

## 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, September 12, 2006 in their Courthouse meeting room. Roll call was taken with Cetak, Sevenker, Ash, Collins, Sintek, Cullers, and Baker present. The Clerk verified that notice of the meeting was published and the agenda posted at the Courthouse and on the website. The minutes of the August 29 meeting were approved as published on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. The agenda was adopted on motion of Ash, seconded by Cetak. Carried. Yes: Ash, Cetak, Sintek, Collins, Cullers, Baker. No: none. Absent: none. Chairman Sevenker noted that the Open Meetings Act is posted in the Boardroom and copies are available to the public. No public comment was offered.

As recommended by the auditors, Resolution 06-25 was presented for Board consideration to authorize petty cash funds of \$50.00 each for the Road Dept. and the Sheriff's Office. Said Resolution was approved on motion of Collins, seconded by Ash. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Road Supt. Leth noted a request from the Nebr. DOR for information on certain older bridges they identified. The County does not have existing plans for these bridges so Leth plans to make them part of his bridge inspection program this year to gather the necessary information.

Leth approved the Olsson Associates billing for \$41.06 which he said was for the trip to inspect the ethanol plant road and the bill has been forwarded to Ord City for payment.

The road to the Region 26 tower was discussed. Alma Beland, Region 26 Director, was present. Supervisor Dean Ash, Valley County Rep. on the Region 26 Board, asked the Board to consider changing the road's status from minimum maintenance to local so that it could be graveled and maintained. Ash said the tower is also used by Altell, the State Patrol and the weather radio and it is important to the people in this area that the tower be accessible. Road Supt. Leth said that the road would have to be graded to meet design standards in order to change its classification and that the County's policy is that the requester pays that cost. Discussion included the possibility of making an exception to the policy as well as the possibility of sharing the cost with the other entities using the tower and other counties within Region 26 that benefit from its use. Discussion also included the cost incurred by Region 26 for rental of the land, repair and upkeep of the tower and the income received by Region 26 for use of the tower by Altell. No decision was made at this time. Leth is to prepare a cost estimate and report back to the Board.

Beland agreed to leave a 911 map with the new road names and numbers for the Board to review. She will pick up the map at a later date. Chairman Sevenker asked for her input on agenda item 12C regarding the request from Larry Dix, NACO Director and Buffalo County Sheriff Neil A. Miller on the use of the 50¢ cell phone surcharge to fund the implementation of Phase II wireless technology in all Nebraska 911 centers. Beland had not seen the letter and so was not able to comment on it. She asked for a copy of the letter.

Leth reported Haskell Creek Road overlay will be finished this week and they will start maintaining next week. He purchased a 1991 and a 1993 flat bed pickup through Government Surplus for \$3750 each and a self-propelled Hustler mower for \$350. He is checking to see if a snow blower can be added to the mower as it looks like it has had one on it. Damage to cable guardrail on Ashton road has been repaired. Pivots spraying roads was again discussed. The Board asked Leth to look for a snowblower for the Courthouse through Government Surplus.

At 9:40 a.m. the Budget Hearing, scheduled for 9:30 a.m., and the Special hearing to Set Final Tax Request, scheduled for 9:40 a.m., were both opened. Chairman Sevenker asked for public comment, there was none. County Budget Accountant Chuck Abel presented several informational handouts. He noted that the levy could have been raised this year but felt it would be better to wait a year to see if higher valuations and the ethanol plant provide sufficient additional funding. He also said budgeting to spend the Inheritance Tax Fund each year does not mean it must be spent, only

