

BOARD OF COMMISSIONERS MINUTES
September 30, 2025

The Cherry County Board of Commissioners convened in regular session on September 30, 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 September 9, 2025 were read. McConaughey moved and DeNaeyer seconded to approve the minutes. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The Board of Commissioners’ emergency meeting minutes from September 19, 2025 were read. DeNaeyer moved and Nelson seconded to approve minutes as read. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

The Board of Commissioners’ special meeting minutes from September 25, 2025 were read. Nelson moved and McConaughey seconded to approved minutes as read. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

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

September 30, 2025
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	306,204.45	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$ 306,204.45
GENERAL FUND			
AFLAC	Withholdings/Insurance		\$3,031.19
Ameritas Life Insurance/Retirement	Withholdings/Retirement		\$22,184.94
Credit Management Services	Garnishment		\$566.81
Delta Dental of Nebraska	Withholdings/Insurance		\$2,549.19
EFTPS	Withholdings/Taxes		\$39,595.86
Calvin Knox	Reimbursement		\$590.80
Lincoln Financial Group	Withholding/Insurance		\$378.73
Vince Lopez	Reimbursement		\$606.81
Medica Health Insurance	Withholdings/Insurance		\$70,248.73
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding		\$5,100.00
MidAmerica Admin & Retirement Solution	Dues/Fees		\$468.00
NE Department of Revenue	Withholdings/Taxes		\$5,920.11
Eric Scott Law	Clerical Salary/Rent/Telephone/Equipment		\$11,628.55
Security 1st Health Savings Account	Withholdings/Insurance		\$4,091.66
Vision Service Plan	Withholdings/Insurance		\$603.80
Andre, Andrea	Gross Wages		\$4,537.81
Bancroft, Melissa	Gross Salary		\$4,929.21
Blume, Ashley	Gross Wages		\$5,206.80
Brockley, Billie	Gross Wages		\$4,000.00
Bruning, Jerri	Gross Wages		\$2,991.15
Buechle, Shelbie	Gross Wages		\$4,973.02
Coates, Sonia	Gross Wages		\$5,088.98
DeNaeyer, Martin	Gross Salary		\$2,012.50
Dobbins, Cynthia	Gross Wages		\$3,677.10
Duffield, Janette	Gross Wages		\$4,906.58
Froning, Ellen	Gross Wages		\$784.72
Goodrich, Dustina	Gross Wages		\$3,692.22
Goodrich, Weston	Gross Wages		\$5,142.38
Greenough, Pat	Gross Wages		\$5,007.76
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
Hoefs, Jasmine	Gross Wages		\$1,814.50
Hooper, Patrick	Gross Wages		\$3,416.80
Hunt, Clarissa	Gross Wages		\$4,142.90
Jackson, Gary	Gross Wages		\$5,722.70
Johnson, Andrew	Gross Salary		\$3,608.25

Knox, Calvin	Gross Wages	\$4,503.79
Leonard, Samantha	Gross Wages	\$4,929.21
Lopez, Vincent	Gross Wages	\$3,306.80
Lutter, Tammy	Gross Wages	\$3,619.21
McConaughey, Michael	Gross Salary	\$2,012.50
McSweeney, Ryan	Gross Wages	\$5,696.22
Menze, Caitlyn	Gross Wages	\$4,834.18
Miller, Eve	Gross Wages	\$166.31
Nelson, Nina	Gross Salary	\$2,012.50
Ormesher, Katie	Gross Wages	\$2,919.34
Osborne, Joanie	Gross Wages	\$733.28
Osburn, Albert	Gross Salary	\$5,087.02
Peterson, Ehran	Gross Wages	\$3,255.14
Pier, Shelley	Gross Wages	\$3,885.48
Price, Cassandra	Gross Wages	\$4,392.81
Red Fish, Cheyenne	Gross Wages	\$5,176.22
Renning, Maxwell	Gross Wages	\$6,029.92
Scott, Eric	Gross Salary	\$5,551.16
Starr, Christopher	Gross Wages	\$6,155.04
Stec, Nicholas	Gross Wages	\$5,649.43
Stoeger, David	Gross Wages	\$5,113.22
Stolzenburg, Jane	Gross Wages	\$4,145.23
Wickman, Erick	Gross Wages	\$6,146.84
	GROSS TOTAL	\$356,072.76
	Adjustment for employees' share of withholdings	(\$49,868.31)
	NET TOTAL	\$306,204.45

Claims were presented in the amount of	\$	150,707.75	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$

