

BOARD OF COMMISSIONERS MINUTES

June 30, 2020

The Cherry County Board of Commissioners met in regular session on June 30, 2020 at 10:00 AM in the Sheriff's Conference 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 10:01 AM 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 Pledge of Allegiance was recited and the location of the Nebraska Open Meetings Act was acknowledged by Chairman Storer.

The Board of Commissioners regular meeting minutes from June 9, 2020 were read. DeNaeyer moved and Ward seconded to approve the minutes as corrected. Roll call vote: Ayes – Storer, DeNaeyer, Ward. The motion carried.

The Board of Equalization meeting minutes from June 9, 2020 were read. DeNaeyer moved and Storer seconded to approve the minutes as read. Roll call vote: Ayes – DeNaeyer, Ward, Storer. The motion carried.

Julie Bain, Bessey District Ranger, and Greg Wright, Bessey Wildlife Biologist, met with the Board to provide information regarding State Highway 16F where it crosses through McKelvie Forest. Currently, no legal mechanism exists for NDOT to maintain the portion of Highway 16F that crosses National Forest System lands. It was a consensus of the Board for Cherry County to support NDOT obtaining an easement for the portion of State Highway 16F that crosses National Forest System lands through McKelvie Forest. The fee increase for Steer Creek Campground that was implemented in May 2020, an increase in the utilization of Bessey District campgrounds in 2020, and a signed decision for the McKelvie project to thin and burn Eastern Red Cedar, timber sales, and prescribed burning were also discussed. No formal Board action was taken.

Ward moved and DeNaeyer seconded to approve claims. Roll call vote: Ayes – Ward, Storer, DeNaeyer. The motion carried.

June 30, 2020

CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	236,947.46	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$	236,947.46	

GENERAL

AFLAC	Withholdings/Insurance	\$1,972.74
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$16,812.79
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$2,589.04
Applied Connective Technologies	Services	\$72.50
Black Hills Chemical	Services	\$562.88
Cherry County Hospital	Services	\$1,907.44
Cherry County Sheriff	Fees	\$32.00
Cherry County Health Account	Health Claims Funding	\$34,706.13
Colonial Life	Supplemental Insurance Premiums	\$4,509.81
Credit Management	Garnishment	\$358.51
Credit Management	Garnishment	\$400.13
Deluxe	Supplies	\$410.86
Dept Correctional Services	Services	\$1,019.87
EFTPS	Withholdings/Taxes	\$31,069.30
GRP & Associates	Services	\$111.00
Henderson's IGA	Supplies	\$133.70
Justice Data Solutions	Services	\$2,300.00
Legal Shield	Services	\$45.80
MassMutual	Withholdings/Retirement	\$100.00
Meritain Health	Health Insurance Premiums	\$15,058.72
Midwest Portland, LLC	Supplies	\$1,215.16
NE Department of Revenue	Withholdings/Taxes	\$4,613.95
Office Products Center	Supplies	\$150.30



Cherry County Board Minutes



Scotty's Ranchland Foods	Supplies	\$123.47
David Stoeger	Reimbursement	\$80.85
Elior Inc, Summit Food Service	Supplies	\$7,297.57
Trade Winds Motel	Services	\$1,350.00
True Value Hardware	Supplies	\$56.99
Valentine Office Supply	Supplies	\$483.67
Vision Service Plan	Withholdings/Insurance	\$568.62
General Fund Payroll	Gross Wages & Salaries	\$146,133.26
	GROSS TOTAL	\$276,247.06
	Adjustment for employees' share of withholdings	(\$39,299.60)
	NET TOTAL	\$236,947.46

Claims were presented in the amount of	\$	600.84	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Road Fund in the amount of			\$ 600.84

ROAD

AFLAC	Withholdings/Insurance	\$1,888.84
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$8,732.56
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$1,453.12
Assurity Life Insurance Company	Withholdings/Insurance	\$14.50
Cherry County Health Account	Health Claim Funding	\$20,681.76
Colonial Life	Supplemental Insurance Premiums	\$2,382.21
EFTPS	Taxes/Withholdings	\$20,797.99
Journal Entry	Fund Transfer	(\$140,000.00)
Legal Shield	Services	\$110.65
MassMutual	Withholdings/Retirement	\$300.00
Meritain Health	Health Insurance Premiums	\$8,497.31
Nationwide Management Services	Garnishment	\$274.91
NE Department of Revenue	Taxes/Withholdings	\$3,045.95
Vision Service Plan	Withholdings/Insurance	\$246.00
Road Fund Payroll	Gross Wages & Salaries	\$97,692.68
	GROSS TOTAL	\$26,118.48
	Adjustment for employees' share of withholdings	(\$25,517.64)
	NET TOTAL	\$600.84

Claims were presented in the amount of	\$	5,287.65	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$ 5,287.65

