

# BOARD OF COMMISSIONERS MINUTES

## April 24, 2018

The Cherry County Board of Commissioners met in regular session on April 24, 2018 at 10:00 AM, as per notice in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. The meeting was called to order at 10:00 AM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Jim Van Winkle, Tanya Storer, Martin DeNaeyer, County Clerk Thomas Elliott, County Clerk employee, Brittny Petersen, and approximately 50 members of the general public. The Open Meetings Act Poster was acknowledged by Chairman Storer and the Pledge of Allegiance was recited.

Regular meeting minutes from the April 10, 2018 meeting were read. Commissioner DeNaeyer moved to approve the minutes as read. Commissioner Van Winkle seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner DeNaeyer-aye. Commissioner Storer-aye. The motion carried.

The Board of Corrections meeting minutes from April 10, 2018 were read. Commissioner Van Winkle moved to approve the minutes as read. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

County Surveyor Lloyd Smith presented the Board with information regarding proposed armor coat projects. Commissioner Van Winkle moved to proceed with advertising for bids for various armor coat projects in Cherry County during 2018, with bid openings to be May 29, 2018. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner Storer-aye, Commissioner Van Winkle-aye, Commissioner DeNaeyer-aye. The motion carried.

Commissioner Storer moved to approve an application from CenturyLink QC to install new fiber cable in County right-of-way along Nollett Road and West Ridge Road in T34N, R27W and R28W. The motion was seconded by Commissioner Van Winkle. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner DeNaeyer-aye. Commissioner Storer-aye. The motion carried.

Commissioner Van Winkle moved to approve an application from CenturyLink QC to install new fiber cable in County right-of-way along Borman Bridge Road in T33N, R27W. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner DeNaeyer-aye, Commissioner Storer-aye, Commissioner Van Winkle-aye. The motion carried.

Commissioner Storer moved to approve Supplemental Agreement No. 3 between Cherry County and JEO Consulting Group, Inc regarding Niobrara Scenic River Road Project No. TCSP-16 (36) providing for redesign on the overlook and NEPA Coordination and the related signing resolution No. 04-24-2018-1. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner Storer-aye, Commissioner Van Winkle-aye, Commissioner DeNaeyer-aye. The motion carried.

Due to the size of the audience, it was the consensus of the Board to temporarily move the meeting to the Cherry County Courtroom. Approximately 60 people were in attendance.

Carolyn Semin addressed the Board regarding several claims that were approved and paid from June 2011 to November 2011 from the County's General Fund and Inheritance Tax Fund. The claims were associated with expenses incurred by the committee appointed by the County Board to research the feasibility of wind-energy development in Cherry County and a proposed NPPD transmission line. Funding was provided to pay the costs for conducting some meetings, hiring professional consultants and funds for the not-for-profit wind committee that existed at that time. The claims identified by Mrs. Semin totaled \$13,188.04.

Commissioner Storer moved to request the reimbursement of \$13,188.04 from the wind association to the County.

Commissioner Van Winkle offered some background information that influenced the County Board to appoint the original wind committee.

It was the consensus of the Board to table the motion on the floor until later.

Tobin Buchanan, Vice President of Public Finance for First National Capital Markets, addressed the Board to introduce himself and his company. He provided information regarding services offered by his company and a list of some of their Nebraska County clients. No Board action was required.

It was the consensus of the Board to recess for lunch from 12:00 noon until 1:00 P.M.



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At 1:00 PM, the following persons offered public comments: Sherri Bacon, Wanda Simonson, Leroy Semin, Twyla Witt, Merrial Rhoades, Craig Andresen, Jim Ducey, Cleve Trimble, Janet Parkhurst, Craig Miles, Bob Stetter, Caleb Miles, Ann Warren, Jan Drinkwalter, Dixie Hollenbeck, Eve Millar, Jill Coble, Lila Churchill, Olen Olson and Kallie Kieborz. Comments included requests to record Commissioner Meetings, Board contact information, Board plans for moving forward with wind-energy issues with the Planning Commission, revisiting zoning regulations, information from Custer County residents regarding negative experiences with wind turbines, and issues regarding social media posts among some other public comments.

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

At 3:50 PM the Board returned to regular session.