ROAD FUND

AFLAC	Withholdings/Insurance	\$1,588.76
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$11,371.71
Delta Dental of Nebraska	Withholdings/Insurance	\$891.09
EFTPS	Taxes/Withholdings	\$22,749.24
Legal Shield	Services	\$33.90
Medica Health Insurance	Withholdings/Insurance	\$30,586.40
AUL Health Benefit Trust	Health Reimbursement Arrangement Funding	\$2,100.00
NE Department of Revenue	Taxes/Withholdings	\$3,442.27
Security 1st Health Savings Account	Withholdings/Insurance	\$1,800.00
Vision Service Plan	Withholdings/Insurance	\$215.59
Buechle, Jordan	Gross Wages	\$6,025.60
Bunner, Bradley	Gross Wages	\$5,170.00
Cash, Tyler	Gross Wages	\$5,592.67
Coetzee, Daniel	Gross Wages	\$4,664.33
Collier, David	Gross Salary	\$5,000.00
Egger, Garrett	Gross Wages	\$4,839.71
Fanning, Eden	Gross Wages	\$4,428.00
Fernau, Bradly	Gross Wages	\$5,737.77
Fish, Tristan	Gross Wages	\$655.50
Graeff, Randy	Gross Wages	\$6,304.08
Hampton, Donald	Gross Wages	\$2,472.66
Hart Benjamin	Gross Wages	\$1,514.78
Licking, Jeffrey	Gross Wages	\$322.56
McWhirter, Bentz	Gross Wages	\$6,081.58
Olson, Arnold	Gross Wages	\$4,415.74
Osburn, Jay D	Gross Salary	\$5,750.00
Pearman, Terry	Gross Wages	\$6,453.00
Reese, Kay	Gross Wages	\$2,582.95
Songer, LeRoy	Gross Wages	\$4,963.49
Szakacs, Ryan	Gross Wages	\$4,566.60
Stichka, Steven	Gross Salary	\$5,000.00
Thompson, Shawn	Gross Wages	\$5,881.92
Vest, Daniel	Gross Wages	\$4,514.01
	GROSS TOTAL	\$177,715.91
	Adjustment for employees' share of withholdings	(\$27,008.16)
	NET TOTAL	\$150,707.75

Claims were presented in the amount of	\$	7,286.69	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitors Promotion Fund in the amount of			\$

VISITORS PROMOTION FUND

AFLAC	Withholdings/Insurance	97.37
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Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$717.78
Delta Dental of Nebraska	Withholdings/Insurance	\$62.83
EFTPS	Taxes/Withholdings	\$1,269.61
NE Department of Revenue	Taxes/Withholdings	\$165.79
Vision Service Plan	Withholdings/Insurance	\$31.84
Braun, Regina	Gross Wages	\$4,781.14
Graeff, Lynn	Gross Wages	\$1,599.05
	GROSS TOTAL	\$8,725.41
	Adjustment for employees' share of withholdings	(\$1,438.72)
	NET TOTAL	\$7,286.69

Claims were presented in the amount of	\$	7,864.73	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Claims Fund in the amount of	\$		7,864.73

HEALTH CLAIMS FUND

Cherry County Clerk	Health Insurance Claims	\$7,864.73
	TOTAL	\$7,864.73

Claims were presented in the amount of	\$	9,652.24	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of	\$		9,652.24

EMERGENCY MANAGEMENT FUND

AFLAC	Withholdings/Insurance	143.39
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$705.88
Delta Dental of Nebraska	Withholdings/Insurance	\$80.24
EFTPS	Taxes/Withholdings	\$1,396.39
Medica Health Insurance	Withholdings/Insurance	\$2,155.10
NE Department of Revenue	Taxes/Withholdings	\$195.22
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	\$1,386.47
	GROSS TOTAL	\$11,482.53
	Adjustment for employees' share of withholdings	(\$1,830.29)
	NET TOTAL	\$9,652.24

At 10:18 a.m. the board met with NIRMA Attorney, Jeff Kirkpatrick, via phone for a litigation update re: BSH Kilgore LLC vs Cherry County, et al, Case #CI 25-42. It was the recommendation of Mr. Kirkpatrick to enter executive session. At 10:20 a.m. DeNaeyer moved, and Nelson seconded to enter executive session to discuss litigation strategy re: BSH Kilgore vs Cherry County, et al with the Board of Commissioners, Clerk, Zoning Administrator, and Board of Adjustments Chairman to remain in the room. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried. At 10:50 a.m. the meeting doors were reopened, and the public was allowed to reenter. Nelson moved and McConaughey seconded to exit executive session. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried. Chairman McConaughey restated the purpose of entering executive session was to discuss litigation strategy re: BSH Kilgore vs. Cherry County, et al and no board action was taken during executive session.

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

The board reviewed the National Flood Insurance Program documents presented by Clerk Leonard. It was the consensus of the board to have the County Attorney review the documents. No board action taken.

District 2 Road Foreman Steve Stichka gave an update re: routine road & equipment maintenance and they are finished with millings project with the state agreement. District 3 Road Foreman Brent Collier provided the board with an update re: routine road & equipment maintenance, starting fall projects and wrapping up with summer projects of millings & oil work, and still working on issues with motor grader that was returned from Murphy Equipment.

At 11:00 a.m. the board met with Susan Cook for a Niobrara National Scenic River update re: distance learning programs for kids, wildlife monitor program, RTCA connection, land & water conservation fund for pool and park improvements, and dark sky & Smith Falls programs.

Road District #1 Foreman JD Osburn updated re: repairing minor washouts from the storm, millings being hauled, basic bridge maintenance, and routine road & equipment maintenance.

