

BOARD OF SUPERVISORS' MINUTES

The regular meeting of the Valley County Board of Supervisors was called to order at 9:00 a.m., Tuesday, June 27, 2006 in their Courthouse meeting room. Roll call was taken with Baker, Collins, Sevenker, Ash, Cetak, Cullers, and Sintek present. Clerk verified publication of meeting notice, agenda posted in Courthouse, on website and provided to requesting media. Ash moved to approve minutes of the June 13 meeting as published, seconded by Cullers. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none. Agenda adopted on motion of Baker, seconded by Ash. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none. Chairman Sevenker noted Open Meetings Act is posted on west wall of Boardroom, paper copies on table against south wall are available free to the public and pamphlets containing the act are available for use, but are to remain in the Boardroom. There was no public comment.

Road Secretary, Sandy Simpson, gave the Road Claims & Balances report for June. The larger expenses were fuel, gravel, pavement marking paint, parts and repair. The fuel budget is overspent \$22,558.55, there is \$83,000 left in the overall Road Budget. Discussed fuel costs and how to budget for next year and cost of striping. Leth buys paint with Merrick County and striping is done on a 4 year cycle. The ADT on the Sargent Road is not sufficient to require striping, but due to the festivals, Leth feels it is needed. The ethanol plant access road was opened on the 12th, all signs are up and RR crossing now closed with permanent barricades. The completion inspection was to be last week. Leth's concerns include: two flared end sections damaged and need replacing, clean up not good, seeder will harrow it and that may help, ditch clean up not good. Tom Kruml asked about a guard rail. Leth said this was not in the contract so would be our cost. Also discussed turn lane on highway. Leth will check on this and report to Board. Leth said concrete tests good. All bridges are to be rerated based on new structural ratings, costs to be paid by state and federal government. Valley County bridges last rated in 1979 at a cost to County of \$17,000.

At 9:30 a.m., as advertised, Gravel Bids were opened. Ulrich Gravel, Inc. submitted the only bid: at bin \$5.75 per cubic yard, cubic yard mile \$.25 truck charge, Rock at pit \$11.25, Sand at pit \$3.25, AC Gravel at pit \$5.75, 47B Gravel at pit \$6.00, min. haul \$1.25. Scott and Wes Ulrich were present. There is to be no fuel surcharge this year. Ash moved to accept the bid offered by Ulrich Gravel, Inc., seconded by Cetak. Carried. Yes: Ash, Cetak, Sintek, Collins, Cullers, Baker. No: none. Absent: none.

Leth reported the high intensity lights were put up the week before the festival, removed after and will be done for each festival. Discussed budgeting for fuel and noted pay raises will be in the 3% range as usual. Ord/Burwell road project delayed till July due to ROW problems. Highway 22 plant will set up at Ulrichs causing more traffic on Loup City Road. Billing statements from Olsson Associates have been paid by the City. Proposal from Gilmore & Associates of \$3000 for grades, drainage & possible staking of Mortensen Industrial Site access road was discussed. It was determined that the County would do the work and keep track of time and labor involved. Leth will let Gilmore & Assoc. know. Leth felt the plat maps of the two new lots in the Mortensen Industrial Site were okay. Discussed fact that Agland has encroached off their lot.

Hospital CEO, Larry Schrage and Hospital Board President, Kara Fischer gave the monthly report. Schrage went through the financial pages of the printed report noting that despite seasonal swings and the nursing home difficulty, year to date numbers are favorable. Next years budget has been approved by the Hospital Board. The Wound Clinic is already popular although not yet started and a Nuclear Tech has been recruited. Information on the costs of operating the hospital owned fleet of vehicles as opposed to paying mileage reimbursement shows a savings of \$19,375 for six months. Dr. Regg Hagge, a family practitioner, his wife and four children will be moving to Ord this summer. Broken Bow physician, Dr. Leon Books, will help out for 6 months during maternity leave for Dr. Bengston and Dr. Blake.

Custodian Rolland Cronk reported another Courthouse window has fallen out. This one from the second floor above the east Courthouse entrance. Securing the frames has not helped as the frame stayed in place but the glass fell out. Board gave approval for him to work on removing some of the upper level glass and to get help from Ord City where needed. Chairman Sevenker offered his help as well. Springer has inspected Courthouse roof, indicating it should not be a major project. The worst part is area over the Courtroom. Thought cost would be under bid requirement. Attorney Cullers will work with Cronk on getting costs to present for Board approval at next meeting.

