



Cherry County Board Minutes



October 11, 2016

The Cherry County Board of Commissioners met in regular session on October 11, 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. Jim Ducey, Sam Miles, Twyla Witt, Merrial Rhoades, Chris Gentry, Bob Gentry, and Carolyn Semin were also in attendance.

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

The minutes from the September 27, 2016 Board of Corrections meeting were read. Commissioner Van Winkle moved to approve minutes as read. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Adamson-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

The Board reviewed the tax requests submitted by the local political subdivisions for fiscal year 2016-2017. Commissioner Van Winkle moved to set the respective tax levies according to the tax requests and the assessed valuations for 2016. Commissioner Adamson seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner Adamson-aye. Commissioner Van Winkle-aye. The motion carried.

Michelle Monroe presented the Board with a résumé and expressed interest in the County Treasurer's position.

Jon Davenport and Dean Jacobs, representing the Visitor's Promotion Board, addressed the Board regarding a proposed convention center in Valentine. It was the consensus of the Board to encourage the Tourism Board to revisit the idea with the Valentine City Council. Mr. Davenport also stated that the Tourism Board plans to contribute an additional \$50,000 from the Visitor's Improvement Fund to the Frederick's Peak Golf Course.

Commissioner Van Winkle moved to appoint Brittney Petersen as the Human Resource representative for Cherry County. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Adamson-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

Commissioner Adamson moved to accept, with regrets from the County Board, the written resignation received from Jan Wiley from the position of County Treasurer and to thank her for her years of service. Commissioner Storer seconded the motion. Roll call Vote was taken. Commissioner Van Winkle-aye. Commissioner Storer-aye. Commissioner Adamson-aye. The motion carried.

It was the consensus of the Board to advertise the vacancy for the County Treasurer position, which becomes vacant December 1, 2016.

It was the consensus of the Board to declare two Road Department vehicles, a 1998 Chevy pickup Unit# 1-108 and a 2005 Ford dump truck Unit# 2-105, as surplus equipment to the County to be disposed of at public auction.

County Attorney, Eric Scott, discussed some parameters to be used at the October 26, 2016 public hearing for the purpose of considering the application for a conditional use permit submitted by BSH Kilgore, LLC. A voluntary attendance sign-in sheet will be provided, although any person desiring to provide oral testimony will be required to sign in. Testimony will be limited to approximately five minutes per person. Additional written testimony will be allowed to be introduced. No Board decision will be made at the hearing. A written compendium of the information received at the hearing will be made available to the public as soon as practical following the hearing. Attendees at the hearing will be asked to use the east parking lot at the High School until students and faculty are gone.

It was the consensus of the Board to set 1:00 PM on October 25, 2016 to open bids for a wheel-loader.

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.

John Mundorf addressed the Board regarding assessed valuations of wind turbines and improvements on leased land related to wind farms. He questioned the treatment of the wind turbine west of Valentine. County Assessor, Betty Daugherty, provided some information on the appraisal process used in that case. No Board action was required.

The Board reviewed the fee report from the Clerk of the District Court for the month of September.

At 2:00 PM, as advertised, Chairman Adamson opened the public hearing to consider an application for a conditional use permit for Wayne Sharp. Rita Stoeger provided some additional information regarding the application. No one attended the hearing to offer testimony in opposition to the application. Zoning Administrator, Joel Mundorf, stated that the Planning Commission conducted a public hearing and recommended approval of the application.

Chairman Adamson closed the hearing at 2:10 PM. Commissioner Storer moved to adopt a resolution approving the C.U.P. application submitted by Wayne Sharp. Commissioner Van Winkle seconded the motion. Roll call vote was taken. Commissioner Adamson-aye. Commissioner Van Winkle-aye. Commissioner Storer-aye. The motion carried.

At 2:15 PM, as advertised, Chairman Adamson opened a public hearing to consider three proposed amendments to the wind-energy section of the Cherry County Zoning Regulations.

Commissioner Storer moved to relocate the meeting to the Cherry County Courtroom to better accommodate the size of the crowd. Commissioner Adamson seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner Adamson-aye. Commissioner Storer-aye. The motion carried.

