

Cherry County Board Minutes



BOARD OF COMMISSIONERS MINUTES November 9, 2021

The Cherry County Board of Commissioners convened in regular session on November 9, 2021 in the Cherry County Commissioners Meeting Room of the Cherry County Courthouse, as per notice in the Valentine Midland News every week, 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. Commissioner Tanya Storer had an excused absence. The Open Meetings Act Poster was acknowledged by Vice Chairman DeNaeyer and the Pledge of Allegiance was recited.

The Board of Commissioners regular meeting minutes from October 26, 2021 were read. DeNaeyer moved and Ward seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

The Board of Equalization meeting minutes from October 26, 2021 were read. Ward moved and DeNaeyer seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

The Board of Corrections meeting minutes from October 26, 2021 were read. DeNaeyer moved and Ward seconded to approve the minutes as read. Roll call vote: Aye – Ward, DeNaeyer. Absent – Storer. The motion carried.

The agenda item regarding the issuance of Series 2021 Taxable Advance Refunding Bonds that was tabled on October 26, 2021 until November 9, 2021 will be placed on the November 30, 2021 agenda, pending review by the County Attorney.

The Board reviewed the Road #10 report submitted by Cherry County Highway Superintendent Lloyd Smith regarding the study requested for that part of County Road #10 located on the line between the South one half of Sections Twenty-six (26) and Twenty-seven (27), Township Thirty-five (35) North, Range Twenty-eight (28), West of the 6th P.M., Cherry County Nebraska. The statutes that outline the process for road vacation or abandonment were discussed. Ward moved and DeNaeyer seconded to adopt Resolution #11-09-2021-01 to set the time and date for a public hearing for the abandonment or vacation of Road #10 to be December 14, 2021 at 1:30 PM in the Commissioners Meeting Room of the Cherry County Courthouse. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

Superintendent Smith provided information regarding the reclassification of Smith Falls Road to a Scenic Recreation Road. This reclassification would make the road eligible for different funding and the Board verified with Superintendent Smith that this change wouldn't affect neighboring landowners or the County's use or maintenance of the road.

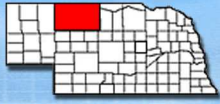
The Board, Cherry County Road Superintendent Kent Lopez, and Superintendent Smith discussed the recent closure of Structure C001612610P (Mogle Bridge). Barricades and signs have been placed on both sides of said bridge and signs in Spanish will also be placed. Superintendent Lopez also discussed mowing Merritt Dam Road, Road Department surplus property, and updates regarding the hiring of Road Department employees.

DeNaeyer moved and Ward seconded to adopt Resolution #11-09-2021-02 to designate Smith Falls Road as a Scenic Recreation Road. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

Cherry County Building & Grounds Superintendent met with the Board to discuss winterization plans for Sawyer Memorial Library.

The Board reviewed correspondence from Judy Petersen CNEDD Executive Director regarding Niobrara Valley Vineyards tourism grant application. Ward moved and DeNaeyer seconded to authorize the Vice Chairman to send a letter to the tribes listed on the Tribal Directory with interests in Cherry County regarding Niobrara Valley Vineyards tourism grant National Historic Preservation Act Section 106 Review. Roll call vote: Aye – Ward, DeNaeyer. Absent – Storer. The motion carried.

Cherry County Attorney Eric Scott and Superintendent Smith met with the Board to discuss the closing of Structure C001612610P (Mogle Bridge) and whether the closing of said structure can be declared an emergency. Concerns that the bridge will collapse if



Cherry County Board Minutes



repairs are not made and whether the bridge would require re-engineering prior to repairs were noted. Mr. Scott advised setting a special meeting date and obtaining informal quotes for repairs. No formal Board action was taken.

Cherry County Emergency Management Director Gary Weaver provided information for costs associated with the Rapid-on-Demand Portable Medical Platform located at the Cherry County Hospital, noting that all expenses for the location of said ROD PMP have been paid by Cherry County.

At 11:38 AM, DeNaeyer moved and Ward seconded to enter executive session for the purpose of a personnel issue discussion and to avoid needless injury to the reputation of an individual, with the Board, Clerk Petersen, and Director Weaver to be present. Roll call vote: Aye – Ward, DeNaeyer. Absent – Storer. The motion carried.

At 11:45 AM the Commissioners Meeting Room doors were reopened and the public was allowed to reenter said room.

