

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, January 8, 2008 in the Courthouse Boardroom. Roll call: Waldmann, Vogeler, Van Slyke, Sevenker, Cullers, Cetak, and Baker present. Election of Chairperson and Vice Chairperson was held. Waldmann nominated Sevenker to continue as Chairperson, seconded by Cetak. Following discussion, Waldmann amended his motion to include nomination of Cullers to continue as Vice Chairperson and Cetak seconded the amended motion. Sevenker called for nominations 3 times, none were offered. Cullers noted that she has no desire to serve as Chairperson and suggested that another Board member that did desire the Chair position should be nominated as Vice Chair. No further nominations were offered. Waldmann's amended motion carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker. Abstain due to nomination: Cullers. No: none. Absent: none. Clerk verified meeting notice was published and agenda posted. Minutes of December 27, 2007 meeting, included in the Board packets, were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Vogeler moved to approve agenda, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Road Supt. Leth recommended approval of refunds for Easements 06-260 for Zabloudil & Peters and 06-261 for Jay A. Knapp. Baker moved to approve refunding Easements 06-260 and 06-261, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth presented a Certification of Compliance which requires his signature as well as the signature of the Board Chairperson to verify that the County is in compliance with installation and maintenance of bridge signage materials which the County received free of charge through a Federal Hazard Elimination Program. Leth indicated that the signs were properly installed and that his department would maintain them as required. Cullers moved to authorize the Chairman to sign the Certification of Compliance, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Application for curve signage under this program is completed.

Resolution 08-01, authorizing the Highway Supt. to erect and maintain signs designating restrictions to a County Highway when conditions are such that operation on a certain highway will seriously damage or destroy said highway, was approved on motion of Vogeler, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none.

Leth gave his general report, noting receipt of information from Nebr. Salt and Grain that they are now the distributor for a product called "Ice Slicker" which is used in place of salt on icy roads. It is mined in Utah and currently used in Utah, Colorado and Wyoming. It's abrasion on steel is only 30% compared to regular salt at 100%. It is red in color, environmentally friendly and said to last through 3 snows. It is more expensive than regular salt at \$160 per ton compared to \$38 per ton for salt, however, if it lasts through 3 snows the cost difference would be less. Following further research into the product, Leth would like to discuss the possibility of splitting an order of this product with Ord City. Discussion was held on the need for an additional sanding vehicle, the County presently has 2 and it takes more than half a day to salt all oiled County roads. Leth advised that, rather than purchasing an additional vehicle, a sander could be purchased and installed on an existing vehicle for about \$7000. Vogeler noted roads down south are thin on gravel. Leth said hauling gravel now would make them worse so will have to wait until spring. About half of the anchor posts for the 911 road signs are installed. Road signs will be here next week and will take at least a year to get all signs up. Midwest Sales and Service will honor the bid price for a year if additional posts, hardware or signs are needed. Leth noted that the Nebr. Machinery representative had delivered a motor grader to the County Shop for the County's consideration and invited the Board members to look at it after the meeting.

County Attorney Clark had a court appointment in Burwell so agenda items that might require his input were heard at this time: agenda items 10B Lease of local HHS Office, 10G Open Meetings Act and 11A his General Report.

Discussion of the lease with Dr. McCartney for the local HHS Office included: County pays rent and utilities and is reimbursed with federal funds through the state for about half of these direct costs; possibility of receiving financial support from Greeley, Garfield, Wheeler and Loup counties who are served by this office but pay none of the operating costs; McCartney feels he should not be responsible for snow removal and upkeep of the office and has not indicated the amount of rent he will require for the new lease. Attorney Clark will visit with Dr. McCartney and Ann Kawada of the Broken Bow office, gather information regarding this issue and report to the Board at their next meeting.

The Open Meetings Act with regard to the County Board's designation of their requirements for meeting notice was discussed. The Clerk suggested, based on a presentation at the NACO Conference by Attorney Robert Brenner, the Board either make a motion or pass a resolution regarding their requirements for meeting notice. She also suggested that meeting notice requirement be changed from 10 to 7 days to facilitate publication in the Ord Quiz, which is printed once a week. Attorney Clark noted the statute requires reasonable notice and felt 7 days would be reasonable notice. Clark advised that the Board pass a resolution each January as part of their organizational duties that covers meeting notice requirements, appointment of Weed Supt., Jail Admn., Road Supt., Emergency Manager, various committees, agency representatives, official newspaper and any other annual duties that could be included. Clark will present a sample resolution at the next meeting for the Board's consideration.

County Attorney Clark had no General Report.

The December Fee Reports for the Clerk and District Court were reviewed as well as the receipt of \$1017.63 in IV-D Quarterly reimbursement for District Court. A report of Ambulance accounts receivable balances from when the County collected the fees shows 3 accounts remain due, one of which pays a small amount each month.

Chairman Sevenker called a recess at 10:15 a.m. and reconvened the meeting at 10:20 a.m.

Sevenker reported speaking with Larry Pelan regarding NIRMA's offer of a policy change endorsement from replacement cost coverage to reproduction cost coverage, and found that the courthouse/jail is currently insured at a replacement cost value of \$3,855,500 with an annual premium of \$5,800. Reproduction cost could increase the premium by 25% to 50% but Pelan felt it would be closer to 25%. A 30% increase in insured value would increase the premium to \$7,540. NIRMA will conduct appraisals of all member counties at no cost to the counties but it will take some time. Pelan felt counties expressing interest in the reproduction coverage would be appraised first. The Board could hire their own appraiser at an estimated cost around \$2000. Following discussion, the Clerk was directed to notify NIRMA of their interest in the reproduction cost coverage but will wait for NIRMA to provide the appraisal.

Discussion was held regarding the County Recognition Dinner on February 9 at the Arcadia Legion: social hour will be from 6:00 p.m. to 7:00 p.m., dinner at 7:00 p.m. The law does not allow the County to pay for anyone other than employees so spouses and guests will pay for their own meal, however, the cost is only \$10 per person. The Clerk's Office will send notice to all employees and provide the Arcadia Legion with numbers and menu choices.

NIRMA's request for information regarding use of local coffee shops in each county for celebrating their 20<sup>th</sup> Anniversary was discussed and the Clerk was directed to inquire if different coffee shops could be designated since they are planning to be in each county 4 days.

Cetak moved to approve the bond for Mervin Hornickel, Director/Treasurer of Twin Loups Reclamation District, Cullers seconded. Carried. Yes: Cetak, Vogeler, Cullers, Baker, Van Slyke, Waldmann. No: none. Absent: none.

At request of Scott Brady, Waldmann moved to approve reappointment of Janie Zadina to the Extension Board, Cullers seconded. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Following discussion, it was moved by Vogeler, seconded by Baker that the County will not offer the "take care Debit Card" as part of the county's Cafeteria Plan. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

Committee appointments for 2008 were discussed. Supervisor Baker will be added to the Claims Committee and the Ord Family Health Center and Dr. Bengston will be appointed County Physician since Dr. Hagge has moved.

Informational items presented include October Lodging Tax receipts \$657.63, December expenses \$1125.00 and the Current Expenditures Summary Report for December 2007.

Meeting was recessed at 11:00 a.m. to conduct the BOE meeting and reconvened at 11:15 a.m.

Under Committee reports, Sevenker noted that the VCED is sponsoring an Open Meetings Law Workshop on January 15<sup>th</sup> and their regular meeting is next week.

Wozab Fund Advisory Committee approved the request of Stan Soper to honor the 2006 pledge of \$2500 on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. They also approved the wording "John & Alyce Wozab generous contributors to Valley County" for the Wozab sponsored light pole and agreed that the Wozab Fund would not sponsor a Courthouse bench at this time.

Meeting adjourned at 12:05 p.m., to reconvene on January 29, 2008 at 9:00 a.m. in regular session. Complete minutes of the January 8 meeting and an agenda for the January 29 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF EQUALIZATION MINUTES

The Valley County Board of Equalization met in regular session at 11:00 a.m., Tuesday, January 8, 2008 in the Courthouse Boardroom. Roll call: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak and Sevenker present. Clerk verified publishing meeting notice and posting agenda. Minutes of the last BOE meeting held on November 27, 2007 and included in the Board packets were approved on motion of Van Slyke, seconded by Vogeler. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. The agenda was adopted on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted the posting of the Open Meetings Act and available copies. There was no public comment. Assessor Arnold, Treasurer Suminski and Clerk Lindsey were present.

Suminski presented Motor Vehicle Tax Exemption Applications for Bethel Baptist Church, St Johns Lutheran Church, Loup Basin RC&D Council, Heartland Assembly of God Church and Mid Nebraska Individual Services, noting that Seventh Day Baptist Church withdrew their application as they no longer owned the vehicle. Suminski reviewed the vehicle use listed on each application and recommended approval of all of them. Vogeler moved to approve the applications for Motor Vehicle Tax Exemption that were presented, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Arnold presented Tax List Correction #3716 for James & Mary K. Novotny and #3717 for Glenn & Marilou Dockhorn. The correction was necessary because the Assessor was not aware that Dockhorn retained a 5.06 acre tract and out buildings at time of sale to Novotny. Tax List Corrections 3716 and 3717 were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Arnold also notified the Board that because Enterprise Township had more parcels, the budgeted amount for reappraisal will be over by about \$1000. The reappraisal should be finished next year.

Meeting adjourned at 11:15 a.m., to reconvene as needed following required meeting notice. Complete minutes of the January 8 meeting and an agenda for any properly advertised future meetings are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, January 29, 2008 in the Courthouse Boardroom. Roll call: Baker, Cullers, Van Slyke, Vogeler, Sevenker and Cetak present, Waldmann absent. Clerk verified meeting notice was published and agenda posted. Minutes of January 8, 2008 meeting, included in Board packets, were approved on motion of Cullers; seconded by Vogeler. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: Waldmann. Waldmann arrived at 9:04 a.m. Cullers moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and available public copies. There was no public comment.

The Treasurer's Report, Agenda items 7D 1-4, was heard first to allow Treasurer Suminski and her staff to attend the funeral of former employee, Betty Rienks. In addition to fund balances, the Fund Balance Report for December 2007 listed receipts for Road Allocation of \$46,168.20, Planning & Zoning \$60.00, Visitor Promotion and Improvement \$657.63, Inheritance Tax \$8,208.46. December 2007 receipts totaled approximately \$1,077,000.00. Suminski also presented the Semi Annual Fund Report for 07-01-07 through 12-31-07 as printed in the Quiz and filed with the County Clerk. In addition to this condensed report, a detailed report was also provided. The ending balance was listed at \$2,127,812.39. Delinquent taxes will be published the in February and the Misc. Folder is available for review.

Road Secretary Simpson reported January Road Claims & Balances totaling \$39,722.35 for accounts payable and \$41,009.83 for payroll. Payroll was higher due to payment of unused vacation and sick time. Remaining in the gravel budget for the fiscal year is \$35,445 and fuel \$38,402.

Road Supt. Leth presented the 1 & 6 Year Plan which provides a description and location of the proposed projects. On motion of Waldmann, seconded by Cetak a public hearing date for the 1 & 6 Year Plan was set for February 12, 2008 at 9:30 a.m. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Leth reviewed proposed projects with the Board. The proposed plan is on file in the Clerk's Office.

At 9:30 a.m. the motor grader bids were opened as advertised. Bids were received from Nebraska Machinery and Murphy Tractor & Equipment. Present were representatives Ed Bomar, NMC and Noland Rackey, Murphy Tractor. The Clerk opened and read the bids in the order they were received. Nebr. Machinery bid a 140H Caterpillar at \$229,810, less trade in allowance of \$58,000, with a 5-year or 7500 hour warranty (specs required 5000 hours) at no additional cost for a total bid of \$171,810. Murphy Tractor bid a 770D John Deere at \$193,000, less trade in allowance of \$45,000, with a 5-year or 5000 hour warranty at no additional cost for a total bid of \$148,000, a 7500 hour warranty would cost an additional \$3300, bringing the comparable total bid to \$151,300. Each representative spoke to the Board regarding their machine. Board discussion included: Cat trade in allowance is greater; Cat guarantees Michelin tires as required in specs, JD does not; cost of adding wings would be significantly greater with JD because it is not set up for it as the Cat is; JD charges extra for 7500 hour warranty; Cat includes spare rim, JD does not; Cat has higher resale value; according to Leth's records JD machines cost more to operate than Cat machines. Following discussion, Van Slyke moved to accept the \$171,810 bid of Nebraska Machinery for the 140H Caterpillar, which includes the \$58,000 trade in allowance and the 5 year or 7500 hour warranty, seconded by Vogeler. Carried. Yes: Van Slyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none. Both representatives were thanked for their bids. Leth noted that he has budgeted \$50,000 for this purchase and will work with Ameritas through NACO to finance the remaining \$121,000. He estimates the interest will be around 3.2% with semi-annual payments of \$38,000.

Leth finished his review of the 1 & 6 Year Plan noting his intention to lower the tonnage on a critical condition bridge rather than include it in the plan. The people who use it regularly have said they will stop hauling corn over it and only use it for passenger vehicles.

Leth reported: about 70% of the 911 signs are up, will need to order additional signs as were short some signs and have already had some vandalism; Board agreed signs should be replaced if unreadable.

Weed Supt. Kaminski presented his report of 2007 activity and plan for 2008 which is required to be approved by the Board and submitted to the state by January 31 each year. Kaminski noted that he has lowered the number of infested acres for some weeds as progress is being made, the County can petition to have a weed declared noxious if they wish. Discussion was held regarding scotch thistles, but felt could be controlled with musk thistle. Vogeler moved to accept the 2007 Activity Report, Budget Report and the Roster and authorize the Chairman to sign said documents, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The plan for 2008 was discussed. Vogeler said he hoped the 17 open files noted by the state would be closed this year. Kaminski said all but one of the 17 had sprayed and that he hoped the state would close the file on those that sprayed.

Also discussed was the sale of chemicals and the Board instructed Kaminski that he should not sell chemicals and he agreed to delete item 3 on page 7 of the 2008 plan with reference to the sale of chemicals. The Board also asked that Kaminski present this information earlier so they would have more time to review it. Van Slyke moved to approve the 2008 Noxious Weed Control Plan submitted by Kaminski, with the elimination of line 3 on page 7 regarding the sale of chemicals, seconded by Cetak. Vogeler said he was not happy with the state's review presented in December and that he had received calls from people interested in the County Weed Supt. position. Kaminski said that, in the past, the Board has not approved forced spraying which meant he had to go to each landowner. Vogeler felt this Board had authorized forced spraying. Kaminski said if they had he had misunderstood their intention and had continued to use the 15 day notice which involves fines for noncompliance rather than the 10 day notice which involves force spraying for noncompliance. The Board indicated that they had not realized the different authority allowed by the 2 notices and were not certain if force spraying had been approved. The Clerk was directed to review past minutes and report at the next meeting whether forced spraying had been approved. Chairman Sevenker called for a vote on Van Slyke's motion, which carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Sheriff Ronzzo was present for discussion of the Interlocal Law Enforcement Agreement between the County and North Loup Village. Also present were Michelle Sheldon and Craig Critel of North Loup. Discussion was held regarding the Agreement. Village concerns include: Ronzzo not attending their monthly meeting, not providing written reports of duties performed for the Village and not responding timely to Village issues which sometimes results in citizens incurring court costs and appearances that could have been avoided. Ronzzo indicated that Monday night meetings are difficult for him to make as County Court is on Monday and he is short one deputy, he also said he sometimes forgets the meetings and forgets to send reports. Chairman Sevenker commented on Ronzzo working for Greeley County. Ronzzo responded that what he did on his own time did not concern the Board and offered to resign. Sevenker said he was not asking for his resignation. Sheldon and Critel said they felt the Village was sufficiently patrolled, their complaint concerned only those issues specific to the Village that are covered by the Agreement and for which the Village pays \$1000 each month, their desire is to make the agreement work. Vogeler noted that the Agreement is to the advantage of both the Village and the County. Ronzzo said he would provide a written monthly report to the Village and attend meetings when possible.

The notice from the Nebr. Commission on Law Enforcement of a March 19<sup>th</sup> jail inspection was noted.

The meeting recessed at 11:20 a.m. and reconvened at 11:30 a.m. with all Board members present.

Joe Wadas was present to report on the Courthouse heating and cooling system. He is currently trying to get remote sensors for the units to provide better temperature control and has been working with Rodney Cory, Daikin Service Manager on this. He provided email correspondence from Cory indicating that Cory personally inspected the Courthouse units and agrees with the need for remote sensors. Wadas feels this is an engineering problem and should not be his or the County's liability. They also have temporarily set the thermostats to come to 80 degrees first thing in the morning and to 78 degrees at 5:00 p.m. Wadas will update the Board at their next meeting.

Roger Newquist appeared to offer the downtown Ord building previously used by Gregory Real Estate as an alternative site for the local HHS Office. Copy of the Assessor printout showing square footage of the building was provided. Newquist noted the building has been walled and is now about 900 square feet but could be rearranged. It currently has window air, radiant heat, 1 small restroom and a handicap accessible entrance. Renovation would be required for it to serve as HHS Office. Vogeler said he visited the current HHS Office and it is crowded by workable. The Board will consider this alternative.

County Attorney Clark had contacted Roger McCartney regarding the lease renewal for the current HHS Office and provided a copy of McCartney's reply. McCartney asked for clarification of who is responsible for snow removal, building, glass, plumbing, electrical, roof, heating and AC repair. He noted the County currently pays for the electricity. McCartney noted that rents in Ord and Burwell range from \$6.00 to \$10.00 per square foot with the property owner paying taxes and insurance. The County currently pays \$500 per month in rent and the light and heating costs. The state reimburses the County for a percentage of the direct costs. Following discussion, it was decided that the County would offer a two year lease with a 50% rent increase to \$750 per month with the landlord being responsible for the premises, including snow removal, building, glass, plumbing, electrical, roof, heating and AC repair. Clark will draw up a proposal for McCartney's review.

Chairman Sevenker called a recess at 12:25 p.m. to reconvene at 1:00 p.m. The meeting was reconvened at 1:00 p.m. with Cetak absent, all other Board members present.

Jim Gustafson of Nebr. Community Foundation presented information regarding the Community Development Assistance Act Tax Credit program and the Nebraska Charitable Tax Credit. The County currently qualifies for the CDAA Tax Credit program as does Courthouse renovation. Donations to the cash flow fund established with NCF for Courthouse renovation and maintenance would qualify for the 40% tax credit offered by this program. There is a limit of \$25,000 tax credit per project per year up to \$75,000. The County would have to apply in order to be approved to participate in the program and some pledged donations will be required as part of the application process. Supervisor Cullers has been looking into this and, with the help of other Board members, would be willing to pursue pledges and write the application if the Board approved. Cullers also proposed an open house at the Courthouse to promote the tax credit program with tours of the Courthouse and maybe some type of entertainment, possibly on July 6 in conjunction with the downtown renovation celebration. The Charitable Tax Credit applies to endowment gifts and the Courthouse endowment fund would qualify. This type of fund is geared more for future needs of the Courthouse rather than current needs. Following discussion, Waldmann moved to authorize going forward with the application to the Community Development Assistance Act Tax Credit program, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Supervisor Cetak arrived during the above discussion at 1:10 p.m.

Cullers presented for review the Wozab Fund Quarterly Statement and the statement that includes all funds. Following discussion, Cullers said she will check on the fee percentage charged by NCF. The Board set the Wozab Fund application period to begin Feb. 6 with a return deadline of March 17. Copies of the applications are to be provided to the Board at their regular Board meeting on March 25. The Wozab Fund Advisory Committee will meet on Monday, March 31 at 7:00 p.m. to consider the applications.

The Board decided that the inscription on the Courthouse bench they purchased should be: Valley County Board of Supervisors 2007, George M. Baker, Allen Joe Cetak, Helen L. Cullers, Robert D. Sevenker, Jack Van Slyke, Craig Vogeler, Pat Waldmann.

The Clerk is to notify NIRMA that Supervisors Vogeler and Cullers will attend the NIRMA meeting on Feb. 6<sup>th</sup>, at the Kearney Holiday Inn. Supervisors Vogeler and Cullers are registered to attend the County Board Workshop at the Kearney Holiday Inn Feb. 6 through the 8<sup>th</sup> and the Clerk will check into a late registration for Sevenker for the 7th.

Candy Kunz, Miller & Associates, did not appear due to the weather, however, informational packets were provided to the Board regarding the Valley County Down Payment Assistance with Minor Rehab CDBG Grant. After discussion and review, the following items were approved on motion of Vogeler, seconded by Waldmann: Housing Rehab costs of \$95.96 for VC-02 and \$950.28 for VC-03; Housing Adm. Invoice for Community Development Services for \$1500 and Grant Adm. Invoice for Miller & Associates for \$1200; Project Fund Requests for \$2546 and \$1200. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

The January Claims and Balances Report and the Claims List were reviewed. Jailer shift hours and overtime were discussed and the need for receipts attached to Grocery Kart claims was noted. The Clerk reported that an early fund request was required to meet the January 23<sup>rd</sup> deadline for payment of sales tax on Road Dept. sales. Following discussion, Cetak moved to approve January Claims and authorize the signing of the early fund request and the regular fund request, seconded by Van Slyke. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Road Supt. Leth informed the Board that if a resolution for purchase of the motor grader could be approved today, the interest rate would be 2.6%. However, it was determined that a resolution could not be acted on today as it did not appear on the agenda.

The Signature and Seal report required by the Secretary of State's Office, Notary Division was completed.

Auto Fleet, Inland Marine and Building Contents Schedules were reviewed and updated by the Road Supt., the Sheriff, and the Clerk and returned to NIRMA. Copies were provided for review by the Board.

The Board approved the Extension Office request to dispose of 2 old, county owned file cabinets at the Wolf auction in Feb. on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board approved the use of the Courthouse lobby for the Democratic Caucus on February 9 as requested by Everett Lech on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Informational items presented: Ord Volunteer Fire Dept. notice of Benefit Dance, proposed change to Central District By-Laws, CNCS letter regarding Valley County Owner-Occupied Housing Rehab Grant Loan Repayments, State reimbursement of \$113.94 for County Attorney IV-D, Attorney General Notice of Hearing Case CI08-184.

Mid Plains Report by Vogeler: Scott Dugan has reversed his resignation and will stay indefinitely. The CEO of Mid Plains has authority to present 4 at large Board members. There are currently 13 Mid Plains Board members. They are waiting for the State Audit report.

Region 3 Report by Cullers: Printed annual report provided. Noted that Mid Plains reported their policy is to serve clients as funds allow. County Match for Region 3 is estimated to double next year due to rising costs and loss of Hall County. Match is based on population. Legislation has been introduced to change financial responsibility for EPC patients back to county of residence. New Youth to Adult Transition Program has been developed for older youth. A Current network directory for services will be kept on file in the Clerk's Office.

VCED Report by Cullers: Approved contract with City of Ord to administer Sales Tax. City Attorney Cullers to review policy manual regarding comp time. Strategic Planning results received, action plan to be presented in February. Terry Keown instructing EDGE Program to be presented in Ord & Burwell. Broken Bow recycling will no longer pick up plastic/tin trailer from Ord. Discuss feasibility of spec building at Feb. 5<sup>th</sup> meeting. Chili cook-off Feb. 3 at Fairgrounds. Housing surveys turned in, results in Feb. VCED Financial Report as of 1/16/2008 available for review.

Mail folder items: Jan 18 Legislative Report, CNCS Newsletter, NDOL Newsletter, Karr Tuckpointing Ad.

Meeting adjourned at 3:10 p.m., to reconvene on February 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the January 29 meeting and an agenda for the February 12 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk



## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, February 12, 2008 in the Courthouse Boardroom. Roll call: Sevenker, Cetak, Vogeler, Baker, Waldmann, Cullers and Van Slyke present. Clerk verified meeting notice was published and agenda posted. Minutes of January 29, 2008 meeting, included in the Board packets, were approved on motion of Baker, second by Cetak. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Vogeler moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Charles Cone, Executive Director of the Loup Basin Public Health Dept., gave his annual report presenting a printed 2006-2007 Annual Report and a spreadsheet outlining statistics for the Loup Basin Smiles Fluoride Varnish Program which is available to elementary schools in the 9 county area served by the Dept. The state is considering adopting the Smiles Program statewide. The LBPHD Board is the same as last year; Supervisor Baker is the Valley County representative. One rabies case was reported in Valley County this year, the first case this year in the 9 county area. After this year, funds for West Nile testing will be depleted. LBPHD has 8 staff members in addition to Cone. The Dept. is not a profit/loss organization but is a cost center and must spend all funds received. A monthly report of all expenditures is made and 2 signatures are required on all checks.

At 9:30 a.m., as advertised, the Public Hearing on the One & Six Year Road Plan was opened. No one was present to testify for or against the Plan other than Road Supt. Leth. Leth reviewed projects 11 and 12 on the Six Year Plan which were not covered at the last meeting.

Chairman Sevenker recognized Gary Rasmussen, candidate for Legislative District 41, who was expected to appear at 9:00 a.m. under public comment. Rasmussen said he was told 9:30 a.m. He said his purpose in coming was to introduce himself as a candidate and answer any questions the Board might have. He noted that he was a lifelong Nebraska resident, has been a Howard County Commissioner for 8 years, is on the Nebraska Railway Council and considers water issues, agriculture, property taxes, good schools, transportation, viable railroad, economic development, and affordable housing some of the major issues in Nebraska.

The Public Hearing for the One & Six Year Road Plan was closed at 9:40 a.m. Following discussion, Vogeler moved to approve the Affidavit certifying the proper advertising and posting of the Public Hearing for the One & Six Year Road Plan and Resolution 08-02 adopting the One & Six Year Road Plan presented by Road Supt. Leth, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

Resolution 08-03 approves the lease purchase agreement for the motor grader on which the bid was accepted at the last meeting, and authorizes signing of the related certificates and documents. The resolution lists the principal amount as \$124,295, interest rate of 2.65% and semi-annual payments until February 1, 2011. Leth noted that the first payment is due Sept. 1 and that he has budgeted \$50,000 this FY to lower the lease amount. Cetak moved to approve Resolution 08-03, seconded by Van Slyke. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Leth reported he was surprised to receive the nationwide permit for bridge project 119 as they are rarely issued. He has budgeted \$8000 for this project. It will begin in the spring, the state will monitor the work, the existing bridge will be dismantled and sold. Currently cutting and hauling trees. 911 signs ordered are now in place, will order remaining signs, felt the road crew did a good job getting them up, about 70% of signs are up, destruction of new signs discussed. Just received salt ordered in early December. Will not gravel until spring thaw, after initial maintenance.