Approximately 40 people attended the hearing. The voluntary sign-in sheet included Ann Warren, Karl Busch, Sherri Bacon, Gary Phipps, Craig Andresen, Randy & Lana Peterson, John Mundorf, Joe Mundorf, Jim & Gail Hermann, Debby Galloway, Shawn Robinson, Dale Stoner, Laura Vroman, Mary M. Arnold, Wayne Eater, Ruth Wilde, Bert Wilde, Kort Hamilton, Jim Ducey, Sam Miles, Twyla Witt, Merrial Rhoades, Chris Gentry, Bob Gentry, Leroy & Carolyn Semin, Michael Knapp, Gary & Rose MacLeod, Diane MacLeod, Byron Eater, Charlene Reiser-McCormick, and Eve Millar.

Chairman Adamson read the zoning amendments as proposed by the Cherry County Planning Commission and invited comments from those in attendance.

Concerns expressed included a better definition for the phrase, "financial assurances"; a request that easements be filed in the County records; a request that easements always need to be voluntary; a requirement that financial responsibility and liability carry forward to successor property owners; a request that the zoning requirements include consequences for any noncompliance; a requirement for periodic reviews of the value of wind energy systems; a requirement that engineers used for proposed wind energy projects be selected by the County Board of Commissioners.

After some further discussion, Chairman Adamson closed the public hearing at 3:45 PM.

Commissioner Adamson moved to adopt a resolution amending three portions of the wind energy section of the Cherry County Zoning Regulations as follows: (1) Add to 613.01 "Individual towers within a WECS shall require a zoning permit issued by the Zoning Administrator; (2) Add item 16 to 613.03 that states, "Documentation of all easement agreements for all transmission lines, feeder lines, and substations shall be required for the operation of the WECS and shall be filed with the Register of Deeds. Voluntary easements for the crossing of any form of neighboring properties shall be required." and; (3) Amend item 12 of the aggregate projects portion by deleting the words, "a competent party; such as" and "a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning"; and adding the statement, "Financial assurance in an amount sufficient to perform the required decommissioning per this plan will be required."

At 4:10 PM the Board recessed from regular session to convene as a Board of Corrections.

At 5:15 PM the Board returned to regular session.

The Board discussed receipt of the draft copy of the audit for fiscal year 2015-2016 with County Attorney, Eric Scott, It was the consensus of the Board to have Chairman Adamson contact the State Auditor's Office and then submit a written response to the issues identified in the audit.



Cherry County Board Minutes



October 11, 2016 CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	72,282.46	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$ 72,282.46

GENERAL

Ameritas Life Insurance Corp	Withholdings/Retirement	\$126.34
Anderson Electric	Services	\$258.93
Leonard Bear Robe	Gross Wages	\$1,123.01
Bomgaars	Supplies	\$34.97
Buckles Fuel Service	Fuel	\$119.11
CBM Managed Services	County Jail Food Service	\$3,436.74
CenturyLink	Telephone Service	\$354.72
Cherry County Court	Court Fees	\$911.46
Cherry County District Court	Court Fees	\$141.00
Cherry County Hospital	County Jail Medical	\$8,480.34
Cherry County Sheriff	Reimbursement	\$822.40
Clearly Communications	Telephone Service	\$580.11
Cody Oil Company	Fuel	\$252.87
Colonial Research Chemical Company	Supplies	\$265.20
DAS State Accounting	Services	\$448.00
Jody Dexter	Reimbursement	\$72.54
EFTPS (Federal Tax Payment)	Withholdings/Taxes	\$226.57
Election Systems & Software	Printing/Publishing	\$1,690.47
Thomas Elliott	Reimbursement	\$135.00
Encartele Inc	Inmate Phone System	\$1,120.00
Pat Greenough	Reimbursement	\$100.00
Shawn Hamling	Reimbursement	\$376.92
Hand's Lawn Service	Services	\$226.50
Timothy Hanson	Survey Party Chief	\$950.00
Henderson's IGA	Supplies	\$41.60
Jay D Jenkins	Reimbursement	\$19.05
Joe Kreycik	Reimbursement	\$30.00
L&J K-Lawn	Services	\$162.00
Loup Basin RC&D Council	Dues/Fees	\$525.32
William Marshall	Veteran Service	\$50.00
Mechanical Sales Parts	Supplies	\$134.83
Microfilm Imaging Systems	Services	\$166.00
Mips Inc	Services	\$1,187.45
Monroe HVAC Inc	Services	\$588.92
NACO (NE Association of County Officials)	Dues	\$30.00
NAPVA (NE Association of Prof Vets Adv)	Dues	\$100.00
Nebraska Department of Labor	Services	\$120.00
Nebraska Department of Revenue	Withholdings/Taxes	\$19.57
Nebraska Weed Control Association	Dues	\$35.00
NK Waste Management	Services	\$184.00
North Platte Telegraph	Subscription	\$192.40
NT&T	Telephone Service	\$987.31
O'Kief Law Office	Attorney Fees	\$2,580.00
Office Products Center	Office Supplies	\$1,406.39
Albert Osburn	Reimbursement	\$100.00

