



Cherry County Board Minutes



BOARD OF COMMISSIONERS MINUTES

June 11, 2019

The Cherry County Board of Commissioners met in regular session on June 11, 2019 at 10:00 AM in the Cherry County Courthouse, 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 Tanya Storer, James Ward, Martin DeNaeyer, and Deputy Cherry County Clerk Elise Hamling. The Open Meetings Act Poster was acknowledged by Chairman Storer and the Pledge of Allegiance was recited.

The regular meeting minutes from May 28, 2019 were read. Commissioner DeNaeyer moved to approve the minutes as corrected. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

The Board of Corrections meeting minutes from the May 28, 2019 were read. Commissioner Storer moved to approve the minutes as corrected. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

Valentine Public Library Director Ann Quigley presented the Board with a recommendation from the Valentine Community Library Board of Trustees to reappoint Sheila Wheeler to another 4 year term. They noted that Sheila has been a wonderful addition to the board and has served for many years successfully fulfilling varying roles.

It was the consensus of the Board to reappoint Sheila Wheeler as the Cherry County Board representative for the Valentine Public Library Board of Trustees for a term to expire June 1, 2023.

The Board reviewed correspondence received from the Roth Ranch regarding the reconstruction of their roadway. Commissioner Storer noted that the culvert needed to repair the road is currently on order and will be completed upon the receipt of the necessary materials. No Board action was required.

Sallie Atkins, a representative from Congressman Adrian Smith's office, addressed the Board regarding recent action, involvement and current projects of Congressman Smith. Sallie engaged the Board in conversation regarding the ongoing coordination between Cherry County and FEMA for Emergency Declaration affairs throughout the county. The Board noted that later in the day Region 24 Emergency Manager Doug Fox would be giving an update regarding the most recent communications with FEMA and that they would suggest that he reach out to her if he had any additional concerns or questions.

At 11:00 AM, as advertised, Chairman Storer opened the public hearing regarding CUP Application #001/19 submitted by Mercure Cattle Co., LLC.

Rich and Randy Mercure provided background, context and plans for building a shower house/restroom facility, bunkhouse, pavilion/shelter and portable outhouses in Section 2, Township 33N, Range 25W.

Mary Tinant, an adjacent landowner, asked if this would have any potential impact on their road, through discussion between landowners it was established there should be no issues.

No opposition was expressed regarding this CUP Application.

At 11:14 AM, Chairman Storer closed the public hearing.

Commissioner DeNaeyer moved to adopt Zoning Resolution #Z-78, approving CUP #001/19 submitted by Mercure Cattle Co., LLC. The motion was seconded by Commissioner Ward. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

At 11:20 AM, Chairman Storer opened the public hearing regarding CUP Application #003/19 submitted by Mountain Tower & Land, LLC.

Rick Bailey, Mountain Tower & Land, LLC representative, provided background on the application noting that a CUP Application #004/15 had previously been submitted and gone unused due to conflicts in construction scheduling. The current CUP Application being considered is to build a cellular tower south of Merriman in Section 32, Township 33N, Range 37W.

No opposition was expressed regarding this CUP Application.

At 11:40 AM, Chairman Storer closed the public hearing.

Commissioner Storer moved to adopt resolution #Z-79, approving CUP #003/19 submitted by Mountain Tower & Land, LLC. The motion was seconded by Commissioner DeNaeyer. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

Region 24 Emergency Manager Doug Fox provided the Board with an update regarding the recent communications with FEMA and NEMA in regard to both of the Disaster Declarations and repair planning/coordination involved. Doug informed the Board that they are still in the process of ensuring that all of the information has been properly received by FEMA and is documented accordingly. No Board action was required.

At 12:10 PM, the Board recessed for Lunch.

At 1:10 PM, during the allotted time, the Board received comments from the Public.

Brent Peterson Cherry County Hospital Administrator/CEO addressed the Board regarding the 2019-2020 budget for the Hospital. Brent presented the budget overview, full budget document, and gave a report on the progression of the renovations and financial outlook. The Hospital Board of Trustees has recommended the approval of their budget to the Board.

Mr. Peterson also noted that the Cherry County Hospital Board of Trustees would like to recommend the reappointment of Sheila Wheeler to another term which is set to expire on July 1, 2019. No Board action was taken at this time.

