

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 28, 2006 in the Courthouse Boardroom. Roll call was taken with Cetak, Cullers, Ash, Baker, Collins, and Sevenker present, Sintek absent. Chairman Sevenker noted that Supervisor Sintek's absence was excused and that he would be arriving later. The Clerk verified that meeting notice had been published, and an agenda was provided to requesting news media, posted at the Courthouse entrances and on the County website. The minutes of the March 14, 2006 meeting were approved as published. Cullers moved to adopt the agenda, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Collins. No: none. Absent: Sintek.

The Clerk noted that Emergency Manager, Ryan Simpson, was unable to attend the meeting. He asked her to report that the NIMS training was going well, that this is Weather Awareness Week and the Board is invited to observe the mock weather alert tomorrow at 10:15 a.m. in the Sheriff's Office.

Sandy Simpson, Road Secretary, reported March Road Claims and Balances. Payroll was \$32,711.55, accounts payable \$30,562.45, \$14, 447.03 was transferred from General Fund to Road Fund and the fuel budget is at \$18,423.96 with an outstanding bill for 2000 gallons and an additional 2000 gallons on order.

Supervisor Sintek arrived at 9:05 a.m..

Road Supt. Leth noted the Olsson Associates letter regarding the access road for the ethanol plant indicating they are awaiting final approval before commencing work and their last billing statement for \$463.72 (submitted to city for payment) which included some fees outside the contracted amount. Leth invited the Board to a meeting of the contractor and suppliers for the project on March 29, at 10:00 a.m. in the Boardroom. Leth agreed to contact Rasmussen Land Surveying regarding their bill for re-establishing 2 corners for a survey done for Troy Dimmitt. County Surveyor, JEO Consulting, also signed off on the survey. There has been a change in procedures for verification of matching and local funds, the new federal inspector feels delineation on County bridges is not reflective enough and wants them replaced. The State provided 40 used ones. The recent snow was tough to push and patrols got stuck, V plow was used for everything on Tuesday. Road crew worked from 4:00 a.m. to 11:00 p.m. on Tuesday and all county roads were open one way. Two slow curve signs and a pavement ends sign have been put up at the Arcadia curve that Rolan Sell expressed concern about at the last Board meeting. Supervisors Collins and Sintek looked at the road past Naperstaks and felt it was okay. Trees have been cut and hauled out of the Vinton cemetery, Kathy Knapp was notified. Scheideler agreed to leave an opening for access when he plants. Chairman Sevenker thanked Leth and his department for their efforts during the snowstorm, saying he felt they could not have done more. The Courthouse snowblower broke down and will cost 4 or 5 hundred dollars to fix, questions if it is worth it or if a new one should be purchased. Help with snow removal by Lyle Sevenker, Danny Vannek and Larry Proskocil was appreciated.

Hospital Board President Kara Fischer and CFO Larry Schrage reported for the Hospital. Fischer reported that at an emergency meeting called on March 20, 2006, Hospital CEO Neelam Bhardwaj was put on administrative leave pending an investigation involving her personal payroll. It was subsequently discovered that Bhardwaj had failed to inform the Hospital Board of deficiencies in the Nursing Home found by a recent state inspection. Bhardwaj was then terminated by the Board for the payroll allegations and failure to inform the Board of the negative results of the inspection. The Board of Trustees appointed current CFO Larry Schrage as interim CEO. Schrage reported on the Hospital financials in the regular monthly written report. Schrage said he will not compromise the integrity of the way he does business and noted that an outside firm conducts an annual audit of the books. Supervisor Baker questioned Fischer and Schrage regarding whether the Nursing Home inspection was routine or an emergency and whether they had any idea things were not as they should be. Baker said the Board agreed to everything that came down, he felt there were many red flags and objected to expenses for signs and a parking valet and felt long term employees were fired just to make the bottom line look better. Baker felt they were bent on big projects and ignored the basics. He also questioned valuation figures for the hospital. Schrage said it was his understanding that the inspection was partly routine and partly due to one complaint received by the State. He said complaints are confidential and the State cannot release that information. Fischer said the Board had no idea of any problems but acted as soon as they were aware, Hospital employees paid for the signs and the parking valet was needed because of the rough condition of the parking lot.

