

# BOARD OF COMMISSIONERS MINUTES

## SPECIAL MEETING

### December 4, 2019

The Cherry County Board of Commissioners met in special session on December 4, 2019 at 1:30 PM in the Commissioner Meeting Room of the Cherry County Courthouse, as per notice posted on November 27, 2019 at the Valentine Public Library, Valentine Post Office, Cherry County Courthouse doors, Cherry County Clerk's Office, and the Cherry County website (<https://co.cherry.ne.us>), with the agenda being on file in the office of the County Clerk. The meeting was called to order at 1:30 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.

Cherry County Emergency Manager Gary Weaver met with the Board to discuss the County's FEMA reimbursement progress. A conflict of interest policy and a resolution to abide by state and federal procurement policies have been requested by FEMA from the County. The Board reviewed drone footage of N. Ashby Road provided by Mr. Weaver.

The Board and Cherry County Attorney Eric Scott reviewed a conflict of interest policy. Commissioner Storer moved to adopt the Cherry County Conflict of Interest Policy applicable to all Cherry County employees as presented. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

As reported by Mr. Weaver, the next step in the FEMA reporting process is to review County roads that may potentially qualify for mitigation. The Board requested Mr. Weaver to coordinate with the Cherry County Sheriff's Department to obtain drone footage of the potentially qualifying roads. No formal Board action was taken.

At 2:10 PM Commissioner Storer moved to enter executive session for the purpose of discussing legal strategy with the Board of Commissioners, Cherry County Attorney, and Cherry County Clerk to be present. Commissioner DeNaeyer seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

At 3:28 PM Commissioner Storer moved to return to open session. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner Ward-aye. Commissioner Storer-aye. Commissioner DeNaeyer-aye. The motion carried.

Commissioner Ward moved to engage Houghton Bradford of Omaha as additional litigation counsel for Cherry County. Commissioner Storer seconded the motion. Roll call vote was taken. Commissioner Storer-aye. Commissioner DeNaeyer-aye. Commissioner Ward-aye. The motion carried.

Commissioner DeNaeyer moved to table the agenda item regarding Cherry County Road Superintendent job interviews until the next regular meeting on December 10, 2019. Commissioner Ward seconded the motion. Roll call vote was taken. Commissioner DeNaeyer-aye. Commissioner Ward-aye. Commissioner Storer-aye. The motion carried.

At 3:30 PM, with no further business to come before the Board, Chairman Storer declared the meeting adjourned.