

## BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session on Tuesday, October 11, 2005. The meeting was called to order at 9:00 a.m. in their Courthouse meeting room. Roll call was taken with Baker, Cetak, Collins, Cullers, Sevenker and Sintek present, Ash absent, excused by Chairman Sevenker. The Clerk advised that she had forgotten to publish meeting notice at the proper time and apologized for the error. She noted that the next meeting date is always published as part of each meeting's minutes and meeting dates and times appear on the monthly county calendar which is posted. The agenda was posted as usual. Minutes of the Sept. 27 meeting were approved as published. The agenda was adopted on motion of Cetak, seconded by Sintek. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker. No: none. Absent: Ash. No public comment was offered.

Road Supt. Leth reported: bridge replacement project C88205B is complete; he plans to attend the Region 26 meeting; met with railroad liaison division regarding ethanol plant road, all appears okay; Ord City is paying cost of road, so should be consulted; discussed federal highway money being diverted to hurricane Katrina, should not affect state allocations, will know more after convention; discussed expense of paint for highway at approximately \$15,000 per year, will begin painting end of this month. Sevenker and Leth are to look at the county road involving the fencing issue for Henry Gregorski.

Planning & Zoning Admn., Nancy Glaubke, presented two requests for subdivision of less than 10 acres and the Valley County Planning Commission recommendation for each. The Commission reviewed and recommended approval of the request of Dennis & Erin Philbrick for 6.95 acres in the SW4 of section 31, township 19, range 13. Dennis was present. Following discussion, said request was approved as recommended by the Planning Commission on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Baker, Cullers. No: none. Absent: Ash. The request of Jacob Lange for 5.867 acres in the E2NE4 of section 12, township 18, range 15, also reviewed and recommended for approval by the Planning Commission, was considered. Following discussion, it was moved by Collins, seconded by Cetak to approve Lange's request as recommended by the Valley County Planning Commission. Carried. Yes: Collins, Sintek, Cetak, Baker, Cullers. No: none. Absent: Ash. Glaubke noted that it is the responsibility of the owner to be sure the correct documentation is filed with the Register of Deeds.

Courthouse Custodian, Rolland Cronk, reported: washer & dryer for jail use has been installed in his office and is in use, rails at both entrances have been painted, trimmed several trees, outdoor benches have been repaired and painted, Wadas has been contacted to inspect the boiler for winter use and get heat to the third floor courtroom, a second dumpster has been requested for use in cleaning out a third floor room for use as the Sheriff's evidence room so that the current first floor evidence room can be used for storage of the new election equipment. Cronk noted that he may need some help with snow removal this winter due to the possible need for knee surgery. His wife will help with the indoor duties during his recovery. The Board asked Cronk to contact Kunz to winterize the sprinkler system.

Treasurer, Janet Suminski, was absent for the NACO Conference due to her position on the NACO Board. Her regular written month-end fund report was presented and the misc. receipts folder was available for review. Each Board Member received a copy of the Delinquent Tax report totals as well as the delinquent special assessments and the entire printed listing was available for inspection. The Board had several questions regarding this information and asked that it appear on the next meeting agenda when Suminski will be present.

The Clerk's monthly fee reports for County Clerk and District Court Clerk were presented.

The Board of Equalization convened at 9:50 a.m. on motion of Sintek, seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker. No: none. Absent: Ash. The Assessor and Clerk were present.

The Tax List Correction for Bernard and Deborah Keown was discussed. This correction is for the 2004 taxes and was the result of their appeal to TERC. The 2005 taxes were not protested. Assessor Arnold hopes to adjust the 2006 property valuation through it's condition and other minor changes so that it falls in a range acceptable to the Keowns. The 2004 Tax List Correction, resulting in a \$514.26 refund to the Keowns, was approved on motion of Collins, seconded by Baker. Carried. Yes: Collins, Sintek, Cetak, Baker, Cullers. No: none. Absent: Ash. Arnold noted that residential property is currently at 98% and is required to be between 92% and 100%. She said sales can change it but she hopes it will stay within the range. Grassland may be a problem as it is down to 68%. Dry and irrigated land looks okay. Ag land is at 76% which is the low end of the range. Commercial property is at 95% for 2005 which is within the range, the State rolled back the county's commercial values by 5%.

Tax List Correction for Teresa Bose % Alvin Bose is the result of the sale of a mobile home and it's replacement with a new one. The taxes were accelerated for the old one. The correction was approved on motion of Sintek, seconded by Cullers. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker. No: none. Absent: Ash.

The resolution and attached levies were presented for Board consideration. The Clerk indicated that her figures had been reviewed by both the Assessor and Treasurer. Sevenker asked for public comment, there was none. Resolution 05-24 setting the County levies was adopted on motion of Collins, seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Cetak, Sintek. No: none. Absent: Ash.

Arnold informed the Board that she had hired Kay Stevens. She also noted that she plans to have Ord, Elyria, Noble and Eureka Townships on line for 2006 and hopes to have informal hearings in January with appraiser Chad Martinsen to give people a chance to discuss the updated valuations.

