

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, November 25, 2008 in the Courthouse Boardroom. Roll call: Cullers, Sevenker, VanSlyke, and Waldmann were present, Cetak and Vogeler were absent; Vogeler's absence was excused, Cetak may arrive later. Clerk verified meeting notice was published and agenda posted in Courthouse and on website. Minutes of November 10, 2008 meeting, included in the Board packets, were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Baker, VanSlyke. No: none. Absent: Cetak, Vogeler. Baker moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldman. No: none. Absent: Cetak, Vogeler. Sevenker noted posting of Open Meetings Act and public copies available. Newly elected State Senator Kate Sullivan appeared under public comment inviting the Board to contact her with their concerns and noting that she will check in with them from time to time.

Road Secretary Simpson noted November payroll and claims totaling \$95,716.58. Larger expenses were tires, diesel, parts & labor, chemicals, and gravel. Remaining gravel budget is \$40,249 with \$4000 billed but not paid and \$71,556 remains for fuel. Leth explained the chemicals are used to kill weeds around bridges where a mower can't reach. Leth noted a claim from Ron Jensen for replacing a stock trailer tire which was punctured when he ran over a drag being pulled behind a grader. As there was no apparent negligence, Leth recommended denying the claim.

Hospital construction personnel were not available to attend today's meeting to discuss County concerns but will try to come to next meeting. Leth has viewed the work and feels the ditch needs to be wider with a flat bottom. A new design has been completed and Leth will review it. Construction work is finished for now but will begin again in the spring. Discussed drainage onto Carr's property with Sevenker noting that although Carr was not unduly upset, he felt the construction personnel or the Hospital should have contacted him and taken responsibility for the silt deposited on his property. Schrage acknowledged that an apology was in order and that the silt was caused by the construction, however, Carr did not contact them with a complaint and he felt the most important thing was to make sure the situation was corrected so it did not occur again. Schrage questioned the history and condition of an existing pipe that appears to be partially plugged. Leth was told that the mandatory silt plan is being drawn up and that the construction company will seed and sod where needed. Leth will look at the existing pipe.

Supervisor Cetak arrived at 9:30 a.m.

Easement 08-286 for Loup Valleys Rural Public Power District to bury pipe across a County road south of Dale Melia to meet airport runway regulations was approved as recommended by Leth on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: Vogeler.

NDOR requires the county to designate an official county newspaper each year for bid advertising. Cullers moved, seconded by Cetak, to designate the Ord Quiz as the official county newspaper for 2009. Carried. Yes: Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: Vogeler.

Discussed applicants for County Road Supt. position: notification received from Brian Kolar indicates he is interested in the position but would not be available until the middle of next year; Terry Wicht has received a Class B Highway Supt. license and asked the Board to reconsider his application. Sevenker will contact Wicht to request references and set up a date to meet with him.

Leth reported: Ashton Road south of North Loup taking lot of truck traffic, suggests State/Federal Aid project in conjunction with State Road Project (2012 or 2105) between Ord and North Loup for hot mix overlay of about 2 miles on Ashton Road, he will report on cost estimates at next meeting; State hired HDR to inspect timber bridges, 14 were designated low grade requiring new signs which he will pay for out of the Road budget; 90 curve signs ordered through a state program will be installed this winter; almost finished installing 911 road signs; accident with County pickup in Arcadia has been reported to NIRMA. Sevenker noted Haskell Creek road looks better. VanSlyke asked about affect of weight limits on the 14 bridges on area farmers, wondering if they could be replaced with culverts. It is now required to hire an engineer on all bridge projects which adds 10 or 15 thousand dollars to the project cost.

Hospital CEO Larry Schrage reviewed financial and statistical portion of the regular written monthly Hospital report. First 4 months of FY has been busy, average daily census about 12% over budget, surgery is currently down but overall trend is up in radiology, PT and ER. Heritage is doing well, 20% over last year. Hospice and Home Health are also over last year. Gross revenue is over budget and they continue to work with management for staffing in relation to volume. A summary of employee satisfaction survey will be provided to the County. Planning public sessions in January to provide information on completed building design, answer questions and acknowledge public support for the project. A written summary of construction costs for October was provided to the County Board.