She said it may appear that some decisions are not given sufficient consideration during a regular meeting because many things are hashed out in Committee meetings. Discussion was held regarding valuation of the Hospital based on replacement cost. Chairman Sevenker noted that some people refused to accept the Hospital financial reports even though they are audited by an outside firm. Sevenker also noted that he, Supervisor Cullers, and Fischer met with Bhardwaj to discuss an anonymous letter he had received regarding the Nursing Home. Bhardwaj assured them any deficiencies in the Nursing Home were minor. He felt the Hospital Board acted appropriately when the correct information was made known to them. Supervisors Cetak and Cullers expressed their appreciation to Schrage, Fischer and the Hospital Board for taking appropriate action and hoped they could move forward smoothly.

Road Supt. Leth returned to report that Rasmussen Land Surveying had agreed to cut their charges to the County in half for re-establishing 2 corners for the Troy Dimmitt survey. A new billing will be sent.

Treasurer Janet Suminski presented her regular month-end Fund Report. The General Fund is in good shape, highway allocation receipts are major source of funding for Road Fund, and Inheritance Tax Fund stands at \$1,040,195.86. A complete breakdown is available in the Misc. Receipts Folder. She also presented her Certification closing the public tax sale with an attached list of what was sold and the annual Delinquent Tax Report with attached computer printout listing delinquent taxes and a list of delinquent assessments. The listing of properties up for foreclosure was presented. Suminski indicated they are mostly assessments and asked that the Board adopt Resolution 06-08 directing the County Attorney to institute foreclosure proceedings. Resolution 06-08 was adopted on motion of Collins, seconded by Ash. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. Suminski asked the Board to move the tax sale back to 3 years. In the past, a change was made from 3 years to 2 years. Setting it back to 3 years would reduce paperwork and allow the amounts to accumulate an additional year making them more likely to be sold. Collins moved to allow taxes to be delinquent 3 years before adding them to the tax sale certificate, effective 2007. Seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Ash, Cetak, Sintek. No: none. Absent: none.

Suminski then reported that the cost of an Automated Systems upgrade planned for this year is going to be higher than budgeted because the present server will not handle the upgrade and will need to be replaced, adding \$3000 to the cost. Her budget can absorb \$2000 of the additional cost by delaying the replacement of a desk but the remaining \$1000 will have to be paid out of General Fund. Automated will not support the system without the upgrade. The Assessor also uses Automated Systems and the server is used by both offices.

Buster Beckenhauer, Beckenhauer Construction, Inc., presented information on proposals for windows and heating/air-conditioning system for the Courthouse. He presented 2 window options: all aluminum or wood interior and aluminum exterior, suggesting both be priced. The existing marble sills would remain. Some would open, some would be fixed. . The Daikin VRV II HAV system, presented to the Board at their last meeting, will require minimal intrusion on the building. Floor mount units can be installed where existing radiators now sit. Some areas will require soffits or small ceiling entry. Some demolition will be required to install service units on the 3rd floor. More electrical work will be required than first anticipated. Existing basement airhandler cannot be used to help with air exchange as first thought. Approximate cost of windows is \$220,000. This includes removal of existing windows with overnight security, installation of new windows, trim, stain, etc.. The windows will be full size. Further research will be done on electrical requirements but he estimates the cost to be \$150,000. The HAV project includes demolition for removal of existing boilers, piping, radiators and air handler and 3rd floor prep to get units in, louvers, soffits and dropped ceilings. The estimated cost is \$530,000. The total for both projects is around \$900,000. The next step would cost the County \$25,000 to have the engineer complete the drawings and put together specifications for bidding. This proposal does not include the jail. It will take 4 to 6 weeks to get ready for bids, 2 to 3 weeks for bidding. Following completion of the first step the County will receive a bill for \$5000, when drawings are complete and in hand County will receive bill for \$25,000. Construction costs are billed monthly. Beckenhauer Construction, Inc. will carry insurance on all and bond on subcontractors, if they need to they will ask subcontractor for bond. All drawings belong to County. Cetak moved that the County go forward and commit to the \$25,000 for engineering, seconded by Baker. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none.

Chairman Sevenker noted that BCBS Rep. Gary Streeks and Attorney Karin Noakes had been waiting for some time, so he skipped to New Business and will come back to Old Business after their presentations.

