

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, August 12, 2008, at 9:05 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Deputy Clerk verified publication of meeting notice and posting of agenda. Minutes of July 29, 2008 meeting were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker, VanSlyke. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Max Leth, Road Superintendent requested a resolution be approved adding bridge project C88-252B for the removal of a timber bridge to be replaced with tubes to the 1 year plan. A motion to approve Resolution #08-16 to add the bridge repair to the one-year plan on motion by Vogeler, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth reported a NDOR consultant inspected bridges and received a letter from the Nebraska Department of Roads regarding evidence that Valley County bridges C008823115 and C008804905 must be posted with a maximum limit of 5 Tons or closed immediately and remain closed until after repairs are made and reported these bridges are posted at this time. Another letter indicated Valley County bridges C008802205, C008800605P and C008831135 are in a physical condition that they must be closed and to remain closed until after repairs can be made.

Leth requested approval of a detour on Ashton Avenue between Highway 11 and 22 for Popcorn Days beginning Wednesday August 27th to Monday September 1. Vogeler moved to approve the detour seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

A letter of resignation from Max Leth as County Road Superintendent effective October 1, 2008 was presented to the Board. Sevenker expressed appreciation from the Board for his 30 years of service. Vogeler asked if Leth could stay on with the County on a consultant basis and Leth reported he would have to check with his physician before he could give the Board an answer but offered to help all he could. Motion to accept the resignation was made by Cullers, seconded by Waldmann. Carried: Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. An ad for a replacement will be prepared and published in the local paper, NIRMA and NACO websites stating qualifications etc. as soon as possible and applications to close by September 2, 2008 at 9:00 a.m.

Leth serves on the board of two associations and will notify them of his resignation and recommend the associations appoint his successor to complete his term on the boards.

The Arcadia road on 464th Ave will be patched and Ashton Avenue will receive an armor coat, these roads need to be preserved and will present revision Form 10 at the next meeting in preparation for those projects.

The Board reviewed the noxious weed reports for publication from the Weed Superintendent for Baldwin Farms, Michael Jackson, Dean Misko, Paul Penas, James Trotter and Michael Winkelbauer who will be receiving the proposed 15 day notice as a result of the inspection by the State Ag. Specialist on September 1, 2008.

Nancy Glaubke, Planning & Zoning Administrator reported FEMA recommended some changes be made to update the Flood Plain portion of the zoning regulations and requested the Board adopt a resolution to update the State and Federal Requirement for participation in the National Flood Insurance Program for communities identified as flood prone. On motion by Vogeler to adopt Resolution #08-17 to update the FEMA map was seconded by VanSlyke. Carried. Yes: Vogeler, VanSlyke, Cetak, Waldman, Baker, Cullers. No: none. Absent: none.

Treasurer Suminski submitted July Month End report and Pledged Security notifications for the account of TierOne Bank for review and discussion.

County Clerk report for the Month of July was reviewed. The FY 07-08 Valley Co. Ambulance Report for old past due ambulance collections was discussed and accepted for filing.

Meeting recessed 9:55 a.m. to reconvene at 10:05 a.m. with all members present.

At 10:05 the Public Hearing to discuss proposed merger of the Ord City into the Rural Fire District #2 was open for discussion. Randy Cullers reported he appreciated the both boards flexibility and the merger should make a more efficient fire district. Cullers told the board that the public was notified by press releases and meetings were held for the public to attend and no opposition was received in regard to the merger and the timing is a good move tax wise because of the valuation increase. Dale Zadina stated there will be benefits in the long term for fire protection and valuations will be spread out over the residents in District #2. Cullers indicated an organizational meeting will be held to elect a new board. The public hearing closed at 10:15 a.m. On motion by Vogeler to adopt joint Resolution #08-18 of the Ord Rural Fire Protection Dist. #2 and the City of Ord into said fire district was seconded by Cetak. Carried: Yes: Vogeler, Cetak, VanSlyke, Cullers, Waldmann, Baker. No: none. Absent: none.

Marc Munford, from Ameritas Investment Corp., appeared to explain any questions the board had on the bond issuance and the process and explained commitments were acquired before the bonds were sold. Munford stated that 10% of the bonds were sold in Valley County to individuals and banks and the balance was sold to investors in the State of Nebraska with 0% sold out of state. Munford reported the proceeds from the initial bond sale in the amount of \$7,140,580.00 will come by wire to Valley Co. Treasurer account on August 26, 2008. The treasurer will reinvest the funds with Nebr. Public Agency Investment Trust (NPAIT) and proposals will go to local banks in the county for them to bid on the investment of the funds. Munford stated the Treasurer will be given a preliminary drawdown schedule during the hospital construction process and will be responsible for paying claims every month. Munford indicated he will appear at the October 14th meeting to inform the board of the next bond letting and will publish in the local newspaper the date of the bond letting. Munford offered to answer any questions the public may have in regard to this process and urged the board to contact him with any questions.

