

BOARD OF COMMISSIONERS MINUTES

March 10, 2026

The Cherry County Board of Commissioners convened in regular session on March 10, 2026 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 Commissioners Mike McConaughey, Martin DeNaeyer, Nina Nelson, and Clerk Samantha Leonard. The Open Meetings Act Poster was acknowledged by Chairman McConaughey and the Pledge of Allegiance was recited.

The Board of Commissioners' meeting minutes from February 24, 2026 were read. Nelson moved and DeNaeyer seconded to approve minutes as read. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The Board of Equalization meeting minutes from February 24, 2026 we read. DeNaeyer moved and Nelson seconded to approve minutes as read. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

The Board of Corrections meeting minutes from February 24, 2026 were read. McConaughey moved and Nelson seconded to approve minutes as read. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

Comments from the public were received during the allotted time.

Highway Superintendent Jay D Osburn provided an update re: the bridge inspection report from Mainelli-Wagner, changes coming from Nebraska Highway Safety and Transportation for inspections on critically fractured bridges for full inspections every 2 years, discussing usages of funds from the Highway Street Buyback Program, and FEMA inspections being done end of the week.

Commissioner DeNaeyer provided an update for Emergency Management that was sent to him via email. The update included tower generators needing repairs and Platte Valley Communications and Dakota Power have both been contacted, fire department meeting, Huntress training, safety meeting with the schools, cyber ready training, and winter weather alerts.

The board reviewed the Certification of the Tax Sale List from Treasurer Kathy Hammond.

The board discussed the email of the SRS Funds being received for FY 2024. The funds received from FY 2024 are \$56,141.95.

Nelson moved and DeNaeyer seconded to approve Resolution #2026-05 Fund Transfer from Grant Fund to Bookmobile Fund. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

McConaughey moved and Nelson seconded to approve Resolution #2026-06 Forest Reserve Funds Distribution. Roll call vote: Aye – Nelson, McConaughey, DeNaeyer. The motion carried.

The board discussed an NCDHD appointment of Jim Barga as requested by the Director of the NCDHD via email. Nelson moved and McConaughey seconded to appoint Jim Barga to the NCDHD board. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

The board discussed postponing agenda item "Cherry County Zoning – Status of Comprehensive Plan and Zoning Regulations" until it can be discussed with County Attorney Eric Scott because of a concern addressed to the board of an Open Meetings Act violation by the Planning and Zoning board. This concern was brought to the board by a member of the public that a motion was made during the Planning and Zoning Board meeting; however, the item was not listed on their agenda. It was a discussion of this board that anyone has the right to be on their agenda, and their potential violation of their meeting does not change this board's agenda and discussion of this item. The board will discuss it again after meeting with Attorney Scott.

The board discussed the letter of support for the Kilgore Road Grant Project. Clerk Leonard informed the board the letter is the same as discussed at the February 24, 2026 meeting besides the date being changed from February to March. Attorney Scott does not have any issues with them signing the letter as presented and the board stated this is a letter of support for the first stage of planning the project only. McConaughey moved and Nelson seconded to approve the Kilgore Road Grant letter of support and authorize the chairman to sign. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

The board discussed the zoning agenda item with Attorney Scott via phone for the issue re: wording of an agenda item being different than the motion made. Mr. Scott stated if someone makes a complaint about an Open Meetings Act violation, it must be directed to the correct authority personnel, and this board cannot act on the violation. This board may discuss our agenda item as it is an update. Planning and Zoning Board Chairman Duane Kime stated their concern is the lack of communication with Marvin Planning Consultants and what the next steps should be as the contract is between Marvin Planning Consultants and the Commissioners. This contract has an open expiration and Attorney Scott is willing to write a letter to Marvin Planning Consultants to address the concern of the board.

