

BOARD OF COMMISSIONERS MINUTES

April 9, 2024

The Cherry County Board of Commissioners convened in regular session on April 9, 2024 in the 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 a.m. by Chairman DeNaeyer. Roll call was taken. Present for the meeting were Cherry County Commissioners Martin DeNaeyer, Nina Nelson, Mike McConaughy, and Cherry County Clerk Brittny Longcor. The Open Meetings Act Poster was acknowledged by Chairman DeNaeyer and the Pledge of Allegiance was recited.

The Board of Commissioners meeting minutes from March 26, 2024 were read. After discussion concerning the information provided by the Assessor concerning the real estate for which a bid was accepted during the March 26th meeting, Nelson moved and DeNaeyer seconded to approve the minutes as corrected. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

The Board of Corrections meeting minutes from March 26, 2024 were read. DeNaeyer moved and Nelson seconded to approve the minutes as read. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

The Board of Equalization meeting minutes from March 26, 2024 were read. McConaughy moved and Nelson seconded to approve the minutes as read. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

At 10:15 a.m. Chairman DeNaeyer opened the public hearing regarding CUP #002/24 Grant Moreland – Commercial Welding Shop. Interim Zoning Administrator Jessica Coyle reported that the CUP application is complete and that the Planning Commission had voted unanimously to recommend approval. Planning Commission member Marla Shelbourn provided clarification concerning a condition she had included in her motion to recommend approval of the CUP. Applicant Grant Moreland provided information about the services and products the business would offer. Approximately one individual provided oral testimony during the public hearing including: Shane Daniels. Written testimony was submitted prior to the public hearing by Mark Kovar. At 10:20 a.m. Chairman DeNaeyer closed the public hearing.

McConaughy moved and Nelson seconded to adopt Zoning Resolution #Z-95 Grant Moreland for a commercial welding shop. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

Emergency Management Director Jessica Coyle updated the Board regarding GeoComm and Solacom address and mapping issues, EMPG submission, Motorola dispatch consoles project, upcoming NC 911 meeting, upcoming trainings, Merriman siren grant progress, and annual SRS radio inspections.

County Attorney Eric Scott met with the Board to discuss the county-owned property that is being sold pursuant to Nebraska Revised Statute 23-107.01 and presented a resolution to confirm the sale of the real estate located at the 400 block of N. Cherry St, Cody, NE for the sum of \$100. The issue of the fair market value versus the future assessed value of the property and whether or not the Board had authority to set a minimum bid were discussed. Mr. Scott reviewed the deed for the property adjacent to said property, owned by Josh Westover and Kayla Tucker, to determine how title should be granted. McConaughy moved and DeNaeyer seconded to approve Resolution #24-03. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

Highway Superintendent Lloyd Smith and Road District #1 Foreman Jay Dee Osburn met with the Board and Mr. Scott to discuss and review details contained in plans by Mainelli Wagner & Associates, Inc. for the Minor Ranch, Snake River remediation efforts. Construction of an earth berm, culvert placement, silt fence, and tree planting were discussed. DeNaeyer moved and McConaughy seconded to approve the Minor Ranch, Snake River Plans for Construction CWA-07-2021-0053. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried. Mr. Osburn stated that he believes the plan could be completed by October. Invoices sent to Richard Minor for

reimbursement of 50% of the costs of the project in accordance with the Site Access and Reimbursement Agreement were discussed, which Commissioner McConaughy will follow up on.

Judd Allen and Dennis Maggart met with the Board to discuss the Cherry County health insurance renewal through NACO Blue Cross Blue Shield. Current plan year expense totals, options for specific deductible amounts, standard plan designs, administration fees, and stop loss company options were discussed. Requiring an affidavit for proof of coverage yearly from employees choosing the cash-in-lieu option was also discussed. No Board action was taken on the agenda item regarding Cherry County Health Insurance Renewal and it will be added to the agenda for April 30th.

