

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The regular meeting of the Valley County Board of Supervisors was called to order in their Courthouse meeting room at 9:00 a.m. on Tuesday, June 12, 2007. Roll call was taken with Cullers, Vogeler, Baker, Sevenker, Waldmann, Van Slyke and Cetak present. Publication of meeting notice and posting of the agenda was verified by the Clerk. Minutes of the May 29 meeting were approved as published on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Information was received this morning regarding the Courthouse elevator grant application which requires the Board to decide today whether or not to proceed with the application, therefore, it was moved by Cetak, seconded by Cullers to amend the agenda to include item 8D, the Courthouse elevator grant application and adopt the agenda as amended. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are provided for the public. No public comment was presented.

Road Supt. Leth was absent, attending Highway Supt. Workshop. The NDOR letter approving the County's request to move project C-88-119B from the 6 year to the 1 year plan was noted. Leth had left word that, as of May 5, the State still planned to open the road between North Loup & Ord by June 30.

Weed Supt. Darrell Kaminski presented a list of County properties the State showed as needing follow up action and indicated what has been done with them. He introduced Brent Meyer, the State Ag Inspection Specialist assigned to this area. Discussion included when to spray, chemicals to use, 10 and 15 day notices and noxious weeds visible from Pizza Hut Road.

Nancy Glaubke, Planning & Zoning Admn. reported receipt of preliminary flood plain maps from FEMA. Ord, North Loup and Arcadia also received preliminary maps. FEMA allows 30 days to review the maps and register any complaints regarding areas designated as flood plain. A copy of the maps will be available in the Economic Development Office and the County Clerk's Office. Anyone with property close to a water area should look at the maps. The County will need to decide if they want to join the program and she noted they can hire a separate Flood Plain Manager, it does not have to be the Planning & Zoning Admn.

Treasurer Suminski presented the Month-end Fund Balance Report. General is at \$391,179.78 which includes the Courthouse Bond balance of \$81,461.25. Road allocation for the month was \$44,572.02, Visitors Promotion and Improvement Funds received \$768.99 each this month. Inheritance Tax balance is \$848,306.06. Airport checking stands at \$28,285 and investments at \$72,000. The County has met the required match for Road Allocation.

The monthly fee reports for County Clerk and Clerk of the District Court were presented.

The billing invoice from Dana Cole for the County's 2005 - 2006 audit was discussed. The Clerk reported that Mick Puckett asked that the County pay the \$1450 that is within the bid price and that he will meet with the Board in August to discuss the \$2750 additional charges. Vogeler moved to approve payment of the \$1450 portion of invoice # 00608395, bringing the total paid to the bid price of \$5950, seconded by Van Slyke. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Discussed replacement of Courthouse benches, including style, size, cost and public sponsorship. It was agreed that ten, 6'benches will be purchased and the amount of sponsorship will be determined after a style is chosen.

The Summary Report of Current Expenditures for May 31, 2007 was reviewed.

The elevator grant application was discussed. The Clerk received a phone call this morning from Laurie Hansen of CNEDD, the grant writers, regarding a discrepancy in the cost estimates from the architect. The state requested a more detailed cost estimate which was found to be for an outside elevator. Following discussion, Baker moved to approve a letter to the state withdrawing the County's application with the intention of resubmitting it next year, seconded by Cullers. Further discussion resulted in a recess at 10:50 a.m. to call CNEDD. At 11:10 a.m., the meeting was reconvened with all members present. Following a phone call to Hansen, Cullers reported the concern is the inconsistent cost information provided to the state. It was also noted that another elevator project had been granted for \$130,000 so the state was questioning the estimates. The estimate's bottom line was not changed, the breakdown amounts were just rearranged. The \$250 the County paid for the required environmental study is not refundable. The vote was taken on the motion by Baker, seconded by Cullers and the motion carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The Board agreed to continue participation in the South Central Area Agency on Aging at a cost of \$912.00.

Discussion of the claim of JNR Farms and the Board meeting notices and agenda will be delayed until the County Attorney arrives.