County Weed Supt., Darrell Kaminski, presented information on phragmites, a weed the state is considering adding to the list of noxious weeds. A letter was received from the Director of the Nebr. Dept. of Agriculture requesting the opinion of the Counties and providing a form for that purpose. Kaminski brought a sample of the native species, noting that it is not a problem but the invasive variety grows to 12-14 feet high, kills most other plants and is very difficult and expensive to control. The invasive form is not yet prevalent in the area and it is hoped that early control will keep it out. Van Slyke moved to support the designation of phragmites as a noxious weed, seconded by Waldmann. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Clerk reported finding no Board action recorded in the Board minutes for 2007 regarding Board approval of force spraying of noxious weeds or use of the 10 day notice. Discussion was held regarding the 10 day notice and the 15 day notice. Kaminski said he had checked with the state and the annual plan he files in January can be changed during the year by Board action, a copy of which is sent to the state to amend the plan. Kaminski explained that when

he inspects a property and finds noxious weeds he can send either a 10-day notice or a 15-day notice. The 10-day notice requires the landowner to spray the affected area and provides notice that it will be inspected again in 10 days and if it has not been sprayed the County will order it done and bill the landowner. If the landowner does not pay the spraying bill, it will become a lien on the property. The 15-day notice requires the landowner to spray and provides notice that it will be inspected again in 15 days and if it has not been sprayed a daily fine will be levied on the landowner up to \$1500. Kaminski said he did not object to using the 10 day notice but felt it should only be used when there was non-compliance for multiple years, maybe 3 years, and that he had no problem with bringing 10 day notice situations to the Board for approval before acting on them. He indicated he has been getting good compliance overall. Waldmann moved to authorize Kaminski to use the 10-day, force spray notice, seconded by Baker. Van Slyke thought the motion should include the stipulation that Kaminski notify the County Board prior to sending a 10 day, force spray notice. Waldmann agreed to amend his motion to include the stipulation and Baker agreed to second the amended motion. Carried. Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Sevenker called a recess at 10:20 a.m. and reconvened at 10:40 a.m. with all Board members present.

Planning & Zoning Adm. Glaubke's report included: Invited the Board to attend the Nebraska Planning and Zoning Association meeting on February 20, 21 and 22 in Grand Island. David Yost, who was appointed by North Loup Village to the Valley County Area Planning Commission, has resigned that appointment. He was very good and will be missed. The County's Comprehensive Plan is almost 10 years old, it is good until 2010. The original plan cost \$30,000 but update should be \$12,000 to \$15,000. Planning grants are offered through CDBG but currently the County's low-to-moderate income level does not qualify. Update could be paid for over 2 FY budgets. No final hearing yet on preliminary flood plain map. Few minor subdivisions have been approved. Loup Valley Rural Public Power Dist. has applied for subdivision for substation along Highway 70, awaiting state approval to add driveway.

Since Joe Wadas was present the Board heard agenda item 8A at this time. Wadas provided email correspondence regarding the new remote sensors. It appears that Daiken is willing to pay for the sensors but not for their installation. Wadas feels the sensors in the heating units are against cold walls and do not give a true reading, the remote sensors will be mounted away from the cold walls and windows to provide a true reading of the room temperature. Sevenker said he feels this is a design error but said Brian Hergott of Beckenhauer Inc. thought the design was okay. Wadas said the installation costs could go as high as \$5000 and the sensors will also control the air conditioning system. It was suggested that Daiken or the engineer be approached to split the installation costs. Wadas thought they would pay for installation of the gooseneck apparatus on the roof to prevent snow from blowing in. Cullers moved that County Attorney Clark be asked to write a letter to Associated Air Products with a copy to Beckenhauer Inc. regarding this issue, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Wadas was directed to go forward with installation of remote sensors in a specific area and evaluate the result before continuing the installation throughout the Courthouse. The Board continues to feel this is an engineering design error and should not be a County expense. Sevenker noted that Beckenhauer is willing to work with the County on this.

Treasurer Suminski presented the month end fund report for January 2008, noting fund balances and monthly receipts. General Fund Receipts \$68,940.64, Road \$46,034.37, Visitor Promotion \$250.27, Visitor Improvement \$250.26 and Inheritance Tax \$913.92. Suminski requested Board consideration of 2 resolutions. One authorizes transferring excess Courthouse bond money from the General Fund to the Bond fund so it can be used to make bond payments. The second resolution is for transferring back taxes collected in the old Hospital Bond fund, paid off in 2004, to the Hospital O&M Fund to repay funds used to make the final bond payment. Following discussion, the Board felt the Courthouse Bond money should remain in the General Fund until it is certain all costs are paid. The Clerk or Treasurer is to consult with Budget Accountant Abel to see if remaining bond funds can be transferred after the end of the FY. Resolution 08-04 regarding the old Hospital Bond Fund was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none. The Misc. Receipts folder was available for review.

Clerk Lindsey's report of January fees was reviewed showing \$4,678.92 in January business. Lindsey also proposed a resolution for Board consideration to authorize changing the order of voting precincts as they appear in the Official Abstract of Votes Cast. The change to optical scan ballots and use of computer software to provide information for printing the ballots makes it necessary to list the precincts in numerical order in order to provide the correct rotation of candidates on the ballot. The current Official Abstract precinct order is 3, 2, 6, 1, 4, 5, 7 and proposed Resolution 08-05 authorizes changing the precinct order to 1, 2, 3, 4, 5, 6, 7. Resolution 08-05 was approved

on motion of Baker, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Lindsey had also requested Board action on meeting notice requirements, but based on Supervisor Cullers' report of information received from Larry Dix at the County Board Workshop it was determined that the County satisfies the Open Meetings Act by publishing Supervisor and BOE meetings separately, including the BOE meetings on the Supervisor agenda at the advertised time, and noting on the agenda if there is not business to come before the BOE. Cullers was also advised that separate Wozab Fund Board meetings should be advertised.

Agenda item 8D regarding the 4% annual fee increase that was part of the Law Enforcement Agreement with North Loup but has not been collected was discussed. It was determined that the uncollected 4% annual fee increase will not be pursued. Attorney Clark felt the agreement needs to be rewritten and suggested a letter to Village attorney Cullers regarding the agreement. Law enforcement consolidation was also discussed with regard to duplication of services and cost savings.

Sevenker recessed the meeting at 12:10 p.m. to reconvene at 1:00 p.m. The meeting reconvened at 1:10 p.m. with all Board members present.

Present for discussion of the proposed hospital bond issue were: Hospital CEO Larry Schrage, Hospital Board members Kara Fischer and Carl Streeter, Kent Larsen of TSP Architecture and Engineering, Marc Munford and Jay Spearman of Ameritas, Valley County Attorney Glenn Clark.

Schrage noted that statute requires the County Board to approve putting this issue on the ballot. Munford presented a proposed timeline for meeting the requirements to get the issue on the ballot and organizing educational activities to provide information to the public. Statute requires the resolution calling the election be presented to the Clerk by March 3. The Clerk noted that even though the issue appears on the Primary ballot it is still considered a special election and as a taxing agency, the hospital can be billed for election costs. An engagement letter was presented outlining services to be provided by Ameritas which Munford asked the County to sign. The letter indicates the only fee to Ameritas will be the discounted purchase price for the bonds, not to exceed 1.10% of the par amount of bonds issued and no fee will be incurred should the bond issue not be passed by the voters. They have assisted with 4 or 5 hospital bond issues in the last 3 years, all of which were successful. Vogeler objects to approving engagement letter today since he has not had time to review it. Munford assures engagement letter does not bind County to anything if the Board does not pass the Resolution calling the election at their next meeting. Vogeler asked about dollars spent to date and how 19 million dollar figure was arrived at. Schrage said there were architectural fees for the detailed analysis and a recent survey. The dollar amount was a good faith estimate. Baker asked about heating costs for current building, Schrage said 10 to 15 thousand dollars monthly. Cullers moved to approve the engagement letter naming Ameritas Investment Corp. as investment banker of Valley County Health System. Van Slyke said he would like the motion to include the fact that the hospital will pay the bond issue election costs. Cullers withdrew her original motion and moved to approve the engagement letter naming Ameritas Investment Corp. as investment banker of Valley County Health System with the understanding that the hospital will pay the election costs for the bond issue, seconded by Cetak. Further discussion included questions by Vogeler and Baker regarding ongoing architectural work and fees as well as the purchase of additional land. Kent Larsen said his fee is prorated until bond issue is decided. Schrage said expenses will be minimal until bond issue decided and noted that Larsen has built many critical care facilities so should be able to provide a good guaranteed maximum cost. Schrage said they have an option to purchase land owned by GLVA directly west of current facility, number of acres to be decided based on architectural requirements. Chairman Sevenker called for a vote on Cullers' motion. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Waldmann. No: Vogeler. Absent: none. Munford and Spearman presented draft copies of paperwork necessary to put the issue on the ballot, including a proposed resolution, notice of election and ballot wording. They also provided printed material for discussion purposes only on a proposed debt service schedule, operation of project construction fund, operation of capitalized interest fund, and tax levy impact all based on 18 million dollar project size. Further discussion included: five year call back on bonds allows them to be refinanced if interest rates go down, hospital current net revenue about 1.1 or 1.2 million per month, study of 20 critical care facilities built in last 2 years shows average utilization goes up and expenses go down, hired new physician who is finishing third year at Creighton and interviewing another, goal is to have 3 physicians and 3 assistants, updated facility helps recruiting. Sevenker noted that the Hospital Board and Schrage have put much time and study into this issue, suggesting the Board have faith in them and their constituents and let them vote. County Attorney Clark said on initial review the material presented looked okay to him. At the next Board meeting on February 26, 2008 at 9:00 a.m., Kurt Mournal of Dohman, Akerlund

and Eddy will present information on the feasibility study and the resolution calling the election will be presented for Board approval. The debt service runs will not be exact until the bond issue is finalized.

County Attorney Clark reported that he has not received a reply from McCartney on the lease of his building for the local HHS office. He talked to HHS employees who said they are crowded which presents challenges with confidentiality but they also noted that moving is expensive. Clark will contact McCartney again.

The letter from the Fire Marshall requesting more detail in the five year plan for installation of a third floor exit, fire sprinkler system and elevator was discussed. Cullers noted that Cedar County renovated their Courthouse with a Yankton, South Dakota firm who quoted their elevator at \$100,000. She will try to get more information on this firm. Baker moved that the Board would attempt to have an outside exit from the 3<sup>rd</sup> floor within 24 months, a fire sprinkler system within 36 months and an elevator when funding becomes available, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none.

The billing statement from Howard County regarding the expenses of housing District Court Judge Karin L. Noakes for the 8<sup>th</sup> Judicial District was discussed. Attorney Clark said he will get more information regarding the billing and report at the next meeting. Waldmann moved to table this issue until the next meeting, seconded by Van Slyke. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Discussion was held regarding the County recognition dinner held in Arcadia on February 9, 2008. The Clerk was directed to pay the costs from the Inheritance Tax Fund. Costs are to include employee recognition gifts, meals for employees and entertainment group from Arcadia High School, gratuity of 15% of total meals for the servers.

Use of the Courthouse lawn by the Chamber for ExtraOrdinary days was approved on motion of Vogeler, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

The following informational items were reviewed: Lodging Tax receipts and expenditures, proposed by-law change for Central District, IV-D reimbursement for District Court and County Attorney, Expenditures Summary Report for January 31, 2008, Central Dist. meeting March 20 at Kearney Ramada Inn.

Cullers reported that NCF charged management fees of .75% of total endowment assets held in the Wozab Fund plus \$100 per quarter. She also presented a draft copy of a fact sheet to be provided to the public regarding the NCAA tax credit for contributions and a draft pledge form and asked for input from the Board regarding the drafts. Following discussion, the Board agreed that Cullers should proceed with development of the fact sheet and pledge form.

There was no County Attorney Report and no Committee Reports.

Meeting adjourned at 3:30 p.m., to reconvene on February 26, 2008 at 9:00 a.m. in regular session. Complete minutes of the February 12 meeting and an agenda for the February 26 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, February 26, 2008 in the Courthouse Boardroom. Roll call: Waldmann, Van Slyke, Cullers, Baker, Vogeler, Sevenker, and Cetak present. Clerk verified meeting notice was published and agenda posted. Minutes of February 12, 2008 meeting, included in Board packets, were approved on motion of Cullers, second by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Updated agendas were provided to Board members since item 8K was added after Board packets were mailed but prior to the 24 hour deadline. Baker moved to adopt the updated agenda, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Present for discussion of the hospital bond proposal were: Hospital CEO Larry Schrage, Hospital Board Members Kara Fischer and Carl Streeter, Kent Larsen of TSP Architecture & Engineering, Marc Munford and Jay Spearman of Ameritas, Kurt Moural of Dohman, Akerlund & Eddy as well as various hospital employees and members of the public.

A printed copy of the Debt Capacity Analysis prepared by Moural was included in the Board packets and he reviewed each page with the Supervisors. Moural said he has worked with 27 critical access hospitals and has seen a lot of this in the last few years. He said it is a good time to invest in structures due to the reimbursement setup. Moural said the baseline operating and total margin figures used in the analysis were taken from the Hospital's FYE 2007 financial statements and a conservative 3% annual net margin growth was assumed. He said if the Hospital maintains their current production, tax support should not be needed for the new building but he acknowledged that the margin is tight. The odds of needing 100% tax support are slight, however, if that were required the tax rate would be 40 cents per 100 dollars of property value. Schrage noted that a study completed 3 years ago showed that 40% of the area market share was not captured by the Hospital and that the last 24 critical access hospitals built increased their in-patient and out-patient care by 5% to 10%. Schrage said the Hospital currently carries approximately \$600,000 in cash reserves. Moural noted this has been discussed and they have recommended a goal of cash reserves equal to one year of debt service payments. Larsen said an escalation of 5% in construction costs has been built in to provide some cushion between now and the start of construction. Baker said he did not feel there had been enough time to consider all of this information and he was concerned that the public was under the impression that this bond could not go to the taxpayers. Baker moved that the Board delay signing the Resolution to put this issue on the ballot until the General Election in the fall, allowing more time for explanation to be provided. Chairman Sevenker called twice for a second to the motion with no response then declared the motion dead for lack of a second. Sevenker noted that, while time is short for the Supervisors, the Hospital Board has spent a lot of time studying this issue and he felt there was nothing more fair than letting the public decide. Munford said the education process will begin after the election has been called. Public meetings will be held and they will also meet with small groups. A brochure will be printed to provide information. Fischer said they could not go further without this step. Cetak said he felt the Hospital is moving in the right direction with a good Board and staff and moved to adopt Resolution 08-06 calling for the election to place the bond issue before the public. Cullers seconded the motion, noting that these meetings are open to the public, that voters have responsibility to gain knowledge and should be able to get their questions answered. Vogeler noted the importance of getting information to the public, that he felt the Hospital was the biggest asset the County has and that it could be a lot stronger if divisive issues could be resolved. Sevenker called for a vote on the motion. Carried. Yes: Cetak, Cullers, Waldmann, Vogeler, Van Slyke. No: Baker. Absent: none. Van Slyke asked if educational meetings would be held in Arcadia and North Loup, Schrage said yes. Schrage offered to postpone his regular report until next month in the interest of time, Sevenker agreed.

A recess was declared at 10:30 a.m., the meeting reconvened at 10:40 a.m. with all Board members present.

Copies of Baird Holm letter advising they are acting as Bond Counsel to the Hospital were provided to the Board.

Nancy Glaubke appeared to give the Tourism and VCED reports as Bethanne Kunz was unable to attend.

Glaubke provided a printed VCED and Area Chamber 2006-2007 Annual Report for each Board member. Quarterly Reports for VCED and Tourism were part of the packet mailed to each Board Member. The Quarterly Tourism report included copies of the updated application form and guidelines for those seeking lodging tax funds as well as information regarding ongoing projects and financial information. The Quarterly VCED report provided information regarding employment increases in Valley County and an upturn in retail sales for Ord as well as information on the Housing Study, Sales Tax Fund, Down Payment Assistance Grant, award of \$20,000 BECA Grant and various programs sponsored by VCED. It was noted that they are looking at opening the old gas station building in North Loup that sits

beside the Pump & Pantry as a Tourist Information Center this summer, using Lodging Tax funds reserved for that purpose. They hope to staff the center with volunteers on Thursdays, Fridays and Saturdays. Discussion included: photo contest pictures to be used on website, Terry Keown's EDGE and Employee Boot Camp programs well received, final County sponsored BECA grant claim received this month, Sales Tax Fund loans, Housing Study, use of TIF funding for increasing housing not feasible unless includes good sized area.

Road Secretary Simpson gave the Road Claims and Balances report noting accounts payables of \$65,054.90 and payroll \$35,630.02. Fuel budget has \$32,896 remaining for FY.

At 11:10 a.m. the Board of Equalization was convened on motion of Cetak, seconded by Cullers. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Minutes of the last BOE meeting on January 8, 2008 were included in the Board packets and were approved on motion of Van Slyke, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Clerk Lindsey, Assessor Arnold, and Appraiser Chad Martinsen were present.

Martinsen reported he is currently finishing his review of North Loup, Enterprise and Vinton Townships and will begin working on the last 4 townships. The County-wide appraisal review should be finished this year.

Arnold said letters were sent to taxpayers in the 3 Townships Martinsen just reviewed offering informal hearings with herself and Martinsen to answer questions. Arnold noted that residential property is required to be at 92% to 100% and agricultural property 69% to 75%. Farm buildings are considered residential, not agricultural.

Tax List Correction for Grant Geiser's sale of a 1977 Champion Mobile Home was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Discussed the Assessor's Pending Notice of Taxable Status for small parcels of land the record indicates the County owns but does not use. Arnold said if they are not used for a public purpose they need to be taxed. Following discussion, it was decided that County Road Supt. Leth will report the location of the parcels in question and County Attorney Clark will advise on how they can be disposed of. This item is to be on the next Board agenda.

Real and Personal Property Tax Exemption Applications for Qualifying Organizations were heard at this time. Applicants were provided required notice; however, none were in attendance. Arnold's list of applicants and recommendations were included in the Board packets. Following discussion, Cetak moved to approve the property tax exemption applications at same percentages as last year, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The Assessor list of applicants with her recommendations and a list of the applicants with Board action noted will be attached to the minutes as part of the permanent public record. The list of tax exempt real estate will be published in September as required by statute.

The Board moved back into regular session at 11:40 a.m. on motion of Van Slyke, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Jacque Haupt of Miller & Associates was present to answer questions regarding the latest drawdown request for the Down Payment Assistance & Housing Rehab Grant as well as the proposed amendment to the grant program guidelines. Information was included in the Board packets. The proposed amendment was recommended as the result of a roundtable discussion organized by Bethanne Kunz in an effort to gain more applicants for the remaining grant funds. Lenders, realtors and other interested parties were invited to the discussion. The proposed amendment would change the payback stipulation. Currently the applicant must live in the home for ten years, if they move or sell the home before the ten-year period the entire amount of assistance received must be repaid. The proposed amendment would allow a 10% payback reduction for each year the applicant lives in the home. It is hoped this would provide incentive for more applicants to take advantage of this grant opportunity. The amendment would also apply to applicants who have already received assistance. The Nebr. Dept. of Economic Development must approve a guideline change and a letter requesting their approval was presented. Van Slyke moved to approve the proposed amendment to the grant program guidelines as outlined in the letter dated February 26, 2008 to Nebr. Dept. of Economic Development, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The drawdown presented for Board approval includes \$1,000 for housing rehab and \$500 for Community Development Services Administration activities. Cullers moved to approve claim #VC-04-HR for \$1000 and invoice #VC Admin 7 for \$500 for a total drawdown request of \$1500, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

The request of the Ord Area Chamber for use of the Courthouse lawn for the July 6, 2008 downtown project celebration was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

County Attorney Clark reported that he has not received a reply from Dr. McCartney regarding the renewal of the lease of his building for the local HHS Office. He also noted that he has not had opportunity to discuss the Howard County billing for the District Judges Office with Judge Noakes. Clark said he is waiting to see if sufficient funds remain in his budget to finish the District Judges Office on the 3<sup>rd</sup> floor off the District Courtroom. He thought all that remained was wainscoting for the lower half of the walls. It could be done sooner if the County wants to fund it from somewhere else. Sevenker suggested a cost estimate be made before it is decided how it will be funded. Clark said he sent a letter to Attorney Cullers advising him of the County's interest in continuing the North Loup Law Enforcement Agreement and it was his understanding that it had been forwarded to the Village.

The meeting recessed at 12:15 p.m. for lunch to reconvene at 1:00 p.m. At 1:00 p.m. the meeting reconvened with all Board members present.

County Road Supt. Leth appeared to give his general report. Chairman Sevenker thanked him for delaying his report until this time to allow for the extra time taken for discussion of the Hospital Bond proposal. Leth was asked to research the location of the small county owned parcels of land questioned by the Assessor and to meet with County Attorney Clark regarding a means for disposing of them and report to the Board at their next meeting.

Leth's report included: cutting trees, dumping them on tower road or getting landowner permission to dump on their property; will begin bridge project C8819B and plan to seek permission to leave bridge on fairgrounds property once it is removed until it can be sold, next auction in April, may not have bridge removed by then. Vogeler asked if Leth has received chemicals from Weed Supt. Kaminski, noting that Kaminski will no longer be providing chemicals for landowners and was to give any he had on hand to the Road Dept. for use in spraying the roadsides. Leth said he has not received any chemicals. Leth will contact Kaminski regarding the chemicals.

The proposed letter to the State Fire Marshall dated February 19, 2008 regarding the County's plans for a third floor exit, fire sprinkler and elevator was approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Supervisor Cullers presented the draft of a brochure she has been working on with Jillian Wenburg to provide information to the public regarding a tax credit that can be offered on contributions to the County's Courthouse Restoration Fund. If the Board approves the brochure, the next step is to offer the public the opportunity to make a pledge to the Courthouse Restoration Fund. The County must apply for the tax credit program and approval depends on the amount of pledges received. The Board, by consensus, approved the brochure.

The following informational items were reviewed: Return of Appraisers Case CI07-184, reminder of Central Dist. Meeting on March 20 at Kearney Ramada Inn, Clerk report that Accountant Abel advised excess Courthouse Bond Funds can be transferred after the FY if transfer is budgeted.

Supervisor Cullers reported that Glen Mannes, the South Dakota architect recommended to her, cannot meet with the Board until June. Cullers reported that Laurie Hansen of CNEDD said that the current architectural plans for the elevator can be used for the grant application and if a more economical plan is found, the grant can be amended. Following discussion, Waldmann moved that architect Glen Mannes be invited to a June Board meeting to discuss a 3<sup>rd</sup> floor exit stairway for the Courthouse, seconded by Vogeler. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

The Clerk was directed to place the County Audit Report for FY ending June 30, 2007 on the next agenda to provide additional time for Board review.

A letter from BCBS notifying the County that the additional 5 day grace period for premium payments was being eliminated effective with the February 2008 billing, leaving the 31 day grace period allowed by the contract. The Board approves claims at their meeting on the last Tuesday of each month which, in many months, would not meet the 31 day grace period. Baker suggested processing the BCBS claim the first meeting each month. The Clerk asked for time to make sure this would work and will report at the next meeting.

February Claims and Balances Report and Claims List were reviewed. February Claims and Fund Request were approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Cullers, Van Slyke. No: none. Absent: none.

Chairman Sevenker reported a request that he sign a Memorandum of Understanding for Juvenile Services Aid Program. He was told that this is a youth program in Broken Bow serving 4 Counties. The Memorandum notes it is a collaborative agreement with Valley, Blaine, Custer and Greeley Counties under the leadership of CEDARS Central Nebraska for FY 2008-2009 which allows CEDARS to employ a part-time Youth Specialist. Sevenker said he was asked to sign the Memorandum because the grant application deadline did not allow time for it to go before the entire Board. He said this same request had been made last year and he told them that this is the last time he would sign the Memorandum without prior approval of the Board and that he felt the Board should be provided with more information regarding CEDARS, the services they provide and the 4 County agreement. Following discussion, Vogeler moved to approve the Memorandum of Understanding signed by Sevenker, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

The following informational items were reviewed: Supreme Court guidelines for monitoring court-appointed attorney fees, the LVRPPD Hazard Mitigation Plan Public Notification and the receipt of \$27.00 from the sale of old file cabinets from the Extension Office.

The Clerk was directed to put the NIRMA letter regarding applying cost index figures to buildings prior to their reappraisal for replacement cost on the next agenda. Chairman Sevenker will contact NIRMA and report.

Following discussion, Cullers noted the Junk Jaunt is a benefit to the entire County and moved to pay the membership fees to Loup Rivers Scenic Byway, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. The fees are to be paid from Inheritance Tax Fund.

Meeting adjourned at 2:30 p.m., to reconvene on March 11, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the February 26 meeting and an agenda for the March 11 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk



## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, March 11, 2008 in the Courthouse Boardroom. Roll call: Vogeler, Sevenker, Cetak, Cullers, Baker, Van Slyke, and Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of February 26, 2008 meeting, included in Board packets, were approved on motion of Vogeler, second by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Updated agendas were provided to Board members since item 10M was added after Board packets were mailed but prior to the 24 hour deadline. Cullers moved to adopt the updated agenda, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available.

Public comment was offered by Kate Sullivan, candidate for the Nebraska Legislature, District 41. Sullivan noted the need for articulate, outspoken legislators from rural Nebraska to promote needs of the rural areas as agriculture is still the backbone of the State and needs to be kept strong and sustainable. Having had a recent experience with the County Hospital, she said this area is fortunate to have such a facility and that it is an important part of the infrastructure that keeps people here. Concerns noted by the Board included: need to more actively promote use of ethanol, concerns with the Health & Human Services 2 billion dollar budget, Nebraska's low ranking among other states for teacher salaries and the complex state aid formula for schools.

Road Supt. Leth recommended approval of proposed Easement 08-278 for Wilma Nagorski to bring water across a County road. Cetak moved to approve Easement 08-278, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none

Discussion was held regarding 3 parcels of land owned but not used by the County. The Assessor has determined these parcels are taxable since they are not used for a tax exempt purpose. Leth noted the County has no use for the parcels and recommended they be sold. Further discussion will be held under BOE with the Assessor.

Leth reported that Kaminski delivered the remaining weed spray to the Road Dept. and it is stored in the shop. Road crew began patching oil yesterday; maintaining dirt roads today due to winter damage and predicted rain; will monitor oil roads, may be necessary to post when ethanol plant begins taking corn; some soft spots on gravel roads; received technical advisory from State regarding Federal regulation to measure all Valley County bridge truss plates, anything with 3" of gravel on bridge deck must have gravel removed or State will close the bridge, deadline for compliance is June 8, two Valley County bridges may be affected. Will be taking training for new State computer system for bridge inspections called Pontus. Van Slyke reported a family is moving into the Nevrvy place in the Arcadia area so the access road will become a bus and mail route and will need gravel and maintenance.