County Assessor Betty Daugherty addressed the Board regarding the newly passed LB512 and how it could impact the function and timeline for our Board of Equalization meetings this year. Commissioner Storer and Commissioner Ward shared some insight acquired at a NACO Board of Equalization training they had recently attended.

At 2:03 PM, as advertised, The Board recessed from their regular meeting to convene as a Board of Equalization.

At 2:20 PM, the Board returned to regular session.

County Attorney Eric Scott presented the Board with the Revised Landowner Agreement regarding the Nenzel Communications tower. This agreement was reviewed for accuracy by the Board.

Commissioner Storer moved to approve the Revised Landowner Agreement Contract with John Ravenscroft as presented. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

At 2:35 PM, the Board recessed from regular session to convene as a Board of Corrections.

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

City of Valentine Attorney Susan Beel had come before the Board on April 30, 2019 and presented a siting application to expand within the current confines of the existing property for the purpose of adding a new cell specifically for construction and demolition waste disposal. A public hearing was conducted and no testimony was received during the public hearing.

No testimony in opposition to this Siting Application was received by either the Valentine City Attorney or Cherry County Board of Commissioners.



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Commissioner DeNaeyer moved to adopt the Valentine Area Waste Agency Resolution #2019:6-11-2019-01. The motion was seconded by Commissioner Storer. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

John Schuele addressed the Board and provided background regarding CUP Application #004/19 and noted timelines and prep-work prior to beginning construction of the golf course.

Commissioner Storer moved to schedule the public hearing for the purpose of considering CUP Application #004/19 submitted by John Schuele for the purpose of building a golf course with associated structures in Sections 22, 23 & 24 of Township 32N, Range 30W for Monday, July 1, 2019 at 2:30 PM in the Conference Room of the Cherry County Courthouse. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

Zoning Administrator Jessica Coyle presented the Board with the minutes from the Planning Commission's June 4, 2019 Public Hearing which was to hear public testimony regarding CUP Application #003/18 submitted by BSH Kilgore, LLC for the purpose of building a Commercial/Utility Grade Wind Energy Conversion System. The minutes of the Cherry County Planning Commission reflect a 4-3 vote to accept and recommend the approval of CUP Application #003/18.

Commissioner DeNaeyer moved to schedule the public hearing for the purpose of considering CUP Application #003/18 submitted by BSH Kilgore, LLC for the purpose of building a Commercial/Utility Grade Wind Energy Conversion System to be located in all or parts of Sections 18, 19, 20, 29, 30, 31 and 32 of Township 34N, Range 31W of the 6th PM and Sections 13, 14, 23, 24, 25, 26, 27, 34, 35 and 36 of Township 34N, Range 32W of the 6th PM with tentative road and power line easements contingent upon the approval of application listed above, for Tuesday, July 16, 2019 at 2:30 PM at the Valentine High School Auditorium. The motion was seconded by Commissioner Ward. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

The Board noted the etiquette expected for the July 16, 2019 Public Hearing: a time limit of 3 minutes per speaker, all written testimony is to be submitted in quadruplicate hard copy format (one for the public record/County Clerk, one for each County Commissioner) to the Cherry County Clerk's Office if submitting prior to the hearing, but will be accepted during the Public Hearing as well on July 16, 2019.

Commissioner DeNaeyer moved to approve claims with the exception of claim #19061094. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

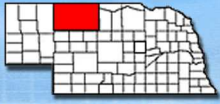
June 11, 2019 CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	166,848.30	.	
and disallowed in the amount of	\$	85,795.00	.	
A warrant was ordered drawn on the General Fund in the amount of			\$	81,053.30

GENERAL

Allen Monument Company	Services	\$475.00
Anderson Electric Inc	Services	\$68.00
Applied Connective Technologies	Services	\$350.54
Berry Creek Enterprises LLC	Supplies	\$992.00
Black Hills Chemical	Supplies	\$842.58
Bob Barker Company Inc	Services	\$573.89
Bomgaars	Services	\$6.44
Michael S Borders	Services	\$872.80
Bryan Health	Services	\$9,042.11
Buhl's Quality Laundry & Dry Cleaning	Services	\$3.40