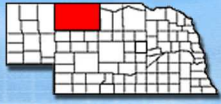
Krista Ostransky	Reimbursement	\$55.00
The Parts Company	Supplies	\$153.88
Petty Cash	Postage/Fees/Dues	\$252.90
Platte Valley Communications Inc	Equipment/Services	\$4,920.55
Postmaster	Postage	\$3,519.00
Prema (Panhandle Rural Electric Assn)	Utilities	\$184.61
Presto-X	Services	\$69.21
Quigley Dill & Quigley	Attorney Fees	\$300.00
James Quigley	Attorney Fees	\$4,400.00
Radiology Services PC	County Jail Medical	\$310.80
Region IV Inc	Services	\$2,626.00
Region 4 Behavioral Health System	Services	\$4,388.75
Ron's Quik Lube	Services	\$139.20
Sandhill Oil Company	Fuel	\$468.71
Eric Scott	Clerical Salary/Rent/Equipment	\$4,408.00
Security First Bank Visa	Travel Expenses	\$663.39
Shopko Pharmacy	County Jail Medical	\$1,341.81
Sirchie	Supplies	\$71.00
Lloyd Smith	Reimbursement	\$2,240.00
Samuel Q Spain	Veteran Service	\$200.00
Sundance Enterprises	Fuel	\$272.60
Tehrani Motor Company	Services	\$639.86
Three River Telco	Television Service	\$37.08
Tony's Tire & Auto Repair	Services	\$54.30
True Value Hardware	Supplies	\$53.44
Union Bank & Trust Visa	Supplies	\$144.11
UNL ITS Communications Center	Telephone Service	\$23.62
UNL Panhandle Research	Car Rental/Fuel	\$298.73
US Cellular	Telephone Service	\$97.04
Valentine Medical Clinic	County Jail Medical	\$275.00
Valentine Midland News	Publishing Services	\$1,395.02
Valentine Office Supply	Office Supplies	\$202.80
City of Valentine	Utilities	\$6,060.60
Viaero Wireless	Telephone Service	\$318.40
Ward Plumbing & Heating	Services	\$21.00
Gary Weaver	Reimbursement	\$55.00
Wex Bank	Fuel	\$783.78
Janice Wiley	Reimbursement	\$135.00
	TOTAL	\$72,493.23
	Adjustment for employees' share of withholdings	(\$210.77)
	WARRANT AMOUNT	\$72,282.46

Claims were presented in the amount of	\$	304,836.02	.
and disallowed in the amount of	\$	-	.

