

## 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 27, 2007 in the Courthouse Boardroom. Roll call was taken with Cetak, Sevenker, Vogeler, Baker, Cullers, Van Slyke and Waldmann present. Deputy County Attorney Jason White was present. Clerk verified publication of meeting notice and posting of the agenda. Minutes of the March 13 meeting were approved on motion of Baker, seconded by Cetak. Carried. Yes: Baker, Van Slyke, Cetak, Waldmann, Vogeler, Cullers. No: none. Absent: none. Sevenker noted the Open Meetings Law is posted in the Boardroom and copies are available for the public. There was no public comment.

Road Claims and Balances were reported by Road Secretary Sandy Simpson. Expenditures for March were \$67,306.34, fuel budget has \$23,253 remaining and gravel \$53,212.

Leth said the County is to receive \$5164 from FEMA due to the recent ice storm, road crew is working on river road today, difficult to haul gravel without damaging roads, ethanol plant begins accepting corn March 29th, task start and end dates for North Loup to Ord drainage structures was presented, State may work some Saturdays and Sundays, part of the highway will be opened after the culvert at Fish's is completed. Discussion was held regarding posting weight limits on gravel road due to 84 trucks per day delivering corn to ethanol plant. Leth felt it could be controlled with local traffic only signs and Sheriff patrols so that farmers living on the road could haul their own corn. White will provide a definition of local traffic for publication.

Easement 07-264 requested by the City of Ord for the Downtown Historic Replica Lighting NDOR Project No. NEH-88 (22) was discussed but no action was taken since more information is needed. Someone from the City or JEO is to be invited to the next meeting to provide more information.

Deposit refund for Easement 06-241 issued to Dennis Fauss on March 14, 2006 was approved as recommended by Road Supt. Leth on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Leth requested approval of Resolution 07-03 for a stop sign on the NE corner of NE4 of Section 23, Twp 18, Range 13 in Valley County, Nebraska. Vogeler moved, Waldmann seconded approval of Resolution 07-03. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Leth's general report included: highway monitoring program requires providing information on a highway they designate, will attend a speed limit setting workshop in Broken Bow, new plan of action and monitoring for closure form is required by bridge inspection program, Nebraska Machinery changed their name to High Plains Cat, no answer from state on assistance with County road maintenance due to close of Hwy 11. Likely be fall before bridge project south of Paul Boyce's can be done.

Hospital Board Pres., Kara Fischer, gave the monthly Hospital report. Usage numbers are up in most areas including clinics and PT. Offering new procedures and bringing in new equipment provides more local services. Of 12 students attending a long-term CNA course offered here, seven are staying.

Chairman Sevenker called a recess at 9:50 a.m. and reconvened at 10:00 a.m. with all members present.

Treasurer Janet Suminski presented month-end fund balances, tax sales report, certification to close tax sale, delinquent tax and assessment report, and requested Board approval for Resolution 07-04 to foreclose on County Tax Sale Certificates. February receipts include Road Allocation of \$38,112.95, Inheritance Tax \$2881.36 and General Fund \$33,701.36. General Fund balance again includes remaining Courthouse Bond funds. Forty-two Tax Sale Certificates issued totaling \$44,187.98 plus \$420 in certificate fees. Certification of Closing Tax Sales on March 20, 2007 was presented. Delinquent real estate taxes and city assessments report was presented for the record. A list of County Tax Sale Certificates due for foreclosure was presented. Resolution 07-04 authorizing the County Attorney to foreclose on real estate taxes and assessments, etc. which are delinquent for two or more years was approved on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Suminski consulted State Auditor's Office regarding some findings of Dana Cole during the County audit and sent a letter outlining the State's response to Jeffrey DeLine of Dana Cole with a copy to each Board member. The Board said the letter was very clear and had no questions. Misc. Receipts folder was available for review.

Beckenhauer Rep., John Rystrom, could not attend the meeting but left a written report on the progress of the renovation noting that the heating/cooling system should be completed by the week of April 9 and listing items remaining to be completed. Custodian Cronk noted concerns with electric heating units installed on the third floor that have no temperature control or shut off switch on the outside of the unit. Chairman Sevenker called Beckenhauer's this morning with questions on the billing and Brian Hergott may stop in this morning.

Replacing the west Courthouse entrance door was discussed. Hinges are worn out and it is not energy efficient. The cost would be under \$5000 so does not require bidding. Sevenker would donate his labor to help install it and he has an estimate of \$3430 from Ord Glass & Paint for a single 3' door similar to the one on the east side with a bronze frame and insulated glass but no automatic open/close feature. Baker moved to approve having Ord Glass & Paint provide and install a new west entrance door at the estimated cost of \$3430, seconded by Vogeler. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Sevenker said the Fire Marshall indicated the Courthouse is required to have an outside stairway from the 3rd floor and a fire sprinkler system and the Fire Marshall would like to see the County proceed with plans for both. The high end of cost estimates for a stairway and sprinkler system provided by Berggren Architects as part of an elevator installation project was \$452,376 for an elevator, \$169,641 for fire sprinklers and \$327,973 for a stairway. The Fire Marshall felt the stairway requirement could be met for less than Berggren's estimate. Baker offered to check on a used stairway he saw that came from a grain elevator. Sevenker said the Fire Marshall was not concerned with the elevator as that is a Federal requirement.

