

## VALLEY COUNTY 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 13, 2007 in their Courthouse meeting room. Roll call was taken with Waldmann, Vogeler, Van Slyke, Sevenker, Cullers, Cetak and Baker present. Minutes of the Feb. 27 meeting were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The agenda was adopted on motion of Cullers, seconded by Van Slyke. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Chairman Sevenker noted the posting of the Open Meetings Act and availability of printed copies for the public as required. There was no public comment.

Road Supt. Leth presented Easement 07-263 for Nebr. Central Telephone Co. It covers a large area and he has looked at all of it. His one concern is the back slope on the new road. He is to meet with the engineer and feels they can come to agreement on this so he recommends approval of the easement. The engineer will provide a second map for the record. Cetak moved to approve Easement 07-263 for NCTC, seconded by Baker. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Leth reported that he intends to cut shoulders and rebuild crowns as soon as roads dry out. Gravel requests will be fulfilled as weather permits. Chairman Sevenker recently toured county roads with Leth and there were roads that required four-wheel drive. He felt the County had done their best considering the weather conditions and thanked Valley County residents for their patience. Discussion was held on cleaning ditches. Leth said it is better if the County does it and to let him know where it is needed. It will take time to get the roads back in shape and Leth asked that he be made aware of complaints so they can be addressed. He has put weight limits on Sargent and Loup City roads. Some patching needed on Sargent road. Vogeler asked if Pizza Hut road was in the 1 & 6 Year Plan, especially the curve a mile or two north of Hwy 22. Leth said it is in the maintenance budget. The County road used for access to the ethanol plant is holding up well. Discussion was held regarding a letter requesting state assistance with road maintenance due to increased usage caused by the closing of Hwy 11. It was felt that all Board members should sign the letter. The letter drafted by County Attorney Clark was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Leth reported that the State, the contractor and the County are working together on the road by Knapp's. The contractor has graveled it and the County will maintain it. Leth will attend the Central Dist. meeting on Thursday as well as a required CDL meeting on alcohol and drug testing. Some culvert work will be necessary, most culverts are in stock. Vogeler asked if remaining gravel budget will be adequate and Leth said he doesn't know but it will be close.

Weed Supt. Kaminski reported that, at his request, Chairman Sevenker signed a letter in support of the State's Noxious Weed program. This was due to the fact that the Appropriations Committee was considering eliminating State Weed Inspectors which would have a direct effect on enforcement of the State's Noxious Weed laws. The hearing for this was held on March 7 and the County's support letter was not mailed until the 9th, however, he thought it was important that the County's support of the program be on record. Kaminski said it was first thought that the Program was in danger of being eliminated and letters were drafted in support of it, but at their Spring Conference it was reported that everything was okay and letters were not needed. Then they were notified that the Appropriations Committee was considering

eliminating Inspectors and support letters were needed. Kaminski thanked the Board for their support.

The Sheriff and County Attorney will appear after District Court is finished.

The Sheriff's written Fees and Activities reports for January and February were noted. Ronzzo reported passing the jail inspection at the last meeting and the report is now on file in the Clerk's Office. Replacement of dialer for fire alarm system will be delayed until Ronzzo is present.

Planning and Zoning Admn. Nancy Glaubke reviewed information on the set up of the Planning Commission and the Board of Adjustment. Consultant Orval Stahr was hired to help with the adoption of a plan. North Loup, Arcadia and Elyria also adopted plans. Interlocal agreements are presented for village approval annually. The Planning Commission is a recommending body only consisting of 12 members, 9 appointed by the County Board and 1 by each village. The terms are 3 years and are staggered. A fee of \$50 is charged for each petition. The petition is heard by the PC at a public hearing which is advertised and open to the public. Their recommendation is presented to the County Board during a second public hearing and the County Board makes the final decision. A petitioner can appeal the Board's decision to District Court. The Board of Adjustment consists of 5 members appointed by the County Board and hears requests to allow something that is not within regulations, a variance. It takes 4 votes to approve a variance. They can hear an appeal if a petitioner feels an error was made by Glaubke or the Board. Villages can act as their own BOA. Statute requires one BOA member be on the Planning Commission. The BOA has only been used twice in 10 years. Orval did a good job to keep the plan flexible and it has worked well.

Glaubke said Sherman County is looking at getting a livestock friendly designation. She said only 2 counties have done this since it was proposed. It involves making some changes in planning and zoning regulations and she felt our regulations are already livestock friendly.

