90
Truck Center Company	Services		\$2,512.48
City of Valentine	Services		\$227.22
	TOTAL		\$116,282.11
Claims were presented in the amount of	\$	12,568.36	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of		\$	12,568.36
VISITOR PROMOTION			
Cherry County Visitors Promotion	Reimbursement		\$161.61
Great Plains Communication	Services		\$178.64
Kelo TV	Services		\$1,710.00
MCB Productions	Services		\$1,000.00
NRG Media, LLC	Services		\$9,140.00
Trade Winds Motel	Lodging		\$99.00
City of Valentine	Utilities		\$279.11
	TOTAL		\$12,568.36
Claims were presented in the amount of	\$	1,436.50	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Register of Deeds P&M Fund in the amount of		\$	1,436.50
REGISTER OF DEEDS P&M			
Spectra Associates	Supplies	\$	1,436.50
	TOTAL		\$1,436.50
Claims were presented in the amount of	\$	22,399.62	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of		\$	22,399.62
EMPLOYEE HEALTH INSURANCE CLAIMS			
Cherry County Clerk	Health Insurance Claims		\$22,299.62
Carol Leonard	Health Insurance Claims		\$100.00
	TOTAL		\$22,399.62
Claims were presented in the amount of	\$	10,605.19	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Bookmobile Fund in the amount of		\$	10,605.19
BOOKMOBILE			

Thomas County Library		Bookmobile	\$	604.00
Valentine Public Library		Bookmobile		\$10,001.19
		TOTAL	\$	10,605.19
Claims were presented in the amount of	\$	3,093.95	.	
and disallowed in the amount of	\$	-		
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	3,093.95
EMERGENCY MANAGEMENT				
FirstNet		Services		\$93.95
Page My Cell		Services		\$3,000.00
		TOTAL		\$3,093.95
Claims were presented in the amount of	\$	446.22	.	
and disallowed in the amount of	\$	-		
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$	446.22
911 EMERGENCY SERVICES (2910)				
CenturyLink		Services		\$273.14
Great Plains Communications		Services		\$173.08
		TOTAL		\$446.22
Claims were presented in the amount of	\$	977.60	.	
and disallowed in the amount of	\$	-		
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of			\$	977.60
911 WIRELESS SERVICE (2913)				
OPTK Networks		Services		\$977.60
		TOTAL		\$977.60

At 1:29 p.m. the meeting was moved to the Sheriff’s Conference Room.

At 1:35 p.m. County Attorney Eric Scott joined the meeting via phone to discuss Zoning Regulation 1202 as presented by Randy Petersen. Mr. Scott informed the CUP for BSH Kilgore was approved. Since approval, complaints have been filed, an investigation by the Zoning Administrator has taken place, a Board of Adjustments hearing was held, and we are now in the time frame of appeal, if BSH Kilgore chooses to appeal. Mr. Scott said if BSH Kilgore does not appeal, they are not contesting the zoning investigation findings, and the appeal time frame is generally 30 days from the BOA hearing on September 4, 2025. Mr. Petersen stated what he wanted to bring forth re: Zoning Regulation Section 1202 is premature based on the discussion with Mr. Scott. There were questions re: if BSH Kilgore will share the court reporter’s transcript of the BOA Hearing. It is not a public record; however, Mr. Scott stated BSH Kilgore indicated at the hearing they would share the transcript. If they choose not to share the transcript, Mr. Scott stated the county can request for production and discovery. Mr. Scott informed if there is an appeal by BSH Kilgore, the court will make their decision. If there is not an appeal by BSH Kilgore, the Board of Adjustments decision holds. No board action taken.

At 2:02 p.m. the meeting was moved to the Board of Commissioners’ Meeting Room.

The board met via Zoom with budget preparer, Caleb Johnson, to discuss the fiscal year 2025-2026 Cherry County Budget documents. Discussion was had re: transfers from the Health Claims fund to the general, interest on investments, concern of future years with a less carryover benefit, adding a materials line item to the surveyor’s budget, dispatch, and cash reserve.

At 3:47 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 30th day of September 2025.

Samantha Leonard

Cherry County Clerk

Mike McConaughey, Chairperson

Cherry County Board of Commissioners