

BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m. on December 26, 2006 in the Courthouse Boardroom. Roll call was taken with Collins, Sintek, Cetak, Sevenker, Ash, Baker, and Cullers present. The Clerk verified that meeting notice was published and the agenda posted in the Courthouse and on the County website. Minutes of the Dec. 12 meeting were approved as published on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. Collins moved to adopt the agenda as it was mailed to the Board members, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none. Chairman Sevenker noted that the Open Meetings Act is posted in the Boardroom and copies are available for the public.

Chairman Sevenker signed up under Public Comment to recognize the County Officials who are leaving: Board Members Ken Collins, Steve Sintek, Dean Ash and County Attorney Randy Cullers. Collins has served on the Board for 36 years, Sintek and Ash for 12 years and Randy Cullers served 4 years as County Attorney. Sevenker noted that the County is losing a combined 60 years of experience and thanked them for their service. A framed picture of the Courthouse with the official's name, office and years of service inscribed was presented to each.

Road Secretary Sandy Simpson reported the Road Claims and Balances for December. Accounts Payables totaled \$46,910.53, payroll totaled \$32,886.01 bringing the total Road expenses to \$79,796.54. The Road Fund Balance was \$41,501.06, requiring a transfer of \$38,295.48 from General Fund. The larger expenses were for culverts, fuel, parts, blades and gravel. December fuel costs totaled \$11,828, leaving \$60,729 in the fuel line item. Road Supt. Leth noted that the last culverts were purchased for \$60 each, this year they are \$150 each. Supervisor Collins noted that Valley County purchases culverts with Custer County.

The issue of roadside tree removal was discussed. Statute requires landowners to clean and maintain road ditches, it is not the duty of the County. It was noted that about a year ago the Board passed a motion allowing the County Road Dept. to cut down the trees but that the landowner should haul them away. It was also noted that, if landowners do not clean and maintain road ditches, the County can cause the work to be done and bill the cost to the landowner. If the landowner fails to pay the cost, it can be assessed to the property taxes. It would be a courtesy for Leth to call the landowner and ask where they would like the trees piled, but the County should not haul them away. Sevenker noted that the Board is responsible for this decision and that Leth should keep them informed. Leth agreed that his Dept. will not haul the trees.

Easement 06-260 for Zabloudil and Peters for electrical power was recommended by Leth for approval and was approved on motion of Cetak, seconded by Sintek. Carried. Yes: Sintek, Cetak, Collins, Cullers, Baker, Ash. No: none. Absent: none. Leth said he could not make a recommendation for Easement 06-261 for Jay Knapp for drainage as he had not inspected the site and was unsure if it was for waste water or not. He thought Knapp was anxious to get it installed and asked if the Board could approve it subject to his inspection and approval. Collins moved to approve Easement 06-261 for Jay Knapp subject to Leth's approval, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

Following discussion, the Clerk was directed not to return the General Status Inquiry from Universal Surety Company regarding the paving of the entrance to the ethanol plant until Olssons have signed off on the project.

The \$41,821.14 billing from Nebraska Central Railroad was approved by Leth and faxed to Ord City for payment.

The NDOR 2006 State Highway Needs Assessment booklet will be on file in the Clerk's Office and available for review.

Leth reported that his crew removed snow once and salted twice due to the ice and snow received last week. Additional salt has been ordered and received. Greeley County had some of the special blend of salt used for new cement and Leth got some from them, however, it was needed for

this storm. The Road Crew is trying to smooth some of the bad spots on the roads by maintaining and will haul gravel again if it warms up enough to keep it from freezing in the box. The plow blade Leth was going to sell has been mounted on the 1993 IH truck for snow removal and works good on new pavement. Leth is working on 1&6 Year Plan and got quotes for asphalt of \$1.23 per gallon which is down 15¢, but still high. Will get new quotes when ready to purchase.