Hospital CEO, Larry Schrage, appeared to present the Hospital financials for January. Written reports for December and January were provided at previous Board meetings, however, Schrage's review and discussion of them was postponed until today. Public meetings will be held in North Loup, Arcadia, Elyria and Ord at which the architects and financial advisors will present information and answer questions on the proposed Hospital project. If the Hospital does not look to the future and modernize and expand it will close. Doctors and staff look to modern facilities. We currently have good service but lack space. The average daily census has grown 8% in two years. Most programs are up except long-term care which is down, due in part to a reduction in the number of beds allotted for the service. If critical access was lost today, the County would have to subsidize the Hospital \$1,500,000. January is typically busy; average daily census 7 patients; no agency help used this year; salaries up due to subsidizing employee health care; \$600,000 spent on equipment this year; if bond issue not approved will have to install \$150,000 sprinkler system which state waived due to possible bond; looking at putting capital improvement funds into cash reserves.

Dave Scott, Clerk Magistrate Pauline Grooms and County Attorney Clark were present for discussion of the District Courtroom speaker system purchased from Scott. The District Court Judge and the County Court Judge have not been using the system because it does not work adequately. Grooms said Judge Brodbeck wants a wired system. Scott said the wireless mikes were designed to work within 16 inches, Grooms and Clark said you had to be closer than that and it was not working for the Attorneys. Grooms also indicated there was a lot of static and screeching when the system was in use. Scott can provide wired mikes with phantom power for \$2400. He would not charge labor and would try to sell the old wireless ones. Waldmann moved to approve 4 new wired mikes, phantom powered and to take whatever we can get for old ones, seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Planning & Zoning Admin., Nancy Glaubke, reported receipt of notice from FEMA that the preliminary flood plain maps for Valley County are to be made final. She called them to report that we had never received revised maps after review of the preliminary maps. They will send revised maps and we have until August 19, when they are to be approved, to request changes. The County has 1 year after August 19 to join FEMA. There is no cost to join other than administering and monitoring it. Quarterly reports are required and monitoring sale of property. The preliminary maps are in the Clerk's Office.

County Weed Supt., Darrell Kaminski, was present for discussion of his contract renewal and the Resolution authorizing him to act on behalf of the County Weed Control Authority Board. Attorney Clark had drawn up a new contract to replace the old one. Kaminski offered no objection to the new contract. Following discussion, Vogeler moved to approve the new employment contract between the County and Darrell Kaminski for County Weed Supt. services from 4-1-2008 to 3-31-2009 at the same salary, \$1050 per month. Motion seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Resolution 08-07 authorizing Kaminski to perform the duties of County Weed Supt. was approved on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Government Resolution 08-08, indicating the County's support of participation in the Nebr. Community Improvement Program for economic development for the years 2008-2010, was presented by Bethanne Kunz. Following discussion, Resolution 08-08 was approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

A recess was called at 10:50 a.m., meeting reconvened at 11:00 a.m. with all Board members present.

Baker moved to go into Board of Equalization at 11:00 a.m. as advertise, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Assessor and Clerk were present.

Discussion was held regarding the 3 County-owned parcels the Assessor has determined are taxable: Parcel #880016261, N 4 rods of W 45 rods in the NW4NW4 of 10-20-14; Parcel #880032529, W 30' L1 B5 in Original Townsite of Arcadia; Parcel #880005719, N 4.5 rods of NW4 27-18-13. County Attorney Clark advised that to sell the properties a public hearing would have to be held to allow public comment on the proposed sale. The hearing must be advertised for 2 weeks. After the hearing the property can be offered for sale to the highest bidder upon 10 days notice to the public. If no bids are received or if they are too low, a contract can be negotiated for sale of the property. Vogeler moved to proceed with sale of parcels 16261, 32529 and 5719 as soon as possible, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none. The Clerk was directed to advertise a public hearing regarding sale of the parcels for the April 8, 2008 Board meeting.

Cetak moved to go out of Board of Equalization, seconded by Cullers. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Written report of Sheriff Fees and Activities for November and December were reviewed.

Chief Sheriff's Deputy, Gary Walker, was present for discussion of the resignation letter delivered to the County Clerk on March 3, 2008 by Sheriff Larry Ronzzo. Walker is willing to serve as interim Sheriff, but does not desire the position on a permanent basis. Walker will perform the Sheriff's duties as of April 1 until a new Sheriff can be appointed by the Board. Walker is to receive the Sheriff's salary and Jail Administrator pay during the time he is acting Sheriff for the County. An ad for a new Sheriff is to be provided to the Sheriff's Assoc. for distribution throughout the State and to the Law Enforcement Training Center for their bulletin board and placed on the NACO website. Ad is to give an application deadline of March 31 and the Clerk's Office contact information. The applications will be reviewed by the Board at the 7:00 p.m. Board meeting scheduled for review of the Wozab Fund applications and the Clerk is directed to advertise the meeting accordingly. Baker moved to accept resignation of Sheriff Larry Ronzzo effective March 31, 2008 as designated in his resignation letter, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

A lunch break was called at 12:25 p.m. until 1:00 p.m. At 1:00 p.m. the meeting reconvened with all Board members present.

The Clerk's fee report was reviewed. Also discussed was her request to change the May 13<sup>th</sup> Board meeting date due to the Primary Election. It was decided to delay a decision on a meeting date until the April 8 Board meeting.

The County Audit for FY 2006-2007, prepared by Dana F. Cole, was accepted on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Following discussion, Vogeler moved to authorize payment of the BCBS premium billing at the first meeting of each month due to the BCBS decision to eliminate the extra 5 day grace period for payment, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Van Slyke, Cullers. No: none. Absent: none.

Sevenker reported on the NIRMA Building Contents Schedule reviewed at the last meeting, noting that 25% of the building value was used as content value. The cost is about \$12.00 per year in premium. The Board does not have control of building value and agreed there is no need to take any action.

The Clerk was directed to put in a claim for the \$538.00 billed by Howard County as the prorated cost of having the District Court Judge Office in the Howard County Courthouse

The May 2008 expiration of the six year term of Hospital Board members Gary Miska and Carl Streeter was noted and it was decided if they are not willing to continue, the positions should be advertised.

The annual letter requesting State reimbursement of direct costs relating to space provided for the HHS Office in Ord was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Waldmann, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Attorney Clark presented a draft copy of a letter to Senator Vickie McDonald in support of LB587 regarding jail reimbursement. Vogeler felt the legislative bill number should be included in the last paragraph. Cullers moved to approve the letter with the inclusion of LB587 in the last paragraph, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Cullers presented a bill for \$262.15 from Rural Designs for the informational brochure on tax credits available for contributions to the Courthouse Renovation Endowment Fund and suggested it be paid from the Endowment Fund. Following discussion, Baker moved to approve payment of the \$262.15 from the Endowment Fund, seconded by Vogeler. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The following informational items were reviewed: 1<sup>st</sup> Annual Conference of the Central Nebr. Housing Developers on April 9 at the Calamus Lodge, Lodging Tax February Receipts and Expenses, Current Expenditures for Feb. 29, 2008 Summary Report, Budget Seminar May 29 at Kearney Holiday Inn, Central District Meeting March 20 at Kearney Ramada Inn. The Clerk was directed to put the Budget Seminar on the agenda again prior to the May 16 registration deadline.

Discussion was held regarding a Wozab celebration. It was decided to place this item on the next agenda and Baker will check on availability of the Methodist Church.

Vogeler moved to approve the claims and fund request for payment of the BCBS premium billing for March and the Housing Assistance Grant funds received for the drawdown approved at the February 26, 2008 meeting, seconded by Waldmann. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Waldmann reported that the proposed Visitors Center in North Loup which is to be housed in the old gas station beside the Pump and Pantry is going to try to open this year. They are still deciding on what equipment will be needed and hope to use volunteers to staff it.

Meeting adjourned at 2:30 p.m., to reconvene on March 25, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the March 11 meeting and an agenda for the March 25 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, March 25, 2008 in the Courthouse Boardroom. Roll call: Cullers, Baker, Van Slyke, Waldmann, Cetak, Sevenker and Vogeler were present. Clerk verified meeting notice was published and agenda posted. Minutes of March 11, 2008 meeting were approved on motion of Cullers, seconded by Vogeler. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Updated agendas were provided to Board members since item 8A was added after Board packets were mailed but prior to the 24 hour deadline. Baker moved to adopt the agenda, seconded by Van Slyke. Yes: Baker, Van Slyke, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available.

Chairman Sevenker noted the congratulatory balloons and letter from the Ord Area chamber of Commerce which were delivered to the Courthouse notifying the County Board that the Valley County Courthouse was chosen the ExtraORDinary Place of the Month for April. The letter congratulated the Board for their efforts to keep the Courthouse neat, maintain a beautiful building and offer an easily accessible and customer oriented setting and noted that Valley County residents are fortunate to have elected officials that not only care about their constituents needs and concerns but who also realize the importance of maintaining the County buildings and grounds.

Paul Eurek, District 41 Legislative candidate, appeared under Public Comment. Eurek is originally from Sherman County, has a degree in education from UNL, has worked mostly in the field of technology. Started 4 businesses, some with offices in other countries and had a consulting firm to assist young entrepreneurs. One company is still in operation, although he has turned over management of it and now serves as Board Chairman. His first focus is economic development in both agriculture and business; his secondary focus is education and using technology to benefit education in rural areas; his third focus area is the state budget, which he feels needs to be prioritized. Discussion included: high penalty for delinquent taxes, need to help small rural schools get fair share of state aid, loss of good people in education due to low salaries and need to look at available tools such as distance learning.

In the absence of Road Secretary, Sandy Simpson, Leth reported the Road Claims and Balances for March. Accounts payable \$19,560.94, payroll \$34,617.92. Fuel and gravel line items will go over budget, however, the overall Road budget will absorb the overages. Leth asked about old Sheriff's car stored in quonset as it takes up a lot of room. Board thought Sheriff wanted to sell it. Emergency Manager, Ryan Simpson, was present and said he could use it for parts for the County vehicle he drives. Board approved but felt Sheriff's Office should be consulted. Leth reported putting weight limits on Sargent, Comstock and Ashton Roads. Will begin removal of old truss bridge at North Loup and has received permission to store it at fairgrounds. Received new computer for Pontis Program. At request of Vogeler, Leth agreed to look at placement of road sign west of Vogeler's. Vogeler felt sign was set too far back and asked if it could go on the other side of the road. Leth will return for discussion of the Mortensen Industrial Site.

Emergency Manager, Ryan Simpson, reported that the Local Emergency Operations Plan (LEOP) must be updated to meet FEMA requirements. He has received a time extension until July to complete the update and may need to ask for further extension. The LEOP is the written plan for handling all types of emergencies; lists contact numbers and location of available equipment. FEMA is requiring more programs, plans and training. Gene McCoy asked if the radio station was included in the plan and Simpson said both the radio and newspaper are included. Simpson reported some dispatch issues last week in the Sheriff's Office due to lack of knowledge of dispatching through the emergency management pagers causing a delay in dispatching fire department personnel. He is working with the Sheriff's Office on rectifying the problem. Discussion included the use of Region 26 or the Sheriff's Office for dispatching and Simpson indicated that Region 26 is the preferred method but that the Sheriff's Office is fully equipped to handle dispatching, provided the dispatchers are properly trained.

Discussion was held regarding the updated County Weed Supt. contract which was presented by County Attorney Clark for approval at the last Board meeting. The contract was approved, however, after further review Weed Supt. Kaminski had some concerns and consulted Attorney Randy Cullers. Copies of a letter from Cullers addressing Kaminski's concerns were provided. County Attorney Clark noted that Nebraska is an "at-will" state and that all County employees are hired on that basis. Including a "for cause" clause in the contract would require a hearing to be held before an employee could be terminated. Clark said any County employee can quit at any time. Following discussion, Kaminski asked that his right to quit be included in the contract. Vogeler moved to amend the existing Weed Supt. Contract to include the Weed Supt.'s right to terminate his employment with 14 days notice to the

County, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker. Abstain: Cullers, due to relationship to consulting attorney. No: none. Absent: none.

The meeting was recessed at 10:20 a.m. and reconvened at 10:30 a.m. with all Board members present.

Candy Kuntz of Miller & Associates appeared to present requests for Board approval of various Housing Assistance Grant applicants for down payment and rehab assistance and the grant fund request form to be submitted to the state. Following discussion, Cullers moved to approve applicant VC-05 for down payment assistance of \$4200 and rehabilitation assistance of \$5000 and applicant VC-06 for down payment assistance of \$7200 and rehabilitation assistance of \$5000, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to approve housing rehabilitation assistance claim for VC-04 in the amount of \$4000, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Cullers moved to approve Community Development Services Invoices of \$1250 for Housing Administration and \$650 for lead based paint testing, the General Administration invoice of Miller & Assoc. for \$1200 and Drawdown requests #10 for \$16,696 and #11 for \$1200, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Hospital CEO, Larry Schrage, appeared to present his regular written monthly report. He reviewed the statistical information for February, noting that it was a good month and that, to date, March has also been good. Schrage explained that it does not make economic sense for Valley County Hospital to be certified as a long term, skilled nursing care facility. Critical access designation provides swing care beds that allow for this type of care on a shorter term basis and Burwell and St. Paul both provide long term skilled nursing care. Schrage said a schedule of informational presentations regarding the proposed building project will be published in tomorrow's Quiz.

Marty Petska was present for discussion of his request to lease 2 lots in the northwest corner of the Mortensen Industrial Site and provided a written plan which included the construction of a 60' x 125' warehouse and 1500 sq. ft. office with a conference room, lobby/showroom and 3 offices. Discussion included: unknown cost to County for building access road, moving buried irrigation pipe and pump; Planning & Zoning Admin. Glaubke noted would have to go through P&Z process like the others and encouraged Board to establish general guidelines for lease of lots; last 2 businesses fall a bit short of current ground leases requirement of \$100,000 of improvements; no requirement for number of employees; the one remaining vacant frontage lot should not be farmed but would require maintenance; Petska said he would mow and maintain the remaining vacant frontage lot and that he has hired 2 employees in anticipation of his plan with hopes to hire at least 1 office worker and to rent out one office. Following discussion, Waldmann moved to approve Petska's request, seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Brian Magiera was not present, but provided a written request for lease of the Mortensen Industrial Site lots requested by Petska as his first choice or the remaining frontage lot northwest of Premier Pump along with the lot behind it as his second choice. His written plan included the construction of a 7200 sq foot storage unit 60 x 120 located at the back end of the lot for storage of 20 boats with an outdoor fenced area for camper storage and building a commercial or industrial building on the frontage in 5 to 8 years. Discussion included: concern in tying up frontage lot for 5 to 8 years without construction; Dexter may be looking to expand behind his lot; business that creates jobs contributes more to economic development; lack of information. Magiera's request was tabled until he can appear in person to provide additional information.

The Courthouse window issue will be tabled until the Marvin representative can be present. Custodian Rolland Cronk indicated he has \$1600 in his budget that was not required for electrical work in the Road Office that can be used for finishing the Judge's Chambers on the 3<sup>rd</sup> floor. He also noted that the hand rails are now in place on the steps on the east side of the Courthouse.

Vogeler reported that the roofer is waiting for good weather to begin work on the jail roof and will contact the Courthouse when he is ready to begin.

County Attorney Clark reported that Dr. McCartney contacted him by phone with regard to continuing the lease of his building to house the HHS Office. McCartney feels his building is worth \$980 per month rent and that is what he is asking. The County currently pays \$500 per month rent for the building. No action was taken at this time.

Meeting was recessed at 12:40 p.m. and reconvened at 1:15 p.m. with all Board members present.

Discussion was held regarding notification of James Knapp, who leases the County Farm which includes the unleased portion of the Mortensen Industrial Site, that 2 lots have been leased to Marty Petska. The Clerk was instructed to write a letter to Knapp informing him of the newly leased lots, using an effective date of April 1, 2008,

and that the current lease will be adjusted accordingly. In addition, Chairman Sevenker will notify Knapp by phone so that he is aware of the new lease as soon as possible.

Discussion was held regarding placement of the benches on the Courthouse lawn and the possible need for tree removal. Sevenker provided copies of a map that indicated bench placement as well as trash and ash receptacles. It was felt that benches should be placed 3 feet back from the sidewalk and that the tree near the proposed clock would be okay if it were trimmed. The roots of the tree on the north side of the lawn had buckled the old sidewalk and it was felt that tree should be removed. Baker will call Pishna to remove it but removal will have to wait until the new sidewalk has cured. Cullers felt that one of the two evergreen trees on the northeast side of the lawn should be removed as they were too close together and suggested that it would be more cost effective to have it done at the same time as the other tree. Other Board members felt they could not make that decision without looking at the trees. Vogeler moved to take out the big tree on the northwest corner of the middle sidewalk going north, seconded by Baker. Carried. Yes: Vogeler, Waldman, Cetak, Van Slyke, Baker. No: Cullers. Absent: none. Baker will contact Pishna to remove the tree.

Baker left at 1:45 p.m. for a 2:00 p.m. appointment.

Vogeler volunteered to look into getting wainscoting and window coverings for the 3<sup>rd</sup> floor Judge's Chamber.

The Wozab celebration was discussed. Cullers suggested holding the celebration at the Courthouse in the District Courtroom on April 15 and showcasing peewee wrestling as the North Loup Theatre was showcased last year. Ord and Arcadia wrestlers have submitted a request for funds and they and their coaches could talk about their programs, Sevenker could give a welcome speech and introduce Board members, more history of the Wozabs would be interesting and refreshments would be needed. Cullers will put together an agenda.

Brenda Knight's request for use of the Courthouse lawn for ExtraOrdinary Days is postponed to a later date.

March Claims and Balances Report was reviewed. It was decided that the Sheriff's Office should be asked to attach an itemized list to Grocery Kart claims. Waldmann moved to approve the March claims and Fund Request, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Cullers. No: none. Absent: Baker.

Following discussion of the proposed Turf Pro Service Agreement, Waldmann moved to approve Plan B at a cost of \$114, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Cullers. No: none. Absent: Baker. It was noted that the \$114 cannot be paid until April as March claims have already been processed.

A letter from NIRMA/NIRMA II Executive Director, Craig L. Nelson requesting that Valley County renew their membership through June 30, 2009 was discussed. The letter explained that since the County signed a 3 year agreement in 2005, it is necessary to renew at this time; it further explained that this renewal is only for one year because later this year all member counties will be asked to renew through June 30, 2012. A resolution was provided for the County to use in agreeing to the renewal if they chose to. Following discussion, Van Slyke moved to approve Resolution 08-09 extending the County's commitment to participate in NIRMA and NIRMA II for an additional time covering the period May 17, 2008 through June 30, 2009. Cetak seconded the motion. Carried. Yes: Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: Baker.

The Nebr. Dept. of Admin. Services letter regarding the Landfill Disposal Fee Rebate Program was reviewed. The Board was not interested in participating in the program.

Treasurer Janet Suminski appeared to give the Fund Balance Report for February. General Fund is at \$112,124.92, Road \$50,232.18, Visitor Promotion \$949.35, Visitor Improvement \$7080.34, Inheritance \$857,149.58. Suminski noted that the General Fund is a bit low but taxes are beginning to come in so is hoped no transfers will be necessary in the remaining months of this FY. Vogeler asked about fees paid by Sheriff's Office for boarding prisoners and Suminski ran a report indicating receipt of \$41,350 from July 2007 through February 2008 for Jail Reimbursement.

Suminski also presented the Tax Sales Report, the Certification to Close Tax Sale, the Delinquent Tax and Assessment Report and the Resolution to Foreclose on County Tax Sale Certificates. There were 63 Tax Sales, totaling \$95,826.36, with 7 companies bidding. The sale is conducted in a round robin format with each company drawing a card for order then, in order, each company chooses one property, going around the table until all properties are gone. The Certificate to Close Tax Sale was presented as well as Resolution 08-10 to Foreclose on County Tax Sale Certificates. Vogeler moved to approve Resolution 08-10, seconded by Van Slyke. Carried. Yes: Van Slyke, Cetak, Van Slyke, Cullers, Waldmann. No: none. Absent: Baker.

The Delinquent Tax Assessment Report was presented. Suminski noted that all those listed from 2004 or later will have a County Certificate on it and that after 3 years they are sent to the County Attorney for foreclosure. Taxpayers are notified several times throughout the year regarding delinquent taxes. She asked the Board to consider

setting a minimum delinquency of \$500 for 3 years before a County Tax Certificate is issued. Waldmann moved to approve a minimum of \$500 accumulated taxes on property and that the delinquency be 3 years old before County Tax Sale Certificate is issued, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Van Slyke, Cetak, Vogeler. No: none. Absent: Baker.

The Board members moved to the jail for their quarterly inspection.

Meeting adjourned at 3:30 p.m., to reconvene in special session on March 31, 2008 at 7:00 p.m., to consider Wozab Fund Applications and applications for the Valley County Sheriff's position and on April 8, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the March 25 meeting and an agenda for the March 31 and April 8 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in special session at 7:00 p.m., Monday, March 31, 2008 in the Courthouse Boardroom for the purpose of the annual distribution of Wozab Funds and to review the written applications received for the Valley County Sheriff's vacancy due to the resignation of Larry Ronzzo. Roll call: Baker, Cetak, Sevenker, Van Slyke, Vogeler, Waldmann were present, Cullers was absent. Cullers' absence was due to a death in the family and was excused. Clerk verified meeting notice was published and agenda posted. Baker moved to adopt the agenda, seconded by Van Slyke. Yes: Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: Cullers. Sevenker noted posting of Open Meetings Act with public copies available.

The agenda order was reversed to allow discussion of the Sheriff vacancy first and the Wozab distribution second, since Casey Hurlburt, applicant for the Sheriff's vacancy, was in attendance. Also in attendance was County Attorney Clark.

Applications were received from: Casey D. Hurlburt, Steven E. McLeish, Daniel E. Johnson, Jeffrey L. Green, R. B. McFarland, Greg Thompson, and Matt McHale. The Board reviewed and discussed each application with regard to information listed on their resumes including previous employment, education and certification. Discussion was held with Hurlburt regarding his qualifications and various aspects of the Valley County Sheriff's Office including number of employees, salaries, benefits, dispatch duties, jail administration duties.

Following discussion, the Board decided that applicant Steven E. McLeish would be invited to interview for the position along with Hurlburt at the regular Board meeting on April 8, 2008. The interviews to be scheduled at 11:00 a.m. and 11:30 a.m. The Board hopes to make a final decision at that time.

This year there is \$43,000 available to be distributed from the Wozab Fund and 38 requests totaling \$105,857 were received. Each application was reviewed and a consensus was reached by the Board for each one. A list of applicants showing the amount requested and received is attached to the permanent record on file in the Clerk's Office.

Meeting adjourned at 9:30 p.m., to reconvene in regular session on April 8, 2008 at 9:00 a.m. and 11:00 a.m. as Board of Equalization. Complete minutes of the March 31 special meeting and an agenda for the April 8 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk



## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in special session at 1:00 p.m., Monday, April 7, 2008 in the Courthouse Boardroom for the purpose of interviewing an applicant for the Valley County Sheriff vacancy. Roll call: Baker, Cetak, Cullers, Sevenker, Vogeler, Waldmann were present, Van Slyke was absent. Van Slyke's absence was excused. Clerk verified meeting notice was announced on the radio and posted in the Courthouse, Ord City Office and the Ord Post Office. Baker moved to adopt the agenda, seconded by Cullers. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: Van Slyke. Sevenker noted posting of Open Meetings Act with public copies available. There was no public comment.

Applicant Steven E. McLeish was present as was current acting Valley County Sheriff, Gary Walker. Chairman Sevenker introduced the Board members to McLeish and asked if McLeish would prefer the interview to be conducted in open or closed session. McLeish had no preference either way. McLeish reviewed his previous employment as listed in his resume. He is currently employed as Marshall of the Village of Fairmont and was Chief of Police in Schuyler from 1999 to 2002. His reason for applying for this vacancy is because Fairmont is small and there is not enough to do, although he noted that he is well paid for what he does. He would like to serve in a larger community at least until he is closer to retirement age. He currently works 42-44 hours per week and carries a cell phone and pager. He is aware of the current Valley County Sheriff's salary of \$34,500 for 2008, 35,500 for 2009 and \$36,500 for 2010 and the additional Jail Administrator pay of \$5400 per year. He asked if the \$5400 would continue to be paid if Valley County did away with the jail and the Board said the \$5400 would probably not be paid if there were no jail. McLeish noted that as part of his research before applying for the position, he searched the records and could find no Uniform Crime Reports for Valley County after 2001. He thought it was mandatory that reports be filed. When asked, he noted that he enjoys working with young people and has served as a school resource officer, a juvenile officer, a DARE officer, has run his own after school program for youth and has been a scout leader. When asked, he said he is familiar with the administrative duties required to run the office and the jail. McLeish asked what the budget was for the Sheriff and the Jail and was told that the 2007-2008 budget for the Sheriff is \$166,726 and the Jail is \$120,407. He noted that he would need to give two week's notice to his current employer should he be offered the position. Chairman Sevenker noted that the Board is to interview another applicant at tomorrow's regular meeting and they hope to make a decision at that time. It is the Board's desire to have a new Sheriff on the job by May 1, 2008 if possible.

Meeting adjourned at 2:20 p.m., to reconvene in regular session on April 8, 2008 at 9:00 a.m. and 11:00 a.m. as Board of Equalization. Complete minutes of the April 7 special meeting and an agenda for the April 8 regular meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, April 8, 2008 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Cullers, Baker, Van Slyke and Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of March 25, 2008 regular meeting were approved on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. Minutes of the March 31, 2008 special meeting were approved on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Copies of both sets of minutes were included in the Board packets. Cullers moved to adopt the agenda, seconded by Cetak. Carried. Yes: Cullers, Cetak, Vogeler, Waldmann, Van Slyke, Baker. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available. There was no public comment.