At 11:46 AM Ward moved and DeNaeyer seconded to return to open session. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

Director Weaver briefly discussed FEMA and NEMA disaster reimbursements, 911 training, and dispatch radio console funding.

Ward moved and DeNaeyer seconded to table the agenda item regarding ROD PMP funding reimbursement from ARPA funds until all expenses are accumulated and itemized. Roll call vote: Aye – Ward, DeNaeyer. Absent – Storer. The motion carried.

The Board recessed for lunch from 11:55 AM to 1:00 PM.

The Board received comments from the public during the allotted time.

A Payroll Change Notice was reviewed and signed by the Board as authorized by the Cherry County Justice Center Pay Scale. The Board reviewed the Clerk of the District Court fee report for October 2021, the Treasurer’s fund balance listing for October 31, 2021, the operating statement report of budget vs actual spending for October 2021, and the Cherry County Hospital balance sheets for September 30, 2021.

The Board spoke with Commissioner Storer via telephone to discuss dates for a special meeting.

Superintendent Smith discussed a portion of Kennedy Road that was repaired in 2019.

Niobrara Valley Consultants LLC Nebraska Registered Land Surveyor, Timothy Hanson, presented the Board with a Plat of Survey vacating a portion of Spring Creek Lane.

DeNaeyer moved and Ward seconded to table the agenda item regarding the Plat of Survey – REPLAT OF LOT 1, Spring Creek Addition in Sections 21 and 28, AND LOTS 3, 4, and 5, Spring Creek Addition in Section 21, T34N, R27W of the 6th P.M., Cherry County, Nebraska until Tuesday, November 16, 2021. Roll call vote: Aye – DeNaeyer, Ward. Absent – Storer. The motion carried.

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

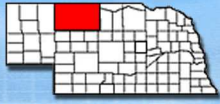
November 9, 2021

CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	69,632.97	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$		69,632.97

GENERAL

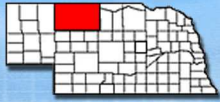
Applied Connective Technologies	Services	\$4,635.39
Binswanger Glass	Services	\$288.86
Black Hills Chemical	Supplies	\$566.91



Cherry County Board Minutes



Bob Barker Company	Supplies	\$378.98
Bomgaars	Supplies	\$11.99
Michael S. Borders	Services	\$2,192.80
Buckles Fuel Service Inc	Services	\$289.59
Central Plains Valuation, LLC	Services	\$6,250.00
Centurylink	Telephone Service	\$187.38
Centurylink	Telephone Service	\$1,705.04
Cherry County Court	Court Fees	\$597.02
Cherry County District Court	Court Fees	\$450.00
Cherry County Extension Service	Services	\$4.68
Cherry County Hospital	Services	\$11,584.29
Cherry County Implement	Supplies	\$4,900.00
Cherry County Sheriff	Services	\$325.52
Cherry County Treasurer	Bank Fees	\$5.00
Clearly Communications	Telephone Service	\$287.11
Cummins Sales and Service	Services	\$1,307.19
CVSOAN Treasurer, Tom Reimers	Dues/Fees/Training	\$110.00
DAS State Accounting 6506	Services	\$448.00
DH Construction/Doug Hesse	Services	\$224.70
Dish Network	Services	\$132.04
Encartele Inc	Services	\$300.00
Firstnet/AT&T Mobility	Telephone Service	\$652.32
Government Forms & Supplies, LLC	Supplies	\$175.53
Pat Greenough	Reimbursement	\$100.00
Elise Hamling	Reimbursement	\$236.85
Shawn Hamling	Reimbursement	\$196.00
Hampton Inn Kearney	Lodging	\$359.85
Heart City Drug	Supplies	\$195.18
Henderson's IGA	Supplies	\$286.85
Holiday Inn Kearney	Lodging	\$518.75
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,148.34
Journal Entry	NE Unclaimed Property	(\$491.55)
Journal Entry	Refund	(\$65.85)
L&J K Lawn	Services	\$117.00
KBR Rural Public Power	Services	\$69.86
KVSH Radio	Services	\$210.00
L&B Johnson PC	Services	\$572.70
La Quinta Inn & Suites	Lodging	\$199.90
Lifeguard MD	Services	\$78.00
Vince Lopez	Reimbursement	\$10.79
Loup Basin RC&D Council	Services	\$580.80
Madison County Sheriff	Services	\$46.03
Marco Technologies LLC	Services	\$177.29
James McCormick	Services	\$295.52
Microfilm Imaging Systems	Services	\$272.00
MIPS	Services	\$2,946.26
NACVSO	Dues/Fees/Training	\$50.00
Nebraska Unclaimed Property	Services	\$491.55
Nelsen Furniture Inc	Supplies	\$2,820.00
Tiana Newbrey	Services	\$179.04
NK Waste Management	Services	\$368.00
Office Products	Supplies	\$1,768.02
Paper Tiger Shredding	Services	\$50.00
Pit Stall	Services	\$2,054.57
Prema	Services	\$90.85