Sheriff Ronzzo was present for discussion of the Law Enforcement Agreement between North Loup and Valley County. Craig Critel, new Village Board Member for North Loup, was also present. Ronzzo will be going to the next North Loup Village Board meeting to discuss this topic. The current agreement is automatically renewable until 2008. He said he and his deputies get to North Loup as much as they can. Once an officer puts in 8 hours they are done. It was noted that he has been shorthanded a lot of the time. All calls from North Loup are answered. Ronzzo will also be discussing the situation with Arcadia. Deputy Svoboda will not be living in Arcadia and, if he did, it is possible that all of his eligible work time would be used answering calls in Arcadia. Ronzzo said he had been paying for 2 tanks of gas per month for the Arcadia Village Police Officer to patrol County roads when he had time. Sintek said the monthly fee North Loup pays is not a subsidy to the County for regular service but is for service in addition to the regular service they are entitled to as a County entity. He said if North Loup wants every day service, they may need to look at other options. Attorney Cullers noted that many types of problems occur throughout the County at the same times of day, for instance in the late afternoon when school is out or during the night time hours and on weekends. It is not possible for the Sheriff's Office to cover the entire County at the same time. He also noted that when an officer makes an arrest, the processing of the prisoner can take a couple of hours during which time the officer is unavailable for patrol. Ronzzo said the salary for a deputy is about \$27,000 plus benefits bringing it to about \$35,000. Sevenker asked Ronzzo to report back to the Board at their Jan. 9 meeting, after his meetings with North Loup and Arcadia.

Hospital CEO, Larry Schrage, was unable to attend today's meeting. The regular written Hospital report was presented.

Since it was not time for the Public Hearing, New Business item 9A was discussed. Attorney Cullers presented a proposed Assignment of Lease from TierOne Bank for the Mortensen Site lot leased by Chuck Kokes. The Bank is requesting that the lease be assigned to them for loan purposes. Cullers has reviewed the lease assignment and said TierOne would be bound to all the terms in our lease and that, if the County agrees to the assignment, all three parties would have to agree on any modifications to the lease. Cetak moved to approve the Assignment of Lease for the Kokes property to TierOne Bank, seconded by Baker. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none.

At 10:05 a.m. Chairman Sevenker called a recess, at 10:15 a.m. the meeting was reconvened.

The Nebr. Appleseed Center's request for County approval of a proclamation as a Food Stamp Friendly County was discussed. After due consideration, the Board declined to take action.

Brian Hergott of Beckenhauer Construction was present to update the Board on the progress of the renovation project. One heat unit in the basement is operational but not all pipes are hooked up to the various rooms yet. John Rystrom of Beckenhauer's has indicated the project should be completed by the end of January. Tanner has been getting in 5 windows per day on a good day. Wadas has a small crew and must also answer customer service calls. Sevenker asked why a time table was not established in the beginning and Hergott said it would have increased the amounts bid. Hergott noted that they did push to get the windows earlier than predicted and he said that all of the windows have now been received even though the current billed amount of \$133,881.59 only reflects the first shipment. Hergott reported a problem with the roof top units for the jail in that the engineer indicated two 30 amp breakers would be needed and that is how it was bid. The 30 amp breakers would have been sufficient for heat pump units, however, it was changed to electric resistance heat requiring 80 amp breakers due to the fact that a heat pump requires a second heat source in really cold weather and there is not one available on the jail roof. Kelly Electric will increase their billing by \$2200 for this change but when Hergott asked how much their bid would have increased had the 80 amp breakers

been part of the original bid, they said \$1724. Hergott said the County should not have to pay for the engineer error, only for goods and services received, so they are only asking the County to pay the \$1724. Beckenhauers will address the difference with the engineer. Hergott reported that Beckenhauer's approved replacing the existing gas water heater with a new electric one even though this had not been approved by the County. They felt it was a needed change because of the age of the existing one and the fact that having everything electric will cut the electricity rate almost in half. The total cost for the water heater and installation is \$1951. Discussion was held as to whether Beckenhauers should get their 6% of the cost for the engineer error and the replacement of the gas water heater since it was felt that both items should have been caught by Beckenhauers prior to the start of the project. Sintek moved to approve the additional costs of roughly \$1700 for the larger amps for the jail heating system and roughly \$1900 for the new electric water heater, seconded by Cullers. Carried. Yes: Sintek, Cullers, Baker, Ash, Cetak. No: Collins. Absent: none. Hergott said that a 10% retainage was being held in all areas except the engineers.