Sevenker moved to agenda item 8A while Schrage was present to discuss the Union Bank and Trust letter. Schrage explained that UB&T requested and received County Board approval of investing early interest and/or principal payments but it only applied to Series B bonds, now they are asking approval of for all Hospital Bonds. Cullers moved to approve the request of Union Bank and Trust to set up a sweep account for investment of these funds, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: Vogeler.

Meeting recessed at 10:25 a.m. and reconvened at 10:30 a.m.

The October Fee Report for District Court was reviewed.

Resolution 08-33 authorizing the transfer of remaining Courthouse Bond funds from the General Fund to the Courthouse Bond Fund was approved on motion of Cetak, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Vogeler.

The Request for Release of Funds and Certification form confirming the County has met the requirements for accessing grant funds for installation of a Courthouse elevator was signed by Chairman Sevenker and will be sent to the state. Cullers will contact architect Mannes to set up a time for him to meet with the Board.

Chris Jacobsen and Max Leth appeared to discuss the employment of Jacobsen to do the required inspection of County bridges. It was agreed that, at this time, Jacobsen will be hired as a County employee to do the routine annual inspection of County bridges on his own time, outside of his Custer County employment. He will look at getting his own liability insurance in the future.

County Attorney Clark gave his report at this time as he was present for the discussion with Jacobsen. Clark said parking signs setting at various sites around the Courthouse are blowing down and have caused some problems. It was noted that these signs are provided by the City of Ord. Clark will contact City Attorney Cullers. Information was presented regarding requirements for spending STOP Program funds. Clark noted he has about \$1400 of these funds in an account established prior to his taking office. In an effort to close out the account, he will check with Sheriff Hurlburt to find a use for the \$1400. The County's current Personnel Policy was discussed with regard to the latest Federal Court interpretation of sick leave requirements. The interpretation indicates that unused sick leave is not required to be paid absent some agreement to do so and includes accrued sick leave. A draft change in the County's Personnel Policy was reviewed which states that an employee must be sick in order to use sick leave (employee's actual illness, medical care or to tend to the medical needs of a spouse or dependent or, with consent of Official or Dept. Head, sick leave may be donated to other employees) and that unused accumulated sick leave will be forfeited upon leaving County employment. VanSlyke moved to amend the County Personnel Policy effective January 1, 2009 as to sick leave as stated in the written draft presented by County Attorney Clark, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler. It appears the EEOC will soon hear and rule on the discrimination claim filed by LeRoy Svoboda. He will contact Attorney Jensen with regard to the lawsuits filed by Walker and Bronson.

AED/CPR and First Aid training offered by NIRMA was discussed. The Clerk will circulate a sign-up sheet to determine interest and report at the next Board meeting.

Sevenker will contact Mayor O'Brien to set up a meeting of the committees to discuss consolidation of law enforcement and to find out where we are in reviewing the agreement for Partial Consolidation of Communications.

Supervisor Cetak left the meeting at 11:30 a.m.

One bid was received on the 2000 Crown Victoria, no bids were received on the 1990 or 1995 Crown Victorias. The bid was for \$100 by Ron Skolil. The bid was rejected as it was felt that the vehicle would bring more than that if sold for parts. VanSlyke will contact Farritor Auto Parts in Broken Bow to see if they would be interested in any or all of the vehicles. If not, the vehicles will be included on the next Wolf Auction.

The Board noted receipt of letters from Karl & Linda Wadas and Ron & Sharon Riskowski regarding their intent to refuse to grant an easement to Triple T Farms should they apply for expansion.

Resolution 08-34 to extend the County's commitment to participate in NIRMA and NIRMA II through June 30, 2012 was approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: Cetak, Vogeler. While the County has not been a member of NIRMA long enough to receive a share of the dividends this year, they will receive a recommitment dividend of \$679.

Baker moved to approve the closing of Courthouse offices on December 24 and December 31 at 1:00 p.m., seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

November claims, with exception of Jensen tire damage claim, and Fund Request were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

Cullers presented the written Wozab Quarterly Report ending September 30, 2008 showing a negative return.

Mail Folder items available for review: Governor Announces Grants, Candidate for NACO Sec/Treas, CNEDD Annual Meeting, Stock Auction Ad, Region 26 Agenda, Champlin Tire Recycling Scrap Tire Cleanup.

Meeting adjourned at 12:00 noon, to reconvene on December 9, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the November 25 meeting and an agenda for the December 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