County Road Supt. Leth reported: 2008 Transportation Enhancement Workshops are scheduled throughout the State this month to provide information about available funding for projects that enhance transportation in the community; joint bidding with Custer County on culverts was held the 25<sup>th</sup>, cost was not as high as expected, but steel is up 80 cents per sq. ft.; truss bridge 3705 was removed and sold for \$2075, when moving the bridge damage was done to a pickup which was reported to NIRMA; started driving sheet piling; small bridge west of round barn had to be removed as the pilings were failing, two 36 inch culverts will be installed and an overtop placed to the right of it, cost is shared with Sherman County as it is on the County line; at Leth's request FEMA is reviewing their assessment of ice damage in Valley County in December and January and County will likely receive substantially more reimbursement; roads are staying soft, need hard rain to firm them up, difficult to haul gravel until they have firmed up, will begin hauling waste rock to help firm up soft spots; discussed work needed on Mortensen Industrial Site including moving irrigation pipe, building road, staking lots; Leth has not completed cost estimates for this work, Sevenker will check into use of sales tax funds to pay for this as has been done in the past.

The Treasurer's report will be delayed to allow the Public Hearings to be heard at the advertised times.

At 9:30 a.m., as advertised, the Public Hearing was opened to receive public input on sale of County Real Estate parcel #80016261 N4 rods of W45 rods NW4NW4 10-20-14, parcel #880032529 W 30' L1 B5 Original Arcadia and parcel #880005719 N4.5 rods NW4 27-18-13. No one was present to testify for or against said sale. Discussion was held regarding location of the properties, their value and the procedure required for selling them. Attorney Clark advised that the Board needed to establish a value for the properties, set a date to receive sealed bids within 60 days and publish the sale one time at least 10 days prior to the sale. If no bids are received or if the bids received are less than the fair market value, the Board may negotiate a contract for sale or lease of the properties. The Public Hearing was closed. The Board set the fair market value of the properties at the assessed value: parcel #80016261 \$430 per acre, parcel #880032529 \$590 and parcel #880005719 \$1940 on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. The date to accept sealed bids for the properties was set as May 27, 2008 at 9:30 a.m. on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Clerk is to advertise the bid date 10 days prior to May 27.

At 10:00 a.m., as advertised, the Public Hearing was opened to receive public input on the CDBG grant application for a Courthouse elevator. No one was present to testify for or against the grant application and no written comments were received. Laurie Hansen of Central Nebr. Economic Development District, who has written the grant on behalf of the County, was present and provided the paperwork the County must approve to submit the application. She noted that the grant is for \$250,000 toward the estimated cost of \$450,000 for the installation of an elevator in the Courthouse. The hearing was closed. It was noted that if it was found that an elevator could be installed for less than the estimated cost, the grant would be proportionately lower. Cullers moved to approve Resolution 08-11 authorizing the Chairman to sign the application for CDBG grant funds for a Courthouse elevator and any other documents required to effect acceptance of the grant application, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

The meeting was recessed at 10:15 a.m. and reconvened at 10:20 a.m.

Brian Magiera was present for discussion of his request to lease a lot in the Mortensen Industrial Site. His original written request presented at the last Board meeting, which he was unable to attend, indicated his desire to lease the northwest corner site, failing that he asked for the frontage lot northwest of Premier Pump and the lot behind it. His plan was to build a storage unit on the back lot and develop the frontage lot in 5 to 8 years. Magiera

was asked to appear at this Board meeting to provide more information regarding his plans. Discussion included: contract does not specify a requirement for employees, site was developed for economic development purposes in which employment plays an important part, site has developed faster than anticipated, Board is working on covenants to provide information as to what types of businesses they are looking for, how to provide road access to the lots. Following discussion, Magiera indicated that he was only interested in the frontage lot and no others.

Planning & Zoning Adm. Glaubke was present for discussion of the proposed covenants for development of the Mortensen Industrial Site. Sample covenants were reviewed as well as the Development Restriction document that was drawn up but never formally adopted by the Board. Following discussion, it was decided that a committee would be formed to draw up proposed covenants to be presented to the County Board at their next meeting. Cullers, Vogeler and Cetak volunteered to serve on the committee. Glaubke agreed to serve and will contact Bethanne Kunz and one or two members of the Planning Commission to see if they would be willing to serve on the committee. Cullers and Glaubke agreed to set up the committee meetings.

Cetak moved to decline Magiera request for the frontage lot between Premier Pump and the Petska lot, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Glaubke reported that Gilmore and Assoc. originally platted the Mortensen Industrial Site, however, permanent markers have not been put up for the sites not in use. They could come out tomorrow and put up permanent markers for as many lots as the Board wished. The markers are buried 2 feet deep so should not interfere with farming. Ballpark estimate of \$1500 for Gilmore's to spend the day putting in permanent markers. Board agreed that Gilmore's should be contacted to put in as many markers as possible in a day, starting behind Agland and Cornerstone. Glaubke will give Gilmore's number to Road Supt. Leth so that he can talk to them regarding the permanent marker installation.

Casey Hurlburt was present for his scheduled interview with the Board for the Valley County Sheriff vacancy. When asked, Hurlburt indicated he preferred to be interviewed in closed session. There were no objections to including acting Sheriff Walker and County Attorney Clark in the closed session. Cullers moved to go into closed session for the purpose of interviewing Hurlburt for the Sheriff vacancy, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Board went into closed session at 11:05 a.m. and returned to open session at 11:40 a.m. on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Van Slyke moved to appoint Casey Hurlburt to fill the remaining term of the Valley County Sheriff, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Hurlburt felt he could be on the job by May 1, 2008. Vogeler moved to make the appointment effective May 1, 2008, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

A walkthrough of the Courthouse regarding the new windows and new sensors for the heating system is to be held at 8:30 a.m. tomorrow. Brian Hergott of Beckenhauers will be present along with the Marvin Window Representative. Discussion was held regarding the Wadas Inc. billing for \$840 for installation of 6 sensors which are meant to provide a truer temperature reading to the heating/cooling units in the hope that this will provide better temperature control. If it is felt that the sensors have made a difference, the remaining sensors will be installed. The sensors were provided at no cost but the cost of installation was left to the County. The Board felt the need for the sensors is the result of a design error and that the County should not have to pay for the installation nor should Wadas have to install them at his own expense. Custodian Cronk requested that if the County has to pay, it be delayed until the next fiscal year. The Building & Grounds Committee will attend the walk through.

Cetak reported that Gary Bruha will install paneling in the 3<sup>rd</sup> floor Judge's Chambers for \$1050 but cannot do for 6 to 8 weeks. Cetak will see if he can find darker paneling. Cullers is checking into vertical blinds for the windows in the Judge's Chambers.

The draft lease agreement drawn up by Attorney Randy Cullers for the proposed North Loup Visitor's Center was discussed. County Attorney Clark questioned item number 3 which referred to rent and "all costs and expenses of any nature or kind whatsoever" as the County's responsibility. Bethanne Kunz said the Chamber was involved only through their contract with the County to provide assistance for the Visitor's Committee and that it was the Visitor's Committee who wanted to develop the Visitor's Center. County Attorney Clark will meet with Attorney Cullers to discuss the lease and this issue will be tabled until the next Board meeting.

Supervisor Cullers questioned the distribution of Wozab Funds to entities outside Valley County and for the "brick & mortar" use of churches. She sought an opinion from County Attorney Clark. Clark's initial written opinion was that Wozab Funds should not be granted to entities outside the County but that the Board could use their

discretion with regard to the type of projects funded. However, after discussion he said he felt an exception could be made for entities outside the County who provide service in the County. Cullers also noted that, although she was unable to attend the meeting for determining the distribution of Wozab Funds, she had provided a letter expressing her preferences and was disappointed that no funding was allowed for them.

The meeting was recessed at 12:50 p.m. and reconvened at 1:25 p.m.

Discussion was held regarding the bid of \$13,106 to install railings at both Courthouse entrances to match the new ones installed in downtown Ord as part of the revitalization project. It was decided that the existing railings would be painted black and that Custodian Cronk would be asked about painting them when the weather warms up.

A copy of the results of a 2006 County-wide survey showing the support of Valley County residents for renovating the Courthouse and installing an elevator was reviewed.

Cullers listed the tentative agenda for the Wozab Celebration to be held on April 15 at 7:30 p.m. in the 3<sup>rd</sup> floor District Courtroom of the Valley County Courthouse. Sevenker agreed to do the Welcome and Introduction, Cullers the Tribute and Vogeler the Award Presentation. Various Board members offered to bring cookies for refreshments.

Following discussion, Vogler moved to change the first Board meeting in May from the 13<sup>th</sup> to the 9<sup>th</sup> due to the Primary Election, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

Reminder of the Budget Seminar May 29<sup>th</sup> in Kearney will be carried over to the next agenda.

Following discussion, Vogeler moved to continue with Collier Lawn Care Service at the 2007 rate, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Baker moved to approve the claims for payment of the April BCBS premium of \$24,230.33, the claims for disbursement of the Housing Assistance Grant funds approved at the last Board meeting totaling \$17,896 and the Fund Request to the Treasurer for the grand total of \$42,126.33, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Agenda items 13 D – I were reviewed as follows: NIRMA's request to include their website as a hyperlink on the County website was approved; no action was taken regarding proposed legislation for law enforcement retirement or jail reimbursement; Waldmann will check with David Glaubke about taking a 35mm picture of the District Courtroom to submit for use in the NACO calendar; North Loup River Irrig. Dist. water charges for the County Farm were reviewed and it was noted that these charges are paid by the lessee; Lodging Tax Receipts and Disbursements for March were reviewed; no action was taken regarding the UNIFI Notice of Annual Members Meeting, Proxy Statement and Proxy.

Treasurer Suminski gave the Month End Fund Report. General Fund balance is at \$90,970, Visitor Promotion \$2406.49, Visitor Improvement \$6144.04, Inheritance Tax \$856,970.38. A deposit of \$530,000 was made to the Airport checking in March but she has no other information regarding these funds. Suminski noted that there was not sufficient money budgeted to close out the old Hospital Bond Fund so a small amount will have to be transferred in the next FY. Also discussed was the request from the Hospital to discontinue the \$25,000 Hospital O&M Fund.

County Attorney Clark had no report.

As the County's Representative on Region 26 Council, Van Slyke provided a letter from Region 26 explaining that they have contracted with Kirkham/Michael Consultants to create a Hazard Mitigation Plan for the counties and communities in Region 26.

Vogeler reported that the roofers are getting ready to start work on the jail roof and will be coming to the Board for permission to set a crane on the east side of the Courthouse.

Cullers reported for VCED that her husband had been able to sell some of his taxidermy mounts on the internet through the combined efforts of several classes at the Ord High School, the students handled everything: advertising, taking orders, crating and shipping and accounting for the proceeds. Cullers will check with VCED regarding the use of sales tax funds for surveying and road building costs at the Mortensen Industrial Site.

Meeting adjourned at 2:40 p.m., to reconvene on April 29, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the April 8 meeting and an agenda for the April 29 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by

members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, April 29, 2008 in the Courthouse Boardroom. Roll call: Baker, Cetak, Cullers, Sevenker, Van Slyke, Vogeler, Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of April 7, 2008 special meeting and April 8, 2008 regular meeting were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Copies of both sets of minutes were included in the Board packets. Sevenker noted that agenda items 12B and 12G will be postponed to a later date and item 10E3 was added Monday morning prior to the 9:00 a.m. deadline. Baker moved to adopt the agenda for today's meeting, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available. There was no public comment.

Dale Melia, Leonard Proskocil, Larry Proskocil and Carol Thomsen were present for discussion of the Springdale Hillside Cemetery. The Proskocils and Thomsen were protesting that the cemetery had been disked. Sevenker noted that the County is having the Cemetery site surveyed and will fence it and seed it to grass. The deed indicates the Cemetery is approximately 2 acres in the NE corner of section 20-19-13, measuring about 18 rods square. Thomsen read a letter from her daughter, Cheryl, noting the importance of honoring and maintaining the Cemetery. Melia apologized for disked it and noted that if anyone is buried there they deserve our respect. Leonard Proskocil asked that only one gate be put in to prevent vehicle entry and it was decided the gate should be placed in the SE corner. Larry Proskocil will get a committee together to maintain the Cemetery. Sevenker noted the County has an obligation to provide some funding for maintenance. Tad Melia will rotor till the cemetery in preparation for seeding and will assist County Road Supt. Leth with the seeding. Leth will put up a 3 wire fence.

Road Secretary Simpson provided the printed report of Road Payroll and Claims for April. Total payroll was \$34,734.92, Accounts Payable \$34,380.64. Gravel and fuel line items will likely be overspent this FY but the overall Road budget will be okay. Simpson noted that separate records are kept of costs for different types of fuel.

Road Supt. Leth recommended approval of Easement 08-279 for Duane Jacobs for the installation of a gas line across a minimum maintenance road west of Ken Bills house. Van Slyke moved to approve Easement 08-279, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Leth provided information from the NDOR on Surface Transportation Program Funds. In order to use these funds for bridge or paving projects, requirements must be met which increase project costs. The last Federal Aid project in Valley County was the 1996 North Loup bridge project.

At 9:45 a.m. the Public Hearing for the Application for Conditional Use Permit for the proposed Warehouse for Ag Seed, Retail Seed Sales, Seed Treatments and Selected Farm Supplies Business for Martin Petska was opened as advertised. Planning & Zoning Administrator Nancy Glaubke, Marty Petska and Kurt Petska were present for the hearing. Glaubke provided copies of the Valley County Planning Commission Recommendation as well as site maps, drawings of the proposed buildings and the Application for Conditional Use Permit. The Planning Commission Recommendation, based on the factual findings listed, was for approval of the permit, subject to the following conditions: 1) driveway must be designed according to County Specifications including but not limited to a width of 30 feet 2) culverts must be paid for by Mr. Petska 3) septic and well must be installed by certified personnel and registration numbers must be provided to Valley County Planning & Zoning 4) lessee must comply with any covenants adopted by Valley County Supervisors. Each lessee puts in their own well and septic. Gilmore has not finished platting. Petska does not plan to get into tank storage. The treatment chemical storage containers hold any spills and do not have a high level of toxicity. No other testimony was offered, either written or oral. Vogeler moved to approve the Valley County Planning Commission's recommendation of approval of the Conditional Use Permit for Martin Petska, based on their factual findings and subject to the conditions listed on their Recommendation, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none. Petska requested that any covenants the Board adopts not exclude the sale of equipment but require that it be neatly displayed. The Hearing was closed at 10:00 a.m.

Leth continued his report with discussion of moving the irrigation pipe and building the access road in the Mortensen Industrial Site to accommodate the newly leased site. Two estimates were received from NLRPP Dist. for moving the pipe. Estimate #1 was for \$7,359.78 and included widening the driveway. Estimate #2 was for \$4174.47 and left the driveway and lateral as they are now. Leth's estimate for building the road was \$10,751.30. Since irrigation season has begun, may have to wait until next year to move the pipe. Discussed moving pipe, but leaving on

top of ground this year. The use of sales tax funds to reimburse the County for prior work done on the Mortensen Industrial Site was also discussed. The County will need to apply to the City for reimbursement for current expenses.

Leth reported that the County will be receiving additional funds from NEMA and FEMA for storm damage caused by last winter's ice and snow storms, perhaps as much as \$99,000. He would like to put this money in a sinking fund. Treasurer Suminski was included in the discussion and will consult County Budget Accountant Able for advice.

Leth's report included: 1 & 6 Year Road Plan approved on April 7; lots of muddy roads, hauling gravel to bad spots; started access road in Mortensen Industrial Site; weight limits have been removed from all County roads; would like Board members to look at areas where requests have been made to clean ditches to help drainage, discussed merits of doing this, Board members will view after meeting; getting requests from public for 911 maps, Board agreed could give copies of NDOR maps reduced and pieced together.

Hospital CEO Schrage presented the written monthly report and reviewed the financial and statistic portion with the Board. Discussion was held regarding the Hospital's decision to discontinue the \$25,000 the County has been levying for Hospital Operating and Maintenance each year and when and why it was begun.

Bethanne Kunz provided written Quarterly Reports for Tourism and the Valley County Economic Development Board. The VCED report included: \$77,000 remains to be disbursed in the Housing Down Payment Assistance Grant, 6 homebuyers have received assistance to date; a pie chart reflecting the use of Sales Tax Funds and various activities and programs that were conducted. The Tourism report included: partnering with Garfield County to place ads in NE Life Magazine; membership in Central Nebr. Tourism Coalition for assistance in securing grants to market the area; efforts to establish a visitor's center in North Loup; a summer intern will help with implementing suggestions from the 2006 Target study; May 07-Jan. 08 receipts were \$9034.54.

At 11:10 a.m. the Board of Equalization was convened on motion of Cetak, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none. The County Assessor and County Clerk were present.

Assessor Arnold presented Tax List Correction #3719 for Robert D. & Jean M. Stowell for the sale of a mobile home. Following discussion, Tax List Correction #3719 was approved on motion of Van Slyke, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Arnold asked if the Board would be interested in looking at a GIS demonstration such as the one given by Mitch Clark last year. A company in Lincoln has been recommended by other County Assessors. She feels it would be beneficial to her office as well as the Clerk's Office. The Lincoln company's system would likely be more costly than Clark's. The Board agreed to look at a presentation. Arnold will try to set it up for the May 27<sup>th</sup> meeting at 1:00 p.m.

At 11:20 a.m. the Board moved out of BOE on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

Dale Zadina, Ord Rural Fire Dept., Randy O'Brien, Ord Mayor and Randy Cullers, Ord City Attorney were present for discussion of the possible merger of Ord City Fire Dept. into the Ord Rural Fire Dept.. Discussion included: there are advantages and disadvantages, RFD has broader authority and could levy and issue bonds, frees up city funds, construction not limited for RFD to bidding projects, would be more work and costs for RFD, more expense for County. Based on last year's levy and the projected budget for a combined fire department, the County may have to reduce their budget by \$100,000. Fire Department personnel have been involved in preliminary discussions. County would need to discuss with County Budget Accountant Abel. Van Slyke and Vogeler volunteered to meet with Abel, O'Brien, Cullers and Zadina. Attorney Cullers will set up the meeting.

NIRMA Board member Jim Graves of Central City was present to promote NIRMA's 20<sup>th</sup> Anniversary. He presented the County Board with a wall clock to commemorate the occasion.

Discussion was held on the purchase of an ad in the Loup River Valley Tourism Coalition 2009 Media Guide. Last year a 1/3 page ad was purchased with a picture of the Courthouse at a cost of \$880. The Board felt a new Courthouse picture should be used since the new windows are now in. Nebr. Life Publisher, Chris Amundson was present and said he would take a new Courthouse picture after things had greened up a bit and noted the ad would cost the same as last year. Vogeler moved to approve sponsoring the same 1/3 page ad that appeared in the 2007 Travel Guide but with an updated Courthouse picture in the 2009 Travel Guide to be paid from the Inheritance Tax Fund, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Waldmann. No: none. Absent: none.

The meeting recessed at 12:15 p.m. and reconvened at 1:00 p.m. with all Board members present.

The following items were reviewed and discussed: the Sheriff's Office written Fees and Activities Reports for January and February; the written March Fee Report for County Clerk and Quarterly Report for Clerk of District Court; Ord Chamber letter regarding their vote against participating in the North Loup Visitor Center project due to lack of funds; Mortensen Site Building Covenant Committee has no report, further meetings will be held; preliminary plat for the Mortensen Industrial Site not yet available; Baker will talk to Clamp regarding mortar work needed on Mortensen Monument and Leth has agreed to mow the site.

Casey Hurlburt, newly appointed Valley County Sheriff effective May 1, 2008, was present for discussion of the annual jail inspection report received from Nebraska Commission on Law Enforcement regarding the March 19, 2008 jail inspection. Areas of concern noted on the report were Inmate Classification and Assignment, Security and Control, Health Services. Hurlburt attended the Jail Standards Board meeting on April 16, 2008. He feels that the current jail and Sheriff's Office does not provide sufficient space to resolve the concerns outlined in the inspection report and asked the Board to consider moving the Road Dept. Office to another location and allow the Sheriff's Office to use the current Road Office. His plan includes installation of a visitation window and telephone system for prisoner visits to provide better security. Following discussion, it was determined that the Road Dept. would be asked to move into the current Probation Office; the Probation Office would be asked to move to the third floor adjacent to the current evidence room, which would be cleaned out and moved to the vault in what is to become the new Sheriff's Office, providing 2 rooms for use by the Probation Office; County Attorney Clark felt that Stop Program funds could be used for installation of the visiting window; the jail shower area will be cleaned and painted.

At Hurlburt's request, Van Slyke moved to go into executive session at 1:30 p.m. for discussion of personnel issues, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. At 2:05 p.m., Van Slyke moved to go out of executive session, seconded by Vogeler. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board agreed to hear a health insurance proposal from Bob Huddleston. The Clerk is to notify Huddleston.

Discussion was held on the building owned by Roger McCartney and leased by the County for use as the Health and Human Services Office. McCartney requested a rent increase to \$980 per month. Attorney Clark presented a new lease agreement which included the increase. Following discussion, Baker moved to authorize Chairman Sevenker to sign a new 2 year lease agreement increasing the rent to \$980 per month effective at the start of the new FY, July 1, 2008, with the first payment due August 10, 2008, seconded by Vogeler. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Attorney Clark will present to McCartney for his approval.

Email communications received from Brian Hergott of Beckenhauer Inc. regarding the County's concerns with the new windows and HVAC system were discussed. Hergott noted the window issues appear to be taken care of, the manufacturer has supplied the remote sensors at no cost and Beckenhauer Inc. is willing to pay \$2500 toward their installation. Joe Wadas of Wadas Inc. was called and appeared to discuss the sensors. There are 41 HVAC units, 33 will get new sensors. Installation is billed by the hour. Beckenhauer estimates \$170 for each sensor. Another issue is the fabrication and installation of a roof hood for the intake louver to prevent snow blowing in and icing up the duct heaters, which is estimated to cost \$1800. Following discussion, Vogeler moved to accept Beckenhauer's proposal regarding 06-612, Valley County Courthouse, Ord, Additional HVAC Work, dated April 24, 2008, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Clerk is to notify Hergott of the Board's decision.

Courthouse bench pads and sidewalks were discussed. Sevenker reported A&R Construction quoted a cost of \$229.50 for each bench pad. Two pads are needed measuring 30" by 7' at \$13.11 per sq. ft. A portion of the sidewalk along the north side of the Courthouse will need to be replaced. A&R will charge \$7.00 per sq. ft. for the sidewalk replacement. Waldmann felt sidewalk replacement could wait and a local contractor should be used to do that work. Waldmann moved to approve having A&R Construction install the 2 bench pads at a cost of \$229.50 each, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

April Claims and Fund Request were reviewed and approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none.

Discussion was held regarding a letter from Dana Cole stating they had counted the cash on March 31, 2008, the last day of employment of the previous Sheriff and offering audit services for the Sheriff's Office transition. Sevenker noted the audit could take several hours at a cost of \$100 to \$150 per hour. Following discussion, Cullers moved to have Dana Cole & Co. do a cash count and reconcile the books of the Sheriff's Office from the transition point of the



old Sheriff to the new Sheriff, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Discussion and action on the following agenda items was as follows: Sevenker noted he talked with City Utility Manager Markowski and it appears the FAA postcard regarding Transmission Line Pole 32 exceeding obstruction standards is informational; County Attorney Clark will check into a County Burial Policy; a copy of the written Wozab Fund Quarterly Report was provided to each Supervisor; the BCBS informational meeting dates will be on the next agenda; receipt of Certificate of Liability Insurance for Western Roofing was noted.

The County Attorney had no report.

Committee Reports: Vogeler reported as the County's Rep on the Mid Plains Board that the state had completed their audit of Mid Plains with no findings; the audit was requested by Hall County; Mid Plains is functioning well. Cullers provided samples of the sponsorship plaques for the Courthouse benches.

Meeting adjourned at 3:25 p.m., to reconvene on Friday, May 9, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the April 29 meeting and an agenda for the May 9 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

As advertised, the Valley County Board of Supervisors' regular meeting date was changed from Tuesday May 13, 2008 to Friday, May 9, 2008 due to the statewide Primary Election. The Board met in regular session at 9:00 a.m., Friday, May 9, 2008 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Baker, Cullers, Van Slyke and Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of the April 29 meeting were included in the Board packets. Chairman Sevenker felt the minutes should be corrected to add that the Board took no action as a result of the executive session. The April 29 meeting minutes were approved as corrected on motion of Van Slyke, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldman, Vogeler, Cetak. No: none. Absent: none. Agenda items 7A 4 and 10A 1-5 were added after the Board packets were sent but prior to the 24 hour deadline. Baker moved to adopt the agenda as presented at the meeting, seconded by Waldmann. Carried. Yes: Baker, Van Slyke, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

Sheriff Casey Hurlburt introduced Deputy Adam Miller who is to begin June 1. Hurlburt reported that 2 Sheriff's vehicles need to be replaced immediately; transmission is out of one and the other is not safe for law enforcement activities. He has found two 2003, fully equipped (except radio and radar) Crown Victoria vehicles with 49,000 and 56,000 miles on them at a cost of \$12,300 each in Kansas City. New ones would cost \$21,500 to \$23,000. Crown Victoria's are designed for police work. He would like to have video cameras in the vehicles for the protection of the public and officers and to provide evidence. It would cost \$1000 more per vehicle for the decal detailing, radio and radar. The vehicles he is putting out of service are 2000 Crown Victorias with 160,000 and 150,000 plus miles on them. Hurlburt has hired a second deputy, Paul Deaver, who has experience and training in grant writing. Cullers moved to approve the purchase of the two 2003 Crown Victoria vehicles at a cost of \$12,300 each, plus delivery and detailing costs, not to exceed \$28,000, to be paid from the Inheritance Tax Fund, seconded by Van Slyke. Further discussion included: delaying purchase of video cameras and applying for a grant to get them, concern that a lot of money is being spent in the Sheriff's Dept., recognition that issues being addressed are safety concerns. Cullers' motion carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Hurlburt told the Board that Miller was taking a substantial cut in pay to come to Valley County. Miller's wife has been hired as Administrative Assistant to Hospital CEO Larry Schrage and the Miller's would be getting their health insurance through the Hospital. He asked if the amount the County would have paid for Miller's health insurance could be applied to his salary instead. Discussion included: this has not been done in the past for other employees, it would set a precedent, a specific percentage of employee participation is required to qualify for the NACO/BCBS plan the County currently has, and the current Personnel Policy would need to be changed. Hurlburt said he has talked to North Loup regarding what services he could provide for them and that they seemed agreeable to increasing the amount they currently pay. He said he would ask for a minimum of \$18,000 per year. He is working toward meeting the Jail Standard requirements and suggestions from their last inspection. Carpet in the back office has been removed and he would like to replace carpet in the kitchen area with vinyl that can be scrubbed. Also has removed paint from showers which were thought to be stainless steel but are galvanized and in bad shape. Would like to put new doors in for the visiting room and weight room for security reasons so prisoners could be kept confined at all times. He invited Board members to look at the jail area to better understand what he wants to do and why. The amount budgeted in the Jail Administrator salary line item was incorrect and no funds remain, \$4500 was budgeted and \$5400 was needed. The Board directed that the remaining \$900 be paid out of the Misc. General budget. Hurlburt also questioned the amount budgeted in his salary line item but it was thought this was due to budgeting a calendar year raise for the fiscal year and it should be okay.

