

BOARD OF COMMISSIONERS MINUTES

October 29, 2019

The Cherry County Board of Commissioners met in regular session on October 29, 2019 at 10:00 AM in the Commissioner Meeting Room of 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 Vice Chairman DeNaeyer. Roll call was taken. Present for the meeting were Cherry County Commissioners Martin DeNaeyer, James Ward, and Cherry County Clerk Brittny Petersen, with an excused absence for Commissioner Tanya Storer. The Open Meetings Act Poster was acknowledged by Vice Chairman DeNaeyer and the Pledge of Allegiance was recited.

The Board of Commissioners meeting minutes from October 8, 2019 were read. Commissioner Ward moved to approve the minutes as read. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

The Board of Equalization meeting minutes from October 8, 2019 were read. Commissioner DeNaeyer moved to approve the minutes as read. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner DeNaeyer-aye. The motion carried.

The Board of Commissioners special meeting minutes from October 15, 2019 were read. Commissioner DeNaeyer moved to approve the minutes as read. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

Commissioner Ward moved to table the agenda item regarding Village of Kilgore water drainage until 11:00 AM. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner DeNaeyer-aye. The motion carried.

The Board reviewed the Cherry County Road Superintendent job description as adopted on September 25, 2019. An application for the position has been received and will be reviewed by the Board. Commissioner DeNaeyer moved to amend the job description to correct two instances of wording errors and to change it from highway superintendent to road superintendent. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

Cherry County Treasurer Kathy Hammond certified the Distress Warrants delivered to the Cherry County Sheriff. There were fifty-four distress warrants issued totaling \$17,373 for delinquent personal property taxes, including properties containing a mobile home. Treasurer Hammond also discussed changes to the DMV system as utilized in her office, which has resulted in longer processing times for renewals and titles. The possibility of creating a new position in the Treasurer's Office was discussed. No Board action was required.

Clerk Petersen informed the Board of the recent training provided by the Secretary of State Elections Division as attended by Clerk Petersen and Deputy County Clerk Elise Hamling.

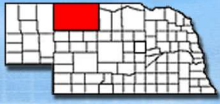
Cherry County Assessor Betty Daugherty provided the Board with two bids for the upcoming 2020 commercial property revaluation. Assessor Daugherty solicited bids in the NACO Classifieds, on the Cherry County website, and also sent out letters. Stanard Appraisal Services Inc. and Tax Valuation Inc. were the only responsive bidders and Assessor Daugherty stated that she has a good working relationship with both companies. Assessor Daugherty prefers all work to be completed by February 1, 2021 and will confirm the deadline can be met prior to entering into a contract. The revised land classification groupings by the Property Tax Administrator were also discussed. No Board action was taken at this time.

Todd Rothleutner, Village of Kilgore Board Member, met with the Board to discuss water drainage issues due to a County road north of Kilgore. There are three existing culverts located in the discussed area and access culverts on the east side of the road that need cleaned out. The Board will refer the issue to the County Surveyor to shoot current topography in order to determine changes necessary to existing infrastructure to increase water flow out of the affected area.

At 11:48 AM to 1:00 PM the Board recessed for lunch.

At 1:00 PM Chairman Storer joined the Board for the remainder of the meeting.

The Board received comments from the public during the allotted time. Randy Peterson submitted written comments to the Board.



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Cherry County Sheriff Rusty Osburn met with the Board to discuss possible trade-in and purchase options for a Sheriff's department vehicle and an Emergency Management vehicle. Information from the County Assessor regarding a County vehicle was requested prior to making a decision.

At 1:49 PM Chairman Storer moved to enter executive session for the purpose of discussing Courthouse security with the Commissioners, County Attorney, County Sheriff, County Clerk, Emergency Management Deputy Director, and Building & Grounds Superintendent to be present. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

At 2:30 PM it was a consensus of the Board to return to open session.

The Board reviewed Zoning Resolution #Z-81, which approves Conditional Use Permit application 003/18 BSH Kilgore LLC with provisions contained in said resolution. County Attorney Eric Scott stated that he has reviewed the resolution and it is reflective of what was approved at the Board's special meeting on October 15, 2019. Commissioner Storer moved to adopt Zoning Resolution #Z-81. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

The Board reviewed the additional information requested from Orval Stahr regarding the proposed amendment to Cherry County Zoning Regulations filed by citizen William Weller.

The Board spoke with Mr. Weller regarding the proposed amendment and invited him to share the intent regarding the amendment; which is to regulate the large infrastructure needed for WECS by classifying them as industrial.

The proposed amendment would change the current Cherry County Zoning Regulations in Section 303.42, which defines the term 'Industrial' for the purpose of the document, to read 'Of, relating to, concerning, or arising from the assembling, fabrication, finishing, manufacturing, packaging, or processing of goods, mineral extraction or any WECS with a wind turbine(s) height above ground exceeding 100 feet.' The amendment would also affect Section 613 to change 'Commercial or Commercial/Utility' to read 'Industrial' throughout the section.

After discussion, Commissioner Ward moved to send the industrial classification consideration back to the Planning Commission to be considered in respect to the revisions to wind and solar zoning regulations and harmonize those provisions. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

At 2:54 PM the Board recessed from regular session to convene as a Board of Corrections.

At 3:06 PM the Board returned to regular session.