The Public Hearing for the Conditional Use Application for Proposed Oil Production & Sales Business filed by Alan D. & Jeanette M. Koelling was opened at 10:50 a.m.. Alan was unable to attend the hearing but Larry Koelling and Daniel Combs were present to testify. No one appeared in opposition. Planning and Zoning Administrator, Nancy Glaubke, presented a copy of the application and the Planning Commission Recommendation for approval. The Recommendation listed the factual findings of the Commission and made their approval subject to meeting the county driveway design requirements and a limited production capacity of 2 million gallons of oil. Larry Koelling said the oil will be obtained by pressing either sunflower seeds or soybeans and made into biodiesel fuel. He said they have been making it for their personal use with used fryer oil. The byproduct from pressing seeds can be used for cattle feed and if soybeans are used it would be soybean meal. The traffic estimate is for 3 trucks daily if they reach full capacity. Glaubke noted that no written testimony was received. Sevenker asked for public comment, none was offered. Cullers moved to approve the application based on the factual findings of the Planning Commission and subject to the driveway design requirements and the limited capacity as noted in their Recommendation, seconded by Ash. Carried. Yes: Cullers, Baker, Ash, Cetak, Sintek, Collins. No: none. Absent: none. The Public Hearing was closed at 11:13 a.m.

Glaubke reported receipt of the Draft Flood Zone Map Report for Valley County from the Nebr. Dept. of Natural Resources. The draft is to be reviewed and any errors reported to the Dept.. Glaubke is reviewing it and will make copies available to the villages and city. Orval Stahr will also review it. A copy will be available in the Clerk's Office for any Board Member or citizen to review. Once the map is finalized, the County can decide if they wish to participate in the National Flood Insurance Program. Glaubke will provide more information about that in the future.

Glaubke also reported that Wayne Clamp was replaced by Larry Barta as Elyria's representative on the Valley County Joint Planning Commission as Clamp did not wish to continue.

Glaubke then reported for Valley County Economic Development that a BECA grant of \$17,000 has been received to set up a data base of contact information for area high school graduates. This is part of an effort to draw them back to this area. The County is the agent for this grant.

The Board agreed that the County should accept the offer of the Central NE Economic Development District, of which Valley County is a member, to prepare a grant application for barrier removal on behalf of Valley County with the hope of receiving \$250,000 toward the installation of an elevator in the Courthouse.

Discussion was held regarding the organization of a volunteer group to clean some of the Courthouse rooms once the renovation work is completed. Discussion included possibly running an ad to solicit volunteers, possible need to have them sign liability waivers and some supervision may be required if protected records are involved.

Lodging Tax receipts for October were \$945.74.

The claims list was reviewed and December claims approved on motion of Collins, seconded by Sintek. Carried. Yes: Collins, Sintek, Cetak, Ash, Baker, Cullers. No: none. Absent: none.

A list of state holidays for 2007 was reviewed and discussed. Following discussion, Ash moved to continue the County's holiday policy as usual, seconded by Cetak. Carried. Yes: Ash, Cetak, Sintek, Collins, Cullers, Baker. No: none. Absent: none.

