

BOARD OF SUPERVISORS' MINUTES

The regularly scheduled meeting of the Valley County Board of Supervisors was postponed from November 29, 2005 to November 30, 2005 due to a snowstorm. The meeting was called to order at 9:00 a.m. on the 30th in the Courthouse Boardroom. Roll call was taken with Baker, Cetak, Collins, Cullers, and Sevenker present. Ash and Sintek were absent (excused). Notice of meeting was verified, notice of postponement was announced on KNLV Radio and noted on the agenda that was posted on Tuesday. Minutes of the last meeting were approved as published on motion of Baker, seconded by Cetak. Carried. Yes: Baker, Cullers, Collins, Cetak. No: none. Absent: Ash, Sintek. The agenda was adopted on motion of Collins, seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Cetak. No: none. Absent: Ash, Sintek. There was no public comment.

Sandy Simpson, Road Secretary, presented the November Road Claims and Balances, noting that fuel was the largest expense and is likely to go over budget this year. Road Supt. Leth said 11 patrols were out yesterday using 750 gallons of fuel and all are out again today.

The Petition to Vacate and/or Abandon Public Road submitted by Randall Adamak was considered and Leth was directed to complete a study of the road and report his findings to the Board at their next meeting. The road in question is described on the Petition as: in Springdale Township, from the NW corner of Section 14, T19N, R13W, approximately 1/2 mile south along section line, then east 1/4 mile to next property line. Following submission of Leth's study, a public hearing will be set.

At the request of Dave Koelzer, NDOR, the Clerk drafted a letter indicating the County's agreement to closing State Road Project Agreement KK0402. The project was for maintenance work on Highway 70, however, it was not done. Following discussion between the Board, County Attorney and Road Supt., the letter was approved on motion of Supervisor Cullers, seconded by Cetak. Carried. Yes: Cullers, Baker, Cetak, Collins. No: none. Absent: Ash, Sintek.

Collins moved, Cullers seconded approval of the Certification of County Highway Superintendent For Determining Incentive Payment. Carried. Yes: Collins, Cullers, Baker, Cetak. No: none. Absent: Ash, Sintek. Highway allocation is doubled because Leth has a Class A License,

Leth recommended approval of Easement 05-230, Ron Jensen and Easements 05-231 through 05-236, Kinder Morgan and they were approved on motion of Collins, seconded by Baker. Carried. Yes: Collins, Cullers, Baker, Cetak. No: none. Absent: Ash, Sintek. Refund of Easement 05-216, Bernard Petska was recommended for approval by Leth and approved on motion of Collins, seconded by Cetak. Carried. Yes: Collins, Cetak, Baker, Cullers. No: none. Absent: Ash, Sintek.

Discussion was held regarding a minimum maintenance road between Jim Duda and Terry Reineke. It was determined that the Board cannot authorize a road closing without going through the statutory procedures which require a petition to be filed requesting the closing, a study made of the road and a public hearing held. Petition forms are available at the Clerk's Office. Supervisor Cullers moved that the Board continue to follow statutory procedure for road closings, seconded by Collins. Carried. Yes: Cullers, Collins, Cetak, Baker. No: none. Absent: Ash, Sintek.

Attorney Cullers provided copies of a letter received from Attorney Galen Stehlik on behalf of Henry Gregorski regarding a fence along the County road adjacent to his property. Following discussion, it was moved by Collins, seconded by Cetak to authorize Attorney Cullers to reply indicating the County will build a fence in the middle of the old road for a distance to be determined by Road Supt. Leth. Carried. Yes: Collins, Cetak, Baker, Cullers. No: none. Absent: Ash, Sintek.

Discussion was held regarding the loss of the current County mixing strip at the airport and the possibility of establishing a strip on the industrial site or a different location at the airport. The correct acreage of the County Farm needs to be established so that bidding can be held in January. Leth will check further on an airport location as well as the north end of the County Farm.

Chairman Sevenker asked Leth to express the Board's appreciation to the road crew for their efforts during the recent snowstorm.

The Hospital Report was given by CEO Neelam Bhardwaj. In addition to the regular printed report, Bhardwaj noted that volume has been higher in all areas resulting in more income than was budgeted. Her report included: working on getting a permanent MRI, developing plan for expansion, pre-op and post-op renovation for more patient privacy should be completed by week's end, over 1000 flu shots given to community not counting employees or clinic patients, community service educational sessions on Medicare D for medicare population, medical side of Loup City Clinic to open in January, County Board invited to Hospital employee Christmas Party, Home Health Open House successful, community event Jan. 28 to show latest improvements and plans for future construction.

Bethanne Kunz, VCED Executive Director, provided a handout listing various activities for the quarter: 2006 local business visitations to get information on needed resources, Val-E Ethanol groundbreaking Dec. 5, Nov. 18th planning session for 2006 Hometown Competitiveness work plan, training on new incentive package, working with business seeking expansion opportunities in Valley County, receiving requests for jobs and employees, new Needs Assessment Survey, applying for BECA Grant, working with City and County to acquire vacant lots for use as new home lots.

The Sheriffs written Fee and Activity Reports for October were reviewed.

County Clerk, Jenette Lindsey, notified the Board that her office would be closed on Monday, December 5, 2005 so that she and her staff could attend training in Grand Island on the operation of the electronic vote counting machine. She felt it was important that everyone in the office take part in this initial training. Notice will be in this weeks Quiz and KNLV will be contacted.

