

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, January 29, 2008 in the Courthouse Boardroom. Roll call: Baker, Cullers, Van Slyke, Vogeler, Sevenker and Cetak present, Waldmann absent. Clerk verified meeting notice was published and agenda posted. Minutes of January 8, 2008 meeting, included in Board packets, were approved on motion of Cullers; seconded by Vogeler. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: Waldmann. Waldmann arrived at 9:04 a.m. Cullers moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and available public copies. There was no public comment.

The Treasurer's Report, Agenda items 7D 1-4, was heard first to allow Treasurer Suminski and her staff to attend the funeral of former employee, Betty Rienks. In addition to fund balances, the Fund Balance Report for December 2007 listed receipts for Road Allocation of \$46,168.20, Planning & Zoning \$60.00, Visitor Promotion and Improvement \$657.63, Inheritance Tax \$8,208.46. December 2007 receipts totaled approximately \$1,077,000.00. Suminski also presented the Semi Annual Fund Report for 07-01-07 through 12-31-07 as printed in the Quiz and filed with the County Clerk. In addition to this condensed report, a detailed report was also provided. The ending balance was listed at \$2,127,812.39. Delinquent taxes will be published the in February and the Misc. Folder is available for review.

Road Secretary Simpson reported January Road Claims & Balances totaling \$39,722.35 for accounts payable and \$41,009.83 for payroll. Payroll was higher due to payment of unused vacation and sick time. Remaining in the gravel budget for the fiscal year is \$35,445 and fuel \$38,402.

Road Supt. Leth presented the 1 & 6 Year Plan which provides a description and location of the proposed projects. On motion of Waldmann, seconded by Cetak a public hearing date for the 1 & 6 Year Plan was set for February 12, 2008 at 9:30 a.m. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Leth reviewed proposed projects with the Board. The proposed plan is on file in the Clerk's Office.

At 9:30 a.m. the motor grader bids were opened as advertised. Bids were received from Nebraska Machinery and Murphy Tractor & Equipment. Present were representatives Ed Bomar, NMC and Noland Rackey, Murphy Tractor. The Clerk opened and read the bids in the order they were received. Nebr. Machinery bid a 140H Caterpillar at \$229,810, less trade in allowance of \$58,000, with a 5-year or 7500 hour warranty (specs required 5000 hours) at no additional cost for a total bid of \$171,810. Murphy Tractor bid a 770D John Deere at \$193,000, less trade in allowance of \$45,000, with a 5-year or 5000 hour warranty at no additional cost for a total bid of \$148,000, a 7500 hour warranty would cost an additional \$3300, bringing the comparable total bid to \$151,300. Each representative spoke to the Board regarding their machine. Board discussion included: Cat trade in allowance is greater; Cat guarantees Michelin tires as required in specs, JD does not; cost of adding wings would be significantly greater with JD because it is not set up for it as the Cat is; JD charges extra for 7500 hour warranty; Cat includes spare rim, JD does not; Cat has higher resale value; according to Leth's records JD machines cost more to operate than Cat machines. Following discussion, Van Slyke moved to accept the \$171,810 bid of Nebraska Machinery for the 140H Caterpillar, which includes the \$58,000 trade in allowance and the 5 year or 7500 hour warranty, seconded by Vogeler. Carried. Yes: Van Slyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none. Both representatives were thanked for their bids. Leth noted that he has budgeted \$50,000 for this purchase and will work with Ameritas through NACO to finance the remaining \$121,000. He estimates the interest will be around 3.2% with semi-annual payments of \$38,000.

Leth finished his review of the 1 & 6 Year Plan noting his intention to lower the tonnage on a critical condition bridge rather than include it in the plan. The people who use it regularly have said they will stop hauling corn over it and only use it for passenger vehicles.

Leth reported: about 70% of the 911 signs are up, will need to order additional signs as were short some signs and have already had some vandalism; Board agreed signs should be replaced if unreadable.

Weed Supt. Kaminski presented his report of 2007 activity and plan for 2008 which is required to be approved by the Board and submitted to the state by January 31 each year. Kaminski noted that he has lowered the number of infested acres for some weeds as progress is being made, the County can petition to have a weed declared noxious if they wish. Discussion was held regarding scotch thistles, but felt could be controlled with musk thistle. Vogeler moved to accept the 2007 Activity Report, Budget Report and the Roster and authorize the Chairman to sign said documents, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The plan for 2008 was discussed. Vogeler said he hoped the 17 open files noted by the state would be closed this year. Kaminski said all but one of the 17 had sprayed and that he hoped the state would close the file on those that sprayed.