Current County Attorney Randy Cullers presented a Contract for County Attorney between Glenn Clark, Jason White and Valley County for Board approval. He said it was a simple, straightforward agreement for the four-year term commencing on January 4, 2007. Attorney Glenn Clark was present. The Contract was approved on motion of Cetak, seconded by Ash. Carried. Yes: Cetak, Ash, Baker, Cullers, Collins, Sintek. No: none. Absent: none. Clark noted that the plan is to continue to use the current County Attorney phone number in the new County Attorney Office to be set up in the Courthouse.

Supervisor Cullers, the County's Representative on the Region III Board, presented information regarding mini-grants that are available through Region III. Each Board Member received a copy of the information in their meeting packet and she asked that they inform the schools and organizations in their area.

Mail Folder items available for review: Christmas cards, Nebr. Crime Commission Grant, Nebr. Dept. Environmental Quality Grant, CNCS Newsletter, Nebr. Economic Trends, Beckenhauer Const. Newsletter.

Meeting adjourned at 11.55 a.m. to reconvene on Tuesday, January 9, 2007 at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the December 26 meeting and an agenda for the January 9 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 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

| GENERAL FUND | | | 12-26-2006 |
|----------------------------------|----------------|--------|-------------------|
| **** | **** | **** | **** |
| Payroll | December | Dec. | \$48,188.88 |
| **** | | | **** |
| Norma J Ackles | rt/prior serv. | rt/psb | \$25.00 |
| Alco Stores Inc | supplies | sup | \$52.16 |
| Alltel | telephone | tele | \$102.91 |
| Ameritas Life Ins. Corp. | retirement | rt | \$3,130.06 |
| Pamella K Arnold | reimb exp | exp | \$112.60 |
| Larry R. Barta | rt/prior serv. | rt/psb | \$20.00 |
| Henry F Benda | rt/prior serv. | rt/psb | \$11.00 |
| Blue Cross Blue Shield Nebr | health ins. | ins | \$23,132.76 |
| Boyd Co. Court | fees | fees | \$11.90 |
| Bradley Elsbernd & Emerton PC | ct app atty | atty | \$1,624.00 |
| Brown' s His Side & Her Side | office supp | sup | \$70.84 |
| Carmichael Business Systems | supplies | sup | \$107.00 |
| CDW Government Inc | law supplies | sup | \$1,040.00 |
| Kenneth R. Collins | reimb mtg | mtg | \$161.09 |
| Cornhusker.net | service | serv | \$56.85 |
| Darrell D Drake | rt/prior serv. | rt/psb | \$14.00 |
| Election Costs | elec bd | bd | \$30.90 |
| Election Systems & Software | ballots | sup | \$5,108.34 |
| Mark L Eurek | sp prosecutor | atty | \$2,882.42 |
| F & S Supply Co Inc | supplies | sup | \$128.84 |
| First Concord Benefits Group LLC | unreimb med | fees | \$6.00 |
| Fort Dearborn Life Ins Co | life insurance | ins | \$417.10 |
| Sharon L Foth | rt/prior serv. | rt/psb | \$16.00 |
| Frontier | telephone | tel | \$165.84 |
| Gary L Garnick | rent | rent | \$108.00 |
| Graham Tire Company | tires | sup | \$316.48 |
| GreatAmerica Leasing Corp | mailing mach | mtc | \$214.57 |
| Grocery Kart | supplies | sup | \$483.08 |
| H A Friend & Co. Inc | supplies | sup | \$38.91 |
| Claire D Hansen | rt/prior serv | rt/psb | \$11.00 |
| Holiday Inn-Omaha Central I-80 | meeting exp | mtg | \$1,496.14 |
| J & J Sanitation Dist 3051 | garbage disp. | serv | \$16.96 |
| Gregory G Jensen PC LLO | ct app atty | atty | \$1,023.80 |
| Kinder Morgan Inc | utilities | ut | \$375.26 |
| LIPS | supplies | sup | \$15.00 |
| Alvin Loy Manchester | rt/prior serv. | rt/psb | \$17.00 |
| Martinsen Appraisal | parcel app | serv | \$1,683.00 |
| Matthew Bender & Co, Inc. | law supplies | sup | \$102.41 |
| MIPS Inc. | computer serv | serv | \$339.27 |
| Modern Methods Inc | services | serv | \$254.62 |
| NACO | supplies | sup | \$81.00 |
| NACO Assessor Assn | dues | dues | \$50.00 |
| State of Nebr | services | serv | \$73.18 |
| Nebr Dept of Correctional Svcs | snow blower | equ | \$325.00 |
| Nebr Llife Magazine | color ad | ad | \$880.00 |