The Board moved back into regular session at 10:10 a.m. on motion of Sintek, seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker. No: none. Absent: Ash.

James Moreau of Olsson Assoc. spoke to the Board regarding the ethanol plant access road. They are awaiting written confirmation from the railroad as to what they require. Gaylord Boilesen commented that to avoid any surprises in the cost of the project, we need to wait for the railroad report. Kruml said we have some time to wait, the main deadline is having the canal ready for use in April. Discussed possibility of County doing some of the culvert work and whether the railroad will pay for necessary crossing improvements (flashing lights, alarms, etc.). Kruml reported Olsson's survey crew is setting stakes for soil borings, which should take 4 or 5 days; the Fish property is cleared and Knapp's corn is out, so property is usable; the air permit is going well. A physical address for the plant is needed. Board advised check with Road Supt. Leth or Meeks of Region 26 for road number. Kunz, Boilesen and Kruml will contact Sevenker to set up a time to discuss a name for the road. Olsson Assoc. contract includes getting the bid package out and advertised and sent to possible bidders. Probably 3 weeks advertising and a week to look at the bids. Boilesen asked Moreau to provide a cost for the County to do the culvert extension so they can determine if the County can or will do it.

Larry Cihal and Ron Paul of Siemens presented a corrected contract for the restroom project. Attorney Cullers is to review and, if approved, Sevenker can sign and return to them. The project will take about a week and they assured the Board it should look like the original when finished. The new partitions will probably be black and it will take approximately 4 weeks to get them. A Windows and HVAC Renovation Scope of Work was presented indicating a total price of \$1,040,000, without the direct digital controls \$75,000 can be deducted, to add operable windows \$20,000 must be added. There are 117 windows in the Courthouse. It would take 2 months to get the windows and some flashing work is needed. Would take about a month and a half to complete installation. Sevenker asked about having this done locally. Paul said locals could look at it but he usually works with a firm out of Kearney, All City Glass, and they do a good job and give good pricing. The heating system was also discussed. There are 70 existing radiators in the Courthouse. All would be removed, the main piping would be below with risers going up to each floor. A chiller would be placed on the north side of the Courthouse. Monthly operating costs would be higher with the new system. It is designed to last 30-40 years. Discussion of how to proceed and to finance. Cihal and Paul will return to the next meeting on October 25, 2005. Discussed getting public feedback on Courthouse renovation.

Supervisor Cullers presented for discussion the proposal to establish an affiliated fund under Valley County Foundation to be used for Courthouse renovation. This would provide opportunity for people to donate money for this purpose. One thousand dollars is enough to establish the fund through Nebr. Community Foundation. Cullers will get paperwork from NCF and report at the next meeting.

The Ord Chamber requests use of the Courthouse Lobby for the Christmas Promotion from 6-8 p.m. on December 1, 8, 15, and 22 and the OHS Dance Team requests permission to display baskets for their Christmas Raffle in Courthouse Offices. Both requests were approved on motion of Collins, seconded by Cetak. Carried. Yes: Collins, Cetak, Baker, Cullers, Sintek. No: none. Absent: Ash.

The Countywide Cost Allocation Plan prepared by MAXIMUS was presented. Chairman Sevenker was authorized to sign the Certification of Cost Allocation Plan on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Baker, Cullers. No: none. Absent: Ash.

Board members were encouraged to attend the National Incident Management System training offered by Region 26. NIMS training is required to qualify for additional grant funds for cities, counties and first responders.

The Current Expenditures Summary Report for Sept. was reviewed.

Attorney Cullers reported that he has told Region 26 to remove his name from their list for use of the teletype as they were going to raise the fee. He said he will go through the Sheriff's Office if he needs this information. He also told the Board that he will be in Garfield County Court on October 25 and may not make it to the Board meeting. He asked that the Board go into executive session to discuss the Schauers v Valley County lawsuit. At 12:20 p.m. the Board moved into executive session on motion of Collins, seconded by Supervisor Cullers for discussion of the lawsuit. Carried. Yes: Collins, Sintek, Cetak, Baker, Cullers. No: none. Absent: Ash. At 12:40 p.m. the Board moved back into regular session on motion of Sintek, seconded by Baker. Carried. Yes: Sintek, Cetak, Baker, Cullers, Collins. No: none. Absent: Ash. Approval was given to allow Attorney Cullers to authorize Mr. Campbell to prepare and file answers to the law suits on motion of Collins, seconded by Supervisor Cullers. Carried. Yes: Collins, Cullers, Baker, Cetak, Sintek. No: none. Absent: Ash. Collins and Sevenker are to serve as contacts for Attorney Cullers to review said answers.

Meeting adjourned at 12:45 p.m., to reconvene on October 25, 2005 at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the October 11 meeting and an agenda for the October 25 meeting are available in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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Jenette G. Lindsey, County Clerk