Frank Robak of Frontier Communications appeared at Hurlburt's request to discuss a change from dial-up to high speed internet service in the Sheriff's Office. Currently the internet and fax machine are the same number so both cannot be used at the same time which creates some problems. Robak said it would cost \$69.99 for a 2 year agreement which would be reduced to \$49.99 since the County is a Chamber member. Robak said Frontier is the local service provider but that the County is currently using NT&T services. The Clerk noted that a change for long distance call service was made several years ago due to poor billing service from Frontier and cheaper long distance rates. Robak said Frontier provides local repair and installation service and requests should be directed to Frontier. The Board agreed that Robak could give a proposal for service to the County.

Emergency Manager, Ryan Simpson, appeared to request Board approval of the purchase of 2 lap top computers through State Surplus at a cost of \$200 to \$300 each. He would keep one at home to use for updating the LEOP (Local Emergency Operation Plan) and other work that takes up a lot of space on the computer so that he would not have to use his personal computer. He would use the other one in his vehicle for weather related or emergency issues and would like to have a cell phone that could be used to provide internet access. The Board said if he had sufficient funds in his budget they had no objection.

Road Supt. Leth provided copies of a letter and policy statement from the NDOR Bridge Division requiring that any bridge constructed or reconstructed on a public road have the plans, load rating and a scour and hydraulic study signed by an engineer effective May 1, 2008. Leth said he can no longer construct or repair bridges without hiring an engineer. Access road for Mortensen Industrial Site not yet completed; Melia is to rotovate the Springdale Hillside Cemetery next week, after which Leth will seed and fence it; project C88119B is completed, truss bridge has been sold and will seed area and remove silt fence once grass is up; hauling gravel, will go over budget for gravel; many water problems; will need a couple of culverts on road to Ted Nelsons; will check on state culverts from highway project. Vogeler noted some areas where gravel was not sufficiently spread out and was too deep for safe driving. Leth said this was a contract haul and he has told them 100 yards to the mile, he will check on this. Van Slyke said he received a call from the School District regarding the need for gravel on the road to Nevrviv's to allow the school bus to travel it. Leth said that he had ordered the gravel and it should have been delivered, he will check on that.

A recess was called at 10:45 a.m., the meeting reconvened at 10:55 a.m. with all Board members present.

A copy of the current Ground Lease used for lots in the Mortensen Industrial Site and a copy of proposed Development Restrictions put together by the Mortensen Site Covenant Committee were provided to the Board. Vogeler noted that this information is to be given to County Attorney Clark for his opinion and asked that the Board review them too. This item is to be on the next meeting agenda to receive suggestions and comments.

Baker said he has talked to Clamp regarding repair of the Mortensen Site monument and about securing the Courthouse benches to the pads. Clamp will provide a cost estimate for both.

Bob Huddleston and Wayne McDermott of Wells Fargo Insurance Service had called Clerk Lindsey and suggested that they send health questionnaires to be completed by each employee so that they could provide a firm quote based on this information. No questionnaires have been received. The Board was not comfortable with requiring the questionnaires and felt it was probably too close to renewal time to evaluate a health insurance proposal.

Chairman Sevenker indicated that Budget Accountant Abel cannot attend the next County Board meeting but will put some information together regarding how the merger of the Rural and City Fire Dept. would affect the County budget. This item is to be on the next meeting agenda.

Baker reported that he plans to contact Architect Glen Mannes regarding the Courthouse elevator project later this month to see when he might be able to come to a County Board meeting and that he will send pictures of the outside of the Courthouse as requested by Mannes.

Board noted the reminder of the BCBS informational meeting dates and the Budget Seminar on May 29.

At 11:10 a.m. Waldmann moved to go into Board of Equalization, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none. The Assessor and Clerk were present.

Tax List Correction #3720 for Harlan & Betty Green, due to the denial of 2007 homestead exemption by the State Tax Commissioner, was presented for Board approval. Cetak moved to approve Tax List Correction #3720, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Also presented was the Findings & Orders from TERC which advised that the County was in compliance with land valuation requirements and that no adjustments would be ordered for tax year 2008. The required value range for residential property is 92% to 100%, Valley County is at 93%; commercial property requirement is also 92% to 100%, Valley County is at 95%; required range for agricultural property is 69% to 75%, Valley County is at 74%.

Assessor Arnold said she has scheduled GIS demonstrations from 2 companies following the May 27<sup>th</sup> Board meeting at 1:00 p.m. and 2:30 p.m.

Cetak moved to go out of BOE and return to regular session, seconded by Van Slyke. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Candy Kuntz of Miller & Assoc., General Administrator of the Housing Assistance Grant, appeared to present a new applicant for down payment and rehab housing assistance and invoices for her services as well as Housing Administrator, Community Development Services. Kuntz noted that there is the potential for 3 additional applicants. She also said the money allotted for rehabilitation is running out and she is checking with the state to see if it can be

increased by reallocating some of the down payment assistance funds. Vogeler moved, seconded by Cullers, to approve VC-08-DPA for \$10,900 and VC-08-HR for \$5000. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. CDS invoices in the amount of \$1250 Housing Administration and \$200 Lead Based Paint testing were approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none. The Miller & Assoc. invoice for \$1200 General Administration was approved on motion of Van Slyke, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Alec Baillie, Director of the Loup Basin Tech Center, was present to discuss what they have to offer the area and asked for County support. They are working to get a 501C designation which will require development of by-laws and setting up a Board. They are looking at an 8 member board and would like each of the 9 counties in the RC&D area to appoint a representative who would attend one meeting each month. He also discussed LB1208 passed in 2006 which provides funds to K-12 school districts to improve their technological equipment. A state network will be provided to improve communication access. Colleges will be able to provide classes to high school students throughout the state. He is hoping to find a way to utilize the LBTC to assist in this program. County taxpayers support the Community Colleges and he asked the Board to help convince the Colleges to use some of their tax dollars to help provide such things as distance learning through places like the Loup Basin Tech Center. A follow-up class to the recent computer training class offered to County employees through a UNL Extension grant program was discussed. Baillie will provide a questionnaire for employees to fill out to see if there is sufficient interest. Follow-up classes would not be covered by a grant. Baillie said they charge \$125 per hour for use of the facility and a per-pupil fee depending on the number of people and the instructor's fee. Government entities receive a discount.

County Attorney Clark, who had been in District Court, had no report. Discussion was held regarding the issue of allowing employees to receive cost of health insurance if they opt not to go on the County's policy.

Supervisor Cullers left the meeting just ahead of noon.

Discussion was held regarding surplus furniture items found in the process of expanding the Sheriff's Office and moving the Road Office and the Probation Office. The old roll top desk and the old barrister's bookcase are to be kept in the Courthouse. The remaining items will be listed and marked for sale or bid within the next few weeks.

Following discussion, Cetak moved to approve use of the Courthouse lobby on July 6, the Downtown Renovation Celebration, for an informational display by Valley County Foundation and offering tours of the Courthouse at that time; use of the Courthouse lobby on July 2 at 7:00 p.m. for the Republican Party convention. Motion seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Van Slyke, Baker. No: none. Absent: Cullers.

Resolution 08-12, Public Unit Resolution of Authority, required by TierOne Bank to authorize the Sheriff's bank account, was approved on motion of Van Slyke, seconded by Waldmann. Carried. Van Slyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: Cullers.

The Claims and Fund Request for payment of the May BCBS premium of \$24,230.33 was approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Baker, Van Slyke, Cetak, Waldmann. No: none. Absent: Cullers.

Informational items reviewed included: receipt of April Expenditures Summary Report; CNEDD 2008 Membership Dues of \$2439 will be addressed through the claims process; receipt of BCBS 2008 rate summary indicating 8.46% premium increase; receipt of Certificate of Liability Insurance for Ziemba Roofing Co.

Discussed budget overages in Relief Fund through which indigent medical, living or burial expenses as well as the HHS office rent and utilities are paid. Funding through Misc. General, Inheritance Tax or amending the budget was discussed. Vogeler moved, seconded by Baker, to pay Relief expenses from the Inheritance Tax Fund for the remaining 2 months of the FY. Carried. Yes: Vogeler, Cetak, Baker. No: Waldmann, Van Slyke. Absent: Cullers.

Discussed the Unreimbursed Medical program the County provides for employees. At the time of Ronzzo's resignation he had withdrawn more than he had contributed. This is a liability which the County agreed to when the program was established, but Board would like to see if the employee could pay the overage amount direct to the account. The Clerk will check on this.

Discussion was held regarding the email communication from Mike Dobesh regarding state water issues and the suggestion that Counties get together to address the issue. Vogeler and Van Slyke felt this should be looked into further. Vogeler will contact Dobesh and report to the Board.

Van Slyke noted that Region 26 is already developing a Hazard Mitigation plan and wonders why Lower Loup NRD is going to the expense of developing another one. He will get more information from Region 26 regarding this and report to the Board.

Mail Folder items available for review: Chamber/VCED Newsletter, May 14 agenda and April minutes.

Meeting adjourned at 1:25 p.m., to reconvene on May 27, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the May 9 meeting and an agenda for the May 27 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, May 27, 2008 in the Courthouse Boardroom. Roll call: Cullers, Van Slyke, Waldmann, Baker, Cetak, Sevenker, and Vogeler were present. Clerk verified meeting notice was published, however, due to the holiday the agenda was not posted until Tuesday morning. Minutes of the May 9 meeting were included in the Board packets. Clerk Lindsey indicated that the May 9 meeting minutes needed to be corrected to indicate that the Republican Convention was to be held on June 2, not July 2. The May 9 minutes were approved as corrected on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none. The agenda was adopted on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

Road Secretary Sandy Simpson reviewed the May Road Claims & Balances, noting that the larger expenses were for culverts, fuel parts and grave. The fuel line item is over budget and gravel will go over before the end of the FY, however, the overall Road budget has \$147,159 remaining so line item overages will be covered.

Leth recommended approval of refunding Easements 07-265 for Michael L. Jackson and 07-266 for Bruce Eppenbach and granting Easements 08-280 for Leonard J. Sedlacek and 08-281 for Michael L. Jackson. Following discussion, Waldmann moved to approve Easement 08-281 requested by Michael L. Jackson and to approve applying the \$100 refund due Jackson on Easement 07-265 to his newly requested Easement 08-281, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Easement refund for Bruce Eppenbach on Easement 07-266 was approved on motion of Cetak, seconded by Cullers. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Easement 08-280 requested by Leonard J Sedlacek was approved on motion of Vogeler, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none.

Cullers moved to set June 24, 2008 at 9:30 a.m. as the date and time to accept gravel bids, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Leth reported: the Springdale Hillside Cemetery has been fenced and seeded; project C88 119B is completed; Mortensen Industrial Site road is completed, needs gravel, nothing done on north end until irrigation pipe is relocated, has not figured cost yet for submission to city for reimbursement; received call Thursday night regarding broken, leaking Trotter fertilizer tank, called DEQ, used County equipment to remove dirt and gravel from site and dumped at Fauss', graveled next day, substance in tank unknown, will bill Trotter; Jebro asphalt quote of \$1.89 has gone up to \$2.00 +, cost of one windrow will be \$24,000, may not be able to complete all planned projects due to budget concerns. Discussed difficulty in figuring budget due to rising costs of fuel and gravel, possibility of turning some roads from oil back to gravel, expecting \$102,000 from FEMA.

As advertised, at 9:30 a.m. sealed bids were received for the following County real estate parcels: 80016261 in rural Valley County, N4 rods of W 45 rods in the NW4NW4 10-20-14, valued at \$430 per acre; parcel 880032529 in Arcadia, W 30' Lot 1 Block 5 Original Arcadia, valued at \$590; 880005719 in rural Valley County, N 4.5 rods of the NW4 27-18-13, valued at \$1940. One bid was received. Said bid was opened and read by the Clerk. The bid was from R. Kokes Farms, Inc. for parcel 880005719 in the amount of \$900. No bids were received for parcels 80016261 or 880032529. Following discussion, Vogeler moved to negotiate with Kokes' on the sale of parcel 880005719, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. Vogeler and Baker volunteered to contact Kokes' regarding sale of the property. Van Slyke moved to contact other parties who have expressed interest in the remaining parcels or who own property adjacent to said parcels, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Van Slyke and Sevenker volunteered to make the contacts.

Frontier Representative Frank Robak was present to discuss his proposal to provide phone service and high speed internet to the Courthouse. Based on his figures, it appeared the regular phone charges would be slightly less than the current provider. Clerk Lindsey noted that the Sheriff's Office had contacted Frontier regarding high speed internet service, however, it was her understanding that they had since chosen to go with Charter Cable for internet service as it was cheaper than Frontier. She also noted that the reason the County switched from Frontier to Nebr. Telephone and Telecom was because of the poor service received from Frontier regarding billing errors and that much time was spent by her office each month to rectify them. Robak said Frontier now has a person who works directly

with Nebraska customers and this should not be a problem. The Board said they would check with the other Courthouse offices before making a decision.

Hospital CEO Larry Schrage appeared to present the monthly hospital report. Financial statistics were reviewed on pages 9 and 10 of the report. Schrage noted that the financials are better than last year. They are putting more funds into cash reserves in preparation for construction of the new facility so that sufficient cash will be available for the start up years. They are looking at going to self-insured health insurance. A broad time line for construction of the new facility was provided showing construction beginning in April, 2009 and the planned opening in Sept., 2010.

A recess was called at 10:10 a.m. and the meeting reconvened at 10:20 a.m. with all members present.

Written Sheriff reports of Fees and Activities in March and April were presented. Sheriff Hurlburt was present and reported that the new vehicles should arrive by the end of the week. He also reported that a water softener is needed for the jail because the hard water deposits are causing problems with the operation of the toilets. Replacement cost for a toilet is \$4500. A Culligan water softener costs \$1389. Following discussion, Cullers moved to approve the purchase of the water softener with Inheritance Tax Funds with the stipulation that if sufficient funds remain in the General Fund at the end of the fiscal year, the \$1389 be repaid to the Inheritance Tax Fund, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Nancy Glaubke was present for discussion of the proposed Mortensen Industrial Site covenants. The committee has met twice and a copy of the draft covenants was provided to Marty Petska for his comments. County Attorney Clark was present for the discussion. Discussion included: cannot force covenants on current lessees but they will be asked to sign; if driveways could be rocked rather than paved; if employee requirement should be part of covenants or lease; importance of employees for economic development; how to maintain the \$100,000 building value requirement; conditional use permit contains landscaping requirements; if building sold for same use, new conditional use permit not required, different use would require new permit; how the insurance requirement is monitored. County Attorney Clark was asked to review the covenant draft and the current lease document and advise the Board at the next meeting.

Candy Kuntz of Miller & Associates appeared to request approval of Housing Assistance Grant applicants VC-07-DPA \$14,500, VC-07-HR \$5000, VC-09-DPA \$6000, VC-09-HR \$4500; Community Development Services Invoices VC-Admin-10 \$1000, VC-Lead-7 \$400. (DPA = Down Payment Assistance, HR = Housing Rehab) Following discussion, Cullers moved to approve VC-07-DPA \$14,500 and VC-07-HR \$5000, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler asked if legal alien status was a requirement for applicants and if it was checked and Kuntz said it was. Vogeler moved to approve VC-09-DPA \$6000, VC-09-HR \$4500, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none. CDS invoices for Adm-10 \$1000 and Lead-7 \$400 were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Applicant VC-01-DPA is requesting a refinance of his loan in order to pay for remodeling work that has been done to the home. The County must agree to subordinate their lending position in order for the refinancing to take place. Kuntz said the applicant must pay the County \$200 when subordination is requested and she presented a check for \$200 along with the Subordination Agreement. She noted that the County should be cautious when agreeing to subordinate and ask the reason for it. In this instance, the value of the home was increased by the remodeling work. She said it was the County's decision, but she felt the subordination would be okay. Vogeler moved to approve the requested subordination of the lien for applicant VC-01-DPA, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none. Kuntz then asked the Board to consider amending the program budget due to the lack of funds remaining in the rehabilitation portion and the need to be able to provide rehab funds to applicants who qualify for down payment assistance. Kunz requested that \$15,000 be moved from the DPA fund to the HR fund. She said this can be done without a public hearing because it is less than 10% of the total grant awarded. Van Slyke moved to approve the request to move \$15,000 from DPA to RH, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Drawdown #14 for grant funds in the amount of \$20,813 was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Bethanne Kunz was present to discuss the County/Chamber Agreement regarding Visitors Promotion & Improvement and to present the proposed Visitors Promotion & Improvement budget request for FY 08-09. Kunz noted that, due to her resignation, the Chamber may not be able to meet all of the Agreement requirements until a new Adm. is hired. Vogeler moved to approve the County/Chamber Agreement for tourism for FY 08-09 with the

understanding that due to Kunz' absence, reports may be delayed, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The proposed budget will be considered during the County budget process. Sevenker thanked Kunz for her efforts on behalf of the Chamber and Economic Development and wished her good luck in her new position.

Marc Munford of Ameritas Investment Corp. was present to talk about the process for issuing bonds. Financial information from the County and the Hospital will be compiled and submitted to insurance companies for bids. The bids will be analyzed to determine if the bonds will be insured. A decision will be made as to whether the bonds will be issued all at once or in increments. Bonds of less than 10 million per year are bank qualified and they would like at least a portion to be bank qualified. Issuing bonds as needed would also avoid paying interest on the entire amount from the beginning of the project. The County Board will make the decisions based on information provided by Ameritas. Munford will return to the Board in July, after they have received and analyzed information from the insurance companies.

At 12:15 p.m. the Board recessed for lunch and reconvened at 1:00 p.m. with all members present.

Discussion was held with County Attorney Clark regarding the County Personnel Policy and the development of a County Burial Policy. These items will be on the next Board agenda for further discussion. Information is to be sought regarding requiring financial qualification through HHS for County Burial and the cost of cremation.

At 1:20 p.m. a GIS presentation was given by Mitch Clark of Great Plains GIS Consulting in Ravenna. Clark presented a contract proposal and information outlining his services and fees. He proposes to provide tax parcel mapping, do all the research, provide data layers for soil, FEMA flood zone data, Region 26 roads & addresses, waterways, aerial background, convert County Clerk maps to digital format (townships, voting districts, Supervisor Districts, etc.), provide free training and support. The cost of his proposal is \$48,000, to be paid on a completed town and range basis.

Treasurer Suminski presented the Fund Balance Report for May. The General Fund balance is \$518,627.68, Road Fund \$63,804.13, Visitor Promotion \$2,588.44, Visitor Improvement \$6081.00, Inheritance Tax \$864,788.56, Courthouse Bond \$25,786.63. It was noted that the Hospital Operating & Maintenance Fund will not be included in next year's budget as the Hospital has determined that they will no longer request it. Suminski also reported an updated Pledge Security from Wells Fargo Bank for funds held by North Loup Valley Bank and noted that the Misc. Fund folder is available for review.

Clerk Lindsey presented the May Fee Reports for the Clerk's Office and the Clerk of the District Court. The County Clerk's Office conducted \$9,414.69 in business in April and remitted March fees of \$9336.97. The Clerk of the District Court received and remitted or holds in trust \$12,230.72 for April, 2008. Lindsey reported that the overdrawn Unreimbursed Medical account cannot be paid directly to First Concord by the employee, the County will be billed at the end of the Plan Year. The employee would have to pay the overdrawn amount to the County of their own free will and they would need to sign a statement to that effect.

At 2:45 p.m. a second GIS presentation was given by Marcus Tooze of GIS Workshop Inc. in Lincoln. Tooze said the State has made changes to the soil types which are used in calculating property values and Assessors will have to recalculate property values based on the new soil types. If done by hand this process will be very time consuming. His system would allow this to be done by the computer. It would also be a management tool for the Assessor's records, sales analysis and ratio maps. The information can also be put on the web for public access. Viewable access can be provided for Planning & Zoning after the Assessor program is completed. NACO offers financing through Ameritas or GIS Workshop provides a payment plan spread over multiple years without interest. He estimated the cost at \$20,000 to \$30,000. There is an annual fee of \$800 for tools and \$2000 for support. It could take 3 to 18 months to implement, depending on how long it takes the Assessor to provide the necessary information. Tooze agreed to put together a proposal to the Board.

The proposed merger of the Ord Rural and Ord City Fire Departments was discussed. Information provided by County Budget Accountant Chuck Able indicated that, based on the 07-08 valuations, for each additional 1 cent the County allowed the Ord Rural Fire District, the County would be giving up \$38,466. If Ord Fire District was allowed to levy an additional 3.5 cents, the County would be giving up \$134,631. The Board did not feel the County could afford to give up that amount of tax dollars.

The Clerk was directed to advertise the sale of County surplus property in the Quiz and on KNLV party line. Items will be numbered and displayed in the Courthouse lobby. Bids are to be accepted until 5:00 p.m. on Monday, June 9, 2008.



Board members acknowledged reminder of BCBS meeting dates, the NACO Budget Seminar, May 29 in Kearney and receipt of survey plats from County Surveyor Rasmussen. Plats were received for the Springdale Hillside Cemetery and a plat for re-establishing the East ¼ corner of Section 22 -19-15 for the private survey of Allen Hughes.

Following review of the May Claims & Balances Report and May Claims List, Vogeler moved to approve the May Claims and Fund Request, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Cullers reported for the Building & Grounds Committee that she has received a bid from Ord Family Furniture and is awaiting one from Maschka's Building Center in Arcadia for vertical blinds for some 3<sup>rd</sup> floor offices.

Baker reported that a special meeting may need to be held to meet with South Dakota Architect Glenn Mannes in June, depending on Mannes' schedule.

Discussion was held regarding renewal of the County's NACO/BCBS health insurance plan. Treasurer Suminski appeared to request that the Board consider the option that includes office visit co-pay. The Board also discussed adding a dental plan. Following discussion, it was decided that the County could not afford to add both the office visit co-pay and the dental plan. Vogeler moved to approve the NACO/BCBS Health Insurance Plan with the \$1000 deductible that includes the office visit co-pay, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

Sheriff Hurlburt is required to file a Personnel Change-In-Status Report which requires the signature of the "agency head or designee". Chairman Sevenker signed the form as Chairman of the Board.

Discussion was held regarding Hospital Board members Carl Streeter and Garry Miska whose terms are up. Following discussion, Cetak moved to reappoint both Carl Streeter and Garry Miska to the Hospital Board, seconded by Waldmann. Carried. Yes: Cetak, Waldmann, Cullers, Sevenker (tie breaker). No: Vogeler, Baker, Van Slyke. Absent: none.

Baker moved to approve use of the Courthouse lobby for the County Democratic Convention on June 5, requested by Dale Melia, and for the Courthouse restrooms to be available for public use on June 15 from 8:00 a.m. to 1:00 p.m. for the Father's Day car show, requested by Rich Freeman. Motion seconded by Waldmann. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The resignation of Bethanne Kunz, Valley County Economic Development Executive Director was on the agenda as an informational item. Sevenker noted that the position will be advertised.

Meeting adjourned at 5:00 p.m., to reconvene on June 10, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the May 27 meeting and an agenda for the June 10 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, June 10, 2008 in the Courthouse Boardroom. Roll call: Sevenker, Vogeler, Cetak, Cullers, Van Slyke, Waldmann, Baker were present. Clerk verified meeting notice was published and agenda posted. Minutes of the May 27 meeting were included in the Board packets and were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Clerk reported that Housing Assistance Grant funds were received Monday, after the deadline to add items to the agenda and the grant regulations require that funds be disbursed within 5 days of receipt. Following discussion, Waldmann moved to amend the agenda to add the disbursement of grant funds to the agenda under item 9C Act on Early Claims & Fund Request and to approve the agenda as amended. Motion seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Sevenker noted Open Meetings Act is posted, public copies available. No public comment offered.

Road Supt. Leth recommended approval of refunds for Easements 07-267 Edward E. Bruha, 07-270 Rick Masin and 07-272 James Novotny. Waldmann moved to approve refunds for Easements 07-267, 07-270 and 07-272, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none.

Of five Valley County bridges the state has listed as structurally deficient, 1 has been repaired, 1 is in the 1&6 Year Plan, 2 carry sufficiency ratings of 57 and 1 is rated 53 and Leth does not know why they are listed as deficient. The rating range is from 0 to 100 but even newly constructed bridges are not given a rating of 100. A bridge will be closed if the tonnage rating is less than 3 ton. The bridge on Turtle Creek by Welniak's is rated 3 ton and they have agreed not to use heavy equipment on it. Leth does not have funds to replace bridges. FEMA has toured the area and will return at a later time to assess water and storm damage. Road crew is now spraying road right-of-way. Discussion included: asphalt cost; how to figure 08-09 budget; Hall County has "asphalt zipper" that attaches to loader for grinding asphalt and cost under \$100,000; cost to put road back to asphalt, additional costs if road loses the "grandfathered in" status and has to meet current standards; consultant engineer now required for bridge projects; LB1068 regarding new road classification, remote residential road, will not affect Valley County due to population per square mile; landowner responsible for trimming trees in right-of-way, Leth will help dispose of them; cost of concrete paving about same as oil now. County Attorney Clark advised that a tube purchased by a farmer to run irrigation pipe under a County road and installed by the County 10 or 15 years ago which is now allowing water to drain from one farm to another can be plugged on one end or removed by the County to stop the drainage.

Discussion was held with County Attorney Clark regarding a County Burial Policy. The policy should include the requirement of a financial form from HHS. It was suggested that the Board set a flat burial fee. Clark will check on cost of cremation, Sevenker will contact Ord Memorial Chapel regarding a flat fee. This item is to be on the next agenda.

County owned parcels for which the County advertised and received bids at the last meeting were discussed. Van Slyke said he was contacted by the Village of Arcadia with an offer of \$200 for the W30' L1 B5, Arcadia Original Town for which was valued at \$590 and no bid was received. Vogeler and Baker reported meeting with Rob Kokes regarding the \$900 bid received from R. Kokes Farms Inc. for the N 4.5 rods of the NW4 of 27-18-13, which property was valued at \$1940. Kokes indicated he was not willing to pay more than \$900 for the property. Following discussion, Vogeler moved to accept the \$900 bid of R. Kokes Farms Inc for the N 4.5 rods of the NW4 of 27-18-13 and authorize the Chairman to sign the deed transferring the property, seconded by Baker. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Van Slyke moved to accept the \$200 offer from Arcadia Village for the W30' L1 B5, Arcadia Original Town, and authorize the Chairman to sign the deed transferring the property, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. No bids or offers have been received for parcel #80016261, the N 4 rods of W 45 rods in NW4NW4 10-20-14 valued at \$430 per acre. Sevenker will check with adjacent owners and report at the next meeting.