that it is available if needed. Abel explained that certain funds are excepted from the restricted funds and are not included for levy limit purposes. He said the State Auditor recommends that County's approve the additional 1% budget increase, which they can do by resolution. Resolution 06-26, providing authority for the County to budget an additional 1%, was approved on motion of Cetak, seconded by Sintek. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none. Resolution 06-27, adopting the County Budget for fiscal year 2006-2007, was approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cetak, Sintek, Collins, Cullers, Baker, Ash. No: none. Absent: none. Resolution 06-28, authorizing the Board to set the property tax request for the current year at a different amount than the prior year, was approved on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. Resolution 06-29, regarding reimbursement of the Townships, was approved on motion of Cetak, seconded by Ash. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none. Sintek moved to approve Resolution 06-30, authorizing the County Treasurer and County Clerk to transfer funds from County General to Road, Planning & Zoning and Weed on an as needed basis to meet their expenses, not to exceed the budgeted amounts allowed by the County Board, seconded by Ash. Carried. Yes: Sintek, Ash, Collins, Cullers, Baker, Ash. No: none. Absent: none. Resolution 06-31, raising the Jail Administrator compensation from \$300 to \$450 per month, was approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. Abel advised that a copy of the minutes indicating Board approval of the Budget is required to be included in the Budget filed with the State. At 10:15 a.m. the Budget Hearing and the Special Hearing to Set Final Tax Request were closed.

Hospital CEO, Larry Schrage, presented written information regarding the Hospital Board August 16 meeting agenda, their July 19 minutes and the financial report for July and YTD 2006. The packet also included a copy of their Quality Improvement Plan, revised August, 2006. Schrage said July figures indicate utilization and gross revenue are up, operating revenue is up 2% and expenses are under budget. The Hospital Board has approved the purchase of 3 more vehicles. The initial fleet of 15 cars has resulted in substantial cost savings and it is felt the 3 additional ones will do the same. A long-term special care unit has been approved by the Hospital Board. Currently they serve 48 residents and it is hoped that the special care unit will bring them to capacity at 54 patients. The Hospital has added a life insurance benefit for employees, \$25,000 of term life for all employees at a cost of \$7500 annually. They will receive their audit report in October. On August 14, the State investigated a complaint and found it to be unsubstantiated. The old Chanticleer Restaurant building purchased by the Hospital is currently being used for group meetings or training.

Chairman Sevenker called a recess at 10:45 a.m. and reconvened the meeting at 10:50 a.m..

Planning & Zoning Admn., Nancy Glaubke, requested that the reappointment of Ellen Novak to the Board of Adjustment be added to today's agenda as her term has expired. The reappointment of Pat Frazer at the August 29 meeting was in error as her term has not expired. The reappointment of Novak was approved on motion of Cullers, seconded by Collins. Carried. Yes: Cullers, Collins, Sintek, Cetak, Ash, Baker. No: none. Absent: none.

The August Fee Reports for County Clerk and District Court were acknowledged.

Treasurer Janet Suminski presented the month-end fund report. Receipts for August totaled 1,727,000. Fund totals are: General \$370,875.95, Road \$47,735.16, and Inheritance Tax \$709,996.26. Airport Bond will be paid off this month. A Pledge Security with First Nebr. Bank in Arcadia had matured and was repledged. Suminski said she had Chem-Dry remove a rust spot from her office carpet due to leakage from one of the old heating registers when it was removed. She will absorb the \$66.00 cost in her office budget. She also presented a report regarding checking, savings accounts and CD's listing the name of the institution, balances and interest rates. She noted that the CD's are for one year so early withdrawal only requires a one month penalty. NPAIT gives a good rate for funds that are readily accessible. Suminski reported regarding items listed in the audit summary exit report prepared by Dana Cole that pertained to her office. She explained each item, her reason for compliance or noncompliance with the recommendation and noted her concerns

Sintek moved to go into Board of Equalization at 11:10 a.m., seconded by Cetak. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none. The Assessor and Clerk were present.

Appraiser Chad Martinsen reported that he is continuing to work on the reappraisal of Valley County. Elyria, Noble, Eureka and Ord Townships are completed. Springdale and Michigan Townships have been reappraised and the Assessor's Office is updating the records. Geranium Township is currently being reappraised. The plan is to complete Liberty Township this year, four townships next year and the last three the following year. Martinsen has not found much new unreported construction but many older buildings have been removed from the tax rolls. A letter is sent to all property owners prior to the reappraisal so they will be aware of it and at the same time their signature is requested on a letter to FSA to get a land breakdown for the record.