Highway Superintendent JD Osburn discussed starting the process to surplus equipment & vehicles, county bridge match program, NDOT doing road counters next week, working on starting the inspection for the bridge owned by the Amish Community per the agreement previously discussed.

At 11:16 a.m. the board met with Carrie Graham and Jean Burge to discuss the annual update of the Valentine Public Library Interlocal Agreement for the Bookmobile. Funding was discussed because of funds diminishing from the

Forest Reserve to fund the Bookmobile. Ms. Graham informed the board she was not aware of the Forest Reserve Funds changing and will look into possible grants. The board will revisit with Ms. Graham in 6 months. Nelson moved and DeNaeyer seconded to adopt the interlocal agreement with the Valentine Public Library and authorized the Chairperson to sign. Roll call vote: Aye – DeNaeyer, Nelson, McConaughy. The motion carried.

The board discussed concerns of landowners not mowing road ditches abutting their land per state statute. Kay & JD will draft a letter for the chairperson to sign and assign Road Secretary Kay Reese to send notice to landowners.

The board discussed Niobrara Valley Consultant invoices with Lloyd Smith. Per the agreement signed in 2024, Mr. Smith’s salary covers the time spent to be available for Commissioner meetings monthly. McConaughy moved and Nelson seconded to authorize Clerk Leonard to update invoice 2385 to remove time for Commissioner Meetings per agreement with Cherry County. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried.

The board discuss the Cherry County Comprehensive Plan draft Marvin Planning Consultants sent in August with changes from the February 2025 workshop. It was a consensus of the board to hold a special meeting on October 7, 2025 at 8:30 a.m. to discuss the changes to be made. No board action taken.

Zoning Administrator Jane Stolzenburg provided an update re: Board of Adjustments hearing, discussion of a moratorium with the Planning & Zoning Board, outdated fees, lack of budget. It was consensus of the board to discuss a fee schedule at the special meeting on October 7, 2025. Hours and payroll for the Zoning Administrator were discussed.

The board recessed from 12:34 p.m. to 1:05 p.m.

The board discussed payroll and hours of the Zoning Administrator. After discussion of the adopted budget for FY 2025-2026, DeNaeyer moved, and Nelson seconded to continue the Zoning Administrator position as a salaried position at \$1000/month. Roll call vote: Nay – McConaughy, Aye – DeNaeyer, Nelson. The motion carried.

Highway Superintendent JD Osburn presented the draft letter to landowners giving notice to mow road ditches. McConaughy moved and DeNaeyer seconded to authorize Road Secretary Kay Reese to send out letters to landowners who have not mowed road ditches as presented by Highway Superintendent JD Osburn. Roll call vote – Aye: DeNaeyer, Nelson, McConaughy. The motion carried.

The board thanked former Commissioner Jerry Adamson for his services and send their condolences to the family.

At 1:30 p.m. the board convened as Board of Corrections. At 2:02 p.m. the board recessed from Board of Corrections and reopened at 2:37 p.m. At 2:38 p.m. Board of Corrections adjourned.

At 2:02 p.m. the board discussed invoices #600 & #601 with Bill Rahder, Boyd’s Network Solutions. Mr. Rahdar explained both invoices to the board re: network connection issues and server issues after Applied Connective installed new network & server equipment. McConaughy moved and Nelson seconded to approve Boyd’s Network Solutions Invoices #600 and #601 as presented to be paid from the Communications budget with claims in October. Roll call vote: Aye – Nelson, McConaughy, DeNaeyer. The motion carried.

At 2:39 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 14th day of October 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughy, Chairperson
Cherry County Board of Commissioners

BOARD OF CORRECTION MINUTES
September 30, 2025

The Cherry County Board of Commissioners convened as a Board of Corrections on September 30, 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 Mike McConaughey, Nina Nelson, Martin DeNaeyer, County Clerk Samantha Leonard, and Justice Administrator Sharon Hesse. The Open Meetings Act Poster was acknowledged by Chairman McConaughey.

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

At 1:31 p.m. sealed bids were opened for the Cherry County Justice Center Access Control System. Bids were received from Control Masters and Midwest Alarm & Fire as follows:

- 1. Control Masters:
 - a. RFI Door Access Control System Upgrades - \$84,987.00
- 2. Midwest Alarm & Fire:
 - a. Installation & Support of Door Access Control System Upgrade - \$254,263.61

The board reviewed the bids and discussed the current PLC status and life expectancy. It was a consensus of the board to reach out to the references listed in each bid and discuss at the October 14, 2025 meeting.

The board reviewed the Justice Center Compliance Report indicating the Justice Center is in full compliance with Jail Standards.

Justice Administrator Sharon Hesse presented a MOU with the Cherry County Hospital for discounted rates.

Justice Administrator Sharon Hesse provided an update re: jail and staff census.

The board recessed from 2:02 p.m. to 2:37 p.m.

After review by the County Attorney, McConaughey moved, and Nelson seconded to approve the MOU as presented and authorized Justice Administrator Sharon Hesse to sign. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

At 2:38 p.m. Chairman McConaughey adjourned the meeting.

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

I, Jane Stolzenburg, the undersigned Deputy 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 14th day of October 2025.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioner

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