

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 8:30 a.m., Tuesday, September 9, 2008 in the Courthouse Boardroom. Roll call was taken with Cullers, VanSlyke, Waldmann, Baker, Sevenker, Vogeler and Cetak present. Clerk verified publishing meeting notice and posting agenda. Minutes of the August 26, 2008 meeting were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Baker moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of the Open Meetings Act and availability of copies for the public.

At 8:30 a.m. the Public Hearing regarding the proposed acquisition of certain real property in Ord, Nebraska for construction of the new Valley County Hospital facility was opened as advertised. Present were: Larry Schrage, Valley County Hospital CEO; Hospital Board members Eulalia Edwards, Garry Miska and Pres., Kara Fischer; Valley County resident Steffan Baker. Schrage read a statement which said in part: purchase proposal is for 12.14 acres of commercial real estate, hearing notice published, citizens approved 21.3 million dollar bond issue for construction of new hospital on May 13, 2008, \$330,000 purchase offer approved by Hospital Board and GLVA, state statute requires County ownership of real property. Opportunity was given for public comment, there was none. Discussion was held regarding GLVA's purchase of the property. A professional appraisal has been done on the property. Schrage noted GLVA has donated \$400,000 toward the building and \$600,000 toward a fitness center. Public Hearing was closed at 9:00 a.m. Cullers moved to approve the Real Estate Purchase Agreement dated July 21, 2008 between Valley County Health System and Greater Loup Valley Activities and the County of Valley agrees to take title, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Legislative candidate, Kate Sullivan, spoke to the Board under public comment noting her rural background, interest in education, property tax concerns and the need to promote the interests of the state's rural areas.

On Leth's recommendation, Easement 08-284 for Jay A. Knapp was approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. On Leth's recommendation, refund of Easement 07-273 for Hayes Creek Farms was approved on motion of VanSlyke, seconded by Cullers. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Everett Lech was present for discussion of land adjacent to the County road located at the first corner west of Fort Hartsuff entrance. Lech said he donated a corner of his property to the County in 1992 to allow the road to be moved to its present location. There is no legal record of it, it was a verbal agreement. He is requesting a Quit Claim deed from the County. Kent Helm was present for this discussion, noting that it is necessary for him to have access to this strip of land to allow larger equipment, such as hay movers, to exit his field. Following discussion, it was decided that County Attorney Clark and Road Supt. Leth will research the issue and report at the next Board meeting.

Discussion was held regarding applications received for the County Road Supt. position. Leth explained that state reimbursement to Valley County is currently \$9000 because he has a Class A License, a Class B License would get only \$4500 in state reimbursement. He said regulations for bridge inspection and construction have changed and require the services of an engineer or consultant in many cases. Valley County has 90 to 100 bridges, half of which are concrete. Leth recommended the County extend the application process for 6 months, re-advertise the position and contact Custer County Road Supt., Chris Jacobsen, to see if he would be willing to serve as Valley County Road Supt. temporarily. This would allow additional time to search for a Road Supt. with a Class A License and Bridge Inspection Certificate. The Custer County Board would also need to be contacted to request their approval of the arrangement. Leth noted he has talked to Jacobsen about an Interlocal Agreement between the counties for the purchase of asphalt.

Planning & Zoning Administrator, Nancy Glaubke, presented the annual P&Z Interlocal Agreements with Elyria, Arcadia and North Loup for County approval. All three villages have approved their agreement. VanSlyke moved to approve the Interlocal Cooperative Agreements for Planning and Zoning with North Loup, Arcadia and Elyria Villages, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Cullers, Baker. No: none. Absent: Vogeler.

The Budget Hearing was opened at 10:00 a.m. as advertised. Budget Accountant Abel was present, no public comment was offered. Abel noted that he received an incorrect figure from the Hospital regarding the bonds so he will need to publish a correction. He budgeted to issue and spend all bonds this FY in case that would be necessary. This does not negatively affect the budget and would avoid amending the budget later. As determined by the Board, he used a tax rate of .385 in preparing the budget. He reviewed the levy limit and restricted funds calculations and noted that,

due to higher valuations, more funds will be raised with a lower tax rate. Following discussion, Resolution 08-22 authorizing an additional 1% of budget authority was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Vogeler moved to approve Resolution 08-23 adopting the FY 2008-2009 budget, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Budget Hearing was closed.

At 10:30 a.m. the Special Hearing to Set Final Tax Request was opened. No public comment was offered. Following discussion, Resolution 08-24 setting the final tax request at \$1,732,522 was approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none. Following discussion of the need to provide funding for Planning and Zoning, Road and Weed through the General Fund, Resolution 08-25 authorizing the County Treasurer and County Clerk to make the necessary monthly fund transfers, not to exceed the budgeted amounts allowed by the Board, was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Abel again agreed to assist the Clerk in preparing the Management Discussion and Analysis required for the County audit. Cetak moved to appoint the Clerk to oversee the County audit and prepare the MD&A Statement with the assistance of County Budget Accountant Abel, seconded by Cullers. Carried. Yes: Cetak, Cullers, Waldmann, Vogeler, VanSlyke, Baker. No: none. Absent: none.

