

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, April 29, 2008 in the Courthouse Boardroom. Roll call: Baker, Cetak, Cullers, Sevenker, Van Slyke, Vogeler, Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of April 7, 2008 special meeting and April 8, 2008 regular meeting were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Copies of both sets of minutes were included in the Board packets. Sevenker noted that agenda items 12B and 12G will be postponed to a later date and item 10E3 was added Monday morning prior to the 9:00 a.m. deadline. Baker moved to adopt the agenda for today's meeting, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available. There was no public comment.

Dale Melia, Leonard Proskocil, Larry Proskocil and Carol Thomsen were present for discussion of the Springdale Hillside Cemetery. The Proskocils and Thomsen were protesting that the cemetery had been disked. Sevenker noted that the County is having the Cemetery site surveyed and will fence it and seed it to grass. The deed indicates the Cemetery is approximately 2 acres in the NE corner of section 20-19-13, measuring about 18 rods square. Thomsen read a letter from her daughter, Cheryl, noting the importance of honoring and maintaining the Cemetery. Melia apologized for disked it and noted that if anyone is buried there they deserve our respect. Leonard Proskocil asked that only one gate be put in to prevent vehicle entry and it was decided the gate should be placed in the SE corner. Larry Proskocil will get a committee together to maintain the Cemetery. Sevenker noted the County has an obligation to provide some funding for maintenance. Tad Melia will rotor till the cemetery in preparation for seeding and will assist County Road Supt. Leth with the seeding. Leth will put up a 3 wire fence.

Road Secretary Simpson provided the printed report of Road Payroll and Claims for April. Total payroll was \$34,734.92, Accounts Payable \$34,380.64. Gravel and fuel line items will likely be overspent this FY but the overall Road budget will be okay. Simpson noted that separate records are kept of costs for different types of fuel.

Road Supt. Leth recommended approval of Easement 08-279 for Duane Jacobs for the installation of a gas line across a minimum maintenance road west of Ken Bills house. Van Slyke moved to approve Easement 08-279, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Leth provided information from the NDOR on Surface Transportation Program Funds. In order to use these funds for bridge or paving projects, requirements must be met which increase project costs. The last Federal Aid project in Valley County was the 1996 North Loup bridge project.

At 9:45 a.m. the Public Hearing for the Application for Conditional Use Permit for the proposed Warehouse for Ag Seed, Retail Seed Sales, Seed Treatments and Selected Farm Supplies Business for Martin Petska was opened as advertised. Planning & Zoning Administrator Nancy Glaubke, Marty Petska and Kurt Petska were present for the hearing. Glaubke provided copies of the Valley County Planning Commission Recommendation as well as site maps, drawings of the proposed buildings and the Application for Conditional Use Permit. The Planning Commission Recommendation, based on the factual findings listed, was for approval of the permit, subject to the following conditions: 1) driveway must be designed according to County Specifications including but not limited to a width of 30 feet 2) culverts must be paid for by Mr. Petska 3) septic and well must be installed by certified personnel and registration numbers must be provided to Valley County Planning & Zoning 4) lessee must comply with any covenants adopted by Valley County Supervisors. Each lessee puts in their own well and septic. Gilmore has not finished platting. Petska does not plan to get into tank storage. The treatment chemical storage containers hold any spills and do not have a high level of toxicity. No other testimony was offered, either written or oral. Vogeler moved to approve the Valley County Planning Commission's recommendation of approval of the Conditional Use Permit for Martin Petska, based on their factual findings and subject to the conditions listed on their Recommendation, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none. Petska requested that any covenants the Board adopts not exclude the sale of equipment but require that it be neatly displayed. The Hearing was closed at 10:00 a.m.

Leth continued his report with discussion of moving the irrigation pipe and building the access road in the Mortensen Industrial Site to accommodate the newly leased site. Two estimates were received from NLRPP Dist. for moving the pipe. Estimate #1 was for \$7,359.78 and included widening the driveway. Estimate #2 was for \$4174.47 and left the driveway and lateral as they are now. Leth's estimate for building the road was \$10,751.30. Since irrigation season has begun, may have to wait until next year to move the pipe. Discussed moving pipe, but leaving on

top of ground this year. The use of sales tax funds to reimburse the County for prior work done on the Mortensen Industrial Site was also discussed. The County will need to apply to the City for reimbursement for current expenses.

Leth reported that the County will be receiving additional funds from NEMA and FEMA for storm damage caused by last winter's ice and snow storms, perhaps as much as \$99,000. He would like to put this money in a sinking fund. Treasurer Suminski was included in the discussion and will consult County Budget Accountant Able for advice.