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

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## CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	<b>200,789.99</b>	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$
			<b>200,789.99</b>

### GENERAL

AFLAC	Withholdings/Insurance	\$1,212.57	
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$14,254.53	
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$2,558.08	
Cherry County Health Account	Health Claims Funding	\$36,227.67	
Colonial Life	Supplemental Insurance Premiums	\$4,820.07	
Credit Bureau Services	Withholdings/Garnishment	\$430.45	
Credit Management Services	Withholdings/Garnishment	\$54.49	
EFTPS	Withholdings/Taxes	\$25,636.18	
Legal Shield	Services	\$403.35	
MassMutual	Withholdings/Retirement	\$1,100.00	
Meritain Health	Health Insurance Premiums	\$15,043.59	
NE Department of Revenue	Withholdings/Taxes	\$3,316.47	
Eric Scott	Clerical Salary/Postage/Telephone	\$4,417.00	
Vision Service Plan	Withholdings/Insurance	\$513.27	
General Fund Payroll	Gross Salaries & Wages	\$124,057.88	
		<b>TOTAL</b>	<b>\$234,045.60</b>
Adjustment for employee reimbursement of insurance			-\$123.76
Adjustment for employees' share of withholdings			(\$33,131.85)
<b>WARRANT AMOUNT</b>			<b>\$200,789.99</b>

Claims were presented in the amount of	\$	<b>104,557.09</b>	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$
			<b>104,557.09</b>

### ROAD

AFLAC	Withholdings/Insurance	\$1,389.52
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$7,577.66
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,188.64
Assurity Life Insurance Company	Withholdings/Insurance	\$21.75

Cherry County Treasurer	Withholdings/Jury Duty	\$35.00
Cherry County Health Account	Health Claim Funding	\$17,515.42
Colonial Life	Supplemental Insurance Premiums	\$2,332.87
Credit Management	Withholdings/Garnishment	\$309.00
EFTPS	Taxes/Withholdings	\$14,551.48
Legal Shield	Services	\$257.10
Meritain Health	Health Insurance Premiums	\$6,946.54
NE Department of Revenue	Taxes/Withholdings	\$1,939.31
SD Child Support Payment Center	Garnishment	\$433.33
Vision Service Plan	Withholdings/Insurance	\$224.14
Road Fund Payroll	Gross Wages & Salaries	\$69,136.69
	TOTAL	\$123,858.45
	Adjustment for employees' share of withholdings	(\$19,301.36)
	WARRANT AMOUNT	<b>\$104,557.09</b>

Claims were presented in the amount of	\$	<b>10,197.64</b>	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Claims Fund in the amount of			\$ <b>10,197.64</b>
<b>HEALTH CLAIMS FUND</b>			
Cherry County Clerk	Health Claims		\$10,197.64
	TOTAL		<b>\$10,197.64</b>

Claims were presented in the amount of	\$	<b>2,784.89</b>	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$ <b>2,784.89</b>
<b>EMERGENCY MANAGEMENT</b>			
Ameritas Life Insurance/Retirement	Withholdings/Retirement		\$273.86
EFTPS	Taxes/Withholdings		\$546.11
NE Department of Revenue	Taxes/Withholdings		\$66.68
Emergency Management Fund Payroll	Gross Salary & Wages		\$2,434.34
	TOTAL		<b>\$3,320.99</b>
	Adjustment for employees' share of withholdings		(\$536.10)
	WARRANT AMOUNT		<b>\$2,784.89</b>

**END**

At 4:00 PM Chairman Storer declared the meeting adjourned.

## BOARD OF CORRECTIONS MINUTES APRIL 24, 2018

The Cherry County Board of Commissioners met as a Board of Corrections at 3:00 PM on April 24, 2018, as per notice in the Valentine Midland News, with the agenda being on file in the office of the County Clerk. The Open Meetings Act Poster was acknowledged by Chairman Storer. Present for the meeting were Cherry County Commissioners Jim Van Winkle, Tanya Storer, Martin DeNaeyer, Cherry County Clerk Thomas Elliott, and Cherry County Clerk employee, Brittny Petersen. Also present for the meeting were Harold Osgood, Carolyn Semin, and Jill Coble.

The Board of Corrections minutes from the April 10, 2018 meeting were read and approved during regular session.

The Board reviewed applications for the County Justice Center Administrator position.

Justice Center Sergeant Sharon Hesse updated the Board on the jail census and reviewed applications for employment. No formal Board action was required at this time.



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Commissioner Storer moved to approve a written settlement agreement and general release, as provided by the Cherry County Attorney, with former Justice Center employee Danielle Bassler. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner Storer-aye. Commissioner Van Winkle-aye. Commissioner DeNaeyer-aye.

Sergeant Hesse reported on the new scheduling software being used by the Justice Center.

At 3:50 PM Chairman Storer declared the meeting adjourned.