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

March 10, 2026
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$		63,997.88
and disallowed in the amount of	\$		-
A warrant was ordered drawn on the General Fund in the amount of			\$ 63,997.88
GENERAL			
Anderson Electric Inc		Services	\$1,632.00
Applied Connective Technologies		Services	\$6,975.32
Black Hills Chemical		Services	\$511.79
Bob Barker Company		Supplies	\$310.10
Borders & Furrow Law PC		Services	\$4,894.08
Buckles Fuel Service Inc		Supplies	\$110.72
Butler Veterinary Clinic		Services	\$85.68
CenturyLink		Services	\$2,065.57
Cherry County Court		Services	\$36.00
Cherry County Hospital		Services	\$5,774.00
Cherry County Sheriff		Services	\$28.50
Cherry County Sheriff Fuel Account		Supplies	\$1,500.92
Cherry County Treasurer		Bank Fees/Transfer	\$716.55
Circle K Motor Company		Services	\$859.96
Clearly Communications		Services	\$326.04
Crowne Plaza Hotel		Lodging	\$149.95
CVSOAN Treasurer		Dues/Fees/Training	\$60.00
DAS State Accounting 6506		Services	\$537.60
DAS State Accounting 6507		Services	\$222.55
FirstNet/AT&T Mobility		Services	\$492.26
Galls Parent Holdings, LLC		Supplies	\$143.42
Dustina Goodrich		Reimbursement	\$30.95
Pat Greenough		Reimbursement	\$100.00
Timothy Hanson		Equipment	\$2,636.75
Heart City Drug		Supplies	\$74.59
Heart City Plumbing & Heating		Services	\$856.15
Henderson's IGA		Supplies	\$68.08
Holiday Inn Kearney		Lodging	\$749.70
Patrick Hooper		Reimbursement	\$165.00
Huskerland Hardware and Appliance		Supplies	\$6.58
Justice Center Petty Cash		Reimbursement	\$77.78
Johnson Law Office		Clerical Salary/Rent/Telephone/Equipment	\$4,104.42
Journal Entry		Voided VSP Checks	-\$706.55
KBR Rural Public Power		Services	\$80.53
KVSH Radio		Services	\$612.00
Ryan McSweeney		Reimbursement	\$60.45
Microfilm Imaging Systems		Services	\$186.00
Valentine Midland News		Services	\$30.12
MIPS		Services	\$240.31
NDOR Property Assessment		Services	\$640.00
Nebraska Weed Control Association		Dues/Fees/Training	\$150.00
NK Waste Inc		Services	\$193.00
David Northway		Services	\$50.00
Office Products		Supplies	\$3,191.34
Paper Tiger Shredding		Services	\$55.00
The Parts Company		Supplies	\$171.43
Petty Cash		Reimbursement	\$25.08
PIP Marketing Signs Print		Services	\$1,810.35
Platte Valley Communications Inc		Services	\$716.50
Prema		Services	\$237.26
Pye Barker		Services	\$310.00
Quadient/Courts		Postage Machine	\$1,259.56
Quadient Finance USA		Postage Machine	\$240.44
RR Donnelley		Services	\$132.13
Sandhill Oil		Supplies	\$2,154.09
Sandhills Weed Management Area		Dues/Fees/Training	\$200.00
Eric Scott Law		Clerical Salary/Rent/Telephone/Equipment	\$6,275.00
Scotty's Ranchland Foods		Supplies	\$225.71
Cardmember Service		Reimbursement	\$41.02
Sennet Duncan Jenkins & Wickham PC		Services	\$622.50
Tony's Tire & Auto Repair		Services	\$114.46

UNL/NE Extension/Cherry County	Reimbursement	\$384.09
City of Valentine	Utilities	\$4,994.22
Viaero Wireless	Services	\$79.66
Ward Plumbing & Heating	Services	\$30.98
Western Oil	Services	\$50.00
Westover Electric	Services	\$2,744.59
Wrenched Tire & Auto LLC	Services	\$93.60
	TOTAL	\$63,997.88

Claims were presented in the amount of \$ 161,264.47 .

