

BOARD OF SUPERVISORS' MINUTES

The regular meeting of the Valley County Board of Supervisors was called to order at 9:00 a.m. on Tuesday, March 14, 2006 in their Courthouse meeting room. Roll call was taken with Baker, Collins, Sevenker, Ash, Cetak, Cullers, and Sintek present. Meeting notice was published in the Quiz, an agenda posted at both Courthouse entrances, on the website and faxed to the Quiz and KNLV. The minutes of the February 28 meeting were approved as published. Today's meeting agenda was adopted on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Ash, Cetak, Sintek, Collins. No: none. Absent: none. There was no Public Comment.

Road Supt. Leth recommended approval of Easement 06-241 for Dennis Fauss to install a water line. Ash moved to approve said easement, seconded by Baker. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

Leth reported on the request of Bresley to lower the road adjacent to his property near McDonald's, that Bresley indicated there would be no cost to the County. Bresley would use the dirt and it would not be done unless lots were sold. Leth noted that back slopping would be required. The County has no objection, however, there is opposition to this and Bresley will have to get right-of-way from landowners in order to do it.

Leth reported that the Pokorny request for an access road would require Valley County to reclassify a road from minimum maintenance back to local. Supervisor Sintek noted it was his understanding that Pokornys had opted for a road to the east and are currently working with Greeley County where the residence is located. It was agreed that no action was required by Valley County at this time.

Rolen Sell testified regarding his concerns with a road near his residence. His concern is with the gravel portion of the road where the oil ends and gravel begins. Despite the best efforts of the county road employee, which he complimented, the road remains extremely washboarded and rough. He asked the Board to consider oiling it or at least putting up warning signs. Leth will look at it and make a recommendation to the Board.

Receipt of the signed contracts with North Loup River PP&I Dist. for new underground pipe on the County Farm and the Nebr. DOR for Project No. STPD-11-3 (108) were noted.

Proposed legislation LB904 which would result in additional highway allocation funds for the County was discussed. An email had been sent to Senator McDonald asking for her support and a letter was presented for the Board's consideration to indicate their support of this bill. Sintek moved to approve signing the letter, seconded by Cullers. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none.

Leth's general report included: County qualifies for FEMA reimbursement of about \$800 for delivery of oxygen to a County resident during the recent snowstorm, possibility of asphalt plant at Ulrichs pit for highway 22 & 70 project, Ord/Burwell project to be let in June, cleaned ditch to Region 26 tower, told Naperstak County will fix if washes out and will seed ditch, purchased 1988 IH dump truck from Government Surplus, truck has 30,000 miles on it, spent 4 days at fracture critical bridge school as required, redoing computer files to provide paper copies as required by new Federal Inspector.

Chairman Sevenker reported receipt of a letter regarding Henry Gregorski's request for a fence along a road adjacent to his property. This same letter had been received by the County Attorney in November and the Board had acted on the request. Following discussion, Sevenker said he will try to contact Gregorski and advise him of the Board's November action approving construction of a fence in the center of the old road.

The Public Hearing for the Nebraska Affordable Housing Program Grant Application was opened at 9:40 a.m.. Candy Kuntz of Miller & Associates, chosen by the County to write the grant application, and Bethanne Kunz, VCED Exec. Dir. were present. No public testimony was offered. Kuntz explained that a public hearing is a requirement of the application process. She noted that the previous application begun by CNCS was hampered by employee turnover and was not approved. At that time it appears that 24 people expressed an interest in the funds. They are asking for funds for 10 people this year. Bethanne Kunz has received agreement from the City of Ord to provide the required match funds. Kuntz noted that the guidelines offer rehabilitation assistance up to \$5000 but the application lists only \$40,000 of rehabilitation funds. This could mean that later applicants would not receive the full \$5000 for rehabilitation. Following discussion, the

Board decided to leave the guidelines as they are. Real Estate Agent Wayne Gregory questioned Kuntz about costs incurred by a homebuyer applying for these funds. Kuntz said the buyer must pay the cost of getting a loan and closing costs but they can be tied into the loan and the buyer must pay \$1000 up front. Resolution 06-07, authorizing Board Chairman Sevenker to sign an application for the housing program funds, was approved on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. The program guidelines were approved on motion of Ash, seconded by Baker. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

Since Bethanne Kunz was present for the housing grant application discussion, her request for use of the Courthouse lawn area on May 18-21 for ExtraOrdinary Days, agenda item 11A, was heard and approved at this time on motion of Collins, seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Ash, Cetak, Sintek. No: none. Absent: none.

At 10:10 a.m. the Board of Equalization was convened on motion of Collins, seconded by Ash. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. The Clerk and Assessor were present. Tax Corrections for Sumer's Tan and Marlin Leasing, approved at the last meeting, were signed by Chairman Sevenker. Assessor Arnold noted that in the future, to avoid having to bring corrections before the Board twice, she will have the corrections written when they are presented for approval. Arnold also reported that Appraiser Larry Rexroth is willing to attend a Board meeting to explain the methods he uses to establish property values. Arnold will invite him to the first May meeting. Regarding the NACO request for information regarding the affect of lowering the agland values, Arnold said she has asked County Budget Accountant Able for assistance. At 10:15 a.m. the Board moved back into regular session on motion of Sintek, seconded by Ash. Carried. Yes: Sintek, Cetak, Collins, Ash, Baker, Cullers. No: none. Absent: none.

