

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, July 29, 2008, at 9:00 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Clerk verified publication of meeting notice and posting of agenda. Minutes of July 8 meeting were approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Road Secretary, Sandy Simpson, gave the Road Claims & Balances report for July, noting payroll of \$34,524.04 and Accounts Payable \$85,099.41. The larger expenses were diesel, gas, gravel and motor grader payment.

Road Supt. Leth recommended approval of Easement 08-282 for Frontier (Citizens) and 08-283 for Nebr. Central Telephone Co. VanSlyke moved to approve Frontier's Easement 08-282 and NCTC's Easement 08-283, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth's Equipment Cost Report for FY 07-08 was reviewed. Bid on salt was up from \$39 to \$49 per ton; ice slickers up to \$154 per ton but may come down with terminal in Gothenburg, plans to split a load with the City of Ord. Leth anticipates state road project in Arcadia area will begin in 2009, Ord/North Loup project in 2011 or 2012, Ord bridge is in the state 6 year plan but will likely be later. FEMA reps here this week to view damages, will not pay on a federal aid road, can apply for federal disaster aid but takes 6-8 years to get it and has a \$200,000 threshold. Work on the Mortensen Site was approved for payment by City Sales Tax and payment has been received. Nebr. Machinery has an auction service where counties can sell patrols. Last week oil was at \$2.76 per gal. for HFE 300, it takes 6 thousand gallons for a windrow. Bridge project C88233B will be completed next week, bridge south of Jacobs' will require closing road for couple of days and should be completed this week. Discussed Mortensen Industrial Site lot between Petska & Sitz; Leth said County seeded it; Board said Petska had agreed to mow it; Leth will check with Petska.

Hospital CEO Schrage presented his monthly written report including the Hospital Board minutes for June 18 and the Financial Report of operating results for June and YTD 2008. Audit will be performed in August. Diversity of services helps to keep statistics up, specialty clinics are important to people in the area. Continue to work on cutting expenses. Now that salaries have been brought to a competitive level the challenge is to hold salary increases to 3.7% and grow revenue. Competitive salaries have slowed the turnover rate, working on lowering number of days in accounts receivable and anticipating few capital equipment purchases.

Jay Spearman of Ameritas appeared to discuss the issuance of bonds for the new Hospital. Board questioned how bonds could be issued prior to their approval, noting radio announcements and questions from the public regarding the bonds for which they had no information. Spearman said bonds have not been issued but an "expression of interest" was sought through the pre-issuance of the bonds. This also helps gauge the interest rates and protects the County and Ameritas. Spearman and Schrage noted that the Board had approved the pre-issuance in the beginning of the process but acknowledged that they should notify the Board ahead of time so they would be prepared for questions. They are right on target as to principal and interest. Bond insurance companies did not feel that Ord fit their criteria due to population decline, so the bonds are not insured. This will cost a bit in interest rates, however, it allows for bonds to be offered first to the local area. Bonds are sold in \$5000 increments but record of who buys is not public, bond issuance closes 8-26-08. This first issuance is \$7.2 million, a second issuance is planned later this year for a total of \$9.9 million. Following discussion, Resolution 08-13 authorizing the bond issuance was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Cullers, Baker, VanSlyke. No: none. Absent: none.

Weed Supt. Kaminski was present to discuss the letter from Brent Meyer, State Ag Inspection Specialist and a proposed spray agreement for landowners receiving 15 day notices. Meyer's letter noted he closed 6 open files based on his follow-up inspection, however, 2 new files were opened. He suggested using the spray agreement, noting it has

been effective in other counties. Kaminski explained the 15 day notice is sent to landowners who have not made an effort to control noxious weeds; it gives them 15 days to control the noted infestation or pay a fine. The agreement allows the landowner to avoid the fine by signing the agreement to take appropriate weed control measures. Following discussion, Waldmann moved to approve the spray agreement in conjunction with the 15 day notice, seconded by VanSlyke. Carried. Yes: Waldmann, VanSlyke, Cetak, Vogeler, Cullers, Baker. No: none. Absent: none.

At 11:30 a.m. the Board of Equalization convened on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Assessor and Clerk were present. Minutes of the BOE meeting of July 7 were approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. Abstain: Vogeler (did not attend July 7 meeting) No: none. Absent: none.

