

# BOARD OF COMMISSIONERS MINUTES

## May 29, 2018

The Cherry County Board of Commissioners met in regular session on May 29, 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, and County Clerk staff member, Brittney Petersen. Also present were Merrial Rhoades, Carolyn Semin, Jim Ducey, James Ward, Craig Andresen and Dave Hamilton. The Open Meetings Act Poster was acknowledged by Chairman Storer and the Pledge of Allegiance was recited.

Regular meeting minutes from the May 8, 2018 meeting were read. Commissioner Van Winkle moved to approve the minutes as read. Commissioner DeNaeyer 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 May 8, 2018 were read. Commissioner DeNaeyer moved to approve the minutes as read. The motion was seconded by Commissioner Van Winkle. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

The Board participated in a conference call with the County's health insurance carrier, NOVO. Spencer Thomas provided information on medical transport coverage and renewal of the County's plan. It was the consensus of the Board to formally act on the renewal at the June 12<sup>th</sup> meeting.

County Surveyor Lloyd Smith presented four agreements with Quest Corp dba Century Link QC authorizing copper fiber cable and conduit to be buried in the right-of-way along some County roads. It was the consensus of the Board to approve the agreements and authorize the Board chair to sign the agreements for projects in Sec. 26, T 34N, R 28W; Sect. 9, T 33N, R 27W; Sect. 35, T 43N, R 28W and Sec. 29, T 34N, R 27W.

At 11:00 AM, as advertised, sealed bids were opened regarding armor coating. Bids were received from Topkote Inc. and Figgins Construction Co. Inc. it was the consensus of the Board to have the County Surveyor contact the contractors for additional information and table a decision on the bids until later in the meeting.

Brian Delimont, representing 3-River Telco, addressed the Board to request support for Cherry County's cable system modifying its market area from South Dakota to Nebraska. The Federal Communications Commission would need to approve the change which would allow local channels to come from the Lincoln & Hastings-Kearney DMA (Designated Market Area).

Commissioner Van Winkle moved to adopt Resolution #5-29-18-1, supporting a petition to the FCC to modify Three River Telco's DMA from South Dakota to Nebraska, with options for satellite providers. The motion was seconded by Commissioner Storer. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Van Winkle-aye. Commissioner Storer-aye. The motion carried.

It was the consensus of the Board to recess from noon to 1:00 PM.

At 1:00PM public comment, Bob Stetter addressed the total amount of expenditures approved by the County Board for wind development research approximately 7 years ago; Craig Andresen recommended an audit to identify the total expenditures at that time; Sherri Bacon addressed the concept of audio recording the Commissioner meetings; Jim Ducey presented written comments requesting that the filing fee for industrial project CUP's be increased to \$500; and Carolyn Semin commented on the money spent by the County for wind-related expenditures.

Commissioner Van Winkle moved to accept the written resignation received from Kerry Krueger from the Cherry County Visitor's Promotion Board, effective immediately. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner Van Winkle-aye. Commissioner DeNaeyer-aye. The motion carried.

Commissioner Storer moved to re-address a motion made at the regular County Board meeting on April 24<sup>th</sup>, 2018 requesting the reimbursement of \$13,188.04 from the wind association to Cherry County. The motion did not receive a second. It was the consensus of the Board that both motions would die for lack of a second.



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At 2:00PM, as advertised, Commissioner Storer opened a public hearing to consider an application for a conditional use permit for USCO for a new communications tower. Cherry County Zoning Administrator Jessica Coyle stated that the Cherry County Planning Commission held a public hearing on the matter and unanimously recommended approval of the application.

The C.U.P. would allow the replacement of an existing 280' tower with a new self-supporting tower of the same height. Jim Ducey submitted written comments citing lack of compliance with Cherry County Zoning Regulations. It was the consensus of the Board to amend the proposed resolution to allow co-location of County-owned equipment on the new tower and requiring the decommissioning of the old tower within 60 days.

At 2:30 PM, Commissioner Storer closed the Public Hearing.

It was the consensus of the Board to table formal action on the CUP application to the June 12, 2018 meeting.

At 2:32 PM, as advertised the Board recessed from regular session to convene as a Board of equalization.

County Assessor Betty Daugherty presented five tax list corrections that resulted from accelerating the due date for tax payments on properties that were sold.

It was the consensus of the Board to approve the five tax list corrections as presented by the County Assessor.

Commissioner Storer adjourned the Board of Equalization meeting at 2:45 PM and the Board returned to regular session.

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

The Board returned to regular session at 3:50 PM.

The Board reviewed a financial report from the Sawyer Memorial Library. No Board action was required.

It was the consensus of the Board to table the personnel handbook update agenda item to the next meeting.

Joan Rupe met with the Board to discuss recommendations to fill the Visitors Promotion Board vacancy created by the resignation created by Kerry Krueger.

