

BOARD OF SUPERVISORS' MINUTES

The regular meeting of the Valley County Board of Supervisors was called to order at 9:00 a.m. on April 25, 2006 in their Courthouse meeting room. Roll call was taken with Sintek, Sevenker, Cullers, Collins, Cetak, Baker and Ash present. The Clerk verified that notice of meeting was published and that the agenda was posted in the Courthouse and on the County website. Minutes of the April 11 meeting were approved as published. Cullers moved to adopt the agenda, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. No one had signed up for public comment, however, Merrill Mason requested and was given permission to speak. Mason expressed his concern with weeds, especially musk thistle and leafy spurge. The Board assured him that Weed Supt. Kaminski was doing a good job. Many notices have been sent to landowners and most of them have been cooperative. All agreed that if everyone would take care of their own property there would be no problem.

Road Claims and Balances for April were reported by Secretary Sandy Simpson. Payroll was \$33,875.36, accounts payable \$40,753.55. Larger expenses were for fuel, oil and gravel. Only \$733.11 remains in fuel budget for this fiscal year, gravel is at \$31,671 and should be okay. Fuel costs will continue to be paid from the fuel budget line item as long as there are sufficient funds remaining in the overall Road budget.

Road Supt. Leth advised that Easement 06-245 for Kokes Farm Inc. was in order and said Easement was approved on motion of Sintek, seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none. The refund of Easement 05-220 for Master Farms, LLC was also found to be in order and was approved on motion of Ash, seconded by Collins. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

An additional agreement with the NDOR for detours on Project STPD-11-3(108) between Ord and Burwell was approved by the adoption of Resolution 06-10 on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Leth noted that he had not included the access road for the ethanol plant in the County's One and Six Year Plan and Resolution 06-11 was presented to revise the Plan to include it. Resolution 06-11 was adopted on motion of Ash, seconded by Cullers. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

The latest Olsson Assoc. billing statement for the ethanol plant access road was discussed. Leth said some of the billed restaking and redesign work was due to Olsson Assoc. error and after visiting with them, they agreed to include it in the contract price. However, phase 4 and 5 work is not included in the contract and will be billed by the hour. These bills are paid with sales tax funds and Leth has been helping to ensure that work is done and billed correctly. Irrigation District and County right-of-way was discussed. Leth said everything was fine between County and Irrig. Dist.. Leth said a request was made for the County to remove asphalt between the highway and railroad, but this was included in the project bid so he refused. He did allow them to haul the asphalt to the County yard.

Rasmussen Land Surveying, LLC sent a revised billing for the Troy Dimmitt survey reducing the cost from \$1932.50 to \$1081.25, reflecting their County rate.

A letter from JEO, the County Surveyor, notifying the County of a survey request requiring the locating of the NE, N 1/4 and E 1/4 corners in Section 33-T17N-R14W, was discussed. Leth indicated this is the Wauneta Jones property. JEO has requested use of the County backhoe.

Chairman Sevenker noted that he had talked to Henry Gregorski regarding the fencing issue discussed at previous meetings. Gregorski will not run cattle in the area until June. Sevenker said it could be looked at later. Leth reported a crew was sent up to erect the fence but Gregorski told them he did not want it.

Leth's general report included: break up on shoulders due to April corn delivery, will patch it when weather warms; completed project C88240B, replace culvert at Jacobs; have ordered pipe for project C88231B on bridge 1330 on Art Sebesta's to replace bridge with tube; will begin maintaining again when conditions dry out and will haul gravel.

CFO and interim CEO, Larry Schrage, gave the Hospital report. He called the Board's attention to various parts of the written report, noting that operating income was \$80,555 for March and \$449,294 year-to-date. A new Director of Nursing has been hired, Barry Rubin. Schrage also noted that the Hospital Board plans to reassess the expansion plans. The same surveyors who discovered the deficiencies that led to the 90 day probation were back last Thursday due to an anonymous complaint. The inspection was scheduled for two days, however, the surveyors found nothing to substantiate the complaint and left the same day. Schrage said that Donice Woodworth, a semi-retired long-term care administrator, has agreed to serve in this capacity.

Custodian Rolland Cronk reported he plans to talk to Sheriff and Probation Officer about workers for the outdoor flower beds around the Courthouse. He has patched the center of the lower steps on the east entrance and plans to inspect the roof and patch where needed. Siemens work in the ground floor restrooms was discussed, noting they still failed to install a toilet paper dispenser in the ladies and that the handicap stall door in the mens now swings all the way inside the stall. Chairman Sevenker will call Ron Paul of Siemens and the Clerk is directed to hold the check until work is completed and she is so notified by Sevenker or Cronk. Supervisor Baker advised that Bower's Upholstery in Burwell will repair 7 of the jury box chairs for \$150. Following discussion, it was determined that all 12 chairs should be repaired. Further discussion included: waiting until new windows are in place before getting window blinds, needs assessment survey indicates public supports courthouse restoration, Beckenhauer is looking at Marvin windows for Courthouse, seeking girl scouts or 4-H clubs to care for Courthouse flowerbeds.

Sheriff Larry Ronzco presented written reports of Fees and Activities for his office in February and March. He also reported that, due to unforeseen medical expenses for two prisoners, the Jail budget will be overspent this fiscal year. It was noted that the Board passed a resolution at their last meeting allowing fund transfers within the General Fund so that Jail expenses in excess of the budget will be covered. Ronzco also noted that Jail revenue for this fiscal year was \$52,120.