Candy Kuntz, Housing Grant Admin., submitted the Housing Grant Summary for Down Payment Assistance, Housing Rehabilitation and Professional Services. Kuntz requested approval for applicant #VC-09-HR for additional rehab expenses. VanSlyke moved to approve the additional \$500.00 for VC-09-HR, seconded by Waldmann. Carried. Yes: VanSlyke, Baker, Cullers, Cetak, Waldmann, Vogeler. No: none. Absent: None. Cullers moved to approve Applicant #VC-06-HR for \$230.00 and \$535.00 for housing rehab, #VC-07-HR in the amount of \$3,539.80 for housing rehab and #VC-09 in the amount of \$5000.00 for housing rehab, seconded by Cetak. Carried. Yes: Cullers, Cetak, Vogeler, Waldmann, VanSlyke, Baker. No: none. Absent: none. Vogeler moved to approve VC-Admin-15 for Housing Administration of \$500.00, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Cullers, Baker, Waldmann. No: none. Absent: none. Motion to approve Drawdown #20 in the amount of \$9,805.00 was made by Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Motion to approve the fund request for Grant Funds approved July 29 in the amount of \$8,769.87 and August 12 for release of checks upon receipt of Grant Funds on motion by Vogeler, seconded VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Waldmann, Cullers. No. none. Absent: none.

It was determined the request of the administrator that Valley County use their line of credit to make immediate payments of approved grant funds was denied and the Clerk will continue with the balance of the funds by the same method that has been used in the past since it was so close to the end of the CDBG Grant Project.

Motion made by VanSlyke to approve fund request for deposit into the County Funds Payroll and Claims account for the BlueCross BlueShield billing in the amount of \$25,718.31 was seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Notice of Approval of the CDBG Application from the Dept. of Economic Development informing the Board a Grant in the amount of \$250,000.00 to be used for the construction of a new elevator and remove architectural barriers at the Valley County Courthouse has been approved. Terms of the Grant indicate an employee of the government entity be designated to have responsibility to have day-to-day administration of this grant. In addition a CDBG Certified Grant Administrator must to on contract or employed by the grantee to oversee administration of the grant. It was determined that as a board they were obligated to go forward with the elevator project.

Meeting recessed at 12:00 noon and reconvened at 1:00 p.m. with all members present.

At 1:05 p.m. Vogeler moved to go into Executive Session to discuss Personnel and Law Suits, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: none.

At 1:40 p.m. motion to go out of Executive Session was made by Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Baker, Cetak, Vogeler. No: none. Absent: none.

Following the Executive session Vogeler made a motion to deny the Gary Walker claim in the amount of \$5,740.80 for accrued sick hours and to instruct the Clerk's office to type a response to Walker's claim within 5 days was seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No. none. Absent: none.

Co. Attorney Clark explained that an Attorney for the Hospital called him in regard to the purchase of the land for the Valley County Hospital. A hearing was set for September 9, 2008 at 8:30 a.m. in the County Supervisor Board room. Notices will be published by the Hospital.

A New Cooperative Reimbursement Agreement for Child Support Services to become effective Oct. 1, 2008 to replace the agreement currently in effect will require signatures of the County Board Chairman and County Attorney. Vogeler moved, seconded by Cetak to apply appropriate signatures to the agreement. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No. none. Absent: none.

The revised Letter of Agreement from Region 3 Governing Board regarding the Purpose, Responsibilities of Region 3 and Responsibilities of the County was reviewed Cullers moved to approve signatures of the County Board and County Attorney to the agreement, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No. none. Absent: none.

Public Unit Resolution of Authority from TierOne Bank giving Casey Hurlburt and Denise O'Neel authority to sign the Sheriff's accounts was reviewed. Motion by Baker to allow Chairman Sevenker to sign Resolution #08-19 was seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

A letter from the Loup Basin RC&D Council requesting the County to contribute to the Loup Basin Endowment Fund was discussed no action was taken.

The City of Ord will levy special assessments for Street Improvement District 2006-1, 2006-2, and 2007-1 through 2007-4 at a hearing on Sept. 2, 2008 at 7:30 p.m. The Valley County Courthouse proposed assessment is in the amount of \$40,000.00.

The Village Board of Arcadia sent a letter to inform the Valley County Supervisors of the Village of Arcadia Disaster Declaration authorizing the Village expenditure emergency funds from all available sources, and the applying to the State of Nebraska for assistance from the Governor's Emergency Fund and other sources necessary.

Notice of the Central District County Officials Association workshop to be held in Grand Island on September 18, 2008 was discussed.

Lodging tax receipts and expenses spreadsheet was accepted for filing.

Cullers explained that since the Endowment Fund was established, Nebr. Community Foundation has imposed fees on the account and requested the board to close the account and apply the funds to window treatments that will be installed in the Judge's chambers. Motion by Waldmann to close the account and use the funds as requested seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Wozab Quarterly Report for the quarter ending June 30, 2008 giving activity and an audit trail for the fund was presented to the Board and an Endowment Investment Summary discussed and accepted.

Sevenker reported that Joe Novotny's term on the Re-Use Committee expires on August 8, 2008 and he is willing to serve another term on the committee. Motion by Waldmann to reappoint Novotny to the Re-use Committee was seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Budget cuts made at the August 11, 2008 meeting were discussed. Cetak moved to set a date of Sept. 9, at 10:00 a.m. for the Budget Hearing, and Sept. 9, 2008 at 10:15 a.m. for a Special Hearing to set the Final Tax Request.

Cullers reported on the July 25, 2008 meeting of the Region 3 Governing Board in regard to FY08 funding and Mental Health Hearings and in Sept. Valley County should be able to utilize the Buffalo County Mental Health Board.

Mail Folder items available for review: NIRMA Interchange; Chamber/ED Newsletter; LBRC&D Agenda & Minutes; NDOR Annual Report, American Funds; Semi-Annual Report, Prospectus Amendment.

Meeting adjourned at 2:45 p.m., to reconvene on August 26, at 9:00 a.m. in regular session. Complete minutes of the August 12th, 2008 meeting and an agenda for the August 26, 2008 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned Deputy 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.

Dorrita L. Helm, Deputy Valley County Clerk