Aisha Carr	Services	\$924.00
Carrot-Top Industries Inc	Services	\$116.90
CBM Managed Services	County Jail Food Service	\$9,768.68
Central Nebraska Cremation & Mortuary	Services	\$2,240.00
Centurylink	Telephone Service	\$198.81
Cherry County Clinic	Services	\$789.75
Cherry County Court	Court Fees	\$270.00
Cherry County District Court	Court Fees	\$33.00
Cherry County Hospital	Services	\$1,874.98
Cherry County Sheriff	Services	\$48.06
Cherry County Treasurer	Bank Fees	\$5.00
Clearly Communications	Telephone Service	\$286.07
CNA Surety	Services	\$100.00
Cody Oil Company	Fuel	\$171.54
DAS State Accounting 6506	Services	\$448.00
DAS State Accounting 6507	Services	\$257.70
Dugan Printing & Promotions	Services	\$182.00
Encartele Inc	Supplies	\$640.00
Galls LLC	Supplies	\$732.04
GIS Workshop Inc	Services	\$8,062.50
Government Forms & Supplies LLC	Services	\$73.09
Pat Greenough	Reimbursement	\$100.00
Heart City Drug	Supplies	\$11.95
Henderson's IGA	Supplies	\$284.66
Jay Jenkins	Services	\$25.00
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$3,573.28
KBR Rural Public Power District	Services	\$126.54
Loup Basin RC&D Council	Services	\$553.33
William F Marshall	Services	\$75.00
Microfilm Imaging Systems	Services	\$136.00
Midwest Special Service	Services	\$1,383.00
Mips Inc	Services	\$2,990.90
Monroe HVAC Inc	Services	\$478.54
Nebraska Assn of County Officials	Dues/Training	\$2,135.66
Nebraska ASSN of County Treasurers	Dues/Training	\$125.00
Nebraska Safety & Fire Equip Inc	Services	\$400.00
Nebraska UC Fund	Services	\$1.24
Neofunds by Neopost	Supplies	\$1,000.00
NIRMA	Services	\$85,795.00
NK Waste Management Inc	Services	\$184.00
Office Products Center	Office Supplies	\$1,696.88
Ohlmann Building Center	Supplies	\$83.63
Paper Tiger Shredding	Services	\$50.00
Pit Stall	Services	\$35.00
Platte Valley Communications Inc	Services	\$47.59
Postmaster	Supplies	\$329.00
PREMA	Utilities	\$324.51
Presto-X	Services	\$73.00
Quill Corporation	Supplies	\$110.21
Reese Inc	Supplies/Services	\$1,888.00
Ron's Quik Lube	Services	\$226.10
Sandhill Oil Company	Fuel	\$321.19
Becky Schunk	Services	\$125.00
Eric Scott	Clerical Salary/Travel Expenses	\$3,939.31
Scotty's Ranchland Foods LLC	Supplies	\$191.75
Cardmember Services	Services	\$91.97
Sequoia Consulting Group	Services	\$189.24
Steele Feed Service DBA Sonny's	Supplies	\$30.00
Sundance Enterprises	Services	\$166.02



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Tax Valuation Inc	Services	\$9,000.00
Tehrani Motor Company	Services	\$99.69
Three River Telco	Services	\$36.04
True Value Hardware	Supplies	\$32.96
UNL Its Communications Center	Services	\$7.92
UNL Panhandle Research & Extension	Services	\$171.20
US Cellular	Telephone Service	\$67.66
US Cellular	Telephone Service	\$55.84
Valentine Dental Clinic	Services	\$644.25
Valentine Medical Clinic	Services	\$159.60
Valentine Midland News	Publishing Services	\$761.27
Valentine Office Supply	Office Supplies	\$844.31
City of Valentine	Utilities	\$3,245.49
Viaero Wireless	Telephone Service	\$236.70
Ward Plumbing & Heating	Services	\$182.40
Gary Weaver	Reimbursement	\$154.90
Wex Bank	Fuel	\$1,576.69
Journal Entry 19050002	Fund Correction	(\$175.00)
	TOTAL	\$166,848.30

Claims were presented in the amount of \$ **446,957.57**
and disallowed in the amount of \$ -
A warrant was ordered drawn on the Road Fund in the amount of \$ **446,957.57**