Ord Police Chief Brian Kirby and City Council member Dan Petska were present for discussion of the City of Ord/Valley County Partial Communications Consolidation Agreement. The agreement provides for the a Communications Oversight Committee consisting of the Sheriff, Police Chief, County Emergency Manager and the City and County are each to appoint 2 representatives to the Committee. The Committee is to act as liaison to the City and County, hear complaints and make recommendations. They are to report once a year to the City and County on or before October 15. The City and County retain all authority to make decisions. Chairman Sevenker appointed Van Slyke and Cetak to serve as the County's representatives. The item will be on the City Council agenda so they can appoint representatives. The City will contact the County to set up a meeting once they have appointed

representatives. Van Slyke noted that it is his understanding that Region 26 would provide the communication service for the City at the same cost they are currently paying the County, \$7500 annually.

The proposed Mortensen Industrial Site Covenants will be discussed at the next Board meeting.

Sheriff Hurlburt has discussed the Interlocal Law Enforcement Agreement between North Loup Village and the County with the Village Board. He requested the fee be raised to \$1800 per month. The Village Attorney and County Attorney are to meet and discuss the proposed agreement. This item is to be on the next County Board agenda.

Chairman Sevenker reported that bids on the surplus property advertised for sale by the County were opened this morning prior to the start of the meeting and that the high bids totaled \$471.46. There were several items that did not receive a bid and the fishing poles had been removed from the sale as they were claimed by the owner. The Clerk's Office will call each high bidder and ask that the items be paid for at the Clerk's Office and picked up this week.

Cullers reported on bids received from Ord Family Furniture and Maschka's in Arcadia for vertical blinds for the Judge's Chambers, the Jury Room and the Probation Office on the third floor. The bids include installation and shipping. Ord Family Furniture bid \$4612. Maschka's provided bids for two styles of blinds: \$2377 and \$2080. Following discussion, Van Slyke moved to accept the low bid of \$2080 from Maschka's, seconded by Waldmann. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Payment is to be made from the Misc. General Fund.

A recess was called at 10:25 a.m., meeting reconvened at 10:35 a.m. with all members present.

Candy Kuntz of Miller & Assoc. appeared to present, for Board approval, applicants for down payment assistance and housing rehab through the Housing Assistance Grant. Following discussion, Cullers moved to approve applicant VC-10-DPA \$13,000, VC-10-HR \$5000 and Community Development Services Invoices VC-Admin 11 \$500, VC-Lead 8 \$200, and Drawdown #15 for \$13,011, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Kuntz explained that the drawdown amount does not include the \$5000 rehab as the work has not been completed and a portion of the \$13,000 DPA is paid by the City as matching funds. Kuntz said that CDS has another applicant that appears to be eligible and has received 2 more applications that have not yet been reviewed so it looks as if the grant funds could be used by the August deadline.

Early June Claims and Fund Request were presented for consideration. The claim for NACO/BCBS Health Insurance is required to be presented at this meeting in order to meet the payment deadline. A claim is needed at this time for postage because the meter will run out of postage before the end of the month. A claim is needed at this time for Grant funds because the amount requested on Drawdown #14 was received on June 9 and grant regulations require that they be disbursed within 5 days. Total funds requested are \$51,910.03. Vogeler moved to approve the Claims and Fund Request presented in the amount of \$51,910.03, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

The Clerk reported that there are not sufficient funds in the Weed Budget to cover June payroll and asked if an adjustment should be made to take chemical expenses from the General Fund rather than the Weed Fund since the chemical line item had been cut from the Weed Budget. Discussion was held regarding the purchase of chemicals. The Clerk will ask Weed Supt. Kaminski to attend the next Board meeting to discuss the Weed Budget.

The Board noted the request of Jane John to allow use of the street area around the Courthouse by vendors during the Junk Jaunt on Friday Sept. 26 through Sunday Sept. 28, however, it was considered informational as the City has jurisdiction over the City streets.

The Board of Equalization was convened on motion of Baker, seconded by Helen at 11:06 a.m. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Assessor and Clerk were present.

The Assessor presented the 2008 Level of Value showing the assessment ratio, coefficient of dispersion and price-related differentials for residential real property, commercial real property and agricultural land. Discussion was held on the meaning of these statistics and how they are figured. The 2008 Valuation Notices for County owned property were reviewed. Valuation Change Notices were presented for: parcel 880036789 for Verasun Ord, LLC due to corrections per depreciation worksheet; parcels 880008155 & 880006755 Hackel Farms Inc. due to land use change; parcel 880008379 John Mason due to land use change; parcel 880021343 & 880021336 NE Colorado Cellular Inc. due to change lots 3 & 4 from residential to commercial, separate residential lot 2 from lots 3&4; parcel 880006895 for Mark & Genelle Hackel /Darrell & Christine Hackel due to change two acres dry to grass & 2.17 acres dry to irrigated; parcel 880007189 H & S Farms due to land use change. Assessor noted that the valuation on Verasun is not taxable due to TIF. Following discussion, all of the above listed Valuation Change Notices were approved on motion of Van

Slyke, seconded by Vogeler. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Baker moved to set Property Valuation Protest Hearings for 11:00 a. m. on the regular meeting dates of June 24 and July 8 and a special meeting at 8:00 p.m. on July 7, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler. Said meetings will be held in the Courthouse Boardroom.

Discussion was held regarding proposals from Great Plains GIS Consulting and GIS Workshop to provide a computerized geographical information system for use by the Assessor. Following discussion, Baker volunteered to speak with Mitch Clark regarding his fees and Assessor Arnold will check with Howard County Assessor regarding their experience with these systems. This will be on the next Board agenda.

Cetak moved to return to regular session, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Chairman Sevenker's term as County Representative on the Economic Development Board ends in July. It does not have to be a Board member, the County can appoint anyone they choose. Vogeler volunteered to replace Sevenker on the ED Board and was appointed by Chairman Sevenker, effective July 2008.

Cullers reported that at the Budget Seminar in Kearney she and Clerk Lindsey attended it was suggested that Board members meet with Officials to discuss budget issues, the importance of a cash reserve was stressed, it was noted that some counties do not allow any portion of their levy for the townships, it was suggested that expenses be divided into categories to help show where the money is being spent.

Vogeler reported that Western Roofing is planning to begin work next Monday on the jail roof.

Cullers reported for Region III: a funding increase over FY08 of \$120,493, County match increase \$80,296, EPC looking at developing a second mental health board in the next 3 to 6 months.

Van Slyke reported for Region 26: \$146 increase from last year, down from the requested increase of \$4000; Region 26 is joining with Lower Loup on the hazard mitigation plan.

At the request of Sheriff Hurlburt and County Attorney Clark, at 12:35 p.m. Van Slyke moved to go into executive session for the purpose of discussing strategy with respect to possible litigation, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. At 1:05 p.m. Vogeler moved to return to regular session, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none. No action was taken by the Board of Supervisors as a result of the executive session.

Sheriff Hurlburt noted the need for cameras in the Sheriff vehicles for the protection of the public and the officers. They will apply for grant funds but those funds would not be awarded until October.

Mail folder items available for review: NIRMA Interchange, Unicameral Update, Hospital Foundation Newsletter, May Chamber minutes/June agenda, Area Chamber ED Report, Ord Chamber Newsletter.

Meeting adjourned at 1:30 p.m., to reconvene on June 24, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the June 10 meeting and an agenda for the June 24 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, June 24, 2008 in the Courthouse Boardroom. Present by roll call: Sevenker, Vogeler, Baker, Cullers, Van Slyke, Cetak, and Waldmann. Clerk verified meeting notice was published and agenda posted. Minutes of regular June 10 meeting and special June 17 meeting, included in Board packets, were approved on motion of Waldmann, second by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted Open Meetings Act is posted, public copies available. No public comment offered.

Candy Kuntz of Miller & Associates, General Adm. of the Housing Grant, presented claims for housing rehab, CDS, Miller & Assoc., and drawdowns #16 and #17. Following discussion, rehab claims for VC-05 \$609.88 and VC-06 \$1233.74 were approved on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Vogeler moved to approve the \$750 CDS invoice and the \$1200 Miller & Assoc. invoice, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Drawdown #16 \$2594 and #17 \$1200 were approved on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Kuntz explained that 2 drawdowns are required because regulations do not allow General Adm. fees to be submitted on the same form as down payment assistance, housing rehab and housing administration fees. Based on the number of applications currently pending, it appears the August deadline for disbursing the grant funds may be met. A summary of grant activity provided by Kuntz shows that the target plan to assist 10 first-time homebuyers has been reached and that there is approximately \$20,000 remaining for down payment assistance and \$10,000 for rehabilitation.

Road Secretary, Sandy Simpson, presented the June Claims & Balances report. Larger expenses for the month include diesel, paint, used copier, paint beads, and gravel. Sheriff vehicles are fueled at the County tanks and pay the Road Dept. for what they use.

At 9:30 a.m., as advertised, gravel bids were opened. Ulrich Gravel Inc was the only bidder. Scott and Wes Ulrich were present. The bid was opened and read by the Clerk: 6.90 per cubic yard at bin, .28 cubic yard mile truck charge, mud rock at pit 12.50, clean rock at pit 13.50, sand at pit 3.50, AC gravel at pit 6.90, 47B gravel at pit 7.15, waste rock at pit 7.00, minimum haul 1.75, if fuel goes over \$5.00 per gallon a fuel surcharge will be added (surcharge amount depends on fuel price). Following discussion, Cetak moved to accept the bid of Ulrich Gravel Inc., seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The Gravel Contract was signed by Scott Ulrich and Board Chairman Sevenker.

Road Supt. Leth reported: it is a Federal requirement that consultants be hired to inspect fracture-critical bridges and they are now inspecting timber bridges too, of 27 timber bridges inspected in Valley County, 3 were recommended for closure, all 3 are currently in the county's 1 & 6 Year Plan, will begin work on bridge west of Vinton in August, bridge near Lumir Bruha's later this fall and the third bridge will be removed as part of a state highway project; FEMA was here on June 20 to assess damages; working on repairing slides; cost of oil delaying patching; starting on culverts on Comstock and Loup City roads; 4" rain received in North Loup last night causing flooding. Discussion was held regarding maintenance costs for asphalt roads. Leth estimated Valley County has 60 plus miles of asphalt and 587 miles of gravel. Overlay costs have gone from \$18,000 to 20,000 per mile to \$40,000 to \$50,000 per mile. Previously has tried to budget for 2 miles of overlay and maintenance, does not know how to fit it into budget now. Gravel costs about \$800 for 160 yards. Diamond Engineering has "zipper" machine that grinds asphalt for \$100,000 or can be rented. It was noted that roads in other counties where the asphalt has been ground are very dusty and it sticks to vehicles. Could overlay the ground asphalt but would cost more. Need to maintain roads for truck traffic. If more gravel roads are added, may need another grader. Following discussion the Board agreed that, at this time, the County would try to continue to maintain the roads as they are.

Chairman Sevenker moved to Old Business agenda item 10A concerning the sale of the remaining County owned parcel since he and Leth had looked at the property. The adjacent property owner is Jim Duda, who offered \$10 for the parcel when contacted. The parcel is assessed at \$430 per acre. Following discussion, Waldmann moved to offer parcel #80016261, N 4 rods of W 45 rods in the NW4NW4 10-20-14 to Jim Duda for the price of \$100, and authorize the Chairman to sign a deed should Duda accept the offer, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Baker will contact Duda with the offer.

County Weed Supt. Darrell Kaminski was present to explain that the chemicals paid from the Weed Fund in January, 2008 and July, 2007 were purchased prior to the Board's instruction that he not purchase chemicals. He was aware that chemical expenses were cut from his FY 07-08 budget but felt there would be sufficient funds to cover the cost of his last purchases, however, there was not. In order to keep the Weed Budget from being overspent, an expense from the Weed Fund needs to be taken from a fund that has budget dollars remaining. Following discussion, Vogeler moved to authorize the transfer of chemical expenses in the amount of \$114.25 and \$705.50 from the Weed Fund to the General Fund, Misc. General Budget, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Ellen Novak was present representing CARE (Citizens Assoc. for Responsible Education) to request the Board authorize the addition of a CD burner on the Clerk's Office voter registration computer and the Assessor's computer. This would be paid for by CARE, so that information could be obtained on a CD at less cost than the state charges to provide one. The Clerk noted that the voter registration computer is state owned and the state would have to authorize any addition to their computer. Currently the Clerk's Office can supply voter registration information on a floppy disk for \$.60, the cost of a disk. Assessor Arnold was out of the office this week, however, Treasurer Suminski noted that she and the Assessor use the Terra Scan system together and that Terra Scan is not willing to have anything added to their system by anyone other than themselves. County Attorney Clark advised that his first reaction is that it is probably not a good idea to accept this type of gift. Novak said they were just trying to save money as they could purchase 2 CD burners for less than the cost of the information they wanted from the state. They will accept the floppy disk from the Clerk and look at other avenues for getting the additional information they want.

Planning & Zoning Admin. Nancy Glaubke reported receipt of the final Flood Plain Maps, noting that she has published the fact so the public is aware that these maps are available for viewing. Glaubke advised: the County has a year to decide whether to join the National Flood Insurance Program, there is no cost to join; Ord, North Loup and Elyria already belong. NFIP is a Federal program enabling property owners in participating communities to purchase flood insurance in exchange for State and community floodplain management regulations that reduce future flood damages. A floodplain administrator would need to be appointed. Glaubke would be willing to serve, since this is similar to planning and zoning regulations or they could appoint anyone they wanted to. The County must fill out and submit an application, pass a resolution and establish management regulations that meet NFIP requirements in order to join the program. Following discussion, Van Slyke moved to join NFIP and to appoint the Valley County Zoning Administrator to serve as the Floodplain Administrator, seconded by Baker. Carried. Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Glaubke will prepare and present the required resolution for Board approval at the next Board meeting.

Glaubke presented the printed VCED Quarterly Report for Summer 2008 including: the City of Ord has applied for recertification of their Certified Community designation, housing grant information, City Sales Tax Funds for the first 8 months of the 07-08 fiscal year were \$197,122.12, new ED Board appointments were Jane Maschka and Craig Vogeler, Valley County Target Industry Study update shows the 3 top priority targets are workforce attraction, biofuels co-products and light manufacturing, 2<sup>nd</sup> edition of ESCAPE (area travel guide) is in progress, working on 08-09 budget, and 7 applications received for the vacant director position are being reviewed.

The meeting was recessed at 11:00 a.m. and reconvened at 11:10 a.m. with all members present.

Baker moved to go into Board of Equalization at 11:10 a.m., seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Assessor was attending required training this week, so Deputy Assessor Nance was present, as was the County Clerk.

Property Valuation Protest #1, Johnathan F. Tomjack, Ord Hillside Addition, L6, B5, buildings valued at \$38,680, requested value \$19,340. Tomjack was present and testified that he has just moved to the area, this is his first home purchase and he feels the condition of the home was misrepresented to him with cosmetic repairs made to disguise adverse conditions. The foundation has sunk, water comes into the basement, garage needs to be replaced, siding in bad condition. Assessor Arnold, Deputy Assessor Nance, Supervisors Cullers and Sevenker inspected the property on June 11, 2008 and found original plaster walls and kitchen cupboards, foundation cracking, basement musty with rotten windows. The Assessor recommends correcting the heating system and valuing the house at \$29,525, land at \$6,635 for a total value of \$36,160. Tomjack felt this was a fair recommendation. Van Slyke moved to accept the Assessor recommendation as noted above, seconded by Vogeler. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Property Valuation Protest #2, Harold & LuAnn Todd, North Loup Twp, N2 Div. Y in NW4SW4SE4 35-18-13, 5 acres, valued at \$17,250 land, \$51,200 buildings, total value \$68,450. No one was present to testify. Homeowner's written testimony indicates outside of house was painted, laminate flooring and new windows installed but does not feel these updates justify valuation raise and requests building value of \$38,250. Assessor Arnold, Deputy Assessor Nance and Supervisor Cullers inspected the property on June 11, 2008. Assessor notes kitchen has old cupboards and original plaster walls, some water damage in laundry room, water problem in basement requires frequent pumping, changed heating system to heat pump. Assessor recommended depreciating out basement until owners decide how to correct the water problem, bringing house value to \$41,450, outbuildings \$5,465, land \$17,250 for total value of \$64,165. Vogeler moved to accept the Assessor recommendation as noted above, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Property Valuation Protest #3, Leonard E. Ruzowski, Ord Haskells Add, S2 Div C, L5 B35, valued at \$3465 land, \$26,180 buildings, total value \$29,645. No one was present to testify. Homeowner's written testimony indicates home was purchased in August of 2007 for \$21,000 and copy of appraisal dated 8/13/07 listed value at \$23,000, request building value of \$19,535. Assessor Arnold, Deputy Assessor Nance, Supervisors Cullers, Sevenker and Cetak inspected the property on June 11, 2008. Assessor recommendation indicates owner purchased property at auction, some plumbing & wiring has been done, original kitchen cupboards, problem with bathroom floor, changed washer & dryer area from living area to porch and condition from good to average plus, and heating system to heat pump. Assessor recommends land value remain at \$3465, house changed to \$20,125 for total value of \$23,590. Cullers moved to approve the Assessor recommendation as noted above, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Notices of Valuation Change were presented for Torrey C & Susan A Emery, Casey D & Ann J Hurlburt, Hillcrest Ranch and Martha L. Kollasch. Parcel #880033586, Emery, changed due to notification by owner of square feet correction and addition of heat pump. Building value changed from \$49,735 to \$75,350. Vogeler moved to approve the valuation change for parcel #880033586, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: none. Parcel #880028245, Hurlburt, changed to add 756 sq. ft. of partition finish to basement, discovered due to sale of property. Building value changed from \$113,590 to \$125,260. Waldman moved to approve the valuation change for parcel #880028245, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak, Vogeler. No: none. Absent: none. Parcel #880011011, Hillcrest Ranch, changed due to land use change from irrigated to dry. Land value changed from \$55,920 to \$46,670. Vogeler moved to approve valuation change for parcel #880011011, seconded by Baker. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker. Cullers. No: none. Absent: none. Parcel #880024003, Kollasch, changed due to remodel of garage into living room, 476 sq. ft. living area added. Building value changed from \$18,840 to \$44,265. Waldmann moved to approve the valuation change for parcel #880024003, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Vogeler, Baker, Van Slyke, Cetak. No: none. Absent: none.

Tax List Correction #3721 for Kathleen Melvin, due to moving a modular home from Valley to Stanton County, was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Van Slyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The letter from USDA regarding the Airport's purchase of land from Al Moudry showed how they split the land to indicate what Moudry still owns and what is now owned by the County and gave opportunity for the County to appeal the split if they did not agree with it. The letter and attached information was reviewed, no action was taken.

The Board moved back into regular session on motion of Cetak, seconded by Van Slyke. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

County Attorney Clark reported cost of cremation is \$2100 which is more than County currently pays for burial expenses. Following discussion, Cullers moved to set a flat fee of \$1800 for burial expenses and to require presentation of the HHS form showing a need for the funds, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Clark will draw up a County Burial Policy based on the motion.

Discussion was held regarding the Region 3 EPC billing for \$1299.78 for an out-of-county resident transported by the Ord City Police. By statute, Valley County is required to pay.

County Attorney Clark reported that North Loup Village has agreed to pay \$1500 per month for the Law Enforcement Agreement with the County Sheriff and that Village Attorney Cullers is preparing an agreement.

Clark reported that the letter from HHS is a reminder that IV-D incentive payments cannot be used as part of the required matching funds.

The County's current Public Comment Policy meets the requirements of the Open Meetings Act according to Clark. He noted that a person cannot be required to have his/her name placed on the agenda prior to a meeting in order to speak about items on the agenda but that they can be required to identify themselves if allowed to speak and that the Board is not required to allow public comment at every meeting but cannot prohibit it at every meeting.

Clark reviewed the proposed Mortensen Industrial Site Covenants and recommended that, rather than establishing covenants, the Board address issues with individual contracts for the lessees. It was noted that no contract has been signed with Petska yet. Discussion was held regarding the required \$100,000 valuation with Clark recommending a sliding scale for rent to compensate for valuations under the required amount. Clark will review the leases to see what can be done.

At 12:40 p.m. a recess was called, meeting was reconvened at 1:10 p.m. with all members present.

Budget Accountant Chuck Abel was present for discussion of the County budget process. Also present were Attorney Randy Cullers and Dale Zadina of the Ord Rural Fire Dept. Abel said that preliminary figures supplied by the Assessor for next year's valuations, indicate that the addition of personal property for the Ethanol Plant and the increased property valuations from the reappraisal will provide for the County to collect sufficient funds using last year's tax rate to allow an increase in funding for the merger of the Ord Rural Fire Dept. and the Ord City Fire Dept. without requiring a reduction in funds for the County. The preliminary figures show \$448,000,000 in valuations, an increase of \$64,000,000, which would provide an additional \$250,000 to the County at last year's tax rate. The County is restricted to an increase of \$50,000 so the County tax rate may have to be lowered, which would leave additional authority to be allocated to the fire district. Taxes for the fire department merger would only affect those residents within the Ord Rural Fire District. The City of Ord would benefit from the merger, as they would no longer be funding the fire department through city taxes, however, Ord City residents would be taxed as part of the merged fire district. Attorney Cullers presented an estimated budget for the merged fire district which was lower than the last estimate in an effort to make the merger workable. It was determined that rather than purchase machinery and equipment it would be better to lease-purchase, so \$30,000 was eliminated from the budget; audit expenses of \$1000 were eliminated and the fire hall rent was cut from \$12,000 to \$6000, for a total budget of \$60,692. Currently the Rural Fire District contracts with Ord City Fire Dept. to provide services. A public hearing will need to be held regarding the possible merger and if it is approved would need to be in time to provide funding through the County budget and levy setting process. The Board agreed that the possible merger should be pursued at this time. Should the County be unable in the future to provide a sufficient levy, a levy override can be approved by residents in the fire district.

The Sheriff's budget was discussed. Sheriff Hurlburt asked about using housing fees for out-of-county prisoners through his budget rather than depositing it in the General Fund and whether the costs of renovations to provide a visitation room should come from his budget or Building and Grounds. The purchase of cameras for the Sheriff vehicles was discussed. A grant is available but would not be received until October. The cameras cost \$12,000 the grant is for \$9000 so the County would pay \$3000.

Meeting recessed at 2:40 p.m. and reconvened at 2:50 p.m. with all members present.

Planning & Zoning Admin. Nancy Glaubke was present for discussion of the Mortensen Industrial Site plat survey received from Gilmore & Assoc. and told the Board that, because of the recently enacted Planning & Zoning subdivision regulations, the plat survey needs to be reviewed by the Planning Commission before the Board acts on it. Attorney Clark noted that the plat survey did not identify the blocks, only the lots. Glaubke will take the plat survey before the Commission for review and return to the County Board with the Commission's recommendation. Following discussion, Cetak moved to submit the Gilmore & Assoc. billing statement in the amount of \$2000 and the costs compiled by County Road Supt. Leth for work done at the Industrial Site in the amount of \$11,088.50 to the VCED Board for their approval and recommendation that these amounts be paid with City Sales Tax funds, seconded by Cullers. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. The Board agreed that Glaubke could ask Gilmore & Assoc. to draw out the remaining parcels on paper if it was done at no cost.

Glaubke verified that there are 24 houses in the County that are in the flood plain and they will be required to purchase flood insurance if they have a loan or mortgage.

Treasurer Suminski presented the Month End Fund Balances Report, noting that the General Fund is at \$513,234.01, Inheritance Tax at \$844,489.62. The first principal payment of \$40,780 on the Courthouse Bond is due in November. Currently there is \$29,619.41 in the Courthouse Bond fund. It is expected that the second half tax



collections will provide the additional funds for the payment. Suminski also noted receipt of FEMA funds and that they can be separated out for the next FY if the Board so directs. Collections for the month totaled \$950,000.

Written reports for May fees collected by the County Clerk's Office and District Court were presented. The Clerk's report shows \$7909.56 was collected in May. The District Court report shows collections of \$26,982.64 and documents the disbursement of those funds.

Discussion of the GIS proposals was delayed since the Assessor was absent for training.

The Board acknowledged receipt of the NIRMA renewal statement and accompanying letter.

The Claims List and Claims & Balances report were reviewed. Following discussion, Cullers moved to approve June Claims and Fund Request, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The Courthouse ad for the 2009 ESCAPE visitors' guide was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none.

Vogeler reported that Western Roofing is still waiting on the weather before starting work on the jail roof. Sevenker asked if they could delay starting until after the July 6 celebration of the completion of the downtown revitalization project. Vogeler will inform Western Roofing.

Cullers, County Rep for Region 3, provided a written report regarding LB1083 which, in part, provided for moving funding for adult inpatient services from regional centers to community services. In FY 08-09 the remaining \$3.5 million will be moved from Norfolk Regional Center to community services.

Mail folder items available for review: Beckenhauer Newsletter, CNHD Newsletter, Contryman Assoc. letter re: audit/budget, CNCS Newsletter, Loup Basin RC&D Newsletter, Region 26 agenda, JEO invitation, Olsson Assoc. invitation, State Treasurer Seminar.

Meeting adjourned at 3:40 p.m., to reconvene as Board of Equalization on July 7, 2008 at 8:00 p.m. to hear Property Valuation Protests and on July 8, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the June 24 meeting and an agenda for the July 7 BOE meeting and the July 8 meeting, both regular session and BOE, are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF EQUALIZATION MEETING MINUTES

The Valley County Board of Equalization met in their Courthouse meeting room on July 7, 2008 at 8:00 p.m. as advertised. Roll call was taken with Baker, Cetak, Cullers, Sevenker, Van Slyke and Waldmann present, Vogeler absent. Clerk verified meeting notice published, agenda posted. The agenda was adopted on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, Van Slyke, Baker. No: None. Absent: Vogeler. Chairman Sevenker noted Open Meetings Act is posted and public copies available. There was no public comment. Assessor Arnold, and Clerk Lindsey were present. Protests of those in attendance were heard first. For more detailed minutes regarding the PVP Hearings, see those filed for record in the Clerk's Office.