Tax list corrections were presented due to the sale of homes that are to be moved out of the county. Tax List Corrections for Randall & Heidi Dawe for a 1977 Bonnavilla Modular and Devota Andersen for a 1973 Riviera Mobile Home were approved on motion of Ash, seconded by Baker. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

There being no further business to come before the BOE, Sintek moved to return to regular session, seconded by Collins. Carried. Yes: Sintek, Collins, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

New Business item 12A, regarding the sale of TTS Marketing, LLC, was discussed next as Bethanne Kunz, VCED Director was present. The County is being asked to approve the sale and release Timberline from any unfulfilled portion of the agreement under which the County loaned them \$100,000, to be forgiven if they met certain conditions, as incentive to their locating in Ord. Written information was provided regarding the agreement, what remains unfulfilled and why it would be in the County's best interest to approve the sale. Timberline was to have kept it's personal property in Valley County until the end of the first five year lease, which would be November 5, 2006, however, Aurora Telemarketing, Inc. needs to take possession of the building before this date. Advantages to the County would be that Aurora Telemarketing, Inc. will have substantially higher valuation on it's newer equipment, they are likely to have more inbound business than TTS and offer an excellent benefits package which would provide more secure employment, and they are based in Aurora. Following discussion, Resolution 06-32, approving the sale and releasing TTS from any further obligation to the County, was approved on motion of Collins, seconded by Cullers. Carried. Yes: Collins, Cullers, Baker, Ash, Cetak, Sintek. No: none. Absent: none.

Beckenhauer Construction faxed three bids for asbestos removal to the Clerk's Office for the Board's consideration. Environmental Services, Inc. of Norfolk bid \$9,400, Bockmann, Inc. of Lincoln bid \$23,400 and Great Plains Asbestos Control, Inc. bid \$14,000. It was noted that the amount bid by GPAC, Inc. could not be found on the faxed bid, however, Brian Hergott indicated to both Chairman Sevenker and Clerk Lindsey that the bid was \$14,000. Sevenker reported that, in the interest of time and based on Beckenhauer's recommendation, he had given tentative approval for Beckenhauer's to proceed with the low bidder, Environmental Services, Inc., and asked the Board to formally approve the choice. If the Board approves, the removal is to begin on Sept. 18. Ash moved, seconded by Baker, to formally accept the low bid of Environmental Services, Inc. for asbestos removal in the Courthouse. Carried. Yes: Ash, Baker, Cullers, Collins, Sintek, Cetak. No: none. Absent: none.

A billing statement in the amount of \$942.60 was received for the dumpster ordered by the County for disposal of items stored on the fourth floor. It was noted that the dumpster was also used for disposal of brick removed from the fourth floor as part of the installation of the new heating and air-conditioning system. Chairman Sevenker reported that he had called Beckenhauers and was told that the County needs to have a dumpster on site but disposal of the brick is part of the bid and they will take care of the bill. A copy of the statement was mailed to Beckenhauer Construction.

Sevenker also reported that he called Tom Dworak in regard to a delay in receiving the new Courthouse windows and that Dworak is checking into it. Attorney Cullers noted that he will talk to

Judge Noakes regarding the disposal of books from the fourth floor and those that currently make up the County's Law Library. He said Holt County has gone to an electronic library and feels we should do the same. Sevenker said Adam Kunz will be submitting a bill for the cost of removal of the two cedar trees on either side of the west entrance to the Courthouse. The remaining six trees will be removed after the ground has hardened and a separate bill will be submitted for them at that time.