and disallowed in the amount of

A warrant was ordered drawn on the Road Fund in the amount of \$ 161,264.47

ROAD

Andy's Glass Shop	Services	\$225.00
Bacon Repair	Services	\$466.60
Bill's Garage	Services	\$50.00
Bomgaars	Supplies	\$638.61
Bordertown Discount Fuel	Services	\$621.22
Buckles Fuel Service	Services	\$8,893.91
Central Valley Ag Cooperative	Supplies	\$860.04
Cherry County Clerk	Reimbursement	\$28.00
Cherry County Hospital	Services	\$117.00
Cherry County Implement	Services	\$96.94
Chery County Treasurer	Services	\$195.00
Circle K Motor	Services	\$1,652.17
Village of Cody	Services	\$195.80
Brent Collier	Reimbursement	\$36.87
Consolidated Telephone	Services	\$284.88
Custer Public Power District	Services	\$198.78
Danielski Farms	Services	\$4,612.20
DAS State Accounting Central Finance	Services	\$27.70
Dooley Oil Inc	Services	\$948.93
Flat Creek Construction	Services	\$13,125.00
Garrett Enterprises Inc	Services	\$2,722.40
Great Plains Communications	Services	\$321.57
Hoefs Skidloader Works	Services	\$2,338.00
Hometown Lumber & Construction Inc	Services	\$125.64
Huskerland Hardware & Appliance	Supplies	\$359.70
Interstate Battery System	Services	\$146.82
Josh Whipple Trucking	Services	\$60,750.00
Journal Entry	Voided CCC Check	-\$195.00
KBR Rural Public Power District	Services	\$471.52
Kimball Midwest	Services	\$294.93
Kohler Trailer Sales	Services	\$199.95
Lanair Products LLC	Services	\$207.19
Martin Auto Parts II	Supplies	\$89.00
Medical Enterprises	Services	\$113.00
Menards	Supplies	\$19.95
Mips Inc	Services	\$180.00
Mullen Auto & Diesel	Services	\$862.69
Nebraska Public Power District	Services	\$121.45
NK Waste Inc	Services	\$128.00
Office Products	Supplies	\$256.21
The Parts Company	Supplies	\$484.89
Terry Pearman	Reimbursement	\$250.00
Perrett Construction	Services	\$606.35
Powerplan	Services	\$9,660.96
Prema	Services	\$172.89
Sandhill Oil Company	Supplies	\$8,564.39
Security First Bank	Services	\$12,076.93
Southwest Farm & Auto Supply	Services	\$66.97
Tehrani Motor Company	Services	\$61.05
Triple G Redimix, LLC	Services	\$17,275.52
Truck Center Companies	Services	\$533.02
Unitech Inc	Services	\$338.00
City of Valentine	Services	\$1,393.83
Westover Electric	Services	\$6,680.00
Wrenched Tire & Auto	Services	\$191.00
3s Fabrication & Repair	Services	\$121.00
	TOTAL	\$161,264.47

Claims were presented in the amount of \$ 3,360.00 .