A warrant was ordered drawn on the Road Fund in the amount of **\$304,836.02**

ROAD

Allard Precast	Supplies	\$3,780.00
Arrowcraft	Supplies	\$21,840.00
B&S Auto Repair	Services	\$30.10
B's Enterprises	Supplies	\$35.00
Bacon Repair	Services	\$3,644.02
Barco Municipal Products Inc	Supplies	\$305.98
Best Western - Ramkota Hotel	Lodging	\$374.20
Bluetarp Financial	Services	\$462.36
Bomgaars	Supplies	\$640.52
Douglas Boyer	Reimbursement	\$214.79
Buckles Service	Fuel	\$9,959.15
California Contractors Supplies	Services	\$810.16



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Calls Heating & AC	Services	\$84.60
Colonial Research Chemical Company	Supplies	\$4,394.66
Consolidated Telephone	Telephone Service	\$201.53
Country Pride	Supplies	\$7,963.89
Cow Country Sales & Service	Supplies	\$395.00
Croell Redi-Mix	Supplies	\$4,463.65
Custer Public Power District	Utilities	\$145.73
Dale's Tire & Retreading	Services	\$3,000.00
DAS State Accounting Central Finance	Fees	\$81,075.00
Emerson Equipment	Supplies	\$98.48
Farmers-Ranchers Coop	Supplies	\$2,897.30
Greg Frye	Services	\$3,000.00
Great Plains Communications	Utilities	\$284.69
G3 Enterprises	Supplies	\$127.50
Melvin Hartman	Supplies	\$24,495.00
Hills Materials Company	Supplies	\$12,266.25
Hometown Lumber	Supplies	\$12.68
Huskerland Communications	Supplies	\$79.99
KBR Rural Public Power District	Utilities	\$174.10
Kohler Trailer Sales	Supplies	\$21.80
Lawson Products Inc	Supplies	\$187.99
Light & Siren	Supplies	\$491.49
Martin Marietta Materials Inc	Supplies	\$1,675.54
Menards	Supplies	\$286.17
Village of Merriman	Utilities	\$47.00
Mips Inc	Services	\$180.00
Motor Carrier Services Division	Services	\$42.76
Village of Mullen	Utilities	\$120.00
Neal Oil & Auto Center	Services	\$7,787.93
Nebraska Machinery Co	Supplies	\$15,490.80
Nebraska Motor Fuels Division	Taxes	\$4,577.00
Nebraska Public Power District	Utilities	\$60.79
Nebraska Truck Center Inc	Supplies	\$760.45
NK Waste Management	Services	\$82.00
Northern Materials LLC	Supplies/Services	\$69,510.00
NT&T	Telephone Service	\$91.74
The Parts Company	Supplies	\$301.11
Perrett Construction	Supplies	\$1,164.96
Pit Stall Inc	Services	\$2,312.25
Platte Valley Communications	Supplies	\$945.32
Powerplan	Supplies	\$459.54
Prema (Panhandle Rural Electric Assn)	Utilities	\$6.34
Sandhill Oil Co	Fuel	\$72.92
Sandhills Ranch Supply	Supplies	\$290.62
Security First Bank	Payment	\$7,099.03
SDSU-SDLTAP	Services	\$200.00
Stec Electric	Services	\$436.39
Tehrani Motor Company	Services	\$101.45
US Cellular	Telephone Service	\$189.08
Valentine Midland News	Services	\$69.00
City of Valentine	Utilities	\$358.22
Wreck-A-Mended Body Works	Services	\$400.00
John Wright	Services	\$1,760.00
	TOTAL	\$304,836.02

Claims were presented in the amount of	\$	8,175.00	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Bridge Fund in the amount of			\$	8,175.00

EMERGENCY BRIDGE

Perrett Construction	Services			\$8,175.00
	TOTAL		\$	8,175.00

Claims were presented in the amount of	\$	11,867.73	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$	11,867.73

VISITOR PROMOTION

Cherry County Visitors Promo Board	Insurance/Utilities/Fees/Grants			\$4,382.71
Flagship Publishing	Advertising			\$450.00
Nebraska Journal Leader	Advertising			\$203.04
Ron Lower Construction	Services			\$128.00
Scotty's Ranchland Foods	Supplies			\$33.36
Sioux City Journal Communications	Advertising			\$330.00
Valentine Chamber of Commerce	Salary/Wages/Insurance			\$2,656.00
Valentine Midland News	Services			\$58.85
Valentine Office Supply	Supplies			\$45.99
Western Nebraska Tourism Coalition	Dues			\$3,579.78
	TOTAL			\$11,867.73