ROAD

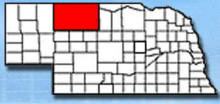
Andersen & Sons NAPA Auto Parts	Services	\$2.85
Andy's Glass Shop	Supplies	\$350.00
Ashby Lumber Company	Services	\$219.79
B&S Auto Repair/Brian Hopper	Services	\$102.33
B's Enterprises Inc	Services	\$36,867.00
Bacon Repair	Services	\$3,212.26
Barco Municipal Products	Supplies	\$180.00
Richard Bates	Services	\$571.50
Baum Hydraulics Corporation	Services	\$221.28
Bomgaars	Supplies	\$769.58
Brad's Truck Service, LLC	Services	\$382.49
Buckles Fuel Service	Fuel	\$8,310.00
Cherry County Clerk	Services	\$34.00
Consolidated Telephone	Services	\$261.09
Cow Country Sales & Services LLC	Services	\$583.40
Croell Inc	Services	\$2,673.18
Croell Inc	Services	\$17,013.39
Crossroads Auto Repair	Services	\$356.94
Custer Public Power District	Services	\$142.22
D/W Machine & Manufacturing	Services	\$519.10
Dale's Tire & Retreading Inc	Services	\$2,082.00
Danielski Farms Inc	Supplies	\$20,723.55
DAS State Accounting	Services	\$27.70
Fish Trucking	Services	\$3,000.00
Great Plains Communications	Telephone Services	\$287.47
Melvin Hartman	Services	\$39,455.00
Hinn's Gordon Auto Supply	Services	\$143.68
Jebro Inc	Services	\$44,645.37

Josh Whipple Trucking LLC	Services	\$12,600.00
KBR Rural Public Power District	Utilities	\$254.46
Kimball Midwest	Services	\$665.15
L&L Gravel	Services	\$787.96
Martin Marietta Materials Inc	Services	\$16,233.50
Mathis Equipment	Services	\$3,225.00
MCT Trucking	Services	\$24,747.50
Medical Enterprises Inc	Supplies	\$35.00
Village of Merriman	Services	\$62.63
Michael Todd & Company Inc	Services	\$718.40
Mid America Diesel	Services	\$1,430.05
Mips Inc	Services	\$180.00
Modern Farm Equipment Corporation	Services	\$8,000.00
Murphy Tractor & Equipment Company	Services	\$88,128.35
Nebraska Dept of Correctional Service	Services	\$16,500.00
Nebraska Machinery Company/NMC Inc	Services	\$3,541.82
Nebraska Public Power District	Utilities	\$62.05
Nebraska Truck Center	Services	\$204.19
Niobrara Valley Consultants	Services	\$12.00
NIRMA	Services	\$68,565.00
NK Waste Management	Services	\$115.00
Northern Safety Co Inc	Services	\$303.01
Parts Company	Supplies	\$145.61
Perrett Construction LTD	Services	\$913.41
Pit Stall	Services	\$15.00
Platte Valley Communications	Services	\$1,196.45
Prema	Services	\$66.85
Ranch Supply Inc	Services	\$48.67
RDO Truck Center	Services	\$1,726.86
Rushville Service Center	Services	\$2,331.77
Sandhill Oil Company Inc	Supplies	\$2,517.74
Sandhills Embroidery	Services	\$240.00
Sandhills Family Medicine	Services	\$45.00
Sandhills Ranch Supply	Services	\$180.68
Security First Bank	Services	\$7,094.52
Sundance Enterprises	Services	\$12.00
US Cellular	Services	\$74.72
City of Valentine	Services	\$830.05
Youngs Western Wear	Services	\$10.00
	Total	\$446,957.57

Claims were presented in the amount of	\$	7,843.98	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$ 7,843.98

VISITOR PROMOTION

Andrew Claymon Memorial Fishing	Grant	\$	750.00
Big Jakes Handyman Construction	Services	\$	45.00
Bob's Signs	Services	\$	150.00
Cherry Street Rentals LLC	Services	\$	780.00
Frederick Peak Golf Club	Grant	\$	1,000.00
L&J K Lawn	Services	\$	100.00
Niobrara River Festival & Race	Grant	\$	1,000.00
Radiant Systems Inc	Grant	\$	300.00
Valentine Chamber of Commerce	Salary/Wages/Insurance/Taxes	\$	2,863.00
Valentine JR High Rodeo	Grant	\$	500.00
Valentine Midland News	Services	\$	306.44
Valentine Office Supply	Supplies	\$	49.54
	TOTAL	\$	7,843.98