Notices of Rejection of Homestead Exemption were reviewed: Marianne Biskeborn unacceptable physician's certificate, Agnes H. Einspahr occupancy, Florene Gould occupancy, Rosina Luoma occupancy, Allen Miller unacceptable physician's certificate, I. Fern Rama occupancy, Verna Jean Ruzicka occupancy. The Notices of Rejection of Homestead Exemption listed above were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Assessor Arnold presented the 2008 Plan of Assessment as required by statute. She noted appraiser Martensen is working on the last 4 townships: Arcadia, Yale, Independent and Davis Creek. Once this is completed she will seek estimates on appraisal of commercial and residential properties. Discussed the GIS proposals. Arnold included \$10,000 in this year's budget for this and preferred the GIS Workshop proposal. The Howard County Assessor recommended them, however, the Howard County Board did not like them and had Mitch Clark of Great Plains GIS Consulting finish their project. Arnold said she has leased a program for \$400 per year to allow her office to perform the required soil conversion as there was not time to wait for a GIS system to be decided on and installed. The Board said, if necessary, they would cut the \$10,000 budgeted for a GIS system since it was no longer needed to do the required soil conversion.

At 11:50 a.m. the Board returned to regular session on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, presented for Board consideration: VC-12-DPA \$8000, VC-12-HR \$5000, VC-06-HR \$694, Community Development Services Invoices \$300 Admin. and \$200 Lead, Drawdown 19 \$8770 and a 6 month extension for the DPA Grant with Minor Rehab. The 6 month extension would provide time for applicants to complete rehab work and time to get one last down payment applicant. She feels the state will approve the extension. Following discussion, Cullers moved to approve VC-12-DPA \$8000, VC-12-HR \$5000 and VC-06-HR \$694, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. CDS invoices of \$300 and \$200 were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The request for a 6 month extension for DPA Grant 06-HP-220 was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Meeting recessed at 12:00 noon and reconvened at 12:40 p.m. with all members present except Cetak, who arrived at 12:45 p.m.

Village Attorney, Randy Cullers, was present for discussion of the North Loup Law Enforcement Agreement. The agreement is for one year and names Sheriff Hurlburt Village Marshall, with limited animal control duties. The amount of monthly fees approved by the Village remains unclear, however, Sheriff Hurlburt feels they will approve the \$1800 per month he is asking. The agreement requires the Sheriff or his representative to attend all regular Village meetings. Attorney Cullers noted that the Village is pleased with the service they are currently receiving. Hurlburt questioned where stray dogs were to be housed and was advised to deliver them to the Vet clinic with costs to be paid by the Village or the offender. Vogeler moved to approve the North Loup Law Enforcement Agreement with compensation of \$1800 per month, \$21,600 per year, seconded by VanSlyke. Carried. Vogeler, VanSlyke, Cetak, Baker, Cullers, Waldmann. No: none. Absent: none. Cullers will present the Agreement to the Village Board for their approval.

Joint Resolution No. 1095 by the City of Ord and Ord Rural Fire District 2 advocating the merger of Ord City into Ord Rural Fire District 2 was presented to the Board. Ord City Attorney Cullers was present for discussion. He advised that the County needs to hold a Public Hearing regarding the proposed merger and that it is to be advertised twice. After the Public Hearing the County has 45 days to approve or deny the merger request. If the merger is approved, funding will require the cooperation of the City and Rural Fire District as levies set this year will not be collected until next year. If approved, an organizational meeting would be held to allow residents of the newly merged district to elect a Board. Five Board members would be elected, no more than one from a township. Cullers moved to set the public hearing regarding the merger of Ord City into Ord Rural Fire District 2 at 10:00 a.m. on August 12, 2008, in the Valley County Courthouse Boardroom, seconded by Cetak. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The claim of Gary Walker for \$5740.80 for accrued sick hours was tabled until the next meeting.

The letter from NIRMA noting that they are exercising their option to provide an investigation and defense for the discrimination charge filed by LeRoy Svoboda was noted.

Supervisor Cullers reported receiving a call from a citizen asking about doing community service for the County because it is a requirement for residing in Rolling Hills. Cullers said she found out this requirement is a federal mandate for unemployed persons who rent from the Housing Authority. She was concerned about the County's liability for people performing community service for the County. County Attorney Clark said the County would probably be liable for this type of community service, however, he felt that community service ordered by the Court would not carry the same liability. He advised that the County not participate in community service for which they would incur liability.