Commissioner Storer moved to appoint Ritchie Mercure to the Cherry County Visitors Promotion Board to complete the remaining term of Kerry Krueger which will expire January 28, 2020. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

The Board also discussed the concept of expanding the Visitors Promotion Board from 5 members to 7 members. No Board action was taken at this time.

Gary Weaver addressed the Board regarding some communications equipment issues. No Board action was required.

The Board further discussed the armor coat bids received earlier in the meeting.

Commissioner DeNaeyer moved to accept the low bid received from Figgus Construction Co. Inc. for armor coat projects. 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 DeNaeyer moved to approve claims. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Van Winkle-aye. Commissioner DeNaeyer-aye. Commissioner Storer-aye. The motion carried.

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## CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	200,591.32	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of			\$
			200,591.32

**GENERAL**

AFLAC	Withholdings/Insurance	\$1,096.10	
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$15,014.80	
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$2,417.52	
Cherry County Health Account	Health Claims Funding	\$31,545.84	
Colonial Life	Supplemental Insurance Premiums	\$4,411.87	
Credit Management Services	Withholdings/Garnishment	\$387.72	
EFTPS	Withholdings/Taxes	\$27,283.96	
Legal Shield	Services	\$403.35	
MassMutual	Withholdings/Retirement	\$1,100.00	
Meritain Health	Health Insurance Premiums	\$13,009.08	
NE Department of Revenue	Withholdings/Taxes	\$3,682.54	
Eric Scott	Clerical Salary/Postage/Telephone	\$3,852.54	
Vision Service Plan	Withholdings/Insurance	\$484.32	
General Fund Payroll	Gross Wages	\$130,371.98	
		TOTAL	\$235,061.62
Adjustment for employees' share of withholdings			(\$34,470.30)
		WARRANT AMOUNT	\$200,591.32

Claims were presented in the amount of	\$	104,950.67	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$
			104,950.67

**ROAD**

AFLAC	Withholdings/Insurance	\$1,389.52	
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$7,716.33	
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,188.64	
Assurity Life Insurance Company	Withholdings/Insurance	\$21.75	
Cherry County Treasurer	Withholdings/Delinquent Taxes	\$147.70	
Cherry County Health Account	Health Claim Funding	\$17,515.42	
Colonial Life	Supplemental Insurance Premiums	\$2,332.87	
Credit Management	Withholdings/Garnishment	\$262.74	
EFTPS	Taxes/Withholdings	\$14,699.03	
Legal Shield	Services	\$257.10	
Meritain Health	Health Insurance Premiums	\$6,946.54	
Nationwide Management Services	Withholdings/Garnishment	\$468.62	
NE Department of Revenue	Taxes/Withholdings	\$2,023.53	
SD Child Support Payment Center	Garnishment	\$433.33	
Vision Service Plan	Withholdings/Insurance	\$224.14	
Road Fund Payroll	Gross Wages	\$69,425.02	
		TOTAL	\$125,052.28
Adjustment for employees' share of withholdings			(\$20,101.61)
		WARRANT AMOUNT	\$104,950.67

Claims were presented in the amount of	\$	47,360.26	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Claims Fund in the amount of			\$
			47,360.26

**HEALTH CLAIMS FUND**

Cherry County Clerk	Health Claims	\$47,360.26	
		TOTAL	\$47,360.26



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Claims were presented in the amount of	\$	21,007.76	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of			<b>\$21,007.76</b>
<b>EMERGENCY MANAGEMENT</b>			
Ameritas Life Insurance/Retirement		Withholdings/Retirement	\$335.60
EFTPS		Taxes/Withholdings	\$684.00
NE Department of Revenue		Taxes/Withholdings	\$89.82
Rock County Treasurer		Region 24 Emergency Management	\$17,595.17
Emergency Management Payroll		Gross Salary	\$2,983.03
		TOTAL	<b>\$21,687.62</b>
		Adjustment for employees' share of withholdings	(\$679.86)
		WARRANT AMOUNT	<b>\$21,007.76</b>

**END**

At 5:25 PM Chairman Storer declared the meeting adjourned.

## BOARD OF CORRECTIONS MINUTES MAY 29, 2018

The Cherry County Board of Commissioners met as a Board of Corrections at 3:00 PM on May 29, 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 Attorney Eric Scott. Also present for the meeting were Carolyn Semin and James Ward.

The Board of Corrections minutes from the May 8, 2018 meeting were read and approved during regular session.

Justice Center Administrator Sharon Hesse addressed the Board regarding some upcoming trainings and the jail standards inspection scheduled for June 6<sup>th</sup>, 2018. She also discussed Nebraska Safety & Fire inspecting the Justice Center sprinkler system.

Due to the hiring of a full-time Justice Center Administrator, Commissioner Storer moved to eliminate the interim Justice Center Lieutenant position, effective immediately. The motion was seconded by Commissioner Van Winkle. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Storer-aye. Commissioner Van Winkle-aye. The motion carried.

The County Attorney reported that there were no pending legal issues that required Board discussion at this time.

There being no further business to come before the Board, Chairman Storer declared the meeting adjourned at 3:50 PM.