and disallowed in the amount of

A warrant was ordered drawn on the Emergency Bridge Fund in the amount of			\$	3,360.00
EMERGENCY BRIDGE				
Mainelli Wagner & Associates	Services		\$	3,360.00
	TOTAL			\$3,360.00
Claims were presented in the amount of	\$	6,812.24	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$	6,812.24
VISITOR PROMOTION				
American Legion Post 90	Services			\$100.00
Great Plains Communication	Services			\$211.63
Tony Hanson	Services			\$125.00
Huskerland Hardware and Appliance	Supplies			\$20.98
JWA K-Lawn	Services			\$156.00
MCB Productions	Services			\$1,000.00
Valentine Midland News	Services			\$66.00
Nebraska Tourism Conference	Dues/Fees/Training			\$250.00
Office Products	Supplies			\$74.77
Sandhills Catfish Classic	Grant			\$1,000.00
Sparks Spurs	Grant			\$3,406.12
City of Valentine	Services			\$401.74
	TOTAL			\$6,812.24
Claims were presented in the amount of	\$	3,678.00	.	
and disallowed in the amount of			.	
A warrant was ordered drawn on the Visitor Improvement Fund in the amount of				
VISITOR IMPROVEMENT (995)				
Bob's Signs/Bob Dean	Services			\$3,678.00
	TOTAL			\$3,678.00
Claims were presented in the amount of	\$	284.30	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Health Insurance Claims Fund in the amount of			\$	284.30
EMPLOYEE HEALTH INSURANCE CLAIMS				
Cherry County Clerk	Health Insurance Claims			\$284.30
	TOTAL			\$284.30
Claims were presented in the amount of	\$	10,301.23	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$	10,301.23
BOOKMOBILE				
Valentine Public Library	Bookmobile			\$10,301.23
	TOTAL			\$10,301.23
Claims were presented in the amount of	\$	11,540.46	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Grant Fund in the amount of			\$	11,540.46
GRANT FUND				
Cherry County Fund Transfer	Fund Transfer			\$11,540.46
	TOTAL			\$11,540.46
Claims were presented in the amount of	\$	198.46	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	198.46
EMERGENCY MANAGEMENT				
Nebraska Assn of Emergency Management	Dues/Fees/Training			\$150.00
Office Products	Supplies			\$48.46
	TOTAL			\$198.46
Claims were presented in the amount of	\$	1,363.47	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$	1,363.47
911 EMERGENCY SERVICES (2910)				
CenturyLink	Services			\$276.34
Great Plains Communications	Services			\$55.88
Platte Valley Communications	Services			\$1,031.25
	TOTAL			\$1,363.47

END

The board recessed from 11:30 a.m. to 1:00 p.m.

The board recessed from 1:00 p.m. to 1:28 p.m. to convene as a Board of Equalization.

The board recessed from 1:28 p.m. to 2:00 p.m.

At 2:00 p.m. the board discussed PTO calculations of salary exempt employees via phone with Woods Aitken HR Attorney Pam Bourne via phone. DeNaeyer moved and McConaughy seconded to enter executive session for the board to seek legal advice on a personnel matter to protect the interest of the public with the board, Clerk, Billie Brockley, and County Attorney to remain in the room with Pam Bourne on the phone. At 2:06 p.m. the public was

BOARD OF EQUALIZATION MINUTES

March 10, 2026

The Cherry County Board of Commissioners convened as a Board of Equalization on March 10, 2026 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 Mike McConaughey, Nina Nelson, Martin DeNaeyer, County Clerk Samantha Leonard, and County Assessor Melissa Bancroft. The Open Meetings Act Poster was acknowledged by Chairman McConaughey.

Comments from the public were received during the allotted time.

The board discussed Permissive Exemptions for St. John’s Episcopal Church and Valentine Presbyterian Church. Assessor Bancroft stated Nebraska State Statute 77-202 clearly states the exclusive benefit of the organization cannot be for financial gain of the owner or user of the facilities. Attorney Scott stated the daycare provider is self-employed and does not receive a salary or paycheck. Mr. Scott informed the board the exemption is made by a county ward basis, and the 5-point test should be looked at as a totality test of the issue and when it’s applied. This can be taken to TERC; however, the board’s ruling has presumption of validity. Discussion was had that the board has already given money to one of these daycares for remodeling for the daycare to open, reasonable salary and financial gain is the contested issue, and these daycares are for the benefit of the community. There is a small amount of compensation taken by the daycare provider and the statute needs to be read broadly in a total manner of intent of administrative ruling. Both exemption applications are for religious education, and we cannot interfere with taxing. Mr. Scott stated, if necessary, the county will defend their decision at TERC.

DeNaeyer moved and Nelson seconded to approve the St. John’s Episcopal Church Exemption application and reject the Assessor’s recommendation. Roll call vote: Aye – McConaughey, DeNaeyer, Nelson. The motion carried.

McConaughey moved and DeNaeyer seconded to approve the Valentine Presbyterian Church Exemption application and reject the Assessor’s recommendation. Roll call vote: Aye – DeNaeyer, Nelson, McConaughey. The motion carried.

At 1:28 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 on this 31st day of March 2026.

Samantha Leonard
Cherry County Clerk

Mike McConaughey, Chairperson
Cherry County Board of Commissioners