Cherry County Board Minutes



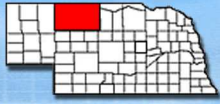
Presto X	Services	\$85.00
Nicolo Priest	Services	\$179.04
Quadient Leasing USA	Services	\$1,320.09
R Kruger Extinguishers	Services	\$679.00
Radiology Services	Services	\$39.81
Ron's Quik Lube	Services	\$101.30
Sandhill Oil Company	Services	\$271.01
Eric Scott	Reimbursement	\$341.60
Scotty's Ranchland Foods	Supplies	\$230.00
Cardmember Service	Supplies	\$74.52
Joseph Smith	Services	\$180.00
Tehrani Motor Company	Services	\$237.41
True Value Hardware	Supplies	\$44.99
US Cellular	Services	\$86.01
Valentine Dental Clinic	Services	\$67.50
Valentine Midland News	Services	\$1,344.49
City of Valentine	Utilities	\$4,620.34
Ward Plumbing & Heating LLC	Services	\$1,000.00
Western Oil/Conoco	Fuel	\$66.20
Wex Bank	Fuel	\$1,721.72
	TOTAL	\$69,632.97

Claims were presented in the amount of \$ **182,489.10** .
and disallowed in the amount of \$ - .

A warrant was ordered drawn on the Road Fund in the amount of \$ **182,489.10**

ROAD

AKRS Equipment	Services	\$9.10
Allard Precast	Services	\$1,900.00
Andersen & Sons NAPA Auto Parts	Supplies	\$90.97
Bacon Repair	Services	\$503.85
Barco Municipal Products	Services	\$2,517.55
Bomgaars	Supplies	\$500.43
Buckles Fuel Service Inc	Services	\$3,312.51
Butchs HVAC	Services	\$130.00
Cherry County Implement	Supplies	\$757.87
Cody Oil Company	Services	\$2,689.10
Village of Cody	Services	\$106.40
Consolidated Telephone	Telephone Service	\$195.05
Cowboy Welding	Services	\$1,065.87
Custer Public Power District	Services	\$124.47
D/W Machine & Manufacturing	Services	\$113.00
Danielski Farms Inc	Services	\$4,663.50
DAS State Accounting 6507	Services	\$27.70
Diesel Machinery	Services	\$129.13
Great Plains Communications	Services	\$213.90
Green Thumb, LLC	Services	\$775.00
Grimm's Pump & Industrial Supply	Services	\$1,183.10
Hooker County Tribune	Services	\$120.00
J&J Trailer Sales	Supplies	\$113.25
JEBRO Inc	Services	\$15,399.44
KBR Rural Public Power District	Utilities	\$188.35
Kimball Midwest	Services	\$871.65
Lawson Products Inc	Services	\$11.00
Martin Auto Parts II	Services	\$11.34



Cherry County Board Minutes



Martin Marietta Materials Inc	Services	\$6,171.50
Menards	Supplies	\$59.91
Mid America Diesel	Services	\$4,479.41
Mips Inc	Services	\$180.00
Moore Equipment Company	Services	\$135.83
Mullen Auto & Diesel	Services	\$5,954.83
Village of Mullen	Services	\$129.00
Nebraska Machinery Company	Services	\$3,137.84
Nebraska Public Power District	Services	\$42.15
Nebraska Truck Center	Services	\$4,792.55
NK Waste Management	Services	\$345.00
No Limit Power	Services	\$104.85
Office Products Center	Supplies	\$419.27
The Parts Company	Supplies	\$317.77
Perrett Construction LTD	Services	\$3,694.82
Pit Stall	Services	\$1,821.60
Powerplan	Services	\$17,960.03
Prema	Services	\$43.05
R Kruger Extinguishers	Services	\$2,274.00
Reese Inc	Services	\$150.40
Sandhill Oil Company Inc	Services	\$15,051.02
Security First Bank	Services	\$3,985.21
Steele Feed Service	Services	\$20.00
Truck Center Companies	Services	\$84.92
US Cellular	Services	\$70.13
Valentine Midland News	Services	\$239.75
City of Valentine	Services	\$161.69
Ward Plumbing & Heating LLC	Services	\$78.70
Werner Construction	Services	\$70,821.28
Western Oil Inc/Conoco	Services	\$14.00
Woody's Repair Merlin Woodworth	Services	\$2,025.06
	TOTAL	\$182,489.10