Sheriff Rusty Osburn met with the Board to provide information for state bid pricing for a patrol vehicle. Equipment switching between makes of vehicles was discussed. McConaughy moved and DeNaeyer seconded to authorize Sheriff Osburn to proceed with the purchase of a 2024 Ford Explorer for \$44,389 to be paid out of the Inheritance Tax Fund. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

Highway Superintendent Lloyd Smith presented the Board with two Requests to Occupy County Right-of-Way by Consolidated Companies, Inc. to construct fiber optic along Highway 61 in the Henderson Rd area and the southeast corner of the county along Loup River Rd and Elsmere Rd. McConaughy moved and Nelson seconded to approve the Requests to Occupy County Right-of-Way submitted by Consolidated Companies, Inc. and authorize the Chairman to sign. Roll call vote: Aye – DeNaeyer, McConaughy, Nelson. The motion carried.

Road Supervisor Doug Boyer updated the Board regarding estimated costs for Paulsen’s material between Tryon and Mullen, trucking costs of said material, and quantities needed. The Board requested that Mr. Boyer obtain more solid numbers for the material and trucking costs and ascertain if neighboring counties would be interested in buying any of the material. Superintendent Smith reported that the NRD had ordered the trees last week for the Snake River Plan.

The Board reviewed a resolution that contained fund transfer amounts as contained in the adopted 2023-2024 fiscal year budget. Amounts for funding the road bond, transfers from Inheritance and ARPA funds for the General and Road Funds, and a transfer from the General Fund for the Emergency Management fund were discussed with Clerk Longcor. Nelson moved and McConaughy seconded to adopt Resolution #2024-02 Fund Transfer. Roll call vote: Aye – McConaughy, Nelson, DeNaeyer. The motion carried.

Cherry County Human Resources Representative Billie Brockley and Clerk Longcor met with the Board to discuss ever increasing challenges and issues related to the administration of human resources for county employees. An issue with an elected official offering holiday pay to employees for an unpaid holiday, that is also not a State or Federal holiday, and options for outsourcing portions of human resources were discussed. It was the consensus of the Board to authorize Clerk Longcor and Mrs. Brockley to explore options for human resources assistance.

The Board reviewed the Clerk of District Court fee report for March 2024, Treasurer’s fund balance listing for March 31, 2024, Operating Statement report of budget v. actual spending for March 31, 2024, and the Sheriff’s Fee Report for 2024-Quarter 1.

Nelson reported regarding Niobrara Council, Middle Niobrara NRD, and Ag Society meetings she had attended

Comments from the public were received during the allotted time. Robert Shelbourn provided written comments.

DeNaeyer moved and McConaughy seconded to approve claims. Roll call vote: Aye – Nelson, DeNaeyer, McConaughy. The motion carried.

April 9, 2024
CHERRY COUNTY CLAIMS LISTING

Claims were presented in the amount of	\$	122,552.71	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the General Fund in the amount of	\$	122,552.71	

GENERAL

Ameritas Life Insurance Corp	Withholdings/Retirement	34.68
Applied Connective Technologies	Services	\$4,867.90
Ryan Benjamin	Reimbursement	\$127.30
Black Hills Chemical	Services	\$56.99
Bob Barker Company Inc	Supplies	\$401.87
Bomgaars	Supplies	\$152.89
Michael Borders	Services	\$239.50
Boyd's Network Solutions	Services	\$2,159.64
Heath Bristol	Gross Wages	\$308.23
Buckles Fuel Service	Services	\$87.50
Cherry County Hospital	Services	\$6,187.00
Cherry County Sheriff	Services	\$127.80
Cherry County Treasurer	Bank Fees	\$54,305.00
Cidnet	Services	\$300.00
Clearly Communications	Telephone Service	\$318.55
Comfort Inn	Lodging	\$218.00
Consolidated Management Company	Services	\$22.70
Crowne Plaza	Lodging	\$434.85
DAS State Accounting 6506	Services	\$537.60
DAS State Accounting 6507	Services	\$220.55
EFTPS	Taxes/Withholdings	\$47.16
Election Systems & Software	Services	\$772.67
Firstnet/AT&T	Services	\$652.13
Michelle Garwood	Reimbursement	\$54.70
Pat Greenough	Reimbursement	\$100.00
Timothy Hanson	Equipment	\$2,636.75
Heart City Drug	Supplies	\$108.32
Heart City Plumbing	Services	\$310.65
Henderson's IGA	Supplies	\$198.17
Sharon Hesse	Reimbursement	\$84.54
Holiday Inn Kearney	Lodging	\$144.95
Kami Hooey	Services	\$7,052.75
Johnson Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,221.59
Journal Entry	AFLAC Refund	-\$60.45
Dave Leonard	Reimbursement	\$99.46
Tammy Lutter	Reimbursement	\$40.00
Marco Technologies	Services	\$31.44
Microfilm Imaging Systems	Services	\$136.00
MIPS	Services	\$3,264.47
NE Department of Revenue	Taxes/Withholdings	\$4.42
NK Waste Management Inc	Services	\$184.00
Norfolk Lodge and Suites	Lodging	\$218.98
Office Products	Supplies	\$2,313.03
Paper Tiger Shredding	Services	\$55.00
Petty Cash	Reimbursement	\$179.90
Pit Stall	Services	\$158.40
Premier Parts & Paint	Services	\$865.00
Presto X	Services	\$103.73
Quadient Leasing USA	Services	\$337.21

