

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, October 28, 2008 in the Courthouse Boardroom. Roll call: Cullers, VanSlyke, Waldmann, Baker, Cetak, Sevenker, Vogeler present. Clerk verified meeting notice was published and the agenda posted in the Courthouse and on the County website. Minutes of October 14, 2008 meeting, included in the Board packets, were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to adopt agenda, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. Sevenker noted Open Meetings Act posted and public copies available. There was no public comment.

Road Secretary Simpson gave the Road Claims and Balances report for October: accounts payable \$44,339.40; payroll \$41,301.17; larger expenses were diesel, striping, gravel; \$87,375 remains in the fuel budget and \$63,656 in gravel. It was noted that the County pays the cost of CDL's for Road employees.

Road Supt. Leth reported that the State gave Hooker Brothers a place to pile the excess dirt so they will not be putting it on County Roads but it should be available to the County at no charge if there is a need. He noted the letter from the State regarding new requirements for bridge construction. County will have to replace load limit signs and he will figure an approximate cost. He closed the road to the bridge north of the park after receiving a call indicating it may not be safe but on inspection, he found it to be sound. This bridge is rated at 18 tons, however, heavier traffic has been using it even though they have been informed of the bridges load rating. Baker reported that the Irrigation District is aware that some flooding occurred on the Mortensen Industrial Site due to a plugged pipe and the pipe has been cleared. Leth will look at doing some landscaping on the site to help with drainage. Baker also noted some flooding of private property due to work being done on the new hospital site but should not happen again and no real damage was done. Leth reported completion of repair of piling on bridge on Sargent Highway east of Fairplay School. VanSlyke gave Leth a list of Arcadia area roads needing gravel compiled by the school bus drivers. The letter from Custer County indicating they were not interested in sharing the services of their Road Supt. was noted.

At 9:30 a.m. the Board went into executive session to discuss Road Supt. application in order to prevent needless harm to the applicant on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. At 10:00 a.m. the Board went out of executive session on motion of VanSlyke, seconded by Vogeler. Carried. Yes: VanSlyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none.

Meeting recessed at 10:00 a.m. and reconvened at 10:10 a.m. Chairman Sevenker noted that the Board took no action as a result of the executive session.

Hospital CEO, Larry Schrage, presented the monthly hospital report. At their October 15 Board meeting the annual insurance update was presented, Merrill Lynch gave a pension report and the annual audit scheduled for October was moved back to November on request of the auditor due to personnel changes. This is the best quarter they have had, revenues are up and expenses are down slightly. A written Summary Construction Project Costs was presented to keep the County Board informed as to how the bond funds are being spent. Schrage will present such a summary each month with his regular report. Report of flooding on private property caused by the hospital construction work was discussed. Schrage acknowledged it was caused by the construction work and said they will take care of anything that needs to be done. He said the dry weather forecast should help. Supervisor Vogeler apologized for missing the ground breaking ceremony.

Schrage explained the letter received from Union Bank & Trust Co. requiring County approval. UB&T is the paying agent for the bonds and every 6 months they must collect the interest &/or principal 5 days prior to when it is due, the letter authorizes them to invest the collected funds for those 5 days. The Hospital pays the annual Account Acceptance and Set Up Fee of \$450. Cullers moved to authorize Chairman Sevenker to sign the JP Morgan US Treasury Plus/Direction letter authorizing UB&T to invest the funds for the 5 days, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Ord Mayor Randy O'Brien was present for discussion of consolidation of law enforcement services. Discussion included: not taking away any services, most efficient use of taxpayer dollars, contribute to spirit of cooperation. It was decided to ask to have this topic on the next City Council meeting, Monday, November 3, 2008. Sevenker will attend the meeting.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, presented claims and the resulting drawdown for Board approval. Kuntz noted a change in the drawdown amount to add \$17.00 to repay the County for interest on the line-of-credit account used for timely payment of down payment requests. Following discussion, claims of \$434.32 for VC-12-HR, \$4275.56 for VC-08-HR, invoice of \$500 for CDS, the interest of \$17.00 and Drawdown #23 for the total of \$5227 were approved on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