Claims were presented in the amount of \$ **12,440.18** .
and disallowed in the amount of .
A warrant was ordered drawn on the Emergency Bridge Fund in the amount of \$ **12,440.18**

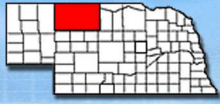
Emergency Bridge

Mainelli Wagner & Associates	Services	\$ 10,059.76
Niobrara Valley Consultants	Services	\$ 2,380.42
	TOTAL	\$12,440.18

Claims were presented in the amount of \$ **3,591.34** .
and disallowed in the amount of .
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of \$ **3,591.34**

VISITOR PROMOTION

Black Hills Sports Show	Services	\$430.00
Cherry County Visitors Promo Board	Reimbursement	\$68.16
Great Plains Communications Inc	Services	\$185.93
Henderson's IGA	Supplies	\$48.83
Hollman Media	Advertising	\$360.00
Nebraska State Rodeo Association	Grant	\$1,000.00
NK Waste Management	Services	\$89.00
NRG Media, LLC	Advertising	\$637.00
Regina Osburn	Reimbursement	\$240.80
Ramada Midtown	Lodging	\$213.90
Valentine Rotary Club	Dues/Fees/Training	\$102.00



Cherry County Board Minutes



City of Valentine		Services	\$215.72
		TOTAL	\$3,591.34

Claims were presented in the amount of	\$	20,782.29	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Employee Health Insurance Claims Fund in the amount of			\$	20,782.29
EMPLOYEE HEALTH INSURANCE CLAIMS				
Cherry County Clerk		Health Insurance Claims	\$	20,782.29
		TOTAL	\$	20,782.29

Claims were presented in the amount of	\$	9,077.89	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Bookmobile Fund in the amount of			\$	9,077.89
BOOKMOBILE				
Valentine Public Library		Bookmobile		\$9,077.89
		TOTAL	\$	9,077.89

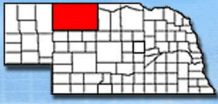
Claims were presented in the amount of	\$	392,063.75	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Disaster Fund in the amount of				\$
DISASTER FUND				
BOKF, NA		Road Bond Payment		\$392,063.75
		TOTAL		\$392,063.75

Claims were presented in the amount of	\$	366.51	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Emergency Management Fund in the amount of			\$	366.51
EMERGENCY MANAGEMENT				
Centurylink		Services		\$235.97
Office Products Center		Supplies		\$118.18
True Value		Supplies		\$12.36
		TOTAL		\$366.51

Claims were presented in the amount of	\$	6,725.00	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of			\$	6,725.00
INHERITANCE TAX				
Cherry County Treasurer		Fund Transfer		\$5,000.00
Houghton Bradford Whitted PC		Services		\$1,725.00
		TOTAL		\$6,725.00

Claims were presented in the amount of	\$	486.63	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of			\$	486.63
911 EMERGENCY SERVICES (2910)				
Geo Comm Inc		Services		\$201.42
Great Plains Communications Inc		Services		\$114.85
OPTK Networks		Services		\$170.36
		TOTAL		\$486.63

Claims were presented in the amount of	\$	2,022.09	.	
and disallowed in the amount of	\$	-	.	
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of			\$	2,022.09



Cherry County Board Minutes



911 WIRELESS SERVICE (2913)

Geo Comm Inc	Services	\$1,057.42
Great Plains Communications Inc	Services	\$70.25
OPTK Networks	Services	\$894.42
	TOTAL	\$2,022.09

Claims were presented in the amount of	\$	2,544.00	.
and disallowed in the amount of	\$	-	
A warrant was ordered drawn on the Courthouse (Special Building) Fund in the amount of	\$	2,544.00	

Courthouse (Special Building)

Wickett Construction	Services	\$2,544.00
	TOTAL	\$2,544.00

At 2:22 PM, with no further business to come before the Board, Vice Chairman DeNaeyer 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.

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