

## September 27, 2016

The Cherry County Board of Commissioners met in regular session on September 27, 2016, as per notice in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. Roll call was taken. Present at this meeting were Cherry County Commissioners: Jim Van Winkle, Mark Adamson, and Tanya Storer. Also present were Cherry County Clerk, Tom Elliott, and Martin DeNaeyer.

The meeting was called to order at 10:00 AM by Chairman Adamson. The Open Meetings Act Notice was announced. The minutes of the last regular meeting were read. Commissioner Adamson moved to approve the minutes as read with three corrections. (1) The inclusion of a motion as follows, "Commissioner Adamson moved to set October 11, 2016 at 2:15 PM for a public hearing to consider changes to the wind energy provisions of the Cherry County Zoning regulations as recommended by the Cherry County Planning Commission. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner Storer-aye. Commissioner Adamson-aye. The motion carried." (2) The comparison of the total tax request for the prior year of \$5,272,374 to the current tax request of \$4,174,591. (3) Those in attendance for wind-energy discussions included Gail and Jim Herrmann, Charlene Reiser-McCormick, Carolyn Semin, and Jim Ducey. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner Storer-aye. Commissioner Adamson-aye. The motion carried.

County Treasurer, Jan Wiley, submitted a written letter of resignation to the County Board with her last day of employment to be November 30, 2016. Commissioner Storer stated that she has always appreciated and valued concerns brought to the Board and all the work that she has done while serving as County Treasurer.

Cyrus Wolfenden addressed the Board to request the extension of a culvert under a County road to better drain the area and allow for some new fencing. It was the consensus of the Board to contact the County Surveyor regarding the need for a Corps of Engineers permit.

Commissioner Van Winkle moved to approve the cost allocation plan prepared for Cherry County by Sequoia Consulting Group for the fiscal year ended June 30, 2015. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Adamson-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

It was the consensus of the Board to cancel the agenda item regarding bidding a loader at this time.

The Board discussed setting a time and date for conducting a public hearing to consider an application for a conditional use permit regarding a proposed wind-energy project near Kilgore. Present for the discussion were Jill Coble, Craig Andresen, Carol Neiman Lewis, Charlene Reiser-McCormick, Carolyn Semin, Craig Miles, Joy Miles, Jim Ducey, Eve Millar, Marion Rhoades, Merrial Rhoades, John Mundorf, Leroy Semin, Lana Peterson, Randy Peterson, Eric Johnson, Michael Knapp, Mike Burge, Gail Herrmann, Jim Herrmann, and Sherri Bacon.

County Assessor, Betty Daugherty, provided information on nameplate capacity taxes on wind turbines and assessments on improvements to real estate. The formula for state aid to schools was discussed as it might relate to news sources of revenue to a school district.

Randy Peterson addressed the Board regarding the possible negative impact on real estate valuations that might result from the construction of wind turbines. Leroy Semin and others discussed such issues as a possible moratorium on any formal Board decision related to a wind-energy project, a Governor's and Sandhills task force that is being created, wind-energy zoning regulations from other counties that could be reviewed, and an example of the decommissioning of a wind farm in Wyoming that is scheduled to begin in October.

Following the discussion, Commissioner Adamson moved to set October 26, 2016 at 4:00 PM for a public hearing to consider the application for a conditional use permit submitted by Eric Johnson, to be held at the Valentine High School Auditorium, pending confirmation from the school for the use of the room. Commissioner Van Winkle seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner Van Winkle-aye. Commissioner Adamson-aye. The motion carried.

Jim Classe and Bill Huey from Prochaska & Associates presented the Board with some options for remodeling the County-owned former post office building. No Board action was required at this time.

At 3:00 PM, as advertised, the Board recessed from regular session to convene as a Board of Corrections.



# Cherry County Board Minutes



At 4:00 PM, the Board returned to regular session.

The minutes from the September 13, 2016 Board of Corrections meeting were read. Commissioner Adamson moved to approve minutes as read. Commissioner Van Winkle seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner Van Winkle-aye. Commissioner Adamson-aye. The motion carried.

Commissioner Adamson moved to approve claims. Commissioner Van Winkle seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner Van Winkle-aye. Commissioner Adamson-aye. The motion carried.

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## CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	<b>183,862.47</b>	.
and disallowed in the amount of	\$	-	.