Gary Ackles filed PVP #11, value \$60,885, requesting \$58,695; PVP #12, value \$21,020, requesting \$20,605; & PVP #13, value \$80,405, requesting \$74,980. Following discussion, Assessor recommendation was approved on motion of Van Slyke, seconded by Cullers for no land valuation changes on PVP #11, #12 & #13, since land use and acres are correct, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler.

Susan & Curt Schauer filed PVP #20, land value \$43,670, buildings \$130,125; requested land value \$20,000, buildings \$60,000. Arnold and Nance viewed house on June 19. Sevenker and Cullers noted they would have viewed it too, but the Schauers asked that no Board members be present; not having first-hand knowledge of the house makes it difficult to assess its value. Following discussion, Cullers moved to value outbuildings at \$23,530, house at \$94,180 and land at \$43,670 for a total value of \$161,380, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Cetak, Baker. No: Van Slyke. Absent: Vogeler.

PVP #7 for Roland Schafer, land value \$9,455, building value \$83,215; requested land value \$8,000, buildings \$75,000. Assessor recommends correct basement square footage to 640 sq. ft., bringing house value to \$80,825 and leaving land value at \$9,455 for total of \$90,280. Following discussion, Cetak moved to approve the valuation recommended by the Assessor for PVP #7, seconded by Waldmann. Carried. Yes: Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: Vogeler.

North Loup Village filed PVP #8, land value \$2,190 and PVP #9, land value \$2,190, requesting no value on either parcel because they are the site of the Village shop. Cetak moved to approve the Assessor's recommendation to remove the value on PVP #8 & #9, seconded by Baker. Carried. Yes: Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: Vogeler.

PVP #14 for Dale Clark & DyAnn K. Hoppes, land value \$19,490, buildings \$66,515; requested land \$19,490, buildings \$41,340. Assessor recommended lowering condition to average plus until repairs have been made for house value of \$36,135, outbuildings \$4,105 and land \$19,490 totaling \$59,730. Baker moved to approve the Assessor recommendation for PVP #14, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Waldmann. No: none. Absent: Vogeler.

PVP #15 for Robert L. Scott, land value \$1,050, buildings \$4,110; requested land \$1,000, no value for buildings. Assessor recommends removal of building value and leaving land value at \$1,050. Cullers moved to approve the Assessor recommendation for PVP #15, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, Van Slyke, Baker. No: none. Absent: Vogeler.

PVP #16, land value \$7,630 & PVP #17, land value \$980 filed by Arcadia Village requesting no value on land as is used for drainage and contains old well and water main. Assessor recommends valuation be removed from both parcels based on their use. Van Slyke moved to approve the Assessor recommendation for PVP #16 & #17, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler.

Edith Gawrych Payne filed PVP #18, land value \$67,730, requested value \$61,450 and PVP #19, land value \$39,125, requested value \$37,000. Assessor recommends no change in valuation for either parcel as they are based on the correct number of acres and land use and valued according to regulations. Waldmann moved to approve the Assessor recommendation of no valuation change for PVP #18 & #19, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: Vogeler.

Meeting adjourned at 9:30 p.m. to reconvene on July 8, 2008 at 11:00 a.m.. Complete minutes of the July 7, meeting and an agenda for the July 8 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board of Equalization, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the

County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

See attached 2 pages for further detail of BOE PVP minutes

2008 PROPERTY VALUATION PROTESTS

Gary Ackles was present for PVP #11 parcel 880004998, value \$60,885, requested value \$58,695; PVP #12 parcel 880005068, value \$21,020, requested value \$20,605; & PVP #13 parcel 880005194, value \$80,405, requested value \$74,980. Ackles testified: protesting land value on all 3 parcels, not buildings; Assessor's land use and number of acres is correct; method of determining land value needs to be changed; percent of increase on the 3 parcels is too high; state's purchase of part of each parcel for right-of-way adds to percent of valuation increase. Assessor Arnold testified: all land values in County are based on land use and number of acres; since land use and number of acres on these parcels are correct there is no basis for valuation change. Following discussion, Van Slyke moved to approve Assessor recommendation to make no changes for 2008 on the land valuation of parcel 880004998, PVP #11, parcel 880005068, PVP #12 and parcel 880005194 PVP #13, seconded by Cullers. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler.

Susan & Curt Schauer were present for PVP #20 parcel 880004809, land value \$43,670, buildings \$130,125; requested land value \$20,000, buildings \$60,000. Arnold and Nance viewed the house on June 19. The Schauers testified: Assessor has listed buildings that do not exist, some buildings should be removed from tax rolls due to condition, overall property value should be lowered due to proximity of ethanol plant. Discussion with Arnold rectified number of buildings listed. Chairman Sevenker and Supervisor Cullers noted that they would have viewed the house on June 19, however, the Schauers asked that no Board members be present. Not having first-hand knowledge of the house makes it difficult to assess its value. Following discussion, Cullers moved to place a value of \$23,530 on the outbuildings, \$94,180 on the house and \$43,670 on the land for a total value of \$161,380. Cetak seconded the motion. Carried. Yes: Cullers, Waldmann, Cetak, Baker. No: Van Slyke. Absent: Vogeler.

PVP #7 parcel 880028434 for Roland Schafer, land value \$9455, building value \$83,215; requested land value \$8,000, buildings \$75,000. No one was present to testify; written testimony: roof & siding need replaced, housing price declines, population decrease, several houses for sale in town. Arnold, Nance & Cullers viewed the property June 19. Assessor recommendation noted condition of roof & siding have not caused damage to the home and are basically a maintenance issue, Assessor records have wrong square footage on basement finish, land use is correct so no basis for change of land value. Assessor recommends correcting basement square footage to 640 sq. ft., bringing house value to \$80,825 and leaving land value at \$9455 for total of \$90,280. Following discussion, Cetak moved to approve the valuation recommended by the Assessor for parcel 880028434, seconded by Waldmann. Carried. Yes: Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: Vogeler.

North Loup Village filed PVP #8 parcel 880031415, land value \$2190 and PVP #9 parcel 880031409, land value \$2190, requesting no value on either parcel because they are the site of the Village shop. No one was present to testify. Arnold and Nance viewed the property and determined that the Village shop is located on these 2 parcels and recommended removing the value from these 2 parcels. Cetak moved to approve the Assessor's recommendation to remove the value on parcels 880031415 and 880031409, seconded by Baker. Carried. Yes: Cetak, Waldmann, Van Slyke, Baker, Cullers. No: none. Absent: Vogeler.

PVP #14 parcel 880005915 for Dale Clark & DyAnn K. Hoppes, land value \$19,490, buildings \$66,515; requested land value \$19,490, buildings \$41,340. No one was present to testify. Written testimony: house built in 1900, foundation leaks, roof leaks, windows leak, needs new roof & foundation, basement leaks, water damage, floor needs replaced, mold needs to be removed, pictures were included. Arnold and Nance viewed the property on June 19. Assessor recommendation noted much work is needed on inside of house and recommended lowering condition to average plus until repairs have been made bringing the house value to \$36,135, outbuildings \$4105 and land \$19,490 for a total of \$59,730. Assessor will review each year to see if problems have been corrected. Baker moved to approve the Assessor recommendation for parcel 880005915, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Waldmann. No: none. Absent: Vogeler.

PVP #15 parcel 880031283 for Robert L. Scott, land value \$1050, buildings \$4110; requested land value \$1000, no value for buildings. No one was present to testify. Written testimony indicates building was removed before he purchased property, remaining tower was for cable company and is of no use now. Assessor noted Nance reviewed the property in January noting removal of building, however, this information was not entered on the computer. Assessor recommends removal of building value and leaving land value at \$1050. Cullers moved to approve the Assessor recommendation for parcel 880031283, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, Van Slyke, Baker. No: none. Absent: Vogeler.

PVP #16 parcel 880034804, land value \$7630 & PVP #17 parcel 880033054, land value \$980 filed by Arcadia Village to request no value on land as parcel 880034804 is used for drainage and parcel 880033054 contains an old well and water main. No one was present to testify, written testimony notes use. Assessor recommends valuations be removed from both parcels based on their use by the Village. Van Slyke moved to approve the Assessor recommendation for parcels 880034804 and 880033054, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler.

Edith Gawrych Payne filed PVP #18 parcel 880023618, land value \$67,730, requested value \$61,450 and PVP #19 parcel 880019047, land value \$39,125, requested value \$37,000. No one was present to testify. Written testimony: tired of increase year after year, rich people pay high price for land causing increase for everyone, income not increasing, profit goes down, the whole 80 acres is not usable on parcel 880019047. Assessor recommends no change in valuation for both parcels as they are based on the correct number of acres and land use and valued according to regulations. Waldmann moved to approve the Assessor recommendation of no change in valuation for parcels 880023618 and 880019047, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: Vogeler.

Meeting adjourned at 9:30 p.m. to reconvene on July 8, 2008 at 11:00 a.m.. Complete minutes of the July 7, meeting and an agenda for the July 8 meeting are available for public inspection in the office of the County Clerk.

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, July 29, 2008, at 9:00 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Clerk verified publication of meeting notice and posting of agenda. Minutes of July 8 meeting were approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Road Secretary, Sandy Simpson, gave the Road Claims & Balances report for July, noting payroll of \$34,524.04 and Accounts Payable \$85,099.41. The larger expenses were diesel, gas, gravel and motor grader payment.

Road Supt. Leth recommended approval of Easement 08-282 for Frontier (Citizens) and 08-283 for Nebr. Central Telephone Co. VanSlyke moved to approve Frontier's Easement 08-282 and NCTC's Easement 08-283, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth's Equipment Cost Report for FY 07-08 was reviewed. Bid on salt was up from \$39 to \$49 per ton; ice slickers up to \$154 per ton but may come down with terminal in Gothenburg, plans to split a load with the City of Ord. Leth anticipates state road project in Arcadia area will begin in 2009, Ord/North Loup project in 2011 or 2012, Ord bridge is in the state 6 year plan but will likely be later. FEMA reps here this week to view damages, will not pay on a federal aid road, can apply for federal disaster aid but takes 6-8 years to get it and has a \$200,000 threshold. Work on the Mortensen Site was approved for payment by City Sales Tax and payment has been received. Nebr. Machinery has an auction service where counties can sell patrols. Last week oil was at \$2.76 per gal. for HFE 300, it takes 6 thousand gallons for a windrow. Bridge project C88233B will be completed next week, bridge south of Jacobs' will require closing road for couple of days and should be completed this week. Discussed Mortensen Industrial Site lot between Petska & Sitz; Leth said County seeded it; Board said Petska had agreed to mow it; Leth will check with Petska.

Hospital CEO Schrage presented his monthly written report including the Hospital Board minutes for June 18 and the Financial Report of operating results for June and YTD 2008. Audit will be performed in August. Diversity of services helps to keep statistics up, specialty clinics are important to people in the area. Continue to work on cutting expenses. Now that salaries have been brought to a competitive level the challenge is to hold salary increases to 3.7% and grow revenue. Competitive salaries have slowed the turnover rate, working on lowering number of days in accounts receivable and anticipating few capital equipment purchases.

Jay Spearman of Ameritas appeared to discuss the issuance of bonds for the new Hospital. Board questioned how bonds could be issued prior to their approval, noting radio announcements and questions from the public regarding the bonds for which they had no information. Spearman said bonds have not been issued but an "expression of interest" was sought through the pre-issuance of the bonds. This also helps gauge the interest rates and protects the County and Ameritas. Spearman and Schrage noted that the Board had approved the pre-issuance in the beginning of the process but acknowledged that they should notify the Board ahead of time so they would be prepared for questions. They are right on target as to principal and interest. Bond insurance companies did not feel that Ord fit their criteria due to population decline, so the bonds are not insured. This will cost a bit in interest rates, however, it allows for bonds to be offered first to the local area. Bonds are sold in \$5000 increments but record of who buys is not public, bond issuance closes 8-26-08. This first issuance is \$7.2 million, a second issuance is planned later this year for a total of \$9.9 million. Following discussion, Resolution 08-13 authorizing the bond issuance was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Cullers, Baker, VanSlyke. No: none. Absent: none.

Weed Supt. Kaminski was present to discuss the letter from Brent Meyer, State Ag Inspection Specialist and a proposed spray agreement for landowners receiving 15 day notices. Meyer's letter noted he closed 6 open files based on his follow-up inspection, however, 2 new files were opened. He suggested using the spray agreement, noting it has

been effective in other counties. Kaminski explained the 15 day notice is sent to landowners who have not made an effort to control noxious weeds; it gives them 15 days to control the noted infestation or pay a fine. The agreement allows the landowner to avoid the fine by signing the agreement to take appropriate weed control measures. Following discussion, Waldmann moved to approve the spray agreement in conjunction with the 15 day notice, seconded by VanSlyke. Carried. Yes: Waldmann, VanSlyke, Cetak, Vogeler, Cullers, Baker. No: none. Absent: none.

At 11:30 a.m. the Board of Equalization convened on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Assessor and Clerk were present. Minutes of the BOE meeting of July 7 were approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. Abstain: Vogeler (did not attend July 7 meeting) No: none. Absent: none.

Notices of Rejection of Homestead Exemption were reviewed: Marianne Biskeborn unacceptable physician's certificate, Agnes H. Einspahr occupancy, Florene Gould occupancy, Rosina Luoma occupancy, Allen Miller unacceptable physician's certificate, I. Fern Rama occupancy, Verna Jean Ruzicka occupancy. The Notices of Rejection of Homestead Exemption listed above were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Assessor Arnold presented the 2008 Plan of Assessment as required by statute. She noted appraiser Martensen is working on the last 4 townships: Arcadia, Yale, Independent and Davis Creek. Once this is completed she will seek estimates on appraisal of commercial and residential properties. Discussed the GIS proposals. Arnold included \$10,000 in this year's budget for this and preferred the GIS Workshop proposal. The Howard County Assessor recommended them, however, the Howard County Board did not like them and had Mitch Clark of Great Plains GIS Consulting finish their project. Arnold said she has leased a program for \$400 per year to allow her office to perform the required soil conversion as there was not time to wait for a GIS system to be decided on and installed. The Board said, if necessary, they would cut the \$10,000 budgeted for a GIS system since it was no longer needed to do the required soil conversion.

At 11:50 a.m. the Board returned to regular session on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, presented for Board consideration: VC-12-DPA \$8000, VC-12-HR \$5000, VC-06-HR \$694, Community Development Services Invoices \$300 Admin. and \$200 Lead, Drawdown 19 \$8770 and a 6 month extension for the DPA Grant with Minor Rehab. The 6 month extension would provide time for applicants to complete rehab work and time to get one last down payment applicant. She feels the state will approve the extension. Following discussion, Cullers moved to approve VC-12-DPA \$8000, VC-12-HR \$5000 and VC-06-HR \$694, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. CDS invoices of \$300 and \$200 were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The request for a 6 month extension for DPA Grant 06-HP-220 was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Meeting recessed at 12:00 noon and reconvened at 12:40 p.m. with all members present except Cetak, who arrived at 12:45 p.m.

Village Attorney, Randy Cullers, was present for discussion of the North Loup Law Enforcement Agreement. The agreement is for one year and names Sheriff Hurlburt Village Marshall, with limited animal control duties. The amount of monthly fees approved by the Village remains unclear, however, Sheriff Hurlburt feels they will approve the \$1800 per month he is asking. The agreement requires the Sheriff or his representative to attend all regular Village meetings. Attorney Cullers noted that the Village is pleased with the service they are currently receiving. Hurlburt questioned where stray dogs were to be housed and was advised to deliver them to the Vet clinic with costs to be paid by the Village or the offender. Vogeler moved to approve the North Loup Law Enforcement Agreement with compensation of \$1800 per month, \$21,600 per year, seconded by VanSlyke. Carried. Vogeler, VanSlyke, Cetak, Baker, Cullers, Waldmann. No: none. Absent: none. Cullers will present the Agreement to the Village Board for their approval.

Joint Resolution No. 1095 by the City of Ord and Ord Rural Fire District 2 advocating the merger of Ord City into Ord Rural Fire District 2 was presented to the Board. Ord City Attorney Cullers was present for discussion. He advised that the County needs to hold a Public Hearing regarding the proposed merger and that it is to be advertised twice. After the Public Hearing the County has 45 days to approve or deny the merger request. If the merger is approved, funding will require the cooperation of the City and Rural Fire District as levies set this year will not be collected until next year. If approved, an organizational meeting would be held to allow residents of the newly merged district to elect a Board. Five Board members would be elected, no more than one from a township. Cullers moved to set the public hearing regarding the merger of Ord City into Ord Rural Fire District 2 at 10:00 a.m. on August 12, 2008, in the Valley County Courthouse Boardroom, seconded by Cetak. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The claim of Gary Walker for \$5740.80 for accrued sick hours was tabled until the next meeting.

The letter from NIRMA noting that they are exercising their option to provide an investigation and defense for the discrimination charge filed by LeRoy Svoboda was noted.

Supervisor Cullers reported receiving a call from a citizen asking about doing community service for the County because it is a requirement for residing in Rolling Hills. Cullers said she found out this requirement is a federal mandate for unemployed persons who rent from the Housing Authority. She was concerned about the County's liability for people performing community service for the County. County Attorney Clark said the County would probably be liable for this type of community service, however, he felt that community service ordered by the Court would not carry the same liability. He advised that the County not participate in community service for which they would incur liability.

Budget Accountant Chuck Abel was present to discuss the County budget for FY 08-09. He provided 3 summary sheets; one noting the 07 actual information, the 08 estimates and budget requests, the 09 estimates and the budgeted balance for 6/30/2008; the second listed the valuation, levy, and budgeted County funds, for 07/08 and the preliminary amounts for 08/09; the third provided additional information regarding the 08/09 preliminary numbers for levy, receipts, disbursements and transfers. Abel noted that the County is allowed to have cash reserves of up to half of expenditures. Abel will attend the meeting scheduled for 8:00 p.m. on August 11.

Planning & Zoning Admin. Glaubke presented Resolution 08-14 for Joining National Flood Insurance Program for Valley County, Nebraska along with the Planning Commission recommendation in favor of joining the program and a letter from LVRPP noting that they were denied funding from FEMA for a line reconstruction project because the County did not participate in the NFIP. Glaubke noted again that joining the program means that mortgage holders in the flood plain will be required to have flood insurance and that not joining means that property owners in the flood plain will be unable to get flood insurance. She also said the Resolution designates the Planning and Zoning Admin. as responsible for certain duties, reminding them they could designate someone else if they chose to. Following discussion, Vogeler moved to adopt Resolution 08-14 For Joining National Flood Insurance Program for Valley County, Nebraska, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Glaubke presented a copy of the survey plat of the Mortensen Industrial Site 3<sup>rd</sup> Subdivision along with the recommendation of the Planning Commission for approval of the plat with the following conditions: the 20' easement northeast of each lot be labeled as "Drainage Easement" and identification of the blocks be added. Following discussion, Cetak moved to approve the Mortensen Industrial Site 3<sup>rd</sup> Subdivision plat survey with the conditions noted on the Planning Commission's Recommendation, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The terms of Board of Adjustment members Dale Zadina and Pat Frazer and Area Planning Commission members Keith Peterson, Larry Koelling and Linda Wadas, have expired. Glaubke reported that all have agreed to serve another term if the Board wishes to reappoint them and noted that all have done an excellent job. Following discussion, Cullers moved to approve the reappointment of Dale Zadina and Pat Frazer to the Board of Adjustment and Keith



Peterson, Larry Koelling and Linda Wadas to the Area Planning Commission, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

At 2:25 p.m. the Board moved into executive session to discuss a personnel issue on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, VanSlyke, Cullers, Vogeler, Cetak, Waldmann. No: none. Absent: none. At 3:00 p.m. the Board moved out of executive session on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. No action was taken as a result of the executive session.

The written report from VSO Walt Smith was reviewed.

Billing statements from Western Roofing, Maximus and Nebr. Dept. HHS were reviewed as were the Claims List and Claims and Balances Report for July, 2008. Resolution 08-15 to transfer funds from Inheritance Tax to General Fund for payment of capital improvement expense on the Courthouse roof was presented for Board consideration. The Clerk noted that Budget Accountant Abel has advised that Inheritance Tax Funds used to pay capital improvement expenses be transferred and spent through the General Fund for budgetary purposes. Following discussion, Vogeler moved to adopt Resolution 08-15 transferring \$43,047.00 from Inheritance Tax to General Fund for payment of Courthouse roof repair, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. July Claims and Fund Request were approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Cullers reported a request from Brad Gloss for a Boy Scout project to clean up the Elyria Cemetery. It was noted that this is not the Catholic cemetery in Elyria. Following discussion, the request for the Boy Scout project to clean up the Elyria Cemetery was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

The Lodging Tax Spreadsheet of income and expenses for FY 07-08 was reviewed.

Committee reports: Cullers reported for Region 3, noting Mid Plains has requested \$300,000 to pay down the mortgage on a new facility that could receive EPC patients which would avoid the EPC charges the county pays through the Region 3 agreement; Vogeler reported that the Courthouse roof repair (including the jail) is going well and should be completed by the end of next week.

Mail Folder items available for review: Wozab Fund thank you, NIRMA training programs, NIRMA "Self Defense" Course, LLNRD Newsletter, NDEQ Grants, Nebr. Surface Transportation Program Book 09-14, Region 26 Agenda.

Meeting adjourned at 3:35 p.m., to reconvene on August 11, 2008 at 8:00 p.m. for the 08-09 budget and August 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the July 29 meeting and an agenda for the August 11 and 12 meetings are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, July 29, 2008, at 9:00 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Clerk verified publication of meeting notice and posting of agenda. Minutes of July 8 meeting were approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Road Secretary, Sandy Simpson, gave the Road Claims & Balances report for July, noting payroll of \$34,524.04 and Accounts Payable \$85,099.41. The larger expenses were diesel, gas, gravel and motor grader payment.

Road Supt. Leth recommended approval of Easement 08-282 for Frontier (Citizens) and 08-283 for Nebr. Central Telephone Co. VanSlyke moved to approve Frontier's Easement 08-282 and NCTC's Easement 08-283, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth's Equipment Cost Report for FY 07-08 was reviewed. Bid on salt was up from \$39 to \$49 per ton; ice slickers up to \$154 per ton but may come down with terminal in Gothenburg, plans to split a load with the City of Ord. Leth anticipates state road project in Arcadia area will begin in 2009, Ord/North Loup project in 2011 or 2012, Ord bridge is in the state 6 year plan but will likely be later. FEMA reps here this week to view damages, will not pay on a federal aid road, can apply for federal disaster aid but takes 6-8 years to get it and has a \$200,000 threshold. Work on the Mortensen Site was approved for payment by City Sales Tax and payment has been received. Nebr. Machinery has an auction service where counties can sell patrols. Last week oil was at \$2.76 per gal. for HFE 300, it takes 6 thousand gallons for a windrow. Bridge project C88233B will be completed next week, bridge south of Jacobs' will require closing road for couple of days and should be completed this week. Discussed Mortensen Industrial Site lot between Petska & Sitz; Leth said County seeded it; Board said Petska had agreed to mow it; Leth will check with Petska.

Hospital CEO Schrage presented his monthly written report including the Hospital Board minutes for June 18 and the Financial Report of operating results for June and YTD 2008. Audit will be performed in August. Diversity of services helps to keep statistics up, specialty clinics are important to people in the area. Continue to work on cutting expenses. Now that salaries have been brought to a competitive level the challenge is to hold salary increases to 3.7% and grow revenue. Competitive salaries have slowed the turnover rate, working on lowering number of days in accounts receivable and anticipating few capital equipment purchases.

Jay Spearman of Ameritas appeared to discuss the issuance of bonds for the new Hospital. Board questioned how bonds could be issued prior to their approval, noting radio announcements and questions from the public regarding the bonds for which they had no information. Spearman said bonds have not been issued but an "expression of interest" was sought through the pre-issuance of the bonds. This also helps gauge the interest rates and protects the County and Ameritas. Spearman and Schrage noted that the Board had approved the pre-issuance in the beginning of the process but acknowledged that they should notify the Board ahead of time so they would be prepared for questions. They are right on target as to principal and interest. Bond insurance companies did not feel that Ord fit their criteria due to population decline, so the bonds are not insured. This will cost a bit in interest rates, however, it allows for bonds to be offered first to the local area. Bonds are sold in \$5000 increments but record of who buys is not public, bond issuance closes 8-26-08. This first issuance is \$7.2 million, a second issuance is planned later this year for a total of \$9.9 million. Following discussion, Resolution 08-13 authorizing the bond issuance was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Cullers, Baker, VanSlyke. No: none. Absent: none.

Weed Supt. Kaminski was present to discuss the letter from Brent Meyer, State Ag Inspection Specialist and a proposed spray agreement for landowners receiving 15 day notices. Meyer's letter noted he closed 6 open files based on his follow-up inspection, however, 2 new files were opened. He suggested using the spray agreement, noting it has

been effective in other counties. Kaminski explained the 15 day notice is sent to landowners who have not made an effort to control noxious weeds; it gives them 15 days to control the noted infestation or pay a fine. The agreement allows the landowner to avoid the fine by signing the agreement to take appropriate weed control measures. Following discussion, Waldmann moved to approve the spray agreement in conjunction with the 15 day notice, seconded by VanSlyke. Carried. Yes: Waldmann, VanSlyke, Cetak, Vogeler, Cullers, Baker. No: none. Absent: none.

At 11:30 a.m. the Board of Equalization convened on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Assessor and Clerk were present. Minutes of the BOE meeting of July 7 were approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. Abstain: Vogeler (did not attend July 7 meeting) No: none. Absent: none.

Notices of Rejection of Homestead Exemption were reviewed: Marianne Biskeborn unacceptable physician's certificate, Agnes H. Einspahr occupancy, Florene Gould occupancy, Rosina Luoma occupancy, Allen Miller unacceptable physician's certificate, I. Fern Rama occupancy, Verna Jean Ruzicka occupancy. The Notices of Rejection of Homestead Exemption listed above were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Assessor Arnold presented the 2008 Plan of Assessment as required by statute. She noted appraiser Martensen is working on the last 4 townships: Arcadia, Yale, Independent and Davis Creek. Once this is completed she will seek estimates on appraisal of commercial and residential properties. Discussed the GIS proposals. Arnold included \$10,000 in this year's budget for this and preferred the GIS Workshop proposal. The Howard County Assessor recommended them, however, the Howard County Board did not like them and had Mitch Clark of Great Plains GIS Consulting finish their project. Arnold said she has leased a program for \$400 per year to allow her office to perform the required soil conversion as there was not time to wait for a GIS system to be decided on and installed. The Board said, if necessary, they would cut the \$10,000 budgeted for a GIS system since it was no longer needed to do the required soil conversion.