Also discussed was the sale of chemicals and the Board instructed Kaminski that he should not sell chemicals and he agreed to delete item 3 on page 7 of the 2008 plan with reference to the sale of chemicals. The Board also asked that Kaminski present this information earlier so they would have more time to review it. Van Slyke moved to approve the 2008 Noxious Weed Control Plan submitted by Kaminski, with the elimination of line 3 on page 7 regarding the sale of chemicals, seconded by Cetak. Vogeler said he was not happy with the state's review presented in December and that he had received calls from people interested in the County Weed Supt. position. Kaminski said that, in the past, the Board has not approved forced spraying which meant he had to go to each landowner. Vogeler felt this Board had authorized forced spraying. Kaminski said if they had he had misunderstood their intention and had continued to use the 15 day notice which involves fines for noncompliance rather than the 10 day notice which involves force spraying for noncompliance. The Board indicated that they had not realized the different authority allowed by the 2 notices and were not certain if force spraying had been approved. The Clerk was directed to review past minutes and report at the next meeting whether forced spaying had been approved. Chairman Sevenker called for a vote on Van Slyke's motion, which carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Sheriff Ronzzo was present for discussion of the Interlocal Law Enforcement Agreement between the County and North Loup Village. Also present were Michelle Sheldon and Craig Critel of North Loup. Discussion was held regarding the Agreement. Village concerns include: Ronzzo not attending their monthly meeting, not providing written reports of duties performed for the Village and not responding timely to Village issues which sometimes results in citizens incurring court costs and appearances that could have been avoided. Ronzzo indicated that Monday night meetings are difficult for him to make as County Court is on Monday and he is short one deputy, he also said he sometimes forgets the meetings and forgets to send reports. Chairman Sevenker commented on Ronzzo working for Greeley County. Ronzzo responded that what he did on his own time did not concern the Board and offered to resign. Sevenker said he was not asking for his resignation. Sheldon and Critel said they felt the Village was sufficiently patrolled, their complaint concerned only those issues specific to the Village that are covered by the Agreement and for which the Village pays \$1000 each month, their desire is to make the agreement work. Vogeler noted that the Agreement is to the advantage of both the Village and the County. Ronzzo said he would provide a written monthly report to the Village and attend meetings when possible.

The notice from the Nebr. Commission on Law Enforcement of a March 19th jail inspection was noted.

The meeting recessed at 11:20 a.m. and reconvened at 11:30 a.m. with all Board members present.

Joe Wadas was present to report on the Courthouse heating and cooling system. He is currently trying to get remote sensors for the units to provide better temperature control and has been working with Rodney Cory, Daikin Service Manager on this. He provided email correspondence from Cory indicating that Cory personally inspected the Courthouse units and agrees with the need for remote sensors. Wadas feels this is an engineering problem and should not be his or the County's liability. They also have temporarily set the thermostats to come to 80 degrees first thing in the morning and to 78 degrees at 5:00 p.m. Wadas will update the Board at their next meeting.

Roger Newquist appeared to offer the downtown Ord building previously used by Gregory Real Estate as an alternative site for the local HHS Office. Copy of the Assessor printout showing square footage of the building was provided. Newquist noted the building has been walled and is now about 900 square feet but could be rearranged. It currently has window air, radiant heat, 1 small restroom and a handicap accessible entrance. Renovation would be required for it to serve as HHS Office. Vogeler said he visited the current HHS Office and it is crowded by workable. The Board will consider this alternative.

County Attorney Clark had contacted Roger McCartney regarding the lease renewal for the current HHS Office and provided a copy of McCartney's reply. McCartney asked for clarification of who is responsible for snow removal, building, glass, plumbing, electrical, roof, heating and AC repair. He noted the County currently pays for the electricity. McCartney noted that rents in Ord and Burwell range from \$6.00 to \$10.00 per square foot with the property owner paying taxes and insurance. The County currently pays \$500 per month in rent and the light and heating costs. The state reimburses the County for a percentage of the direct costs. Following discussion, it was decided that the County would offer a two year lease with a 50% rent increase to \$750 per month with the landlord being responsible for the premises, including snow removal, building, glass, plumbing, electrical, roof, heating and AC repair. Clark will draw up a proposal for McCartney's review.

Chairman Sevenker called a recess at 12:25 p.m. to reconvene at 1:00 p.m. The meeting was reconvened at 1:00 p.m. with Cetak absent, all other Board members present.

Jim Gustafson of Nebr. Community Foundation presented information regarding the Community Development Assistance Act Tax Credit program and the Nebraska Charitable Tax Credit. The County currently qualifies for the CDAA Tax Credit program as does Courthouse renovation. Donations to the cash flow fund established with NCF for Courthouse renovation and maintenance would qualify for the 40% tax credit offered by this program. There is a limit of \$25,000 tax credit per project per year up to \$75,000. The County would have to apply in order to be approved to participate in the program and some pledged donations will be required as part of the application process. Supervisor Cullers has been looking into this and, with the help of other Board members, would be willing to pursue pledges and write the application if the Board approved. Cullers also proposed an open house at the Courthouse to promote the tax credit program with tours of the Courthouse and maybe some type of entertainment, possibly on July 6 in conjunction with the downtown renovation celebration. The Charitable Tax Credit applies to endowment gifts and the Courthouse endowment fund would qualify. This type of fund is geared more for future needs of the Courthouse rather than current needs. Following discussion, Waldmann moved to authorize going forward with the application to the Community Development Assistance Act Tax Credit program, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Supervisor Cetak arrived during the above discussion at 1:10 p.m.