CNEDD is writing a \$250,000 grant for the County for the installation of an elevator in the Courthouse. They are asking that the County pay the \$250 cost of an environmental study which is a requirement of the grant. Cetak moved to approve the \$250 for the environmental study, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The grant requires that a public hearing be held and CNEDD provided a notice of hearing for publication. Concern was expressed that the notice includes the cost of a stairway and sprinkler system. The Board felt this was misleading since the grant is only for elevator installation. Deadline for completion of the grant is April 16 so a decision cannot be delayed. The wording was changed to reflect only elevator costs. Concern

was noted regarding the short time frame for the application but it was also noted that the grant application process does not obligate the County to anything. Waldmann moved to approve proceeding with the grant application, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Sevenker reported on the March 20 meeting on the downtown renovation project. It is to begin April 9 and be completed November 27. Progress meetings will be held every Friday at 8:00 a.m. at City Hall. Sevenker said answers were not available for some of his questions: the need for larger pipes for water service if the Courthouse installs a fire sprinkler system, the affect on the flag pole holders around the Courthouse, and downtown parking during the renovation. These questions can be raised at the next meeting if a JEO or City Rep. is able to attend to discuss the lighting easement.

Decisions on the replacement of benches around the Courthouse and the offer of Ken Cullers of mounts for display will be delayed until the next meeting.

Aaron Jacobs was present for discussion of the Davis Creek Cemetery. Attorney White said Attorney Clark had researched the issue and he did not think ownership of the Cemetery had yet been established. This is the first step in determining if it is an abandoned cemetery under the Board's control. Vogeler asked that a decision be reached soon so that Jacobs can farm that quarter. White will convey that message to Clark.

Reminder of April 6 deadline to sign up for Counties Legislative Day on Thursday, April 12 was noted.

Dana Moudry-Cooper and Stephanie Brock of Ord Family Furniture presented information on carpet and window coverings. A rough estimate of cost for carpet, pad and labor for the County Attorney Office, Judges' Chamber, Jury Room and Law Library was \$4000. Discussion was held and this item will be on the next Board agenda for further discussion.

Deputy County Attorney White asked if he could give his report at this time as he has to leave. The Personnel Policy revision regarding vacation pay was presented and discussed. The current policy states that employees lose unused vacation each year and this is no longer allowed, the revision would provide that earned, unused vacation days be paid. The Clerk is to provide copies of the proposed revision to all County Officials and Dept. Heads for their input and this item will be on the next Board agenda.

Discussion was held regarding appointing a County Representative to the Housing Task Force. Van Slyke moved to appoint Sevenker. Following further discussion, Van Slyke withdrew his motion and Cullers moved to appoint Vogeler as the County Rep. for the Housing Task Force, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

At 12:10 p.m. the Board conducted the quarterly jail inspection, at 12:25 p.m. the meeting reconvened in the Boardroom with all members present.

The current lawn care contract with Collier's Lawn Care was discussed. Sevenker reported Jerry Collier is willing to continue providing the service but requests \$5.00 more per week for mowing and \$10.00 more for each fertilizer application. Following discussion, Cetak moved to increase the mowing to \$90 and the fertilizer application to \$220 each and to stipulate a maximum of two leaf pickup charges per season. Baker seconded the motion. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Cullers. No: none. Absent: none.

Brian Hergott of Beckenhauer Construction appeared to answer questions regarding the renovation and the billing statement. The factory representative is to do a walk-through on April 5 for the HVAC system and Board members may take part. He will notify the County if

this date changes. He will check the separate heating units on the third floor for thermostat and controls. Final billing should be in May and there is a 1 year warranty beginning on the final walk-through date. Project should be completed by end of April.

The March Claims & Balances Report, list of claims and Fund Request were presented for Board approval. Baker moved to approve Beckenhauer's Application and Certificate for Payment and payment of the March Claims, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Cullers reported the possibility of students from the high school providing volunteer cleaning services for some of the Courthouse storage areas. There were no objections. She will get further details.

Discussion was held regarding condensing the minutes that are published due to the cost and providing a copy of the minutes in the Board packets. The Clerk is to condense the published minutes, noting the complete minutes are on record in the Clerk's Office and to mail a copy of the complete version in the Board packets.

Request for state reimbursement of direct costs relating to space provided for the Nebr. Dept. of Health & Human Services Office was approved on motion of Cetak, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

The following informational items were noted: Region 26 notice of March 28 meeting with NEMA and FEMA on a Mitigation Plan for disasters; Lodging Tax receipts \$1140.30 and expenses \$1929.50; receipt of County Farm Rent; receipt of IV-D reimbursement \$1561.32 District Court and \$3781.43 County Attorney.

Cullers presented a written report of Region 3 activities to each County Board member.

Mail Folder items available for review: Region 26 Council Agenda, Mid-Nebr. Individual Services Agenda, Loup Basin SC&D Newsletter/Agenda, CNCS Newsletter, NPAIT Publication, NIRMA Publication, Nebr. Economic Trends.

Meeting adjourned at 1:20 p.m., to reconvene on Tuesday, April 10, 2007, at 9:00 a.m. in regular session and 10:00 a.m. as Board of Equalization. Complete minutes of the March 27 meeting and an agenda for the April 10 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