Following discussion, it was moved by Baker, seconded by Vogeler, to pay the City's Invoice for the installation of a fire service line in the amount of \$2925.56 from the Inheritance Tax Fund. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

County Attorney Glenn Clark was present for discussion of the claim of JNR Farms. It was decided to table further discussion until the next meeting to get input from Road Supt. Leth.

Attorney Clark advised that the County publish separate notices for County Board Meetings and Board of Equalization Meetings and separate agendas at least until the appeal of the Banner County case has been decided. He also advised that official sites for posting meeting notice should be set annually in January. He explained that since meeting notice is published it is not required to be posted, however, in an emergency situation where meeting notice could not be published it would need to be posted and official sites must be established and on record. Discussion included designation of the post office in Arcadia and North Loup. The Clerk will check with Elyria Village on a posting site and report at the next meeting. This item will be tabled for further discussion at the next meeting.

Clark reported the need to reposition the witness stand in the 3rd floor courtroom and noted that he will talk to Scott's Radio & TV regarding a speaker system for the courtroom.

There were no committee reports.

At 12:20 the Board moved into the Wozab Fund Board. Previously approved agreements for the Courthouse Restoration Fund and the Courthouse Restoration Endowment Fund were signed. Cullers moved, seconded by Vogeler to approve closing the Dollars for Scholars Fund by distributing the remaining funds equally among Ord High School, North Loup-Scotia High School and Arcadia High School to be used as a one-time scholarship for a Valley County student. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Each member signed a thank you card for Diane Wilson with NCF for the informational book she put together regarding past activity in the Wozab Fund. The Board moved back into regular session at 12:25 p.m.

Mail folder items: Household Hazardous Waste Collection Final Report, VC Health

System Quarterly Newsletter, NIRMA Interchange, Thank You to Wozab Fund Committee.

The meeting recessed at 12:25 p.m. to reconvene as Board of Equalization at 1:00 p.m.

At 1:10 p.m. on June 12, 2007, the County Board meeting reconvened with all members present and moved into Board of Equalization on motion of Cullers, seconded by Baker.

Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Also present were: Treasurer Suminski, Assessor Arnold, Clerk Lindsey, and Appraiser Larry Rexroth.

Treasurer Janet Suminski presented the Exemption Application for Tax Exemption on Motor Vehicles for Mid-Nebr. Individual Services on a 2004 Ford pickup for which they had traded their previously exempted 1994 Ford pickup. Cullers moved to approve said vehicle tax exemption for MNIS, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Marvin Lukesh was present to testify on Property Valuation Protests which he had filed: PVP #3, Parcel #880026166, L4-10 B8; PVP #4, Parcel # 880026383, L5-6 lying S & W of river & all L7-31 B13; PVP #5, Parcel #880026194, L33-44 B9; PVP #6, Parcel #880026327, L1-11 & L41-44 B12; all in Ord Woodbury Add. Lukesh said the value is too high because part of the property had been a dump site and part of it is low and swampy. Arnold noted that valuation adjustments allowed by the Board are only good for a year and have been removed so that all properties are valued on the same criteria. Rexroth explained the process used to determine value and noted that the old dump site was officially sealed so is not considered when determining the value. Board action on PVPs #3, #4, #5, and #6 filed by Marvin J. & Carolyn K. Lukesh was tabled.

Rexroth noted that he follows the rules and regulations governing the valuation process and that if a property owner disputes their valuation, they should provide a valuation from an independent appraiser. Adjusting valuation by changing the classification from platted to ag could affect ag land values if the adjusted property were sold.