Discussion was held regarding the issuance of County payroll checks on the last Tuesday of the month when the Board meets and approves them. The checks are for the entire month and typically there are several days remaining in the month so employees are receiving payment for days they have not worked. Discussion also included checks being disbursed to employees prior to the conclusion of the Board Meeting at which the checks are approved and the practice of issuing December checks early which results in more days paid before they are worked. Following discussion, Collins moved to set the December, 2006 early payroll date on December 19, 2006, seconded by Cetak. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. Cullers moved, that beginning with the January, 2007 payroll, checks will be approved at the last monthly Board meeting but not disbursed to employees until the last working day of the month. The motion was seconded by Cetak. Carried. Yes: Cullers, Baker, Cetak, Sintek, Collins. Abstain: Ash. No: none. Absent: none.

None of the Board members felt they would be able to attend the presentation of the Proclamation signed by Governor Heineman designating the 15 Counties of Boyd, Brown, Cherry, Holt, Keya Paha, Rock, Blaine, Custer, Garfield, Greeley, Howard, Loup, Sherman, Wheeler and Valley as a "BIO-BASED BUSINESS DEVELOPMENT FRIENDLY REGION". The invitation was from Loup Basin RC&D and the presentation was to be at 12:30 p.m. on Sept. 19th in Ainsworth.

The letter requesting comment on what 911 center costs should be paid from the 50¢ surcharge on cell phones was discussed earlier in the meeting when Region 26 Director Alma Beland was present. The Board did not feel that they had enough information to give an informed response.

The Board had no response to the request for nominations to the Office of Dispute Resolution Advisory Council of the Nebr. Supreme Court.

The NACO Annual Legislative Conference on October 5 at the Kearney Holiday Inn was noted.

Receipt of the official notice of approval from the Nebr. Dept. of Economic Development for the CDBG of \$203,000 to implement a Homebuyer Program was noted for the record.

The Clerk reported that, at the request of the Hospital Ambulance and with the approval of Chairman Sevenker, she had applied for and received a FIN (Fleet Identification Number) through Ford Motor Company. The dealer from whom the new ambulance is to be purchased indicated that if you have a FIN number you can get a \$1000 to \$4000 deduction on the cost of the ambulance. A copy of the letter from Ford regarding the approval of the FIN was provided to the Board.

The current expenditures report for August, 2006 was acknowledged.

The auditors recommendations per exit interview were discussed as well as their request for the County to sign a letter authorizing them to request information regarding the Wozab Foundation from the Nebraska Community Foundation. The Board felt that a lot of effort had been made to keep the Wozab Foundation separate from the County and noted that past auditors had not made this request. Sintek noted that a copy of the Nebr. Community Foundation audit should be on file with the Wozab Foundation information and that this should be made available to the Dana Cole auditors.

The Clerk reported that the notice requesting bids for snow removal at the Courthouse had been published, but the Quiz had missed her request to publish it twice. No bids were received. The Board decided to see what Leth finds for snow removal equipment through Government Surplus.

County Attorney, Randy Cullers, reported that he purchased a "for deposit only" stamp to facilitate auditor requirements. He said that the auditors note that the County is not in compliance with the bid process for purchases between \$5,000 and \$20,000 is misleading, in that the County is not required to formally bid such purchases but it is their practice to do so. Cullers also said it is not necessary to publish the upcoming County Attorney. He said the cost for publishing in the World

Herald would be \$212.80, the G.I. Independent \$234 to \$415. Publishing in the Nebr. Lawyer October edition, which goes to all licensed attorneys in the state, would cost \$25 for the first 30 words and 50¢ each additional word. The Board agreed that a notice be published in the Nebr. Lawyer. They also noted that the Surveyor position would be vacant at the beginning of the new term.

The auditors had noted on the Audit Summary that they would assist the Board with the preparation of the Management Discussion and Analysis document which is a required part of the audit. The Clerk is to notify them that their assistance would be appreciated.

Mail Folder items available for review: The Chamber Pulse, Rural News Bits, NPAIT Newsletter, Nebr. Business Development Conference Info, Nebr. PSC Certification, NDEQ Grant Info.

Meeting adjourned at 12:50 a.m., to reconvene on Tuesday, September 26, 2006, at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the September 12 meeting and an agenda for the September 26 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