Visitor Promotion Fund

AFLAC	Withholdings/Insurance	97.37
Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$386.25
Ameritas Life Insurance/Dental	Withholdings/Insurance	\$108.56
EFTPS	Taxes/Withholdings	\$912.65
NE Department of Revenue	Taxes/Withholdings	\$101.50
Vision Service Plan	Withholdings/Insurance	\$28.17
Visitor Promotion Fund Payroll	Gross Wages & Salaries	\$4,456.97
	GROSS TOTAL	\$6,091.47
	Adjustment for employees' share of withholdings	(\$803.82)
	NET TOTAL	\$5,287.65

Claims were presented in the amount of	\$	25,204.24	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Health Claims Fund in the amount of			\$ 25,204.24

HEALTH CLAIMS FUND

Cherry County Clerk	Health Insurance Claims	\$25,204.24
	TOTAL	\$25,204.24

Claims were presented in the amount of	\$	419,737.50	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Disaster Fund in the amount of	\$	419,737.50	

DISASTER FUND

Cherry County Treasurer	Interfund Transfer	\$279,737.50
Journal Entry	Fund Transfer	\$140,000.00
	TOTAL	\$419,737.50

Claims were presented in the amount of	\$	36,164.78	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of	\$	36,164.78	

EMERGENCY MANAGEMENT

Ameritas Life Insurance/Retirement	Withholdings/Retirement	\$317.29
EFTPS	Taxes/Withholdings	\$645.99
NE Department of Revenue	Taxes/Withholdings	\$85.40
Rock County Treasurer	Reimbursement	\$32,180.00
Gary Weaver	Reimbursement	\$758.30
Emergency Management Fund Payroll	Gross Salary	\$1,069.24
	GROSS TOTAL	\$36,807.34
	Adjustment for employees' share of withholdings	(\$642.56)
	NET TOTAL	\$36,164.78

Sharon Moreland, Sawyer Memorial Library Board President, provided the minutes of their meeting that was held on May 28, 2020. She reported that the Sawyer Board had voted to restructure based on several factors outlined in the minutes as provided. The Sawyer Board will remain in place to manage funds, but there is no longer a need for building space or an employee. The restructuring would require a change in by-laws. No Board action was taken.

Mike Murphy, Middle Niobrara NRD Manager, met with the Board to discuss Cherry County Watershed and Flood Prevention Operations funds as applied for by the MNNRD. There were five separate areas of concern within the NRD boundaries that were applied for and three were approved. The next step in the process is to bid out the engineering design for the projects. The projects would be 100% funded, but with no money provided for land rights purposes. Ward moved and DeNaeyer seconded to support Middle Niobrara NRD in proceeding with the WFPO projects at a local level. Roll call vote: Ayes – Storer, DeNaeyer, Ward. The motion carried.

Cherry County Highway Superintendent Lloyd Smith met with the Board to discuss a potential armor coat project. DeNaeyer moved and Storer seconded to authorize Cherry County Highway Superintendent Lloyd Smith to advertise for bids for overlay/armor coat for 22 miles of Seneca Road. Roll call vote: Ayes – DeNaeyer, Ward, Storer. The motion carried.

Superintendent Smith also discussed whether the County should place advisory or regulatory signage on Sparks River Road. To install regulatory signs, a speed study would need to be completed. The Board requested that Superintendent Smith refer the question to Tim Baxter for a recommendation. No Board action was taken.

Keya Paha County has requested to lease an AMZ from Cherry County to use for patching prior to overlayment. Commissioner Ward and Superintendent Smith will coordinate with the Keya Paha County Board to potentially contract the work to be done by Cherry County. No Board action was taken.

The Board recessed for lunch from 12:03 PM to 1:00 PM.

During the allotted time, there were no comments received from the public by the Board.

Cherry County Road Superintendent Kent Lopez provided a Consignor Settlement from Midwest Equipment for Cherry County surplus equipment that was recently auctioned. Superintendent Lopez also provided a brief update of the progress for Sparks River



Cherry County Board Minutes



Road. After discussion, it was a consensus of the Board to authorize Superintendent Lopez to proceed with the purchase of an NDOT surplus oil distributor/shooter. No formal Board action was taken.

Cherry County Treasurer Kathy Hammond provided a Comparison Statement of Uncollected Taxes for tax years 2017, 2018, and 2019. Treasurer Hammond stated that it is necessary to appoint an attorney for delinquent real estate tax foreclosures since the current appointee is unable to fulfill the duty. Storer moved and Ward seconded to table the agenda item regarding appointing a special county attorney for delinquent real estate tax foreclosures, pending a written notice of termination. Roll call vote: Ayes – Ward, Storer, DeNaeyer. The motion carried.

Storer moved and DeNaeyer seconded to appoint Clint Burney to the Cherry County Extension Board – District 3 for a 3-year term set to expire on December 31, 2022. Roll call vote: Ayes – Storer, DeNaeyer, Ward. The motion carried.

DeNaeyer moved and Ward seconded to approve the Nenzel Tower Claim DOL 3-13-19 Claim #PROPCherr032504 and to authorize Chairman Storer to sign the settlement agreement between Cherry County and NIRMA. Roll call vote: Ayes – DeNaeyer, Ward, Storer. The motion carried.