County Attorney Cullers presented the City/County Interlocal Agreement for paving the ethanol plant access road, advising the Board of his approval. The Agreement was approved on motion of Cetak, seconded by Supervisor Cullers. Carried. Yes: Cetak, Collins, Cullers, Baker. No: none. Absent: Ash, Sintek. Olsson Associates are to be contacted to appear at the next Board meeting for plan approval and setting bid letting dates. Payment of the work done by the Railroad should be included in the plan as all of the access road costs are to be paid with city sales tax funds

Steve Wolford and Nick Clinebell of W Design expressed interest in working with the County on the Courthouse renovation project. Their written expression of interest was received by mail and presented at the last meeting. A study/design approach could be taken with the cost of the study at \$2500 to \$5000, or the study could be eliminated and a design developed as designated by the Board. They said 12% to 15% of the construction cost would go to engineering.

Siemens Representatives Larry Cihal, Ron Paul and Dave Raymond reported the first floor restroom renovation for handicap accessibility is in progress and should be completed in the next three weeks. They asked if the Board was ready to move on with further renovation or if they were going in a different direction. The Board indicated they needed more time to decide. Siemens said that prices quoted will not be valid for an extended period. Discussion was held on performance contracting versus the bidding process. Performance contracting takes more of the decision making out of the Board's hands. Siemens will wait for direction from the Board.

At 11:50 a.m., Chairman Sevenker called a 5 minute recess, meeting resumed at 11:55.

Ron Stauffer of Beckenhauer Construction, Inc. presented his company's expression of interest in the Courthouse renovation project. They work as construction manager, taking over the general contractor duties. A fee is negotiated to manage the entire project. The first phase would cost \$5,000 or \$6,000 and would be the study/proposal phase which would include a projected budget for the project. The second phase would be the contracting, taking bids on equipment and labor. If expertise is available, they use local people and the Board would be involved in the process. They offer lease purchase options and can help with financing in other ways. He said they have done work for Buffalo County and Holt County and suggested the Board contact them. Stauffer will contact the Board with a ball park figure for lease purchase. The County will contact him with their decision.

Further discussion was held regarding the project and available options. Joe Wadas and Rolland Cronk participated in the discussion.

Fund raising for the Courthouse renovation project was discussed. Supervisor Cullers suggested holding an open house at the Courthouse. A brochure with information about the Courthouse and the renovation plans could be made available as well as tours of the Courthouse. Nebraska Community Foundation will make up brochures. There is the possibility of grant funds through a USDA Grant to Loup Valley Rural Public Power. The funds would be loaned to the County at no interest for 10 years. After repayment, LVRPP could loan it to others. The Board needs to let LVRPP know if they are interested in this option and see if they are willing to apply for the Grant.

The County Farm lease was discussed. Attorney Cullers will meet with Leth to get the correct legal description. Discussion was held regarding options for the 30 acres of river frontage. It was agreed that the tenant furnishes pipe and pays water costs. This item is to be on the next agenda.

November claims list and fund report were reviewed. Cullers moved, seconded by Baker to approve the claims. Carried. Yes: Cullers, Baker, Cetak, Collins. No: none. Absent: Ash, Sintek.

The current MAXIMUS, Inc. contract to provide cost allocation plan services expires Jan. 1, 2006. A new contract proposal has been received. This is the plan which allows the County to receive a percentage of cost reimbursement for certain District Court and County Attorney duties. The new contract sets the cost for their services at one-half the recovered funds not to exceed \$5075.00, the same as it was previously. The new contract was approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Baker, Cetak, Collins. No: none. Absent: Ash, Sintek.

It was moved by Baker, seconded by Cullers to set the December payroll date on the 20th, one week early. Carried. Yes: Baker, Cullers, Collins, Cetak. No: none. Absent: Ash, Sintek.

September Lodging Tax receipts were \$1045.60 and were again held by the state to reimburse receipts credited to Valley County in error. Expenses were \$235.00. The Clerk reported that, per Board instruction, a check for \$14,187.57 was issued from the Inheritance Tax Fund to complete repayment of the distribution error. October receipts, which will be received in December, will be the first receipt of funds that includes both Visitors Promotion and Visitors Improvement tax. Separate funds are required since expenditure requirements for each tax is different. Lodging Tax will be on the next meeting agenda for discussion of the Ord Area Chamber agreement.

County Attorney Cullers reported the filing of a Tort Claim against the County. The claim was received from the Bruckner/Fowles Law Firm on behalf of Justin Ammerman in regard to an automobile accident on a County road in July. The County has 6 months to respond to the claim, after which time the claimant can file a lawsuit if they do not agree with the County's response. A file stamped copy of the claim has been sent to the claimant's attorney and to NIRMA.

Attorney Cullers presented a billing statement from Family Advocacy Network, which provides trained experts to interview abused children. Interviews are conducted at Good Samaritan, taped and sent to the attorney. It is also possible for law enforcement or other parties to participate in the interview through our local hospital without appearing in person. Cullers noted that he had not budgeted for this expense but felt it was worthwhile and asked the Board's opinion on continuing it. The Board felt it was an important service and that he should continue to use it.

Cullers said he has Court in Garfield County and will miss part of the next Board meeting.

Mail Folder items: CNCS Newsletter, CCC Columbus Annual Report, ACEC Directory, NACo T. Loewenstein, Teammates Mentoring Program, Loup Basin RC&D, DEQ Grant Program.

The Meeting adjourned at 1:20 p.m., to reconvene on Tuesday, December 13, 2005, at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the November 30 meeting and agenda for the December 13 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 the 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.

Jenette G. Lindsey, Valley County Clerk