Assessor Daugherty confirmed with the Board that Tax Valuation Inc. is willing to change the completion date for services to February 1, 2021 and that the two days of informal hearings would be included in the bid price and concluded by March 1, 2021. The contract will be sent prior to the next regular meeting and reviewed by the County Attorney prior to signing. Commissioner DeNaeyer moved to accept the low bid of \$35,000 from Tax Valuation Inc. for the commercial property revaluations in Cherry County with conditional changes to the contract as discussed. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

It was a consensus of the Board to authorize the trade-in of the Emergency Management 2012 Dodge Ram 1500 for a used 2019 Dodge Ram 1500 along with a \$12,000 payment to Tehrani Motors to be paid out of Inheritance Tax and approved at the next regular meeting.

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

October 31, 2019

CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of \$ 205,015.48 .
and disallowed in the amount of .

A warrant was ordered drawn on the General Fund in the amount of \$ 205,015.48

GENERAL

AFLAC	Withholdings/Insurance	\$1,414.32
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$15,269.69
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$2,594.24
Cherry County Health Account	Health Claims Funding	\$35,171.73
Colonial Life	Supplemental Insurance Premiums	\$4,376.20
Credit Management	Garnishment	\$230.06
EFTPS	Withholdings/Taxes	\$28,031.85
General Collection	Garnishment	\$3.18
Legal Shield	Services	\$88.65
MassMutual	Withholdings/Retirement	\$100.00
Meritain Health	Health Insurance Premiums	\$15,590.90
NE Department of Revenue	Withholdings/Taxes	\$3,883.53
US Cellular	Services	\$53.97
Vision Service Plan	Withholdings/Insurance	\$556.77
General Fund	Gross Wages & Salaries	\$132,455.40
	GROSS TOTAL	\$239,820.49
	Adjustment for employees' share of withholdings	(\$34,805.01)
	NET TOTAL	\$205,015.48

Claims were presented in the amount of \$ 96,882.73 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Road Fund in the amount of \$ 96,882.73

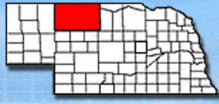
ROAD

AFLAC	Withholdings/Insurance	\$1,301.69
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$6,187.30
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,116.32
Assurity Life Insurance Company	Withholdings/Insurance	\$14.50
Cherry County Health Account	Health Claim Funding	\$16,134.63
Colonial Life	Supplemental Insurance Premiums	\$1,878.00
EFTPS	Taxes/Withholdings	\$13,959.23
Legal Shield	Services	\$76.75
MassMutual	Withholdings/Retirement	\$300.00
Meritain Health	Health Insurance Premiums	\$5,989.38
NE Department of Revenue	Taxes/Withholdings	\$1,952.75
Panhandle Collections	Garnishment	\$387.53
SD Child Support Payment Center	Garnishment	\$433.33
Vision Service Plan	Withholdings/Insurance	\$188.22
Road Fund Payroll	Gross Wages & Salaries	\$65,294.94
	GROSS TOTAL	\$115,214.57
	Adjustment for employees' share of withholdings	(\$18,331.84)
	NET TOTAL	\$96,882.73

Claims were presented in the amount of \$ 5,145.88 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of \$ 5,145.88

Visitor Promotion Fund

AFLAC	Withholdings/Insurance	97.37
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$375.00
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$104.40



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EFTPS	Taxes/Withholdings	\$884.42
NE Department of Revenue	Taxes/Withholdings	\$96.26
Vision Service Plan	Withholdings/Insurance	\$27.58
Visitor Promotion Fund Payroll	Gross Wages & Salaries	\$4,533.33
	GROSS TOTAL	\$6,118.36
	Adjustment for employees' share of withholdings	(\$972.48)
	NET TOTAL	\$5,145.88

Claims were presented in the amount of \$ **33,436.52** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Health Claims Fund in the amount of \$ **33,436.52**

HEALTH CLAIMS FUND

Cherry County Clerk	Health Insurance Claims	\$33,436.52
	TOTAL	\$33,436.52

Claims were presented in the amount of \$ **3,113.23** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Emergency Management Fund in the amount of \$ **3,113.23**

EMERGENCY MANAGEMENT

Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$306.16
EFTPS	Taxes/Withholdings	\$623.94
NE Department of Revenue	Taxes/Withholdings	\$81.85
Emergency Management Fund Payroll	Gross Wages & Salaries	\$2,721.36
	GROSS TOTAL	\$3,733.31
	Adjustment for employees' share of withholdings	(\$620.08)
	NET TOTAL	\$3,113.23

Claims were presented in the amount of \$ **263.51** .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of \$ **263.51**

911 EMERGENCY SERVICES

US Cellular	Services	\$263.51
	TOTAL	\$263.51

At 3:25, 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 CORRECTIONS MINUTES

October 29, 2019

The Cherry County Board of Commissioners met as a Board of Corrections on October 29, 2019 at 2:54 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 2:54 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, James Ward, and Cherry County Clerk Brittny Petersen. The Open Meetings Act Poster was acknowledged by Chairman Storer.

The minutes from the September 25, 2019 Board of Corrections meeting were read and approved during regular session on October 8, 2019.

Cherry County Justice Center Administrator Sharon Hesse met with the Board to review staffing concerns, September revenues and expenses, and the jail census. The Text-to-911 service in Cherry County was also discussed and the importance of calling 911, if possible, was stressed. A Payroll Change Notice due to training completion, as authorized by the Justice Center pay scale, was completed. No Board action was required.

At 3:06 PM, with no 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.