

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, March 25, 2008 in the Courthouse Boardroom. Roll call: Cullers, Baker, Van Slyke, Waldmann, Cetak, Sevenker and Vogeler were present. Clerk verified meeting notice was published and agenda posted. Minutes of March 11, 2008 meeting were approved on motion of Cullers, seconded by Vogeler. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Updated agendas were provided to Board members since item 8A was added after Board packets were mailed but prior to the 24 hour deadline. Baker moved to adopt the agenda, seconded by Van Slyke. Yes: Baker, Van Slyke, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available.

Chairman Sevenker noted the congratulatory balloons and letter from the Ord Area chamber of Commerce which were delivered to the Courthouse notifying the County Board that the Valley County Courthouse was chosen the ExtraORDinary Place of the Month for April. The letter congratulated the Board for their efforts to keep the Courthouse neat, maintain a beautiful building and offer an easily accessible and customer oriented setting and noted that Valley County residents are fortunate to have elected officials that not only care about their constituents needs and concerns but who also realize the importance of maintaining the County buildings and grounds.

Paul Eureka, District 41 Legislative candidate, appeared under Public Comment. Eureka is originally from Sherman County, has a degree in education from UNL, has worked mostly in the field of technology. Started 4 businesses, some with offices in other countries and had a consulting firm to assist young entrepreneurs. One company is still in operation, although he has turned over management of it and now serves as Board Chairman. His first focus is economic development in both agriculture and business; his secondary focus is education and using technology to benefit education in rural areas; his third focus area is the state budget, which he feels needs to be prioritized. Discussion included: high penalty for delinquent taxes, need to help small rural schools get fair share of state aid, loss of good people in education due to low salaries and need to look at available tools such as distance learning.

In the absence of Road Secretary, Sandy Simpson, Leth reported the Road Claims and Balances for March. Accounts payable \$19,560.94, payroll \$34,617.92. Fuel and gravel line items will go over budget, however, the overall Road budget will absorb the overages. Leth asked about old Sheriff's car stored in quonset as it takes up a lot of room. Board thought Sheriff wanted to sell it. Emergency Manager, Ryan Simpson, was present and said he could use it for parts for the County vehicle he drives. Board approved but felt Sheriff's Office should be consulted. Leth reported putting weight limits on Sargent, Comstock and Ashton Roads. Will begin removal of old truss bridge at North Loup and has received permission to store it at fairgrounds. Received new computer for Pontis Program. At request of Vogeler, Leth agreed to look at placement of road sign west of Vogeler's. Vogeler felt sign was set too far back and asked if it could go on the other side of the road. Leth will return for discussion of the Mortensen Industrial Site.

Emergency Manager, Ryan Simpson, reported that the Local Emergency Operations Plan (LEOP) must be updated to meet FEMA requirements. He has received a time extension until July to complete the update and may need to ask for further extension. The LEOP is the written plan for handling all types of emergencies; lists contact numbers and location of available equipment. FEMA is requiring more programs, plans and training. Gene McCoy asked if the radio station was included in the plan and Simpson said both the radio and newspaper are included. Simpson reported some dispatch issues last week in the Sheriff's Office due to lack of knowledge of dispatching through the emergency management pagers causing a delay in dispatching fire department personnel. He is working with the Sheriff's Office on rectifying the problem. Discussion included the use of Region 26 or the Sheriff's Office for dispatching and Simpson indicated that Region 26 is the preferred method but that the Sheriff's Office is fully equipped to handle dispatching, provided the dispatchers are properly trained.

Discussion was held regarding the updated County Weed Supt. contract which was presented by County Attorney Clark for approval at the last Board meeting. The contract was approved, however, after further review Weed Supt. Kaminski had some concerns and consulted Attorney Randy Cullers. Copies of a letter from Cullers addressing Kaminski's concerns were provided. County Attorney Clark noted that Nebraska is an "at-will" state and that all County employees are hired on that basis. Including a "for cause" clause in the contract would require a hearing to be held before an employee could be terminated. Clark said any County employee can quit at any time. Following discussion, Kaminski asked that his right to quit be included in the contract. Vogeler moved to amend the existing Weed Supt. Contract to include the Weed Supt.'s right to terminate his employment with 14 days notice to the

County, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker. Abstain: Cullers, due to relationship to consulting attorney. No: none. Absent: none.

The meeting was recessed at 10:20 a.m. and reconvened at 10:30 a.m. with all Board members present.