Budget Accountant Chuck Abel was present to discuss the County budget for FY 08-09. He provided 3 summary sheets; one noting the 07 actual information, the 08 estimates and budget requests, the 09 estimates and the budgeted balance for 6/30/2008; the second listed the valuation, levy, and budgeted County funds, for 07/08 and the preliminary amounts for 08/09; the third provided additional information regarding the 08/09 preliminary numbers for levy, receipts, disbursements and transfers. Abel noted that the County is allowed to have cash reserves of up to half of expenditures. Abel will attend the meeting scheduled for 8:00 p.m. on August 11.

Planning & Zoning Admin. Glaubke presented Resolution 08-14 for Joining National Flood Insurance Program for Valley County, Nebraska along with the Planning Commission recommendation in favor of joining the program and a letter from LVRPP noting that they were denied funding from FEMA for a line reconstruction project because the County did not participate in the NFIP. Glaubke noted again that joining the program means that mortgage holders in the flood plain will be required to have flood insurance and that not joining means that property owners in the flood plain will be unable to get flood insurance. She also said the Resolution designates the Planning and Zoning Admin. as responsible for certain duties, reminding them they could designate someone else if they chose to. Following discussion, Vogeler moved to adopt Resolution 08-14 For Joining National Flood Insurance Program for Valley County, Nebraska, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Glaubke presented a copy of the survey plat of the Mortensen Industrial Site 3rd Subdivision along with the recommendation of the Planning Commission for approval of the plat with the following conditions: the 20' easement northeast of each lot be labeled as "Drainage Easement" and identification of the blocks be added. Following discussion, Cetak moved to approve the Mortensen Industrial Site 3rd Subdivision plat survey with the conditions noted on the Planning Commission's Recommendation, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The terms of Board of Adjustment members Dale Zadina and Pat Frazer and Area Planning Commission members Keith Peterson, Larry Koelling and Linda Wadas, have expired. Glaubke reported that all have agreed to serve another term if the Board wishes to reappoint them and noted that all have done an excellent job. Following discussion, Cullers moved to approve the reappointment of Dale Zadina and Pat Frazer to the Board of Adjustment and Keith

Peterson, Larry Koelling and Linda Wadas to the Area Planning Commission, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

At 2:25 p.m. the Board moved into executive session to discuss a personnel issue on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, VanSlyke, Cullers, Vogeler, Cetak, Waldmann. No: none. Absent: none. At 3:00 p.m. the Board moved out of executive session on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. No action was taken as a result of the executive session.

The written report from VSO Walt Smith was reviewed.

Billing statements from Western Roofing, Maximus and Nebr. Dept. HHS were reviewed as were the Claims List and Claims and Balances Report for July, 2008. Resolution 08-15 to transfer funds from Inheritance Tax to General Fund for payment of capital improvement expense on the Courthouse roof was presented for Board consideration. The Clerk noted that Budget Accountant Abel has advised that Inheritance Tax Funds used to pay capital improvement expenses be transferred and spent through the General Fund for budgetary purposes. Following discussion, Vogeler moved to adopt Resolution 08-15 transferring \$43,047.00 from Inheritance Tax to General Fund for payment of Courthouse roof repair, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. July Claims and Fund Request were approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Cullers reported a request from Brad Gloss for a Boy Scout project to clean up the Elyria Cemetery. It was noted that this is not the Catholic cemetery in Elyria. Following discussion, the request for the Boy Scout project to clean up the Elyria Cemetery was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

The Lodging Tax Spreadsheet of income and expenses for FY 07-08 was reviewed.

Committee reports: Cullers reported for Region 3, noting Mid Plains has requested \$300,000 to pay down the mortgage on a new facility that could receive EPC patients which would avoid the EPC charges the county pays through the Region 3 agreement; Vogeler reported that the Courthouse roof repair (including the jail) is going well and should be completed by the end of next week.

Mail Folder items available for review: Wozab Fund thank you, NIRMA training programs, NIRMA "Self Defense" Course, LLNRD Newsletter, NDEQ Grants, Nebr. Surface Transportation Program Book 09-14, Region 26 Agenda.

Meeting adjourned at 3:35 p.m., to reconvene on August 11, 2008 at 8:00 p.m. for the 08-09 budget and August 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the July 29 meeting and an agenda for the August 11 and 12 meetings 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