Road Supt. Leth finished his General Report with the presentation of a NLRPP&I Dist. Underground Pipe Contract for Board consideration. The existing concrete pipe at the 4-way intersection at the ethanol plant site will not take the construction flow and must be replaced. Leth said that James Moreau told him the cost will be part of the project. Said Underground Pipe Contract with NLRPP&I was approved on motion of Cetak, seconded by Sintek. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none.

The Fee Reports for the Clerk's Office and the Clerk of the District Court were acknowledged as well as her report of receipt of the rent payment for the County Farm. The May 9th Board meeting was rescheduled to 9:00 a.m. on Monday, May 8, 2006 due to the Primary Election on motion of Collins, seconded by Ash. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

No additional bids have been received for a heating and cooling system for the jail. It was decided to talk to Beckenhauer about including the jail in their proposal during their presentation later in the meeting.

Chairman Sevenker reported that he and Custodian Cronk met with Ron Paul of Siemens and the contractor who did the work on the ground floor restrooms to address some concerns with the finished project. Sevenker reported that it was agreed that a partition in the men's restroom will be replaced, a toilet paper holder will be installed in the women's restroom and some notches cut in the women's restroom will be replaced. He said they were very cooperative and that Ron Paul said the County should wait until the project is completed satisfactorily before paying.

Bill Abts, Ameritas Investment Corp., presented financial information regarding bonds. He advised that for building purposes that are within the levy no vote is required. He also said that counties with less than 35,000 population can access \$150,000 per year. This is how the Ag Society addition was funded. When asked for information on lesser amounts, he said he could get that information and present it at 2:30 p.m., prior to the Beckenhauer presentation. The Board agreed.

Larry Cihal of Siemens appeared. Chairman Sevenker reviewed for him his report on the restrooms. Cihal asked if the jail heating/cooling project should be added to the Courthouse project and he asked if the Board had made a decision to go forward with Siemens or someone else. Sevenker said Beckenhauer was making a presentation on their proposal for heating/cooling system for the Courthouse this afternoon and that no decision has been made yet..

Chairman Sevenker reported that he, Treasurer Janet Suminski and Supervisor Cullers had attended an informational meeting regarding investing in the TIF bonds to be issued for the ethanol plant. Investments of

more than \$100,000 for 5, 10 and 15 years were encouraged. The anticipated rate of return for larger, long term investments was 7% to 8%. Following discussion, it was determined that the County did not have sufficient funds that could be tied up for that length of time.

The following informational items were reviewed: notice from the Valley County FSA Office regarding combining the county farms and the Summary Report of Current Expenditures for February.

County Attorney Cullers asked if the Board wanted him to come back for the Beckenhauer presentation, they did not think it was necessary. Cullers asked where we stood with Siemens regarding the restroom work since he was in District Court this morning. Sevenker reviewed his report on this issue. Cullers reported that Judge Olberding encouraged the use of a public defender. He felt this should be addressed before budget time and will draft a contract for the Board's consideration. The Schauer v Valley County lawsuit is scheduled for April 7. Board reviewed their discussion of the Gregorski fencing/road issue and the Pokorny road issue.

There were no committee reports and the following mail folder items were available for review: NIRMA Employment Law Legislation, 2006 Alternative Energy Forums, T2 Nebr. LTAP, Nebr. Crime Comm. Grants, Nebr. Jail Standards Training, Nebr. Economic Trends, T. Loewenstein NACo, All Seasons Contracting, Inc., Rural News Bits, Midwest Assistance program, The Chamber Pulse, American Funds Report, Civil Infrastructure, Community Action Works.

Chairman Sevenker recessed the meeting to reconvene in the Courthouse Boardroom at 2:30 p.m. to receive further information regarding bonds from Bill Abts, Ameritas Investment Corp. and following that the presentation of Beckenhauer Construction, Inc. regarding systems for heating and cooling the Courthouse.

At 2:40 p.m. the meeting reconvened in the Courthouse Boardroom with all members present except Supervisor Collins, who arrived at 2:45 p.m.

Abts presented information regarding bonds issued for lessor amounts than in his earlier report. Discussion included: whether it is better to spend Inheritance Tax Funds for capitol improvements or seek other financing and constitutional limits on County expenditures as opposed to statutory limits. Abts advised that the County needs to pass a resolution of intent to finance whether they intend to issue bonds or not. This resolution needs to be in place in order to have the opportunity to finance with tax exempt bonds. He will send a copy of such a resolution.

At 3:10 p.m. the Board moved into the County Courtroom where Beckenhauer's had set up a slide projector presentation of 2 heating/cooling systems. The Daikin VRV II (variable refrigerant volume) system was presented first. A therma zone system was also presented but would require lowered ceilings and a large condenser outside. Mory Bartlett, the Engineer for Beckenhauer, had researched the needs of the Courthouse and the options available and it was his recommendation that the Daikin system would be the best fit and was a quality product. Following the presentation the meeting moved back to the Boardroom. Beckenhauer asked the Board to choose a system. The Board agreed that the Daikin system appeared to be the best. It was noted that this system could be phased in so that part of it is usable while the remaining parts are being installed, electrical system changes would be necessary to operate this equipment and this project is based on getting new windows. Beckenhauer will come back in 2 weeks with cost estimates for this system. The jail heating/cooling system was discussed. Bartlett felt it would be better to keep the jail system separate from the Courthouse as it needs to run all the time. He will draw up a plan for the jail. The Clerk is to send the jail blueprints to Beckenhauer Construction, Inc.

Meeting adjourned at 4:50 p.m., to reconvene on Tuesday, March 28, 2006, at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the March 14 meeting and an agenda for the March 28 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, County Clerk