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Claims were presented in the amount of \$ 1,255.12 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Register of Deeds P&M Fund in the amount of \$ 1,255.12

REGISTER OF DEEDS P&M

MIPS Inc Services \$1,255.12
TOTAL \$1,255.12

Claims were presented in the amount of \$ 38,710.61 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Health Insurance Claim Fund in the amount of \$ 38,710.61

EMPLOYEE HEALTH INSURANCE CLAIM

Cherry County Clerk Employee Health Insurance Claims \$38,710.61
TOTAL \$38,710.61

Claims were presented in the amount of \$ 7,810.83 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Bookmobile Fund in the amount of \$ 7,810.83

BOOKMOBILE

Valentine Public Library Bookmobile \$7,810.83
TOTAL \$7,810.83

Claims were presented in the amount of \$ 414.72 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ 414.72

EMERGENCY MANAGEMENT

Century Link Telephone 157.41
 Galls, LLC Supplies \$160.92
 Office Products Supplies \$96.39
TOTAL \$ 414.72

Claims were presented in the amount of \$ 7,400.00 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the Inheritance Tax Fund in the amount of \$ 7,400.00

INHERITANCE TAX

Stahr & Associates, Inc Servies \$7,400.00
TOTAL \$7,400.00

Claims were presented in the amount of \$ 286.82 .
 and disallowed in the amount of \$ - .
 A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of \$ 286.82

911 EMERGENCY SERVICES

US Cellular Data Services \$111.82
 Journal Entry 19050002 Fund Correction \$175.00
TOTAL \$286.82

At 4:50 PM, with no further business to come before the Board Chairman Storer declared the meeting adjourned.

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public in the Cherry County Clerk's Office.

BOARD OF EQUALIZATION MINUTES

June 11, 2019

The Cherry County Board of Commissioners met as a Board of Equalization on June 11, 2019 at 2:00 PM in the Cherry County Courthouse, 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 2:03 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, and James Ward, County Assessor Betty Daugherty and Deputy Cherry County Clerk Elise Hamling. The Open Meetings Act Poster was acknowledged by Chairman Storer.

The Board of Equalization minutes from the February 12, 2019 meeting were read and approved during the February 26, 2019 regular meeting.

County Assessor Betty Daugherty summarized the benefits of the appointments that landowners had the opportunity to utilize with the Appraisal Company and discussed the resolutions and process.

The need for establishing Board of Equalization meeting dates in July was discussed and a calendar will be created for reference in the finalization and publication schedule to be decided at the next regular meeting.

Assessor Daugherty presented the Board with a Report of Overvalued, Undervalued and Omitted Property for Tax Year 2019 for their consideration. It was the consensus of the Board to approve the Overvalued, Undervalued and Omitted Property report for Tax Year 2019 as presented by Assessor Daugherty.

At 2:20 PM, Chairman Storer declared the Board of Equalization meeting adjourned.

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public in the Cherry County Clerk's Office.

BOARD OF CORRECTIONS MINUTES

June 11, 2019

The Cherry County Board of Commissioners met as a Board of Corrections on June 11, 2019 at 2:30 PM in the Commissioner Meeting Room of the Cherry County Courthouse, as per the 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 2:35 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, James Ward, Deputy Cherry County Clerk Elise Hamling, Cherry County Attorney Eric Scott, and Justice Center Administrator Sharon Hesse. The Open Meetings Act Poster was acknowledged by Chairman Storer.

The minutes from the May 29, 2019 Board of Corrections meeting were read and approved during the regular meeting.

Justice Center Administrator Sharon Hesse updated the Board regarding the completion of the Jail Standards Inspection as well as the Fire Marshall Inspection.



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Administrator Hesse engaged the Board in discussion about the difficulties in utilizing the current pay scale for the Justice Center employees due to obstacles in scheduling the necessary trainings for employees to advance at the expected rate. No Board action was taken.

At 3:10 PM, Commissioner DeNaeyer moved to enter executive session for the purpose of discussing legal strategy. Commissioners Storer, DeNaeyer, Ward, County Attorney Scott, Deputy County Clerk Hamling, and Administrator Hesse were to be present for the session. The motion was seconded by Commissioner Ward. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

The Board returned to regular session at 3:49 PM.

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

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public in the Cherry County Clerk's Office.