A recess was called at 10:40 a.m. and the meeting reconvened at 10:50 a.m.

Fee reports for the County Clerk and Clerk of the District Court were reviewed.

Mortensen Site Covenants and the need for a lease agreement for Marty Petska's Seed Solutions were discussed with County Attorney Clark. Clark advised that the County incorporate covenants into future lease agreements. Previous lease agreements required a taxable value of \$100,000 on buildings and improvements during the term of the lease. The Board indicated they were willing to include personal property value in the \$100,000 total and asked the Assessor to calculate the real and personal property totals for each lessee and provide this information for the next Board meeting. Clark will prepare a lease agreement for Petska for the next Board meeting.

At 11:05 a.m. the Board of Equalization convened on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. The Assessor and Clerk were present. Tax List Corrections for Ryan W. Franzen and Farnstrom's Family Clothing were presented and approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. At 11:10 a.m., Cetak moved to go out of BOE, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Curie Mincer of CNEDD was present for discussion of the elevator grant contract. The contract contains certain conditions the County must meet prior to requesting the grant funds. The Clerk noted the Board adopted an Excessive Force Policy and Procurement Procedures and Code of Conduct in conjunction with the Housing Assistance grant so they are already in place. Mincer provided an agreement for General Administration of the grant and advised that, since the County is a CNEDD member, the Board can appoint CNEDD as the administrator of the elevator grant without procuring for the position if that is their wish. The grant provides funds for payment of the administrator. Vogeler moved to appoint CNEDD as the General Administrator of the CDBG grant for the installation of a Courthouse elevator, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Chairman Robert D. Sevenker and Clerk Jenette G. Lindsey were authorized to request CDBG Funds for CDBG Grant No. 08PW007 and both signed the Authorization form. The letter of appreciation for the grant award was approved.

Road Supt. Leth returned to complete his general report: 2 detention cells will be built as part of the new hospital construction, access will be off Highway 11, they will need County permission to tear up a County road; offered to make next year's 1 & 6 year plan for the County; recommended ILA with Custer County for purchase of asphalt to save money; state has required posting of 5 ton limit on one of 3 bridges that will need to be included in next year's plan. Craig asked who was responsible for weeds and trees in road ditches. Leth said weeds are County responsibility, landowners are responsible for trees.

The Clerk was directed to pay the entire \$40,000 special assessment for the Street Improvement project received from the City of Ord with the September claims. Payment is due by October 22, 2008.

Reminder of Central District Meeting on Sept. 18 at the G. I. Interstate Holiday Inn was acknowledged.

Claims in the amount of \$9805 for disbursement of grant funds received for drawdown #20 and the BCBS Claims and Fund Request totaling \$26,781.53 were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Discussion was held regarding the need to appoint a 504 coordinator and adopt a grievance policy to meet the requirements of the Housing Assistance grant which is to be audited by the state on Sept. 26. Both pertain to Section 504 American with Disabilities Act. Following discussion, it was moved by Vogeler, seconded by Baker to appoint County Attorney Clark as the 504 Coordinator. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none. The Clerk was directed to place on the next meeting agenda the adoption of a grievance policy and the discussion of including wording regarding special needs accommodations to the County Board meeting notice under the County Attorney Report to receive his input.

The NIRMA Property Valuation Update report was discussed. NIRMA now offers reproduction cost coverage on property that is listed on the National Register of Historic Places. At the County's request the Courthouse was appraised for both replacement and reproduction cost coverage, the remaining County property was appraised at replacement cost coverage. Insuring the Courthouse at reproduction cost coverage would cost the County an additional \$3896 annually. Following discussion, Baker moved to continue to insure the Courthouse at replacement cost, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

Supervisor VanSlyke reported receipt of a letter from Jeanne Fells resigning her position on the Tourism Advisory Board. He said Becky Trotter is willing to serve the remainder of Jeanne's term, which expires February, 2009. VanSlyke moved to appoint Becky Trotter to serve the remainder of Jeanne Fells term on the Tourism Advisory Board, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Lodging Tax receipts and expenses, the Current Expenditures Report for August and the Wozab Fund Annual Audit Report were reviewed. The Clerk was directed to publish the Wozab Report as required.

Mail Folder items available for review included: KARR Tuckpointing, Ord Area Chamber, Stock Realty & Auction.

Meeting adjourned at 12:55 p.m., to reconvene on September 30, 2008 at 9:00 a.m. in regular session.

Complete minutes of the September 9 meeting and an agenda for the September 30 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