She said nothing more has been heard from FEMA so it is assumed the preliminary flood plain maps were okay. There will be hearings for public input before the maps are finalized.

Marv Scheideler received the NPA Appointed Official award this year, David Yost received it last year. This reflects well on Valley County.

At 10:05 a.m. the Board of Equalization was convened on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Van Slyke, Cetak, Vogeler, Waldmann, Baker. No: none. Absent: none. The Assessor and Clerk were present.

Dennis Hruza was present for discussion of his letter regarding the possibility of renting the Elk's Club out for special events and what, if any, change this would make in their tax exempt status. Assessor Arnold said County Attorney Clark advised that renting the building would change the exempt status. Hruza said rental of the facility is under consideration, no final decision has been made. Anyone renting the facility would need to provide their own liquor license and food would have to be catered.. The County Board felt the facility should remain tax exempt because by the time a final decision is reached much of the year will be gone and there is no way to know how often it would be rented. Waldmann moved to honor the County Board's prior tax exempt designation for the Elk's Club, seconded by Vogeler. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

The Tax List Correction for the Y'all Come Back Saloon, Inc. was presented. The business was sold February 27, 2007 and the accelerated tax amount is \$64.90. Said Tax List Correction was approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Assessor Arnold explained that the wrong form was used for Bethel Baptist Church in Ord when tax exempt applications were considered by the Board at their Feb. 13, 2007 meeting. Form 451A, Exemption Application for continued exemption, was used in error. Form 451, Exemption Application for Qualifying Organization, should have been used since this property had not previously been considered for exemption. Vogeler moved to approve the Form 451 exemption application for Bethel Baptist Church, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Arnold reported that 2007 values must be set by Monday and she is almost ready to print the abstract to send to the state. Pick-up work is done. Ag values will not be changed this year as we are at 74%, site values will change. Residential in Ord City will go up 5% as will commercial in Arcadia. Appraiser Chad Martinsen is starting on North Loup, Enterprise and Vinton Townships and said he may go ahead and finish out the County even though he would not get paid for the additional townships until the new fiscal year.

At 10:20 a.m. the Board moved back into regular session on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Sevenker called a recess at 10:20 a.m. and reconvened at 10:30 a.m. with all members present.

February Fee Reports for the Clerk's Office and the District Court were presented.

No one from Beckenhauers was present to give an update on the renovation project at this time.

Discussion was held regarding paint, carpet and window covering for the District Courtroom, Judges Chambers, Jury Room, Law Library, and County Attorney's Office. Custodian Cronk, B & G Committee members Cullers and Cetak, the Treasurer, Clerk Magistrate and County Clerk met to discuss this topic. Vertical blinds were determined to be the best choice for window coverings and it was felt that estimates need to be solicited to establish a cost for each room in order to determine a time line for proceeding with the necessary updates. Ord Family Furniture was asked to measure these areas for carpet and window coverings. Leslie Sikyta, who stained the new Courthouse windows, had expressed an interest in painting and was asked to submit a bid. It was unclear whether or not she would be willing to do the patching of cracks necessary prior to painting. Many other Courthouse offices are in need of new paint and installation of the new heating and cooling system will require lowering of some ceilings and drywalling to cover ducts in some areas. Painting of the new drywalled areas is included in the renovation and the County should be consulted regarding the paint color to be used. Cullers noted that she received a suggestion that murals be painted in the alcoves at the rear of the District Courtroom where the old heating registers were removed. She checked with the school and found that they do not have the materials required to paint on metal.

Custodian Cronk said the drywallers started this week. The proposed coverings for the piping for the heating and cooling system were discussed. No one is happy with them. Cronk reported that he had a new floor drain installed in the basement. He said he had budgeted \$5000 for roof repairs to be done after the renovation is completed and, since it appears this might not happen until next fiscal year, these funds might be available for other uses.