Candy Kuntz of Miller & Associates appeared to present requests for Board approval of various Housing Assistance Grant applicants for down payment and rehab assistance and the grant fund request form to be submitted to the state. Following discussion, Cullers moved to approve applicant VC-05 for down payment assistance of \$4200 and rehabilitation assistance of \$5000 and applicant VC-06 for down payment assistance of \$7200 and rehabilitation assistance of \$5000, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to approve housing rehabilitation assistance claim for VC-04 in the amount of \$4000, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Cullers moved to approve Community Development Services Invoices of \$1250 for Housing Administration and \$650 for lead based paint testing, the General Administration invoice of Miller & Assoc. for \$1200 and Drawdown requests #10 for \$16,696 and #11 for \$1200, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Hospital CEO, Larry Schrage, appeared to present his regular written monthly report. He reviewed the statistical information for February, noting that it was a good month and that, to date, March has also been good. Schrage explained that it does not make economic sense for Valley County Hospital to be certified as a long term, skilled nursing care facility. Critical access designation provides swing care beds that allow for this type of care on a shorter term basis and Burwell and St. Paul both provide long term skilled nursing care. Schrage said a schedule of informational presentations regarding the proposed building project will be published in tomorrow's Quiz.

Marty Petska was present for discussion of his request to lease 2 lots in the northwest corner of the Mortensen Industrial Site and provided a written plan which included the construction of a 60' x 125' warehouse and 1500 sq. ft. office with a conference room, lobby/showroom and 3 offices. Discussion included: unknown cost to County for building access road, moving buried irrigation pipe and pump; Planning & Zoning Admin. Glaubke noted would have to go through P&Z process like the others and encouraged Board to establish general guidelines for lease of lots; last 2 businesses fall a bit short of current ground leases requirement of \$100,000 of improvements; no requirement for number of employees; the one remaining vacant frontage lot should not be farmed but would require maintenance; Petska said he would mow and maintain the remaining vacant frontage lot and that he has hired 2 employees in anticipation of his plan with hopes to hire at least 1 office worker and to rent out one office. Following discussion, Waldmann moved to approve Petska's request, seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Brian Magiera was not present, but provided a written request for lease of the Mortensen Industrial Site lots requested by Petska as his first choice or the remaining frontage lot northwest of Premier Pump along with the lot behind it as his second choice. His written plan included the construction of a 7200 sq foot storage unit 60 x 120 located at the back end of the lot for storage of 20 boats with an outdoor fenced area for camper storage and building a commercial or industrial building on the frontage in 5 to 8 years. Discussion included: concern in tying up frontage lot for 5 to 8 years without construction; Dexter may be looking to expand behind his lot; business that creates jobs contributes more to economic development; lack of information. Magiera's request was tabled until he can appear in person to provide additional information.

The Courthouse window issue will be tabled until the Marvin representative can be present. Custodian Rolland Cronk indicated he has \$1600 in his budget that was not required for electrical work in the Road Office that can be used for finishing the Judge's Chambers on the 3rd floor. He also noted that the hand rails are now in place on the steps on the east side of the Courthouse.

Vogeler reported that the roofer is waiting for good weather to begin work on the jail roof and will contact the Courthouse when he is ready to begin.

County Attorney Clark reported that Dr. McCartney contacted him by phone with regard to continuing the lease of his building to house the HHS Office. McCartney feels his building is worth \$980 per month rent and that is what he is asking. The County currently pays \$500 per month rent for the building. No action was taken at this time.

Meeting was recessed at 12:40 p.m. and reconvened at 1:15 p.m. with all Board members present.

Discussion was held regarding notification of James Knapp, who leases the County Farm which includes the unleased portion of the Mortensen Industrial Site, that 2 lots have been leased to Marty Petska. The Clerk was instructed to write a letter to Knapp informing him of the newly leased lots, using an effective date of April 1, 2008,

and that the current lease will be adjusted accordingly. In addition, Chairman Sevenker will notify Knapp by phone so that he is aware of the new lease as soon as possible.

Discussion was held regarding placement of the benches on the Courthouse lawn and the possible need for tree removal. Sevenker provided copies of a map that indicated bench placement as well as trash and ash receptacles. It was felt that benches should be placed 3 feet back from the sidewalk and that the tree near the proposed clock would be okay if it were trimmed. The roots of the tree on the north side of the lawn had buckled the old sidewalk and it was felt that tree should be removed. Baker will call Pishna to remove it but removal will have to wait until the new sidewalk has cured. Cullers felt that one of the two evergreen trees on the northeast side of the lawn should be removed as they were too close together and suggested that it would be more cost effective to have it done at the same time as the other tree. Other Board members felt they could not make that decision without looking at the trees. Vogeler moved to take out the big tree on the northwest corner of the middle sidewalk going north, seconded by Baker. Carried. Yes: Vogeler, Waldman, Cetak, Van Slyke, Baker. No: Cullers. Absent: none. Baker will contact Pishna to remove the tree.