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|-----------------------------------|-----------------|--------|--------------|
| Nebr. Tech & Telecom Inc | telephone | tel | \$584.33 |
| Officenet | office supp | sup | \$400.27 |
| Ord Chamber of Commerce | dues | dues | \$130.00 |
| Ord Light & Water | lights & water | ut | \$1,222.33 |
| Ord Quiz | subscription | sub | \$32.00 |
| James J Orr | ct appt atty | atty | \$560.00 |
| Dorothy K Palser | rt/prior serv. | rt/psb | \$25.00 |
| Petska Backhoe & Plumbing Inc | repair | rep | \$60.35 |
| Emanuel Petska | rt/prior serv. | rt/psb | \$23.50 |
| Presto-X-Company | services | serv | \$29.00 |
| Protex Central Inc | services | serv | \$142.00 |
| Quill Corp | supplies | sup | \$48.92 |
| Quiz Graphic Arts Inc | notices/sup | ntc | \$357.39 |
| Janice I. Reeves | ct appt atty | atty | \$84.00 |
| Larry E Ronzzo | reimb exp | exp | \$487.18 |
| Robert Sevenker | reimb exp | mtg | \$185.12 |
| SGS | services | serv | \$354.26 |
| Curtis A Sikyta | court appointed | atty | \$2,218.15 |
| Janet L Suminski | reimb exp | mtg | \$183.20 |
| Delores M Thompson | rt/prior serv. | rt/psb | \$14.00 |
| TierOne Bank-Ord | payroll taxes | fica | \$5,984.94 |
| Trotter Service | fuel | fuel | \$43.40 |
| Adeline M Urbanski | rt/prior serv. | rt/psb | \$25.00 |
| Valley Co Clerk | title | sup | \$10.00 |
| Valley Co Court | fees | fees | \$156.00 |
| Valley Co Dist. Court | fees | fees | \$93.00 |
| Valley Co Economic Development Bd | agreement | pmt | \$6,667.00 |
| Valley Co Highway Dept | fuel | fuel | \$670.55 |
| Valley Co Highway Dept | transfer funds | trans | \$38,295.48 |
| Valley Co Hospital | services | serv | \$47.00 |
| Valley Co Sheriff | fees | fees | \$15.50 |
| Valley Co Weed | transfer funds | trans | \$1,294.88 |
| Gary D Walker | reimb exp | exp | \$100.00 |
| ***** | | **** | **** |
| | | | |
| | Gen. fund | totals | \$155,064.92 |
| ROAD FUND | | | |
| **** | **** | **** | **** |
| Payroll | December | Dec. | \$32,886.01 |
| **** | | | **** |
| | | | |
| Alltel | telephone | tel | \$61.24 |
| Ameritas Life Ins Corp | retirement | rt | \$2,094.52 |
| Appeara | towel serv | serv | \$39.21 |
| Arcadia Water Dept | utilities | ut | \$13.00 |
| Carl' s Service | repair | rep | \$37.00 |
| Jerry P Collier | reimb | exp | \$29.00 |
| Contech Construction Prod Inc | supplies | sup | \$4,673.60 |
| Country Partners Cooperative | fuel | fuel | \$7,011.40 |