David Yost and Bethanne Kunz presented a proposal to apply for a grant to renovate the old brick gas station in North Loup to be used as a tourist/visitors' center. Yost felt the chances of receiving grant funds are good as Hwy 11 is designated as a scenic byway and there is currently no visitors' center located on it. He provided a written proposal which indicated that

the projected cost would be \$150,000, the grant would be \$125,000 and the required match \$25,000. This project would benefit not just North Loup but all of Valley County and the surrounding area as information on attractions in the entire area would be available at the center. In order to qualify for the grant, the center would need to be staffed from May to September. Yost's plan is for the County to purchase the building from the Village for \$1.00 with the option to buy it back if it ceases to be used as a visitor's center. The County would then be responsible for the grant application and meeting all of the grant requirements. He suggested that the required matching funds be split between North Loup Village, North Loup Development Board, Valley County Economic Development, and Valley County Tourism Committee. Yost also suggested that Garfield County Tourism and Burwell and Ord Chambers be contacted to see if they would be interested in participating in the project. The issue of possible soil contamination from the gas station was raised by Baker. Sevenker noted that the County does not have extra funds at this time. It was decided that a committee should be established to look into the feasibility of the proposal. Vogeler and Waldmann volunteered to serve on the Committee.

Linda Studnicka of Keep Loup Basin Beautiful appeared to request County support for the annual Household Hazardous Waste Collection. It is held in conjunction with Grand Island Area Clean Community System and provides for disposal of waste that is not allowed in landfills. The cost is established by population. The collection point is the fairgrounds. The \$1000 cost to the County for participation in the May 12, 2007 Household Hazardous Waste Collection event was approved by Baker, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none.

Jeffrey G. DeLine, Mick Puckett and Gary Hinrichs of Dana F. Cole & Co., LLP appeared to present the preliminary County audit. DeLine reviewed the preliminary audit and explained the information contained in each section. He also reviewed the audit findings for each office and recommendations for procedural changes. The audit findings were categorized as Reportable Condition, Management Letter or Exit Conference. The first two are reported to the State Auditor, the last is brought to the County's attention for correction. Vogeler noted that this was the first year Dana Cole had audited Valley County and felt that some of the Management Letter items could have been listed as Exit Conference items to give the County opportunity to make changes. If these same items appeared on the second year audit report, they could be listed in the Management Letter category. DeLine said he would consider that when he puts together the final audit report. The County will receive the final audit report as soon as DeLine receives the letter signed by the required County Officials stating that all materials provided were accurate and complete to the best of their knowledge.

John Rystrom of Beckenhauer Construction appeared to provide an update and answer questions on the renovation project. The proposed covers for the heating/cooling system piping were discussed. They are looking at boxing some of the pipes in with wood stained to match the existing trim while other pipes would just be painted. The drywall will be to a smooth finish and painted. The Board can choose the paint color. Some of the duct work will be painted rather than drywalled. They are waiting for a new electrical diagram for the Clerk's Office. They are working on the roof today, the next project will be the jail. A gas meter is needed until the jail is completed. A crack in the County Attorney Office caused by the workers will be repaired.

The Davis Creek Cemetery was discussed. All agreed that a pivot should not be spraying or crossing a cemetery. Vogeler said this should be handled according to law. County Attorney Clark said if it is an abandoned cemetery the County is responsible for it. He will

review the records and report at the next meeting.

Central District Meeting is at the Interstate Holiday Inn in Grand Island on Thursday. Cullers is unable to attend, Sevenker still plans to go.

A decision on Ken Cullers' offer of some of his mounts for display in the Courthouse will be delayed until the next meeting as will a decision on replacement of the benches around the Courthouse.

Supervisor Cullers reported that she has ordered 200 updated brochures for the Courthouse Restoration Fund from Nebr. Community Foundation at a cost of 10¢ each.

Berggren Architects provided an updated cost estimate to be used in the grant application process for funds for a Courthouse elevator. The estimate for the elevator is \$395,829 to \$452,376, for the fire sprinklers \$158,332 to \$169,641 and the outside stairway \$282,735 to \$327,973. It is Berggren's understanding that the sprinklers and stairway are required by the fire marshal if an elevator is installed. The cost of these two items is significant. Sevenker will contact the fire marshall to clarify the requirements.

Chairman Sevenker appointed Supervisor Baker to the Claims Committee.

The following items were available for Board review: The Current Expenditures Summary Report for Feb. and the NIRMA Safety Committee Handbook. The Board was reminded of the Town Hall Meeting regarding the Downtown project on March 20 at 6:30 p.m. at the County Fairgrounds

County Attorney Clark said the amendment to the County Personnel Policy regarding payment of unused vacation will be presented at the next meeting.

Sheriff Ronzzo was present to discuss the proposal received from Protex Centrac 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