Baker left at 1:45 p.m. for a 2:00 p.m. appointment.

Vogeler volunteered to look into getting wainscoting and window coverings for the 3rd floor Judge's Chamber.

The Wozab celebration was discussed. Cullers suggested holding the celebration at the Courthouse in the District Courtroom on April 15 and showcasing peewee wrestling as the North Loup Theatre was showcased last year. Ord and Arcadia wrestlers have submitted a request for funds and they and their coaches could talk about their programs, Sevenker could give a welcome speech and introduce Board members, more history of the Wozabs would be interesting and refreshments would be needed. Cullers will put together an agenda.

Brenda Knight's request for use of the Courthouse lawn for ExtraOrdinary Days is postponed to a later date.

March Claims and Balances Report was reviewed. It was decided that the Sheriff's Office should be asked to attach an itemized list to Grocery Kart claims. Waldmann moved to approve the March claims and Fund Request, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Cullers. No: none. Absent: Baker.

Following discussion of the proposed Turf Pro Service Agreement, Waldmann moved to approve Plan B at a cost of \$114, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Cullers. No: none. Absent: Baker. It was noted that the \$114 cannot be paid until April as March claims have already been processed.

A letter from NIRMA/NIRMA II Executive Director, Craig L. Nelson requesting that Valley County renew their membership through June 30, 2009 was discussed. The letter explained that since the County signed a 3 year agreement in 2005, it is necessary to renew at this time; it further explained that this renewal is only for one year because later this year all member counties will be asked to renew through June 30, 2012. A resolution was provided for the County to use in agreeing to the renewal if they chose to. Following discussion, Van Slyke moved to approve Resolution 08-09 extending the County's commitment to participate in NIRMA and NIRMA II for an additional time covering the period May 17, 2008 through June 30, 2009. Cetak seconded the motion. Carried. Yes: Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: Baker.

The Nebr. Dept. of Admin. Services letter regarding the Landfill Disposal Fee Rebate Program was reviewed. The Board was not interested in participating in the program.

Treasurer Janet Suminski appeared to give the Fund Balance Report for February. General Fund is at \$112,124.92, Road \$50,232.18, Visitor Promotion \$949.35, Visitor Improvement \$7080.34, Inheritance \$857,149.58. Suminski noted that the General Fund is a bit low but taxes are beginning to come in so is hoped no transfers will be necessary in the remaining months of this FY. Vogeler asked about fees paid by Sheriff's Office for boarding prisoners and Suminski ran a report indicating receipt of \$41,350 from July 2007 through February 2008 for Jail Reimbursement.

Suminski also presented the Tax Sales Report, the Certification to Close Tax Sale, the Delinquent Tax and Assessment Report and the Resolution to Foreclose on County Tax Sale Certificates. There were 63 Tax Sales, totaling \$95,826.36, with 7 companies bidding. The sale is conducted in a round robin format with each company drawing a card for order then, in order, each company chooses one property, going around the table until all properties are gone. The Certificate to Close Tax Sale was presented as well as Resolution 08-10 to Foreclose on County Tax Sale Certificates. Vogeler moved to approve Resolution 08-10, seconded by Van Slyke. Carried. Yes: Van Slyke, Cetak, Van Slyke, Cullers, Waldmann. No: none. Absent: Baker.

The Delinquent Tax Assessment Report was presented. Suminski noted that all those listed from 2004 or later will have a County Certificate on it and that after 3 years they are sent to the County Attorney for foreclosure. Taxpayers are notified several times throughout the year regarding delinquent taxes. She asked the Board to consider

setting a minimum delinquency of \$500 for 3 years before a County Tax Certificate is issued. Waldmann moved to approve a minimum of \$500 accumulated taxes on property and that the delinquency be 3 years old before County Tax Sale Certificate is issued, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Van Slyke, Cetak, Vogeler. No: none. Absent: Baker.

The Board members moved to the jail for their quarterly inspection.

Meeting adjourned at 3:30 p.m., to reconvene in special session on March 31, 2008 at 7:00 p.m., to consider Wozab Fund Applications and applications for the Valley County Sheriff's position and on April 8, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the March 25 meeting and an agenda for the March 31 and April 8 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