Quadient Finance USA	Services	\$1,700.00
Quill Corporation	Services	\$66.34
Reese Inc	Services	\$1,574.28
Region 4 Behavioral Health	Services	\$5,379.75
Ron Lower Construction	Services	\$50.00
Sandhill Oil Co	Supplies	\$170.83
Lauren Schadel	Reimbursement	\$16.59
Eric Scott Law Office	Clerical Salary/Rent/Telephone/Equipment	\$4,992.39
Scotty's Ranchland Foods	Supplies	\$42.49
Cardmember Service	Supplies	\$41.43
Sennet Duncan Jenkins & Wickham PC	Services	\$375.00
Sirchie Acquisition Company	Services	\$277.80
Tony's Tire & Auto Repair	Services	\$77.00
True Value	Supplies	\$5.99
UNL NE Extension	Services	\$7.60
University of Nebraska Lincoln	Services	\$2,521.01
UNL Panhandle Research & Extension	Services	\$470.49
US Cellular	Services	\$118.22
Valentine Midland News	Services	\$2,055.65
City of Valentine	Utilities	\$4,188.18
Ward Plumbing & Heating	Services	\$487.80
Western Oil Inc	Services	\$20.00
Wex Bank	Services	\$2,115.33
Wrenched Tire & Auto	Services	\$416.89

Gross Total \$122,594.58

Adjustment for employees' share of withholdings -\$41.87

Net Total \$122,552.71

Claims were presented in the amount of \$ 349,582.11 .
and disallowed in the amount of \$ - .
A warrant was ordered drawn on the Road Fund in the amount of \$ 349,582.11

ROAD

AKRS Equipment	Services	\$228.21
Andersen & Sons NAPA Auto Parts	Supplies	\$128.98
Andy's Glass Shop	Services	\$65.00
Bacon Repair	Services	\$780.75
Bomgaars	Supplies	\$1,616.72
Douglas Boyer	Reimbursement	\$5.35
Buche Hardware	Supplies	\$189.99
Jordan Buechle	Reimbursement	\$105.56
Cherry County Implement	Services	\$428.99
Cherry County Treasurer	Fund Transfer	\$269,000.00
Cody Oil	Services	\$3,560.92
Collier, Brent	Reimbursement	\$23.52
Consolidated Telephone	Services	\$329.08
Custer Public Power District	Services	\$157.33
DAS State Accounting Central Finance	Services	\$27.70
Dean Marshall	Services	\$3,000.00
Great Plains Communications	Services	\$320.87
Hoef's Skidloader Works LLC	Services	\$6,756.00
Hometown Lumber & Construction	Supplies	\$1,660.08
Inland Truck Parts Company	Services	\$2,856.01
JM Parts and Equipment	Services	\$17.98