A warrant was ordered drawn on the General Fund in the amount of			\$
			<b>183,862.47</b>

### GENERAL

AFLAC	Withholdings/Insurance	\$1,081.61
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$13,616.09
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,856.92
Cherry County Health Account	Health Claims Funding	\$27,710.84
Colonial Life	Supplemental Insurance Premiums	\$3,286.81
DAS State Accounting	Services	\$240.70
EFTPS	Withholdings/Taxes	\$27,740.61
Legal Shield	Services	\$680.65
MassMutual	Withholdings/Retirement	\$1,850.00
Meritain Health	Health Insurance Premiums	\$12,568.06
NE Department of Revenue	Withholdings/Taxes	\$3,477.48
Eric Scott	Clerical Salary/Postage	\$3,743.78
Vision Service Plan	Withholdings/Insurance	\$355.90
General Fund Payroll	Payroll	\$119,479.60
	TOTAL	\$217,689.05
	Adjustment for employees' share of withholdings	(\$33,826.58)
	WARRANT AMOUNT	<b>\$183,862.47</b>

Claims were presented in the amount of	\$	<b>89,303.86</b>	.
and disallowed in the amount of	\$	-	.

A warrant was ordered drawn on the Road Fund in the amount of			\$
			<b>89,303.86</b>

### ROAD

AFLAC	Withholdings/Insurance	\$783.76
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$6,385.59
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,239.08
Assurity Life Insurance Company	Withholdings/Insurance	\$29.00
Cherry County Health Account	Health Claim Funding	\$17,850.57
Cherry County Treasurer	Withholdings/Tax Holdout	\$183.67
Colonial Life	Supplemental Insurance Premiums	\$1,792.30
Credit Management Services	Garnishment	\$326.03
DAS State Accounting	Services	\$27.70
EFTPS	Taxes/Withholdings	\$11,605.83
Legal Shield	Services	\$327.95
Meritain Health	Health Insurance Premiums	\$7,183.94
NE Department of Revenue	Taxes/Withholdings	\$1,274.94

SD Child Support Payment Center	Garnishment	\$224.48
Vision Service Plan	Withholdings/Insurance	\$225.51
Road Fund Payroll	Payroll	\$55,088.46
	TOTAL	\$104,548.81
	Adjustment for employees' share of withholdings	(\$15,244.95)
	WARRANT AMOUNT	<b>\$89,303.86</b>

Claims were presented in the amount of	\$	15,167.45	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Claims Fund in the amount of			\$ 15,167.45
<b>HEALTH CLAIMS FUND</b>			
Cherry County Clerk	Health Claims	\$15,167.45	
	TOTAL	<b>\$15,167.45</b>	

Claims were presented in the amount of	\$	2,413.85	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of			
<b>EMERGENCY MANAGEMENT</b>			
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$237.38	
EFTPS	Taxes/Withholdings	\$495.55	
NE Department of Revenue	Taxes/Withholdings	\$52.45	
Emergency Management Payroll	Payroll	\$2,110.00	
	TOTAL	<b>\$2,895.38</b>	
	Adjustment for employees' share of withholdings	(\$481.53)	
	WARRANT AMOUNT	<b>\$2,413.85</b>	

Claims were presented in the amount of	\$	107.19	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$ 107.19
<b>911 EMERGENCY SERVICES</b>			
US Cellular	Wireless Service	\$107.19	
	TOTAL	<b>\$107.19</b>	

**END**

At 4:35 PM, Chairman Adamson declared the meeting adjourned.

## BOARD OF CORRECTIONS MINUTES

September 27, 2016

The Cherry County Board of Commissioners met as a Board of Corrections, as advertised, at 3:00 PM on September 27, 2016. The Open Meetings Act was referenced by Chairman Adamson and the Open Meetings Act poster was acknowledged. Present for the meeting were Cherry County Commissioners: Mark Adamson, Jim Van Winkle, and Tanya Storer. Also present were Cherry County Clerk, Tom Elliott, and Martin DeNaeyer.

The Board of Corrections minutes from the September 13<sup>th</sup>, 2016 meeting were read and approved during regular session.

Lieutenant Krista Ostransky and Justice Center employee David Stoeger were present for the meeting.

The Board discussed an issue with Code Red alerts not working with Keya Paha County.



# Cherry County Board Minutes



An inmate grievance letter was reviewed. It was the consensus of the Board to recommend speaking with both Correctional Officers involved and then to respond in writing to the inmate.

The Board also acknowledged the receipt of a letter from the Valentine City Chief of Police. It was the consensus of the Board to forward the letter to the County Attorney.

Commissioner Storer updated the Board on interviews that were conducted regarding the ongoing investigation of complaints filed with the Nebraska Equal Opportunity Commission. No Board action was required at this time.

Lieutenant Ostransky stated that a Nebraska Jail Standards meeting was being scheduled for October 21, 2016 and would be held in Cherry County.

At 4:00 PM, Chairman Adamson declared the meeting adjourned.