Leth's report included: 1 & 6 Year Road Plan approved on April 7; lots of muddy roads, hauling gravel to bad spots; started access road in Mortensen Industrial Site; weight limits have been removed from all County roads; would like Board members to look at areas where requests have been made to clean ditches to help drainage, discussed merits of doing this, Board members will view after meeting; getting requests from public for 911 maps, Board agreed could give copies of NDOR maps reduced and pieced together.

Hospital CEO Schrage presented the written monthly report and reviewed the financial and statistic portion with the Board. Discussion was held regarding the Hospital's decision to discontinue the \$25,000 the County has been levying for Hospital Operating and Maintenance each year and when and why it was begun.

Bethanne Kunz provided written Quarterly Reports for Tourism and the Valley County Economic Development Board. The VCED report included: \$77,000 remains to be disbursed in the Housing Down Payment Assistance Grant, 6 homebuyers have received assistance to date; a pie chart reflecting the use of Sales Tax Funds and various activities and programs that were conducted. The Tourism report included: partnering with Garfield County to place ads in NE Life Magazine; membership in Central Nebr. Tourism Coalition for assistance in securing grants to market the area; efforts to establish a visitor's center in North Loup; a summer intern will help with implementing suggestions from the 2006 Target study; May 07-Jan. 08 receipts were \$9034.54.

At 11:10 a.m. the Board of Equalization was convened on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none. The County Assessor and County Clerk were present.

Assessor Arnold presented Tax List Correction #3719 for Robert D. & Jean M. Stowell for the sale of a mobile home. Following discussion, Tax List Correction #3719 was approved on motion of Van Slyke, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Arnold asked if the Board would be interested in looking at a GIS demonstration such as the one given by Mitch Clark last year. A company in Lincoln has been recommended by other County Assessors. She feels it would be beneficial to her office as well as the Clerk's Office. The Lincoln company's system would likely be more costly than Clark's. The Board agreed to look at a presentation. Arnold will try to set it up for the May 27th meeting at 1:00 p.m.

At 11:20 a.m. the Board moved out of BOE on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

Dale Zadina, Ord Rural Fire Dept., Randy O'Brien, Ord Mayor and Randy Cullers, Ord City Attorney were present for discussion of the possible merger of Ord City Fire Dept. into the Ord Rural Fire Dept.. Discussion included: there are advantages and disadvantages, RFD has broader authority and could levy and issue bonds, frees up city funds, construction not limited for RFD to bidding projects, would be more work and costs for RFD, more expense for County. Based on last year's levy and the projected budget for a combined fire department, the County may have to reduce their budget by \$100,000. Fire Department personnel have been involved in preliminary discussions. County would need to discuss with County Budget Accountant Abel. Van Slyke and Vogeler volunteered to meet with Abel, O'Brien, Cullers and Zadina. Attorney Cullers will set up the meeting.

NIRMA Board member Jim Graves of Central City was present to promote NIRMA's 20th Anniversary. He presented the County Board with a wall clock to commemorate the occasion.

Discussion was held on the purchase of an ad in the Loup River Valley Tourism Coalition 2009 Media Guide. Last year a 1/3 page ad was purchased with a picture of the Courthouse at a cost of \$880. The Board felt a new Courthouse picture should be used since the new windows are now in. Nebr. Life Publisher, Chris Amundson was present and said he would take a new Courthouse picture after things had greened up a bit and noted the ad would cost the same as last year. Vogeler moved to approve sponsoring the same 1/3 page ad that appeared in the 2007 Travel Guide but with an updated Courthouse picture in the 2009 Travel Guide to be paid from the Inheritance Tax Fund, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Waldmann. No: none. Absent: none.

The meeting recessed at 12:15 p.m. and reconvened at 1:00 p.m. with all Board members present.

The following items were reviewed and discussed: the Sheriff's Office written Fees and Activities Reports for January and February; the written March Fee Report for County Clerk and Quarterly Report for Clerk of District Court; Ord Chamber letter regarding their vote against participating in the North Loup Visitor Center project due to lack of funds; Mortensen Site Building Covenant Committee has no report, further meetings will be held; preliminary plat for the Mortensen Industrial Site not yet available; Baker will talk to Clamp regarding mortar work needed on Mortensen Monument and Leth has agreed to mow the site.