Journal Entry	Void Ck# 24033516	-	\$1,609.00
Journal Entry	AFLAC Refund	-	\$342.42
KBR Rural Public Power District	Services		\$463.13
Kimball Midwest	Services		\$826.27
Martin Auto Parts II	Supplies		\$33.09
Village of Merriman	Services		\$122.79
Mips Inc	Services		\$180.00
Mullen Auto & Diesel	Services		\$1,652.95
Neal Oil & Auto Center	Services		\$660.00
Nebraska Machinery Company	Services		\$10,898.32
Nebraska Motor Fuels Division	Services		\$4,398.00
Nebraska Public Power District	Services		\$71.24
Nebraska Truck Center	Services		\$813.90
Newman Signs Inc	Services		\$6,069.08
Niobrara Valley Consultants	Services		\$6,525.00
NK Waste Management Inc	Services		\$115.00
Office Products Center	Supplies		\$325.81
The Parts Company	Services		\$412.44
Perrett Construction	Services		\$602.77
Petty Cash	Reimbursement		\$20.00
Pit Stall Inc	Services		\$1,240.42
Powerplan	Services		\$993.44
Prema	Services		\$152.42
Reese Inc	Services		\$856.38
Sandhill Oil Company	Services		\$20,655.88
US Cellular	Services		\$105.79
Valentine Midland News	Services		\$103.13
City of Valentine	Services		\$1,058.24
Western Oil Inc	Services		\$10.00
Wrenched Tire & Auto	Services		\$776.00
3S Fabrication & Repair	Services		\$133.00
	TOTAL		\$349,582.11

Claims were presented in the amount of	\$	1,191.05	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Visitor Promotion Fund in the amount of			\$ 1,191.05

VISITOR PROMOTION

Great Plains Communication	Services		\$179.84
Tony Hanson	Services		\$75.00
Norfolk Daily News	Services		\$505.00
Office Products	Services		\$140.00
City of Valentine	Services		\$291.21
	TOTAL		\$1,191.05

Claims were presented in the amount of	\$	17,310.10	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Employee Health Insurance Claims Fund in the amount of			\$ 17,310.10

EMPLOYEE HEALTH INSURANCE CLAIMS

Cherry County Clerk	Health Insurance Claims		\$17,310.10
	TOTAL		\$17,310.10

Claims were presented in the amount of	\$	9,709.89	.
and disallowed in the amount of	\$	-	.

A warrant was ordered drawn on the Bookmobile Fund in the amount of		\$	9,709.89
BOOKMOBILE			
Valentine Public Library	Bookmobile		\$9,709.89
	TOTAL	\$	9,709.89
Claims were presented in the amount of	\$	239,488.70	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Covid American Rescue Plan Fund in the amount of		\$	239,488.70
COVID ARPF			
Cherry County Treasurer	Fund Transfer		\$200,000.00
Motorola Solutions	Services		\$39,488.70
	TOTAL		\$239,488.70
Claims were presented in the amount of	\$	3,196.62	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Emergency Management Fund in the amount of		\$	3,196.62
EMERGENCY MANAGEMENT			
Century Link	Services		\$267.59
KBR Rural Public Power	Services		\$93.72
Office Products	Supplies		\$71.16
Prema	Services		\$176.39
SCG Consulting Services	Services		\$2,500.00
Valentine Midland News	Services		\$87.76
	TOTAL		\$3,196.62
Claims were presented in the amount of	\$	908,999.86	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Inheritance Tax Fund in the amount of		\$	908,999.86
INHERITANCE TAX			
Cherry County Treasurer	Fund Transfer		\$900,000.00
Donna Dolezal/Walgren Estate	Refund		\$7,352.00
Houghton Bradford Whitted PC	Services		\$396.00
North Star Electric	Services		\$1,251.86
	TOTAL		\$908,999.86
Claims were presented in the amount of	\$	985.98	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the 911 Emergency Services Fund in the amount of		\$	985.98
911 EMERGENCY SERVICES (2910)			
Great Plains Communications Inc	Services		\$8.38
OPTK Networks	Services		\$977.60
	TOTAL		\$985.98
Claims were presented in the amount of	\$	174.44	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the 911 Wireless Service Fund in the amount of		\$	174.44
911 WIRELESS SERVICE (2913)			
Great Plains Communications Inc	Services		\$174.44
	TOTAL		\$174.44
Claims were presented in the amount of	\$	335.55	.
and disallowed in the amount of	\$	-	.
A warrant was ordered drawn on the Courthouse (Special Building) Fund in the amount of		\$	335.55

Courthouse (Special Building)

Wickett Construction

Services

\$335.55

TOTAL

\$335.55

Nelson provided the Board with correspondence she had received from Larry Wewel and from an anonymous individual.

At 1:27 p.m., with no further business to come before the Board, 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.

DRAFT