PVP #1, Jimmy Urbanovsky, Parcel #880019110, Eureka Twp, P NE4NE4 34-20-16, 1 ac. was considered. No one was present to testify. Urbanovsky's written testimony indicated the house was vacant and not worth the valuation amount. Arnold, Nance, Waldmann & Cullers viewed the house. Arnold recommends house be valued as storage, not livable, in the amount of \$1080 with the land value to remain at \$7450 for a total value of \$8530 as Urbanovsky requested. Cullers moved to approve the Assessor's recommendation, seconded by Waldmann. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

PVP #2, Edward E. & Jean M. Bruha, Parcel #880014238, Geranium Twp., SE4 less canal, 10-19-14, 144.3 ac. was considered. No one was present to testify. The written testimony indicated the house is not in livable condition and requested storage valuation. Arnold, Nance, Cullers & Waldmann viewed the house. Arnold recommends lower house to storage and change site value to grass bringing buildings value to \$132,750 and land to \$106,150 for total value of \$238,900. Waldmann moved to approve Assessor recommendation, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Assessor report of 2007 Level of Value was reviewed and accepted for filing as was the Notice of 2007 Valuation for County owned property. County Parcel #880036752 changed because 2 new business on the Mortensen site changed property from ag to commercial. County Parcel #880010934 changed due to fewer irrigated acres.

Property valuation changes after March 20 require Board approval. Following are the 2007 Valuation Change Notices presented and the Board's action:

Parcel #880010941 for AJM Farms LTD, Ord Twp, W2 W of hwy less 31.6 ac in SE4SW4 & 51.41 ac in NE4SW4 & less 2.55 ac to Dept. Roads, 8-19-14, 99.29 ac., portion of property sold, change approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Parcel #880036767, Brent Bengston, Ord Twp, 15.94 ac tract W2NE4NE4 & pt E2E2NW4NE4 less 2.879 ac tract W2NE4NE4 & less .42 ac tract in E2E2NW4NE4, 20-19-14, detached garage omitted in error, change approved on motion of Van Slyke, seconded by Vogeler. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. Parcel #880001806, Kenneth A. Bills, Davis Creek Twp, S2, 28-17-14, 320 ac., land use change per FSA map, change approved on motion of Baker, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Parcel #880025487, Charles E Blaha, Ord Hillside Add, L1 & 2 less N20' B3, correct computer error, change approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Parcel #880036817, Sandra J. Blankenbaker, Elyria Twp, 3.825 ac tract L3 NE4 22-20-15, computer did not update land value, change approved on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Parcel #880036801, Alvin Bose, Ord Twp IOLL 16-19-14, missed change of mobile home to storage not livable, change approved on motion of Waldmann, seconded by Cullers. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none. Parcel #880015491, Craig S. Bredthauer, Noble Twp, SW4 4-20-13, 160 ac., land use change per FSA map, change approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Parcel #880015526, Craig S. Bredthauer, Noble Twp, E2SW4, SE4 5-20-13, 240 ac, land use change per FSA map, change approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Parcel #880014343, Marlion L. Bruha, Geranium Twp, NW4 less canal, 14-19-16, 156.3 ac, land use change per FSA map, change approved on motion of Van Slyke, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Parcel #880002884, Burlington Northern Railroad, Yale Twp, strip in 31-17-15, 3.16 ac, computer error, change approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, Van Slyke, Baker, Cullers, Waldmann. No: none. Absent: none. The following notices were reviewed and acted upon together: Parcel #880006930, Cook & Cook Inc., Enterprise Twp, S2, 21-18-14, 320 ac, land use change per FSA map; Parcel #880007168, Cook & Cook Inc., Enterprise Twp, NW4, 28-18-14, 160 ac, land use change per FSA map; Parcel #880002296, H. Eugene Cook, Yale Twp, SE4, Pt E2E2SW4 (24.2 ac) less .36 ac tract in E2E2SW4, 11-17-15, 183.84 ac, 1 acre site to grass & grain bin moved; Parcel #880002282, Lela B. Cook, Yale Twp, SW4 & .36 ac tract in E2E2SW4, less 24.2 ac in E2E2SW4, 11-17-15, 136.16 ac, add grain bin & land it sets on; Parcel #880007154, Robert Ray Cook, Enterprise Twp, NE4 less .826 ac tract in NE4NE4, 28-18-14, 159.174, land use change per FSA map; Parcel #880007210, Robert Ray Cook, Enterprise Twp, SE4, 29-18-14, 160 ac, land use change per FSA map; Parcel #880005495, Todd A Cook, North Loup Twp, S2SW4 lying E of canal less .74 to Dept. of Rds, 23-18-13, 49.90 ac, .74 ac sold to NDOR; Parcel #880017549, Lex E Jeffres, Elyria Twp, N2 & Pt SE4 all E of T O Can, less 3.30 ac to St. of NE, 22-20-15 101.55 ac, land use change per FSA