Streeks was invited by the Board to present information on the Health Saving Account. He said that not all employees have to participate, HSA can be offered as an option for those who are interested. If the Board decides to offer it, he will come back and explain it to employees. With HSA there is no prescription drug or office visit co-pay and it is PPO the same as BCBS coverage. An HSA family plan requires a single member to meet the entire family deductible of \$2500. Co-insurance is the same in both plans. HSA requires a financial custodian, BCBS teams with Mellon Bank for this. Two fees are required, a one-time set up fee of \$10.00 and \$1.50 per month for accounts under \$1000. The County could choose their own custodian. Funds deposited into an HSA can be from the employee or employer, tax free or a combination. You can have both an FSA (Flexible Spending Account) and an HSA but the HSA must be used first. Funds withdrawn for other than a medical expense are taxable and a 10% penalty is assessed. Differences between FSA and HSA include: HSA funds must be deposited before they can be withdrawn, FSA funds can be withdrawn prior to deposit; HSA funds accumulate year to year, FSA funds unused at the end of a plan year revert to the employer. The County's renewal date for BCBS Health Ins. is July 1 and there will be a premium increase again this year. Streeks could present HSA information to employees during the week of April 17th.

Attorney Karin Noakes expressed interest in serving as Valley County Attorney since no candidates filed for the office. She currently contracts with Howard and Greeley County but is losing Greeley County since they have a candidate running this year. She felt that Valley County would be a good replacement. Currently, Howard and Greeley County each provide a full time secretary and office in their respective County. She has no set office hours in either County but attends all Board meetings. The Valley County Board meeting schedule would not conflict with her commitments in Howard County. At present she has no real private practice and there should be fewer conflicts of interest than a local attorney would have. Both Howard and Greeley County Boards offered recommendations. County Attorney Cullers noted that the County needs to develop a procedure for contracting positions like Surveyor, Weed Supt. and County Attorney so that all are handled the same. Supervisor Sintek asked Noakes to put together a budget estimate excluding salary. Noakes agreed to do this and offered to provide a copy of her contracts with the other counties. She asked that the Board let her know how they will proceed and provided her home office phone number.

Supervisor Cullers presented information from CNEDD regarding a grant for installation of an elevator in the Courthouse. Supervisor Sintek felt installation of an elevator in the Courthouse would require such extensive costs to meet handicapped accessibility and fire standards that it would not be feasible to do it. The use of the third floor office space was discussed.

Discussion was held regarding adoption of a resolution of intent pertaining to the proposed Courthouse project as advised by Bill Abts. No action was taken.

County copy of the 2006 Affordable Housing application submitted by Miller & Assoc. was noted .

The Clerk noted the Institution Fund budget is depleted and costs must now be paid from the General Fund or the Budget amended. She also noted the State Auditor's Office said that Institution and Relief Funds are not required but can be budgeted within the general fund. Since expenses in these areas are hard to predict, General Fund might be the better choice. Jail expenses are also going to go over budget. As Jail is part of the General Fund and transfers can be made by Board Resolution, she asked that the Board approve Resolution 06-09 authorizing the transfer of funds within the General Fund to meet the necessary Jail expenditures for the remainder of the 2005-2006 fiscal year. Sintek moved to approve Resolution 06-09, seconded by Cetak. Carried. Yes: Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: Collins.

Supervisor Collins left the meeting at 12:45 p.m..

March claims were approved on motion of Ash, seconded by Baker. Carried. Yes: Ash, Baker, Cullers, Sintek, Cetak. No: none. Absent: Collins.

Discussion of contract renewal with County Weed Supt. Darrell Kaminski was postponed until the next meeting since Kaminski was attending Spring Training Conference and could not be present.

The request of Colonial Supplemental Insurance Reps, Gary Heaston and Kurt Genrich, to appear before the Board on April 11, was discussed. The Clerk was directed to let them know that the Board was not interested in offering additional supplemental insurance at this time.

January Lodging Tax receipts were \$498.38, \$249.19 for Promotion and \$249.19 for Improvement.

County Attorney Cullers reported the Schauer lawsuit is still scheduled for hearing on April 7. The Schauers have filed a new lawsuit, this one against the City of Ord. Cullers will work with the Chamber and Lodging Tax Advisory Committee in preparing a formal agreement. Discussion was held on developing a procedure for contracting such positions as Public Defender, County Attorney, Surveyor, and Weed Supt..

There were no Committee Reports

Mail Folder items available for review: Senator McDonald letter re: LB940, LBRC&D Newsletter (2), Ord Area Chamber Newsletter, Beckenhauer Construction, Inc. Newsletter, KARR Tuckpointing, NPAIT Newsletter, T. Loewenstein NACo Rep Newsletter (2).

Meeting adjourned at 1:30 p.m., to reconvene on Tuesday, April 11, 2006, at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the March 28 meeting and an agenda for the April 11 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