Courthouse lawn and landscaping was discussed, including flower bed south of jail, vines next to Courthouse and growth around trees, tree branches overhanging walkways, getting water to area south of jail and strip between Courthouse and handicap ramp. Cronk is to talk to Collier regarding replacing southside flower bed with sod and Kunz regarding water issues and meet with Grounds Committee regarding these issues.

Gilmore & Associates plats of the 2 new lots in the Mortensen Industrial Site were discussed. County Attorney Cullers noted the original name for the site was Mortensen Family industrial Site and that the word Family has not always been used. He also said Gilmore did not use block numbers on this plat as they did on the first one, only lot numbers. The Mortensen Industrial Site 2nd Subdivision Plat Map was approved as submitted by Gilmore & Associates on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Noted: NIRMA assignment of Ammerman case to Angle, Murphy, Valentino & Campbell, P.C..

Gene's Electric proposal of \$1840 for removal of old cable and installation of new cable to the County Courtroom, District Courtroom, County Court Judge's Office, District Court Judge's Office and the old School Supt. Office was discussed. If the County Board approves it, the proposal will be submitted to the state. If the state approves it they will reimburse the County for the cost. Following discussion, Cetak moved to approve the proposal, contingent upon state reimbursement, seconded by Baker. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none.

A letter of interest received from Attorney David T. Schroeder with regard to the County Attorney position was discussed. County Attorney Cullers recommended that a notice be prepared advertising the position with a copy sent directly to those who have expressed an interest. There is not time to wait until after the election to begin this process. Discussed partnering with another county, making known the county's expectations and requirements for the position, and setting the office budget. Attorney Cullers will prepare a notice for Board consideration at the next meeting.

Discussion was held regarding the request of the Nebr. State Historical Society for help in locating all cemeteries in the state so that a statewide cemetery registry can be established. Baker will look into possible sources for this information and report back at the next meeting.

Open Meetings Law Workshop sponsored by Nebraska Association of School Boards was discussed. Collins moved, seconded by Cullers to direct the clerk to register the County for the workshop at the Kearney location on July 26 with attendees to be determined later. Carried. Yes: Collins, Cullers, Baker, Ash, Cetak, Sintek. No: none. Absent: none.

Resolutions 06-14, 06-15 and 06-16 regarding transfer of funds were presented for Board consideration. On March 28, 2006 the Board adopted Resolution 06-09 allowing the transfer of funds within the General Fund to cover Jail expenses for the remainder of fiscal year 05-06. Resolution 06-14 provides a record of the total funds transferred pursuant to Resolution 06-09, \$19,421.08 and was adopted on motion of Collins, seconded by Cetak. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. The Clerk explained that funds remaining in the Election Commissioners budget were used to purchase polling booths, unfortunately on Friday, June 23 an additional billing of \$4748.42 was received from Election Systems & Software. She told the Board that the polling booths could probably be returned but that they were truly needed and asked them to consider allowing her to use funds remaining in the County Clerk budget and the Clerk of the District Court budget to cover the extra costs. Resolution 06-15, allowing the transfer of funds within the

General Fund between the Election, County Clerk and District Court Clerk, was adopted on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. Resolution 06-16 authorizing the necessary adjustments to reflect the Schauer lawsuit legal fees, in the amount of \$4480.42, be deducted from the Planning & Zoning Fund and restored to the Inheritance Tax Fund, was adopted on motion of Sintek, seconded by Ash. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none.

June Claims Report was presented and June claims approved on motion of Ash, seconded by Cetak. Carried. Yes: Ash, Cetak, Sintek, Collins, Cullers, Baker. No: none. Absent: none.

At 11:15 am. Cetak moved to convene the Board of Equalization, seconded by Sintek. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none. The County Clerk, County Assessor and Appraiser Larry Rexroth were present.