Cullers presented for review the Wozab Fund Quarterly Statement and the statement that includes all funds. Following discussion, Cullers said she will check on the fee percentage charged by NCF. The Board set the Wozab Fund application period to begin Feb. 6 with a return deadline of March 17. Copies of the applications are to be provided to the Board at their regular Board meeting on March 25. The Wozab Fund Advisory Committee will meet on Monday, March 31 at 7:00 p.m. to consider the applications.

The Board decided that the inscription on the Courthouse bench they purchased should be: Valley County Board of Supervisors 2007, George M. Baker, Allen Joe Cetak, Helen L. Cullers, Robert D. Sevenker, Jack Van Slyke, Craig Vogeler, Pat Waldmann.

The Clerk is to notify NIRMA that Supervisors Vogeler and Cullers will attend the NIRMA meeting on Feb. 6th, at the Kearney Holiday Inn. Supervisors Vogeler and Cullers are registered to attend the County Board Workshop at the Kearney Holiday Inn Feb. 6 through the 8th and the Clerk will check into a late registration for Sevenker for the 7th.

Candy Kunz, Miller & Associates, did not appear due to the weather, however, informational packets were provided to the Board regarding the Valley County Down Payment Assistance with Minor Rehab CDBG Grant. After discussion and review, the following items were approved on motion of Vogeler, seconded by Waldmann: Housing Rehab costs of \$95.96 for VC-02 and \$950.28 for VC-03; Housing Adm. Invoice for Community Development Services for \$1500 and Grant Adm. Invoice for Miller & Associates for \$1200; Project Fund Requests for \$2546 and \$1200. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

The January Claims and Balances Report and the Claims List were reviewed. Jailer shift hours and overtime were discussed and the need for receipts attached to Grocery Kart claims was noted. The Clerk reported that an early fund request was required to meet the January 23rd deadline for payment of sales tax on Road Dept. sales. Following discussion, Cetak moved to approve January Claims and authorize the signing of the early fund request and the regular fund request, seconded by Van Slyke. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Road Supt. Leth informed the Board that if a resolution for purchase of the motor grader could be approved today, the interest rate would be 2.6%. However, it was determined that a resolution could not be acted on today as it did not appear on the agenda.

The Signature and Seal report required by the Secretary of State's Office, Notary Division was completed.

Auto Fleet, Inland Marine and Building Contents Schedules were reviewed and updated by the Road Supt., the Sheriff, and the Clerk and returned to NIRMA. Copies were provided for review by the Board.

The Board approved the Extension Office request to dispose of 2 old, county owned file cabinets at the Wolf auction in Feb. on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, Van Slyke Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board approved the use of the Courthouse lobby for the Democratic Caucus on February 9 as requested by Everett Lech on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Informational items presented: Ord Volunteer Fire Dept. notice of Benefit Dance, proposed change to Central District By-Laws, CNCS letter regarding Valley County Owner-Occupied Housing Rehab Grant Loan Repayments, State reimbursement of \$113.94 for County Attorney IV-D, Attorney General Notice of Hearing Case CI08-184.

Mid Plains Report by Vogeler: Scott Dugan has reversed his resignation and will stay indefinitely. The CEO of Mid Plains has authority to present 4 at large Board members. There are currently 13 Mid Plains Board members. They are waiting for the State Audit report.

Region 3 Report by Cullers: Printed annual report provided. Noted that Mid Plains reported their policy is to serve clients as funds allow. County Match for Region 3 is estimated to double next year due to rising costs and loss of Hall County. Match is based on population. Legislation has been introduced to change financial responsibility for EPC patients back to county of residence. New Youth to Adult Transition Program has been developed for older youth. A Current network directory for services will be kept on file in the Clerk's Office.

VCED Report by Cullers: Approved contract with City of Ord to administer Sales Tax. City Attorney Cullers to review policy manual regarding comp time. Strategic Planning results received, action plan to be presented in February. Terry Keown instructing EDGE Program to be presented in Ord & Burwell. Broken Bow recycling will no longer pick up plastic/tin trailer from Ord. Discuss feasibility of spec building at Feb. 5th meeting. Chili cook-off Feb. 3 at Fairgrounds. Housing surveys turned in, results in Feb. VCED Financial Report as of 1/16/2008 available for review.

Mail folder items: Jan 18 Legislative Report, CNCS Newsletter, NDOL Newsletter, Karr Tuckpointing Ad.

Meeting adjourned at 3:10 p.m., to reconvene on February 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the January 29 meeting and an agenda for the February 12 meeting are available for public inspection 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, Valley County Clerk