Dave Williams of the Valley County Airport Authority was present to discuss property insurance for buildings at the airport. It was determined that the County would add this coverage to their policy with NIRMA and that the airport would pay for the coverage. Ash moved to request that NIRMA add property insurance for the airport buildings to the County's policy effective May 1, 2006, seconded by Collins. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

Paul Markowski, Ord City Utilities Director, was present for discussion of a gas supplier for the Courthouse, County Shop and Social Services Office. Markowski noted that the current price from ACE was 1.197 fixed and 1.171 for 80% fixed and 20% at market price. He suggested locking in the fixed price due to market conditions. He can lock in a rate for 24 hours and offered to monitor it for the County to get the best price. Cetak moved to choose ACE as the gas supplier for the County and to accept Markowski's offer to monitor the rate and notify the County Clerk so the County can sign up at the lowest rate. Ash seconded the motion. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none.

Chuck Kokes was present for discussion of leasing lots on the Mortensen Industrial Site. County Attorney Cullers presented a draft lease agreement based on the agreements with Agland and Cornerstone. He also presented a proposed covenant for development restrictions and noted that the amount of required improvements could be dropped by a set amount for each new job a business created. Kokes said he is not ready to develop a second lot at this time but it is part of his 3 year plan. He would use a second lot to park vehicles for sale and would pay to lease it. The building he plans to erect would cost about \$90,000 and he plans to add one employee the first year and another the second year. Attorney Cullers suggested required improvements of \$100,000 with \$15,000 off for each new employee. Kokes can study the proposal and come back to the Board to propose any changes and finalize an agreement. The lots need to be staked which will be paid for by the City.

Jane John appeared to invite the County to join the Loup River Scenic Byways. Membership is \$25 annually and they do a lot to promote tourism in the area. They sponsor the junk jaunt which

brings a lot of revenue to the area. Baker moved to approve paying the \$25 annual membership to belong to the Loup River Scenic Byways organization, seconded by Cullers. Carried. Yes: Baker, Cullers, Ash, Cetak, Sintek, Collins. No: none. Absent: none.

The proposed flyers for providing information regarding Courthouse restoration plans and donations were discussed. It was decided that the Courthouse picture on the first page should be moved to the center of the page with the words Valley County Courthouse above the picture, the overall fund raising goal should be listed as one million dollars with the notation that \$500,000 of that total is to come from the Inheritance Tax Fund and that no amount would be listed for the endowment fund as this is an effort to provide a perpetual source of revenue for future Courthouse maintenance.

Receipt of the signed Underground Pipe Contract with North Loup River PP & Irrig. District for replacing pipe at the ethanol plant was acknowledged and the presentation of the Needs Assessment Survey results on April 25 at 7:00 p.m. at the Ord Fairgrounds was noted.

Supervisor Collins reported that Jerry Collier is willing to continue providing Courthouse lawn care under the terms of his original bid. Cetak moved to approve continuing with Collier's Lawncare for the 2006 season under the terms of the original bid, seconded by Cullers. Carried. Yes: Cetak, Sintek, Cullers, Baker, Ash. Abstain due to relationship: Collins. No: none. Absent: none.

Supervisor Collins questioned claims for unpaid court costs. Attorney Cullers explained this is the State's share of court costs which the County is required to pay to the State. The County can then try to collect these costs if they are assessed by the Court. Sintek moved to approve April Claims, with the stipulation to hold the check to Siemens in payment for work done in the first floor restrooms until the work is approved by Chairman Sevenker and Custodian Cronk, seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Baker, Ash, Cullers. No: none. Absent: none.

Items noted and discussed: IV-D reimbursement for District Court \$1582.29, County Attorney \$129.00 and \$2165.97, Lodging Tax receipts of \$367.90 for February. Attorney Cullers agreed to request a list of entities paying Lodging Tax in Valley County from the Dept. of Revenue.

The Mortensen Site lease agreement listed under the County Attorney report was covered earlier in the meeting. Attorney Cullers gave his approval of the Quarantine & Isolation Regulations proposed by the Loup Basin Public Health Dept. for adoption by the County. Following discussion, Sintek moved that a public hearing on the proposed Quarantine & Isolation Regulations be set for May 30, 2006 at 10:30 a.m., seconded by Ash. Carried. Yes: Sintek, Cetak, Ash, Baker, Cullers, Collins. No: none. Absent: none.

Attorney Cullers reported that he had spoken to Rolland Schafer concerning his request for guard rails on 2 curves on the Sargent Highway. Following discussion, it was moved by Supervisor Cullers that reflectors be installed on both curves, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none.

Cullers noted that information received from Attorney Charles Campbell, who is representing the County in the Schauer's lawsuit, indicates that the individual County Board members have been dismissed from the case and that the remainder of the case has been stayed until the lawsuit against the City of Ord is completed.

There were no Committee reports, however, Sintek offered the Nebraska 2010 Health Goals & Objectives report for review of interested Board members. The report outlines a set of health goals and objectives for the state that are to be achieved by 2010.

NIRMA Loss Control Manager, Jason Clancy, presented information on safety. He gave information regarding a safety manual, NIRMA's 10 best practices and state rules regarding the required safety committee. He said County Government is exempt from OSHA requirements and advised that their requirements should not be adopted but that they can serve as a guideline for the County. He recommended use of the word "will" rather than "should" when writing safety procedures employees are to follow. Checking an applicant's driving record and drug/alcohol testing was also discussed. NIRMA has provided a model safety manual the County can use in developing their own manual. He offered NIRMA's help to maintain a good safety record for the County.

Mail Folder items: Loup Basin RC&D Newsletter, TierOne Open House, VC Economic Development Newsletter, T. Lowenstein NACo Newsletter, American Funds Newsletter.

Meeting adjourned at 12:40 p.m., to reconvene on Monday, May 8, 2006 at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the April 25 meeting and an agenda for the May 8 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