Casey Hurlburt, newly appointed Valley County Sheriff effective May 1, 2008, was present for discussion of the annual jail inspection report received from Nebraska Commission on Law Enforcement regarding the March 19, 2008 jail inspection. Areas of concern noted on the report were Inmate Classification and Assignment, Security and Control, Health Services. Hurlburt attended the Jail Standards Board meeting on April 16, 2008. He feels that the current jail and Sheriff's Office does not provide sufficient space to resolve the concerns outlined in the inspection report and asked the Board to consider moving the Road Dept. Office to another location and allow the Sheriff's Office to use the current Road Office. His plan includes installation of a visitation window and telephone system for prisoner visits to provide better security. Following discussion, it was determined that the Road Dept. would be asked to move into the current Probation Office; the Probation Office would be asked to move to the third floor adjacent to the current evidence room, which would be cleaned out and moved to the vault in what is to become the new Sheriff's Office, providing 2 rooms for use by the Probation Office; County Attorney Clark felt that Stop Program funds could be used for installation of the visiting window; the jail shower area will be cleaned and painted.

At Hurlburt's request, Van Slyke moved to go into executive session at 1:30 p.m. for discussion of personnel issues, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. At 2:05 p.m., Van Slyke moved to go out of executive session, seconded by Vogeler. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board agreed to hear a health insurance proposal from Bob Huddleston. The Clerk is to notify Huddleston.

Discussion was held on the building owned by Roger McCartney and leased by the County for use as the Health and Human Services Office. McCartney requested a rent increase to \$980 per month. Attorney Clark presented a new lease agreement which included the increase. Following discussion, Baker moved to authorize Chairman Sevenker to sign a new 2 year lease agreement increasing the rent to \$980 per month effective at the start of the new FY, July 1, 2008, with the first payment due August 10, 2008, seconded by Vogeler. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Attorney Clark will present to McCartney for his approval.

Email communications received from Brian Hergott of Beckenhauer Inc. regarding the County's concerns with the new windows and HVAC system were discussed. Hergott noted the window issues appear to be taken care of, the manufacturer has supplied the remote sensors at no cost and Beckenhauer Inc. is willing to pay \$2500 toward their installation. Joe Wadas of Wadas Inc. was called and appeared to discuss the sensors. There are 41 HVAC units, 33 will get new sensors. Installation is billed by the hour. Beckenhauer estimates \$170 for each sensor. Another issue is the fabrication and installation of a roof hood for the intake louver to prevent snow blowing in and icing up the duct heaters, which is estimated to cost \$1800. Following discussion, Vogeler moved to accept Beckenhauer's proposal regarding 06-612, Valley County Courthouse, Ord, Additional HVAC Work, dated April 24, 2008, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Clerk is to notify Hergott of the Board's decision.

Courthouse bench pads and sidewalks were discussed. Sevenker reported A&R Construction quoted a cost of \$229.50 for each bench pad. Two pads are needed measuring 30" by 7' at \$13.11 per sq. ft. A portion of the sidewalk along the north side of the Courthouse will need to be replaced. A&R will charge \$7.00 per sq. ft. for the sidewalk replacement. Waldmann felt sidewalk replacement could wait and a local contractor should be used to do that work. Waldmann moved to approve having A&R Construction install the 2 bench pads at a cost of \$229.50 each, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

April Claims and Fund Request were reviewed and approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none.

Discussion was held regarding a letter from Dana Cole stating they had counted the cash on March 31, 2008, the last day of employment of the previous Sheriff and offering audit services for the Sheriff's Office transition. Sevenker noted the audit could take several hours at a cost of \$100 to \$150 per hour. Following discussion, Cullers moved to have Dana Cole & Co. do a cash count and reconcile the books of the Sheriff's Office from the transition point of the

old Sheriff to the new Sheriff, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Discussion and action on the following agenda items was as follows: Sevenker noted he talked with City Utility Manager Markowski and it appears the FAA postcard regarding Transmission Line Pole 32 exceeding obstruction standards is informational; County Attorney Clark will check into a County Burial Policy; a copy of the written Wozab Fund Quarterly Report was provided to each Supervisor; the BCBS informational meeting dates will be on the next agenda; receipt of Certificate of Liability Insurance for Western Roofing was noted.

The County Attorney had no report.

Committee Reports: Vogeler reported as the County's Rep on the Mid Plains Board that the state had completed their audit of Mid Plains with no findings; the audit was requested by Hall County; Mid Plains is functioning well. Cullers provided samples of the sponsorship plaques for the Courthouse benches.

Meeting adjourned at 3:25 p.m., to reconvene on Friday, May 9, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the April 29 meeting and an agenda for the May 9 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