A complete report of Property Valuation Protests is attached to the permanent record on file at the Clerk's Office. Property Valuation Protests heard, action taken:

Protest #4, Peggy L. Brott, parcel #880026243 Cullers moved to accept the Assessor's recommendation of \$17,160 on the mobile home and \$1195 on the land, seconded by Collins. Carried. Yes: Cullers, Collins, Sintek, Cetak, Ash, Baker. No: none. Absent: none.

Protest #5 & #6, Gary E. & Jeanne Ackles, parcels #880004998 & #88005194 respectively. Sintek moved to leave the property on both Protest #5 & #6 at the 2006 value, seconded by Ash. Carried. Yes: Sintek, Cetak, Ash, Baker, Cullers, Collins. No: none. Absent: none.

Protest #7, Myron E. Novak, parcel #880015617. Collins moved to approve the land use changes and the resulting valuation, seconded by Cetak. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Protest #8, Kathleen C. Melvin, parcel #880036701. Cullers moved to accept Assessor recommendation for a valuation of \$44,240 for 2006, seconded by Sintek. Carried. Yes: Cullers, Collins, Sintek, Cetak, Ash, Baker. No: none. Absent: none.

Protest #9, Delores Hill-Hornickel, parcel #880036635. Ash moved to accept Assessor recommendation for zero value, seconded by Baker. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

Protest #10, Carl R. Osentowski for the Lena J. Osentowski Trust, parcel #880016037. Assessor recommends salvage value of \$2,340 on trailer and condition of metal building changed from average to fair due to tornado damage for total 2006 property valuation of \$88,025. Ash moved to accept the Assessor's recommendation, seconded by Cullers. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

Protest #11, Jerry & Shelly Collier, parcel #880036740. Based on FSA map, Assessor recommends change 7.52 acres from site to CRP grass bringing total property value to \$109,895. Sintek moved to accept Assessor's recommendation, seconded by Ash. Carried. Yes: Sintek, Cetak, Ash, Baker, Cullers. Abstain due to relationship: Collins. No: none. Absent: none.

Protest #12, Larry & Barb Freouf, parcel #880011704. Assessor felt property value accurate after square footage correction was made for total 2006 property value of \$186,895. Cetak moved to accept Assessor recommendation, seconded by Ash. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none.

Protest #13, Devota L. Andersen, parcel #880035539. Assessor inspected property and recommends no change. Cetak moved to accept Assessor recommendation for a value of \$32,195 for 2006, seconded by Ash. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none.

Protest #14, Devota L. Andersen, parcel #880035798. Assessor inspected property and recommends no change. Collins moved to drop the quality to fair and use the resulting valuation for 2006, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Protest #15, Max Murray, parcel #880028826. Assessor noted value of property did not go up for 2006, it is valued same as comparable properties and recommends no change. Collins moved to accept Assessor recommendation of no change in 2006 assessed value, seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Ash, Cetak, Sintek. No: none. Absent: none.

Notices of Rejection of Homestead Exemption for: Minnie M Grabowski, house for sale, no intent to return; Robert A & Cheryl A Tucker, doctor would not sign required disability form; Donald & Barbara J Severance, Physician's Certification signed but criteria altered.

Notice of Valuation Changes presented for Board approval: Barbara J. Martin & Michael S. & Benjamin E. Martin, parcel #880012222, corrected clerical error on land. Approved on motion of Sintek, second by Cullers. Carried. Yes: Sintek, Cetak, Ash, Baker, Cullers, Collins. No: none. Absent: none. Joy R Lutz, Shirley King et al Trustees, parcel #880036783, corrected error on acres taken by NDOR. Robert V Lutz & Janice L Lutz, parcel #880036781, corrected error on acres taken by NDOR. Corrections to parcels #880036783 & #880036781 approved on motion of Cullers, second by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none.

Tax List Corrections presented for Board approval: Holcomb Mechanical & Appliance, business closed 5/06; Ord Steakhouse Inc, business closed 5/06; Arcadia & Company, business closed 5/06; Rogers Hog Farm Inc., equipment taken back by Ord Equipment 1/06. Said corrections approved on motion of Cullers, seconded by Ash. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none.

At 12:25 p.m. the Board moved back into regular session on motion of Cetak, seconded by Ash. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none.