At 2:00 PM, as advertised, the Board recessed from regular session to convene as a Board of Equalization.

At 3:09 PM the Board returned to regular session.

At 3:10 PM, as advertised, the Board recessed from regular session to convene as a Board of Corrections.

At 3:47 PM the Board returned to regular session.

Due to the timing of the filing deadline for Form 425 Report of Destroyed Real Property, DeNaeyer moved and Storer seconded to set a special Board of Equalization meeting date at 1:00 PM CST on July 21, 2020 in the Sheriff's Conference Room of the Cherry County Courthouse. Roll call vote: Ayes – DeNaeyer, Ward, Storer. The motion carried.

Ward moved and DeNaeyer seconded to adopt Resolution #06-30-2020-01 to authorize a fund transfer from the Disaster Fund to the Inheritance Tax Fund. Roll call vote: Ayes – Ward, Storer, DeNaeyer. The motion carried.

The Board reviewed correspondence received from NIRMA, the family of Herb Pabst, and the Brown County Planning Commission for a Special Use Permit public hearing.

At 3:58 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 30, 2020

The Cherry County Board of Commissioners met as a Board of Equalization on June 30, 2020 in the Sheriff's Conference 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 2:00 PM by Chairman Storer. Roll call was taken. Present for the meeting were Cherry County Commissioners Tanya Storer, Martin DeNaeyer, and James Ward, Cherry County Assessor Betty Daugherty, and Cherry County Clerk Brittney Petersen. The location of the Nebraska Open Meetings Act was acknowledged by Chairman Storer

The Board of Equalization meeting minutes from June 9, 2020 were read and approved during regular session.

Cherry County Treasurer Kathy Hammond presented the motor vehicle tax exemptions for review by the Board. Ward moved and DeNaeyer seconded to approve the Applications for Exemption from Motor Vehicle Taxes by Qualifying Nonprofit Organizations as presented by Treasurer Hammond and to authorize Chairman Storer to sign said Applications. Roll call vote: Ayes – Ward, Storer, DeNaeyer. The motion carried.

Assessor Daugherty reviewed adjustments contained in the Report of Overvalued, Undervalued, and Omitted Property for Tax year 2020. Ward moved and Storer seconded to approve the Report of Overvalued, Undervalued, and Omitted Property for Tax Year 2020 as presented by Assessor Daugherty with adjustments to the following parcels: #160274958, #160665137, #160149916, #160072751, #160268710. Roll call vote: Ayes – Storer, DeNaeyer, Ward. The motion carried.

Assessor Daugherty provided information for a tax list correction for tax year 2019. DeNaeyer moved to approve tax list correction #2019-10 parcel #160264588 and authorize Chairman Storer to sign the correction. Roll call vote: Ayes – DeNaeyer, Ward, Storer. The motion carried.

The Board conducted property valuation protest hearings.

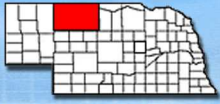
Merrial Rhoades; Calf Creek Valley Ranch, LLC was present for the hearing and provided testimony in support of the requested valuations.

Assessor Daugherty provided no recommendation regarding the protests filed by Mrs. Rhoades. She stated that the increases in the property values, as protested by Mrs. Rhoades, were due to the recent LCG changes. Assessor Daugherty recommended revaluing a couple of soil types and creating a new subclass to alleviate the issue. No Board action was taken.

David Nelson was present for the hearing and provided testimony in support of the requested valuation. Assessor Daugherty provided her recommendation. Storer moved and DeNaeyer seconded to agree with the Assessor's recommendation for Protest #20-001. Roll call vote: Ayes – Ward, Storer, DeNaeyer. The motion carried.

At 3:09 PM, with no further business to come before the Board, Chairman Storer declared the meeting adjourned.

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Cherry County Board Minutes



BOARD OF CORRECTIONS MINUTES June 30, 2020

The Cherry County Board of Commissioners met as a Board of Corrections on June 30, 2020 in the Sheriff's Conference 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 3:10 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 location of the Nebraska Open Meetings Act was acknowledged by Chairman Storer.

The Board of Corrections meeting minutes from May 26, 2020 were read and approved during the regular Board of Commissioners meeting on June 9, 2020.

Cherry County Justice Center Administrator Sharon Hesse provided the LiveScan maintenance contract for the Board to review. Hourly rates and the necessity of said contract were discussed. It was a consensus of the Board to table the agenda item regarding the LiveScan maintenance contract.

Administrator Hesse reported that the Cherry County Justice Center passed the recent fire marshal inspection and informed the Board that the annual inspection for the Nebraska Jail Standards Board will take place on July 8, 2020. Death in custody quarterly reporting and Region 4 CIT training were also discussed.

Cherry County Justice Center Administrator Sharon Hesse provided information for the CIDNET contract renewal. Ward moved and Storer seconded to approve the CIDNET Solution Services Agreement between Cherry County Corrections and Encartele, Inc, contingent upon termination of previous contract. Roll call vote: Ayes – Storer, DeNaeyer, Ward. The motion carried.

At 3:47 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.