Claims were presented in the amount of	\$	5,000.00	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Visitor Improvement Fund in the amount of			\$	5,000.00

VISITOR IMPROVEMENT

Centennial Hall Museum	Roof			\$5,000.00
	TOTAL			\$5,000.00

Claims were presented in the amount of	\$	8,017.75	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Health Claim Fund in the amount of			\$	8,017.75

EMPLOYEE HEALTH INSURANCE CLAIM

Cherry County Clerk	Claims and Fees			\$8,017.75
	TOTAL			\$8,017.75

Claims were presented in the amount of	\$	6,500.00	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$	6,500.00

BOOKMOBILE

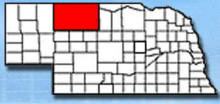
Valentine Public Library	Bookmobile			\$6,500.00
	TOTAL			\$6,500.00

Claims were presented in the amount of	\$	771.31	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	771.31

EMERGENCY MANAGEMENT

Bomgaars	Supplies			\$44.46
CenturyLink	Telephone Service			\$185.16
KBR Rural Public Power District	Utilities			\$100.44
Don Marrs	Deputy Services			\$250.00
Sundance Enterprises	Fuel			\$127.63
Valentine Office Supply	Supplies			\$63.62
	TOTAL			\$771.31

Claims were presented in the amount of	\$	4,061.55	.	
and disallowed in the amount of	\$	-	.	



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A warrant was ordered drawn on the Inheritance Tax Fund in the amount of \$ 4,061.55
INHERITANCE TAX
 Globalstar Inc Equipment \$4,061.55
TOTAL \$4,061.55

Claims were presented in the amount of \$ 1,011,247.38 .
 and disallowed in the amount of \$ - .

A warrant was ordered drawn on the Jail/Public Safety Bond Fund in the amount of \$ 1,011,247.38
JAIL/PUBLIC SAFETY BOND
 Security First Bank Bond Payment \$1,011,247.38
TOTAL \$1,011,247.38

Claims were presented in the amount of \$ 2,916.93 .
 and disallowed in the amount of \$ - .

A warrant was ordered drawn on the Courthouse Fund in the amount of \$ 2,916.93
COURTHOUSE
 Prochaska & Associates Services \$2,916.93
TOTAL \$2,916.93

Claims were presented in the amount of \$ 6,801.23 .
 and disallowed in the amount of \$ - .

A warrant was ordered drawn on the Emergency Services Fund in the amount of \$ 6,801.23
EMERGENCY SERVICES
 Platte Valley Communications Equipment \$3,131.23
 Rock County Treasurer Fees \$3,670.00
TOTAL \$6,801.23

END

At 7:30 PM, Chairman Adamson declared the meeting adjourned.

Approved this day, **October 25, 2016**

BOARD OF COMMISSIONERS

Thomas E Elliott

Cherry County , Nebraska

Cherry County Clerk

BOARD OF CORRECTIONS MINUTES**October 11, 2016**

The Cherry County Board of Commissioners met as a Board of Corrections at 4:10 PM on October 11, 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 Cherry County Attorney, Eric Scott.

The Board of Corrections minutes from the September 27, 2016 meeting were read and approved during regular session.

Justice Center employee Brittany Schubauer presented the Board with a list of suggestions for improving the efficiency of some jail functions. It was the consensus of the Board to take the suggestions under advisement.

At 4:15 PM, Chairman Adamson moved to enter executive session to discuss pending litigation against the County. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner Storer-aye. Commissioner Adamson-aye. The motion carried.

At 5:15 PM, the Board exited closed session and returned to regular session. No Board action was required at this time.
At 5:15 PM, Chairman Adamson declared the meeting adjourned.

Approved this day,

October 25, 2016



Cherry County Board Minutes



BOARD OF COMMISSIONERS

Thomas E Elliott

Cherry County , Nebraska

Cherry County Clerk