County Attorney Cullers presented lease agreements for the two new businesses to be located at the Mortensen Industrial Site by Cody Sitz and Chuck Kokes. He said they had the same language as the leases for the existing businesses. The Board needs to decide amount of rent. Sintek moved to lease the lots for \$150 per acre, seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none.

There were no Committee Reports.

Mail folder items: Region 26 agenda, Loup Basin RC&D Newsletter, Beckenhauer Const. Newsletter, NACo Rep Lowenstein (2).

At 12:30 p.m., Chairman Sevenker recessed the meeting to reconvene at 1:00 p.m. to hear Beckenhauer's report on bids for the Courthouse HVAC/window project, as noted on the agenda.

Chairman Sevenker reconvened the meeting at 1:15 p.m..

Buster Beckenhauer noted that no qualified electrical bid was received. The one noted on the bid tabulation sheet was phoned in, does not qualify and should not have been listed. He presented a letter listing each bidder, their bid and other pertinent information regarding their bid. BAC Siding and Windows bid \$88,228 for windows, however, Beckenhauer cannot recommend them because they failed to provide bid detail. Glass Edge bid \$91,850 for Eagle wood replacement windows and \$157,928 for aluminum replacement windows including installation, both bids are complete per plans and specifications. Chicago Lumber bid \$145,555 for wood replacement windows. This bid includes additional items that are necessary but were not included in the addendum, so were not included in other bidders figures. These items include extruded aluminum panning, tint and jamb extensions. For the HVAC, Wadas bid \$490,000 using Mitsubishi mechanical equipment, which has now been approved by the project engineer as being in compliance with plans and specifications. Wadas bid \$499,000 using Daikin equipment in compliance with plans and specifications. Banford bid \$461,000, a complete bid per plans and specifications. Volkman Plumbing bid \$631,115, a complete bid per plans and specifications. The only General Trades bid was from Hackel Construction for \$93,980, complete per plans and specifications for wood replacement windows. If aluminum window replacement units are used there is a deduct of \$34,480 as window provider does installation.

Discussion included: using basement for HVAC equipment, however, Wadas noted possibility of affecting structural quality of building; Wadas suggested possibility of using gas backup to help cut operating costs; it was advertised that Board could reject any and all bids; follow-up service and time delays have been considered in past when choosing bidder; chosen bidder typically becomes partner in looking at ways to cut costs; initially thought remove window completely, now think better to leave sash to attach new window; Buster contacted National Historical Register and Courthouse cannot be removed from register.

Wadas noted that his bid includes the jail, the other bids do not. The jail portion of his bid is \$14,050. Without jail bids are \$475,950 and \$484,950, for a better comparison with the other bids.

Board has 30 days from bid opening to act, next meeting date of July 11 is within the 30 days. Beckenhauer will get more information together regarding cost cutting and talk to engineer about recommending a system. Wadas will get additional information from both Mitsubishi and Daikin.

Marvin Window representative presented information and Buster Beckenhauer presented information about Eagle windows. There are 115 windows in the Courthouse. Marvin Windows were installed in the Aurora Courthouse. They are aluminum clad exterior with wood interior requiring staining. Can have some windows open and others not open. Could eliminate screens on the non-opening ones. Insolated , low E, tinted glass in gray or bronze. Using flat rather than ornate casing would save some cost but would not be as attractive. Eagle windows are all aluminum and would cost less than Marvin windows.

Beckenhauer noted that costs have elevated as project progressed due to several factors that were not known at the beginning. He said their fees were based on the initial lower estimates and he does not want anyone to think costs went up to raise their fees, so he is lowering them to 6%. The total cost to the County for this project will be around a million dollars. Further discussion was held regarding electrical bids. County Attorney Cullers advised against opening a bid at this time that was received after the initial bid deadline. Also discussed was the fact that the cost of copper wiring causes difficulty for electrical bidders to guarantee their bid for any length of time. Beckenhauer will work on getting electrical bid and cost cutting ideas and return on July 11.

Meeting adjourned at 3:00 p.m., to reconvene on July 11, 2006, at 9:00 a.m. in regular session and at 11:00 a.m. as Board of Equalization. Complete minutes of the June 27 meeting and an agenda for the July 11 meeting are available for public inspection 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.

Jenette G. Lindsey, Valley County Clerk