| | | | |
|--------------------------------|----------------|--------|-------------|
| Don' s Auto & Machine Shop | supplies | sup | \$1,775.87 |
| Farm Plan | parts | pts | \$331.85 |
| Holiday Inn-Omaha Central I-80 | meeting | mtg | \$87.00 |
| Island Supply Co | supplies | sup | \$338.91 |
| Island Supply Welding Co | oxygen | sup | \$104.80 |
| KACO Supplies | supplies | sup | \$601.80 |
| Kinder Morgan Inc | utilities | ut | \$84.73 |
| Kokes Welding Inc 1 | repair | rep | \$25.00 |
| Maxon E. Leth | supplies | sup | \$228.67 |
| Loup Valleys RPP Dist | elec | ut | \$44.91 |
| Nebr Central Telephone Co | telephone | ut | \$43.12 |
| Nebr Machinery Co | repairs | rep | \$12,431.76 |
| Nebr Tech & Telecom Inc | phone | ut | \$95.73 |
| Ord Equipment Inc | supplies | sup | \$368.27 |
| Ord Light & Water | lights & water | ut | \$161.27 |
| Ord Post Office | stamps | sup | \$78.00 |
| Ord True Value | supplies | sup | \$21.86 |
| Orschelns | supplies | sup | \$48.14 |
| The Parts Bin Inc | parts | pts | \$331.18 |
| Presco Sales & Service Inc | supplies | sup | \$1,553.89 |
| Trotter Service | fuel | fuel | \$5,298.71 |
| Trotter Truck Plaza | tires/rep | sup | \$324.34 |
| Ulrich Gravel Inc | grav/sand | grav | \$8,516.75 |
| Jared Zulkoski | CDL | cdl | \$55.00 |
| | | | |
| **** | | | **** |
| | Road fund | totals | \$79,796.54 |
| | | | |
| PLANNING & ZONING | | | |
| **** | | | **** |
| Payroll | December | Dec. | \$585.00 |
| Ameritas Life Ins. Corp | retirement | rt | \$39.49 |
| Brown' s His Side & Her Side | supplies | sup | \$36.05 |
| Nancy L Glaubke | reimb exp | exp | \$162.43 |
| Jean Hawley | mtg/mil | mtg | \$25.13 |
| Holiday Inn-Omaha Central I-80 | meeting | mtg | \$174.00 |
| Larry Koelling | meeting | mtg | \$18.90 |
| Crystal L Lech | meeting | mtg | \$21.13 |
| Keith Peterson | meeting | mtg | \$10.89 |
| Quiz Graphic Arts Inc | notice | ntc | \$40.26 |
| Marvin A Scheideler | meeting | mtg | \$18.90 |
| Donald Vancura | meeting | mtg | \$18.90 |
| Linda J Wadas | meeting | mtg | \$17.57 |
| | | | |
| **** | | | **** |
| | P & Z Fund | totals | \$1,168.65 |
| | | | |
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| VISITORS PROMOTION FUND | | | |

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|--------------------------------|------------------|--------|--------------|
| **** | | | **** |
| Nebr Life Magazine | Jan/Feb ad | adv | \$245.00 |
| | | | |
| **** | | | **** |
| | Visitors fund | totals | \$245.00 |
| | | | |
| RELIEF FUND | | | |
| **** | | | **** |
| Roger C McCartney OD | office rent | ss/re | \$500.00 |
| Ord Light & Water | office utilities | ss/ut | \$271.85 |
| **** | | | **** |
| | Relief fund | totals | \$771.85 |
| | | | |
| WEED FUND | | | |
| **** | | | **** |
| Payroll | December | Dec. | \$1,050.00 |
| **** | **** | **** | **** |
| Ameritas Life Ins Corp | retirement | rt | \$70.88 |
| Holiday Inn-Omaha Central I-80 | meeting | mtg | \$174.00 |
| **** | | | **** |
| | Weed fund | totals | \$1,294.88 |
| | | | |
| | | Spent | \$238,341.84 |
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