VanSlyke and Baker reported on the meeting with Sherman and Howard Counties regarding the appointment of a Public Defender. An Interlocal Agreement would be needed. Valley County Attorney Clark provided written information on the process of appointing a Public Defender and noted that even with a Public Defender, circumstances could require paying additional attorneys. VanSlyke provided a copy of an ad to be published inviting attorneys to apply for the position. The Public Defender would be under contract and would pay his own assistants, if needed. The three counties would share the cost based on population. It was noted that Sherman and Howard County are currently paying more than Valley County is for this service.

At 11:15 a.m. the Board of Equalization convened on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Clerk and Assessor were present.

Tax List Corrections 3725 and 3726 were approved on motion of Vogeler for The China Garden due to the building and equipment being auctioned and G-M Construction due to the company going out of business, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Board noted letter from State Auditor that Arcadia Township 2008-2009 budget was received late.

At 11:20 a.m. the Board moved back into regular session on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Discussion was held regarding the 3 used, county-owned vehicles currently stored beside the quonset across from the County Shop. It was decided they will be advertised for sale by sealed bids to be accepted by the County Clerk through November 24th. Bids will be opened at the November 25th meeting.

Supervisor Baker offered to contact James Duda regarding his purchase of a parcel of land owned by the County since he has not replied to the County's letter noting that a deed will be prepared to transfer the land to his ownership on receipt of payment and information regarding how he wishes to take title to the property.

Board noted the Nebr. State Probation letter stating the County's share for 2008-2009 FY will be \$2908, billed at the end of the FY.

County Attorney Clark said he has filed answers in the two pending lawsuits against the County and noted the letter from NEOC regarding Svoboda's age discrimination suit which stated they are reviewing the case and will contact the county if further information is needed. Discussion was held regarding the County Personnel Policy and the latest legislation regarding sick leave. Clark will review and report to the Board at their December 9th meeting. He has sent a letter to Everett Lech on the County's behalf regarding his request for a QC Deed. He will report in December on the Stop Program funds and other accounts he needs to eliminate. Discussion was held regarding the best way to proceed with enforcing the requirement that those leasing Mortensen Industrial Site lots maintain \$100,000 worth of taxable property. Vogeler moved to have Clark meet with the Assessor to determine values of the leased properties, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Waldmann. No: none. Absent: none.

Nancy Glaubke introduced Caleb Pollard, the new Executive Director of Valley County Economic Development. Chairman Sevenker introduced the Board members. Pollard noted that he grew up in Nebraska and has worked in economic development for 5 years.

The Claims and Balances Report and Claims List were reviewed. Resolution 08-31 authorizing the transfer of funds from Inheritance Tax to General Fund for payment of window treatments, fresh air duct on Courthouse roof and road sign posts was approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. October claims and Fund Request were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The U.S. Dept. of Homeland Security letter noting their approval of the county's application to NFIP was noted.

Cullers reported as County Representative to Region 3, providing a written report for filing and noting that Region 3 will provide \$300,000 to Mid-Plains for debt retirement on their new building and that Region 3 is working on an agreement with BRYANLGH Medical Center if they will agree to honor the Medicaid rate.

Cullers also noted that she attended the Legislative Conference sponsored by NACO and that it was interesting and informative. NACO continues to look after the interest of the counties.

Mail folder items available for review: CCC annual report, CNCS Newsletter, Loup Basin RC&D Agenda/Minutes, Region 26 Agenda, NDOR Minimum Design Standards.

Meeting adjourned at 12:10 p.m., to reconvene on Monday, November 10, 2008, due to the Veterans' Day Holiday, at 9:00 a.m. in regular session. Complete minutes of the October 28 meeting and an agenda for the November 10 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