map; Parcel #880013307, Cheryl M. Larkowski, Michigan Twp, NE4 less canal, 16-19-15, 148.2 ac, land use change for NRD; Parcel #880013412, Larry D. Larkowski, Michigan Twp, S2 less 1 ac in SW4SW4, 18-19-15, 313.65 ac, land use change per FSA map; Parcel #880013790, Larry D Larkowski, Michigan Twp, SW4, 31-19-15, 152.85 ac, land use change per FSA map; Parcel #880002429, Jeffrey D Lutz, Yale Twp, NE4, N2SE4 18-17-15, 240 ac, land use change per FSA map; Parcel #880002569, Joy R Lutz, Yale Twp, NE4, 22-17-15, 160 ac, land use change per FSA map; Parcel #880002611, Joy R Lutz, Yale Twp, N2SW4, 23-17-15, 80 ac, land use change per FSA map; Parcel #880002604, Robert V. Lutz, Yale Twp, NW4 23-17-15, 160 acres, land use change per FSA map; Parcel #880003024, Robert V Lutz, Yale Twp, NW4, Pt SW4 W US Hwy 58, 35-17-15, 300 ac, land use change per FSA map; Parcel #880002618, Robert V Lutz, Yale Twp, S2SW4 & Pt SE4 W US Hwy 70, 23-17-15, 80.52 ac, land use change per FSA map; Parcel #880036781, Robert V Lutz, Yale Twp, SE4 less 4.88 ac tract, 22-17-15, 155.12 ac, land use change per FSA map; Parcel #880002541, Robert V Lutz, Yale Twp, NE4, 21-17-15, 160 ac, land use change per FSA map; Parcel #880001785, Anthony M McCarville, Davis Creek Twp, NW4 27-17-14, 160 ac, land use change per FSA map; Parcel #880001911, Anthony M McCarville, Davis Creek Twp, NE4, SW4 34-17-14, 320 ac, combined 2 parcels and land use change per FSA map; Parcel #880001792, Anthony M McCarville, Davis Creek Twp, SW4 27-17-14, 160 ac, land use change per FSA map; Parcel #880007476, Roberta J Meese, Vinton Twp, NW4 1-18-15, 159.88 ac, land use change per FSA map; Parcel #880007406, Stanley E. Nolte, Enterprise Twp, NW4 35-18-14, 160 ac, land use change per FSA map; Parcel #880007931, Stanley E Nolte, Vinton Twp, NE4 14-18-15, 160 ac, land use change per FSA map; Parcel #880015519, Peterson-H Ranch Inc., Noble Twp, W2SW4, pt NW4, Div C in NE4, 5-20-13, 293.28 ac, removed concrete pad; Parcel #880019558, Adrian J Sonnenfeld, Elyria Twp, N2NW4 31-20-14, 74.47 ac, land use change per FSA map; Parcel #880035462, William R Trofholz, Elyria-Subdivisions, 2.66 ac tract in Div Q SE4 26-20-15 less a .62 ac tract to St. of NE, DOR survey indicates square footage error; Parcel #880012341, James A Trotter, Ord Twp, Pt E2SE4 Btwn T O can & RR, 26-19-14, 8.145 ac, correct computer error; Parcel #880007693, Vodehnal Land Co. LTD, Vinton Twp, NW4 7-18-15, 154.32 ac, land use change per owner; all valuation changes listed were approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Tax List Corrections for Rita L Eppenbach due to sale of property and for Eldon Baker due to denial of homestead exemption were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board moved out of Board of Equalization on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Meeting adjourned at 2:55 p.m., to reconvene on June 26, 2007 at 9:00 a.m. in regular session, 11:00 a.m. as Wozab Fund board, 1:00 p.m. as Board of Equalization. Complete minutes of the June 12 meeting and an agenda for the June 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