At 11:50 a.m. the Board returned to regular session on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, presented for Board consideration: VC-12-DPA \$8000, VC-12-HR \$5000, VC-06-HR \$694, Community Development Services Invoices \$300 Admin. and \$200 Lead, Drawdown 19 \$8770 and a 6 month extension for the DPA Grant with Minor Rehab. The 6 month extension would provide time for applicants to complete rehab work and time to get one last down payment applicant. She feels the state will approve the extension. Following discussion, Cullers moved to approve VC-12-DPA \$8000, VC-12-HR \$5000 and VC-06-HR \$694, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. CDS invoices of \$300 and \$200 were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The request for a 6 month extension for DPA Grant 06-HP-220 was approved on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Meeting recessed at 12:00 noon and reconvened at 12:40 p.m. with all members present except Cetak, who arrived at 12:45 p.m.

Village Attorney, Randy Cullers, was present for discussion of the North Loup Law Enforcement Agreement. The agreement is for one year and names Sheriff Hurlburt Village Marshall, with limited animal control duties. The amount of monthly fees approved by the Village remains unclear, however, Sheriff Hurlburt feels they will approve the \$1800 per month he is asking. The agreement requires the Sheriff or his representative to attend all regular Village meetings. Attorney Cullers noted that the Village is pleased with the service they are currently receiving. Hurlburt questioned where stray dogs were to be housed and was advised to deliver them to the Vet clinic with costs to be paid by the Village or the offender. Vogeler moved to approve the North Loup Law Enforcement Agreement with compensation of \$1800 per month, \$21,600 per year, seconded by VanSlyke. Carried. Vogeler, VanSlyke, Cetak, Baker, Cullers, Waldmann. No: none. Absent: none. Cullers will present the Agreement to the Village Board for their approval.

Joint Resolution No. 1095 by the City of Ord and Ord Rural Fire District 2 advocating the merger of Ord City into Ord Rural Fire District 2 was presented to the Board. Ord City Attorney Cullers was present for discussion. He advised that the County needs to hold a Public Hearing regarding the proposed merger and that it is to be advertised twice. After the Public Hearing the County has 45 days to approve or deny the merger request. If the merger is approved, funding will require the cooperation of the City and Rural Fire District as levies set this year will not be collected until next year. If approved, an organizational meeting would be held to allow residents of the newly merged district to elect a Board. Five Board members would be elected, no more than one from a township. Cullers moved to set the public hearing regarding the merger of Ord City into Ord Rural Fire District 2 at 10:00 a.m. on August 12, 2008, in the Valley County Courthouse Boardroom, seconded by Cetak. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The claim of Gary Walker for \$5740.80 for accrued sick hours was tabled until the next meeting.

The letter from NIRMA noting that they are exercising their option to provide an investigation and defense for the discrimination charge filed by LeRoy Svoboda was noted.

Supervisor Cullers reported receiving a call from a citizen asking about doing community service for the County because it is a requirement for residing in Rolling Hills. Cullers said she found out this requirement is a federal mandate for unemployed persons who rent from the Housing Authority. She was concerned about the County's liability for people performing community service for the County. County Attorney Clark said the County would probably be liable for this type of community service, however, he felt that community service ordered by the Court would not carry the same liability. He advised that the County not participate in community service for which they would incur liability.

Budget Accountant Chuck Abel was present to discuss the County budget for FY 08-09. He provided 3 summary sheets; one noting the 07 actual information, the 08 estimates and budget requests, the 09 estimates and the budgeted balance for 6/30/2008; the second listed the valuation, levy, and budgeted County funds, for 07/08 and the preliminary amounts for 08/09; the third provided additional information regarding the 08/09 preliminary numbers for levy, receipts, disbursements and transfers. Abel noted that the County is allowed to have cash reserves of up to half of expenditures. Abel will attend the meeting scheduled for 8:00 p.m. on August 11.

Planning & Zoning Admin. Glaubke presented Resolution 08-14 for Joining National Flood Insurance Program for Valley County, Nebraska along with the Planning Commission recommendation in favor of joining the program and a letter from LVRPP noting that they were denied funding from FEMA for a line reconstruction project because the County did not participate in the NFIP. Glaubke noted again that joining the program means that mortgage holders in the flood plain will be required to have flood insurance and that not joining means that property owners in the flood plain will be unable to get flood insurance. She also said the Resolution designates the Planning and Zoning Admin. as responsible for certain duties, reminding them they could designate someone else if they chose to. Following discussion, Vogeler moved to adopt Resolution 08-14 For Joining National Flood Insurance Program for Valley County, Nebraska, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Glaubke presented a copy of the survey plat of the Mortensen Industrial Site 3<sup>rd</sup> Subdivision along with the recommendation of the Planning Commission for approval of the plat with the following conditions: the 20' easement northeast of each lot be labeled as "Drainage Easement" and identification of the blocks be added. Following discussion, Cetak moved to approve the Mortensen Industrial Site 3<sup>rd</sup> Subdivision plat survey with the conditions noted on the Planning Commission's Recommendation, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The terms of Board of Adjustment members Dale Zadina and Pat Frazer and Area Planning Commission members Keith Peterson, Larry Koelling and Linda Wadas, have expired. Glaubke reported that all have agreed to serve another term if the Board wishes to reappoint them and noted that all have done an excellent job. Following discussion, Cullers moved to approve the reappointment of Dale Zadina and Pat Frazer to the Board of Adjustment and Keith

Peterson, Larry Koelling and Linda Wadas to the Area Planning Commission, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

At 2:25 p.m. the Board moved into executive session to discuss a personnel issue on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, VanSlyke, Cullers, Vogeler, Cetak, Waldmann. No: none. Absent: none. At 3:00 p.m. the Board moved out of executive session on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. No action was taken as a result of the executive session.

The written report from VSO Walt Smith was reviewed.

Billing statements from Western Roofing, Maximus and Nebr. Dept. HHS were reviewed as were the Claims List and Claims and Balances Report for July, 2008. Resolution 08-15 to transfer funds from Inheritance Tax to General Fund for payment of capital improvement expense on the Courthouse roof was presented for Board consideration. The Clerk noted that Budget Accountant Abel has advised that Inheritance Tax Funds used to pay capital improvement expenses be transferred and spent through the General Fund for budgetary purposes. Following discussion, Vogeler moved to adopt Resolution 08-15 transferring \$43,047.00 from Inheritance Tax to General Fund for payment of Courthouse roof repair, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. July Claims and Fund Request were approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Cullers reported a request from Brad Gloss for a Boy Scout project to clean up the Elyria Cemetery. It was noted that this is not the Catholic cemetery in Elyria. Following discussion, the request for the Boy Scout project to clean up the Elyria Cemetery was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

The Lodging Tax Spreadsheet of income and expenses for FY 07-08 was reviewed.

Committee reports: Cullers reported for Region 3, noting Mid Plains has requested \$300,000 to pay down the mortgage on a new facility that could receive EPC patients which would avoid the EPC charges the county pays through the Region 3 agreement; Vogeler reported that the Courthouse roof repair (including the jail) is going well and should be completed by the end of next week.

Mail Folder items available for review: Wozab Fund thank you, NIRMA training programs, NIRMA "Self Defense" Course, LLNRD Newsletter, NDEQ Grants, Nebr. Surface Transportation Program Book 09-14, Region 26 Agenda.

Meeting adjourned at 3:35 p.m., to reconvene on August 11, 2008 at 8:00 p.m. for the 08-09 budget and August 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the July 29 meeting and an agenda for the August 11 and 12 meetings are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES  
BUDGET MEETING

The Valley County Board of Supervisors met in special session to consider the 2008-2009 budget requests and subdivision levy authorization requests at 8:00 p.m. on Monday, August 11, 2008 in their Courthouse meeting room. Roll call was taken with Baker, Cetak, Cullers, Sevenker, VanSlyke, Vogeler and Waldmann present. The Clerk verified that meeting notice was published and the agenda posted. The agenda was adopted on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted that the Open Meetings Law was posted and copies available for the public.

Accountant, Chuck Abel, provided information comparing YTD Revenues for 6/30/07 and 6/30/08 to the budget requests for 08/09 and the adopted budget of 07/08. He also reviewed his handouts from the July 29 meeting.

Present to discuss their requests were: Ron Wolf, Twin Loups Reclamation Dist.; Terry Christensen, Loup Valley Ag Society; Rolland Cronk, Custodian; Linda Nance, Deputy Assessor; Janet Suminski, Treasurer; Casey Hurlburt, Sheriff; Max Leth, Road Supt.; Darrell Kaminski, Weed Supt.; Ryan Simpson, Emergency Manager; and Jenette Lindsey, Clerk.

Wolf noted that Twin Loups' request is the same as it has been for a number of years, \$31,392. Christensen said the Ag Society is requesting \$10,000 more than last year due to the need for repair on older buildings and equipment.

Discussion was held regarding the ability of the subdivisions to override the levy allocation the County allows by holding a "town hall meeting" and getting the approval of subdivision residents; funding of the township libraries by assigning a portion of the township levy requests countywide; Ord Township's request increased from \$76,000 to \$122,000; higher property valuations will provide more dollars without levy increase; proposed merger of Ord City into Ord Rural Fire District; will not have new certified valuations until August 20, 2008.

Weed Supt., Kaminski noted the \$5000 he requested under Misc. Labor 10 day notices is to provide for enforcement of the 10 day notice should it be necessary. He said \$2000 should be sufficient to spray 160 acres if the Board wanted to cut this line item back. The Clerk was directed to cut Weed budget line item 2-2545 from \$5000 to \$2000. Kaminski agreed that 10 day notices would not be used unless 15 day notices were ignored and would be presented to the Board prior to sending.

Custodian Rolland Kronk was present to discuss the Buildings & Grounds budget, noting that his request includes jail water heater & softener, remodeling for visitor window; painting various areas; drapes for Judge's Chamber; Courthouse heating/cooling system sensors; \$1600 for new buffer.

Treasurer Suminski noted that Dept. Heads and Officials did not meet this year to coordinate raises and that her Office is a bit behind but she feels the discrepancy can be made up without increasing her budget request. Raises were budgeted based on the Road Dept. request of \$100 per month. She is looking at getting taxes on line and has talked to area abstractors about funding for this service, has increased budget for part-time help due to taking over issuance of vehicle titles but does not plan to do this until February.

Deputy Assessor Nance and Assessor employee Kay Stevens verified the need for inclusion of appraisal fees for Chad Martensen to finish his reappraisal of the rural properties and the consulting fees for Larry Rexroth, totaling \$15,000. The \$10,000 request for a GIS system from GIS Workshop was also discussed. The Board directed that these line item requests be moved from the Misc. General budget to the Assessor's budget to provide a more accurate reflection of expenses.

Emergency Manager Ryan Simpson asked for and received the Board's approval of the addition of \$1000 to his budget for the purchase of a used car currently owned by the City of Ord. He noted that his budget request includes a raise for his assistant and the addition of a second assistant.

The meeting recessed at 9:30 p.m. and reconvened at 9:40 p.m. with all members present.

Highway Supt. Leth said his budget request includes \$100 per month raise for all employees. Discussion included the increased cost of fuel and culverts and the affect this could have on bridge and road repair. The \$120,000 received from FEMA was discussed. Abel noted that he had included it as revenue in the Road Fund. Leth said the County will be getting an additional \$55,000 from FEMA. He also said that all of the projects listed in the 1 & 6 Year Plan will probably not be completed due to increased costs. He has budgeted \$20,000 for the replacement of a pickup. The Board directed that line item 3-0201, for asphalt, budgeted in the amount of \$108,500 be lowered by \$20,000 and the 1 & 6 Year Plan be changed from overlays to armour coating. Leth said that he can now contract for fuel as he has 2 suppliers that will contract, Trotter and Co-op. Discussed discontinuance of striping as it is not required but felt it was a safety issue.

Sheriff Hurlburt said his budget includes the cost of mandatory training for himself, Secretary Denise O'Neal and Jailer Suzann Hurlbert. It was also noted that the Clerk had entered budget line item 2-9900 as \$4500 when it should have been \$1500. He would like to add a part time person to act as jailer to help avoid some of the overtime hours now required. His Jail budget request includes a raise in administrator fees from \$5400 to \$10,500. He noted that the County will now be receiving \$1800 per month from the North Loup Law Enforcement Agreement and an increase in fees charged for boarding out of county prisoners was discussed. Hurlburt noted that other counties were starting their jailers higher and is requesting \$1.00 per hour raise this year to bring jailer pay closer to the level of other counties.

The Clerk, Clerk of District Court and Election Commissioner budget requests were discussed. The Clerk included \$5000 for microfilming records and requested raises of \$100 per month for her employees.

Discussion was held regarding VSO Walt Smith's request which included the addition of \$2600 for clerical help.

Following discussion, Vogeler moved to approve the subdivision levy authorization requests as received with the exception of the Airport, which is approved at \$30,000 General Fund and \$36,000 Bond and Ord Township, which is approved at \$79,800 General Fund. Motion seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Meeting adjourned at 12:00 midnight, to reconvene on August 12, 2008 at 9:00 a.m. in regular session. Complete minutes of the August 11 meeting and the agenda for the August 12 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, August 12, 2008, at 9:05 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Deputy Clerk verified publication of meeting notice and posting of agenda. Minutes of July 29, 2008 meeting were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker, VanSlyke. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Max Leth, Road Superintendent requested a resolution be approved adding bridge project C88-252B for the removal of a timber bridge to be replaced with tubes to the 1 year plan. A motion to approve Resolution #08-16 to add the bridge repair to the one-year plan on motion by Vogeler, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth reported a NDOR consultant inspected bridges and received a letter from the Nebraska Department of Roads regarding evidence that Valley County bridges C008823115 and C008804905 must be posted with a maximum limit of 5 Tons or closed immediately and remain closed until after repairs are made and reported these bridges are posted at this time. Another letter indicated Valley County bridges C008802205, C008800605P and C008831135 are in a physical condition that they must be closed and to remain closed until after repairs can be made.

Leth requested approval of a detour on Ashton Avenue between Highway 11 and 22 for Popcorn Days beginning Wednesday August 27<sup>th</sup> to Monday September 1. Vogeler moved to approve the detour seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

A letter of resignation from Max Leth as County Road Superintendent effective October 1, 2008 was presented to the Board. Sevenker expressed appreciation from the Board for his 30 years of service. Vogeler asked if Leth could stay on with the County on a consultant basis and Leth reported he would have to check with his physician before he could give the Board an answer but offered to help all he could. Motion to accept the resignation was made by Cullers, seconded by Waldmann. Carried: Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. An ad for a replacement will be prepared and published in the local paper, NIRMA and NACO websites stating qualifications etc. as soon as possible and applications to close by September 2, 2008 at 9:00 a.m.

Leth serves on the board of two associations and will notify them of his resignation and recommend the associations appoint his successor to complete his term on the boards.

The Arcadia road on 464<sup>th</sup> Ave will be patched and Ashton Avenue will receive an armor coat, these roads need to be preserved and will present revision Form 10 at the next meeting in preparation for those projects.

The Board reviewed the noxious weed reports for publication from the Weed Superintendent for Baldwin Farms, Michael Jackson, Dean Misko, Paul Penas, James Trotter and Michael Winkelbauer who will be receiving the proposed 15 day notice as a result of the inspection by the State Ag. Specialist on September 1, 2008.

Nancy Glaubke, Planning & Zoning Administrator reported FEMA recommended some changes be made to update the Flood Plain portion of the zoning regulations and requested the Board adopt a resolution to update the State and Federal Requirement for participation in the National Flood Insurance Program for communities identified as flood prone. On motion by Vogeler to adopt Resolution #08-17 to update the FEMA map was seconded by VanSlyke. Carried. Yes: Vogeler, VanSlyke, Cetak, Waldman, Baker, Cullers. No: none. Absent: none.

Treasurer Suminski submitted July Month End report and Pledged Security notifications for the account of TierOne Bank for review and discussion.

County Clerk report for the Month of July was reviewed. The FY 07-08 Valley Co. Ambulance Report for old past due ambulance collections was discussed and accepted for filing.

Meeting recessed 9:55 a.m. to reconvene at 10:05 a.m. with all members present.



At 10:05 the Public Hearing to discuss proposed merger of the Ord City into the Rural Fire District #2 was open for discussion. Randy Cullers reported he appreciated the both boards flexibility and the merger should make a more efficient fire district. Cullers told the board that the public was notified by press releases and meetings were held for the public to attend and no opposition was received in regard to the merger and the timing is a good move tax wise because of the valuation increase. Dale Zadina stated there will be benefits in the long term for fire protection and valuations will be spread out over the residents in District #2. Cullers indicated an organizational meeting will be held to elect a new board. The public hearing closed at 10:15 a.m. On motion by Vogeler to adopt joint Resolution #08-18 of the Ord Rural Fire Protection Dist. #2 and the City of Ord into said fire district was seconded by Cetak. Carried: Yes: Vogeler, Cetak, VanSlyke, Cullers, Waldmann, Baker. No: none. Absent: none.

Marc Munford, from Ameritas Investment Corp., appeared to explain any questions the board had on the bond issuance and the process and explained commitments were acquired before the bonds were sold. Munford stated that 10% of the bonds were sold in Valley County to individuals and banks and the balance was sold to investors in the State of Nebraska with 0% sold out of state. Munford reported the proceeds from the initial bond sale in the amount of \$7,140,580.00 will come by wire to Valley Co. Treasurer account on August 26, 2008. The treasurer will reinvest the funds with Nebr. Public Agency Investment Trust (NPAIT) and proposals will go to local banks in the county for them to bid on the investment of the funds. Munford stated the Treasurer will be given a preliminary drawdown schedule during the hospital construction process and will be responsible for paying claims every month. Munford indicated he will appear at the October 14<sup>th</sup> meeting to inform the board of the next bond letting and will publish in the local newspaper the date of the bond letting. Munford offered to answer any questions the public may have in regard to this process and urged the board to contact him with any questions.

Candy Kuntz, Housing Grant Admin., submitted the Housing Grant Summary for Down Payment Assistance, Housing Rehabilitation and Professional Services. Kuntz requested approval for applicant #VC-09-HR for additional rehab expenses. VanSlyke moved to approve the additional \$500.00 for VC-09-HR, seconded by Waldmann. Carried. Yes: VanSlyke, Baker, Cullers, Cetak, Waldmann, Vogeler. No: none. Absent: None. Cullers moved to approve Applicant #VC-06-HR for \$230.00 and \$535.00 for housing rehab, #VC-07-HR in the amount of \$3,539.80 for housing rehab and #VC-09 in the amount of \$5000.00 for housing rehab, seconded by Cetak. Carried. Yes: Cullers, Cetak, Vogeler, Waldmann, VanSlyke, Baker. No: none. Absent: none. Vogeler moved to approve VC-Admin-15 for Housing Administration of \$500.00, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Cullers, Baker, Waldmann. No: none. Absent: none. Motion to approve Drawdown #20 in the amount of \$9,805.00 was made by Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Motion to approve the fund request for Grant Funds approved July 29 in the amount of \$8,769.87 and August 12 for release of checks upon receipt of Grant Funds on motion by Vogeler, seconded VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Waldmann, Cullers. No: none. Absent: none.

It was determined the request of the administrator that Valley County use their line of credit to make immediate payments of approved grant funds was denied and the Clerk will continue with the balance of the funds by the same method that has been used in the past since it was so close to the end of the CDBG Grant Project.

Motion made by VanSlyke to approve fund request for deposit into the County Funds Payroll and Claims account for the BlueCross BlueShield billing in the amount of \$25,718.31 was seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Notice of Approval of the CDBG Application from the Dept. of Economic Development informing the Board a Grant in the amount of \$250,000.00 to be used for the construction of a new elevator and remove architectural barriers at the Valley County Courthouse has been approved. Terms of the Grant indicate an employee of the government entity be designated to have responsibility to have day-to-day administration of this grant. In addition a CDBG Certified Grant Administrator must to on contract or employed by the grantee to oversee administration of the grant. It was determined that as a board they were obligated to go forward with the elevator project.

Meeting recessed at 12:00 noon and reconvened at 1:00 p.m. with all members present.

At 1:05 p.m. Vogeler moved to go into Executive Session to discuss Personnel and Law Suits, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: none.

At 1:40 p.m. motion to go out of Executive Session was made by Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Baker, Cetak, Vogeler. No: none. Absent: none.

Following the Executive session Vogeler made a motion to deny the Gary Walker claim in the amount of \$5,740.80 for accrued sick hours and to instruct the Clerk's office to type a response to Walker's claim within 5 days was seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Co. Attorney Clark explained that an Attorney for the Hospital called him in regard to the purchase of the land for the Valley County Hospital. A hearing was set for September 9, 2008 at 8:30 a.m. in the County Supervisor Board room. Notices will be published by the Hospital.

A New Cooperative Reimbursement Agreement for Child Support Services to become effective Oct. 1, 2008 to replace the agreement currently in effect will require signatures of the County Board Chairman and County Attorney. Vogeler moved, seconded by Cetak to apply appropriate signatures to the agreement. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The revised Letter of Agreement from Region 3 Governing Board regarding the Purpose, Responsibilities of Region 3 and Responsibilities of the County was reviewed Cullers moved to approve signatures of the County Board and County Attorney to the agreement, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Public Unit Resolution of Authority from TierOne Bank giving Casey Hurlburt and Denise O'Neel authority to sign the Sheriff's accounts was reviewed. Motion by Baker to allow Chairman Sevenker to sign Resolution #08-19 was seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

A letter from the Loup Basin RC&D Council requesting the County to contribute to the Loup Basin Endowment Fund was discussed no action was taken.

The City of Ord will levy special assessments for Street Improvement District 2006-1, 2006-2, and 2007-1 through 2007-4 at a hearing on Sept. 2, 2008 at 7:30 p.m. The Valley County Courthouse proposed assessment is in the amount of \$40,000.00.

The Village Board of Arcadia sent a letter to inform the Valley County Supervisors of the Village of Arcadia Disaster Declaration authorizing the Village expenditure emergency funds from all available sources, and the applying to the State of Nebraska for assistance from the Governor's Emergency Fund and other sources necessary.

Notice of the Central District County Officials Association workshop to be held in Grand Island on September 18, 2008 was discussed.

Lodging tax receipts and expenses spreadsheet was accepted for filing.

Cullers explained that since the Endowment Fund was established, Nebr. Community Foundation has imposed fees on the account and requested the board to close the account and apply the funds to window treatments that will be installed in the Judge's chambers. Motion by Waldmann to close the account and use the funds as requested seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Wozab Quarterly Report for the quarter ending June 30, 2008 giving activity and an audit trail for the fund was presented to the Board and an Endowment Investment Summary discussed and accepted.

Sevenker reported that Joe Novotny's term on the Re-Use Committee expires on August 8, 2008 and he is willing to serve another term on the committee. Motion by Waldmann to reappoint Novotny to the Re-use Committee was seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Budget cuts made at the August 11, 2008 meeting were discussed. Cetak moved to set a date of Sept. 9, at 10:00 a.m. for the Budget Hearing, and Sept. 9, 2008 at 10:15 a.m. for a Special Hearing to set the Final Tax Request.

Cullers reported on the July 25, 2008 meeting of the Region 3 Governing Board in regard to FY08 funding and Mental Health Hearings and in Sept. Valley County should be able to utilize the Buffalo County Mental Health Board.

Mail Folder items available for review: NIRMA Interchange; Chamber/ED Newsletter; LBRC&D Agenda & Minutes; NDOR Annual Report, American Funds; Semi-Annual Report, Prospectus Amendment.

Meeting adjourned at 2:45 p.m., to reconvene on August 26, at 9:00 a.m. in regular session. Complete minutes of the August 12<sup>th</sup>, 2008 meeting and an agenda for the August 26, 2008 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned Deputy County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Dorrita L. Helm, Deputy Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, August 26, 2008 in the Courthouse Boardroom. Roll call was taken with Baker, Cetak, Cullers, Sevenker, VanSlyke, Vogeler and Waldmann present. Clerk verified publishing meeting notice and posting agenda. Minutes of the August 11 budget meeting and August 12 regular meeting were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Cullers moved to adopt today's agenda, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Chairman noted Posting of Open Meetings Act and availability of public copies. No public comment was offered.

Road Secretary Simpson presented the August Road Claims and Balances totaling \$137,904.10. August fuel costs \$47,064.63 with 3 additional loads ordered. Leth has budgeted enough to complete two armor coat projects.

Leth reported that information he received from the state and oil distributors for the Ord/Burwell road project indicate that the bottom layer of asphalt should be completed this fall. The County approved 2 detours for the project; one at Elyria and one at the animal clinic. There is to be one-way traffic on the highway and it is common practice to allow passage of emergency vehicles. Working on project C88206 now, bridge should be crossable by end of week. Hauling some gravel. FEMA lowered our payment from \$55,000 to \$18,000 due to FEMA representative error in the labor rate. Leth recommended that armor coating be done in the spring in hopes of getting better bid price on oil. If Grand Island asphalt plant is sold rather than closed will help costs due to lower freight charges. Leth will use extra paint on Sargent Road and Ft. Hartsuff Road as it does not store well.

Jerry Berggren of Berggren Architects was present to congratulate County on receipt of grant funds for installation of an elevator in the Courthouse. He has worked with the County since 1991 with regard to a Courthouse elevator and outside exit from the 3<sup>rd</sup> floor and has worked with many counties on Courthouse projects. Chairman Sevenker noted Valley County has contacted Architect Glenn Mannes regarding an exit from the 3<sup>rd</sup> floor in an effort to find the most affordable plan. Berggren noted his willingness to continue working with Valley County if they so desired.

Hospital CEO Schrage gave the regular monthly report. The statistical and financial information was reviewed. The new Heritage building has increased participation due to increased privacy and modernization of facilities. Long-term care still needs work, licensed for 70 beds in past but now capacity is 50 due to expansion of acute services. Hospice expanding into Broken Bow area; Hospice and Home Health program is 3<sup>rd</sup> largest in the state.

Marc Munford of Ameritas discussed the investment of the hospital bond funds and introduced Barry Ballou of Nebr. Liquid Asset Fund. Munford noted that 7.1 million dollars was wired to NPAIT this morning, and this was confirmed by Treasurer Suminski. Munford said RFP's were sent out last Thursday and NLAF's bid was the most competitive so they recommend that the bond funds be moved from NPAIT to NLAF. Ballou said that NLAF has been in Nebr. since 1988, their funds are all in government securities, no more than \$100,000 is invested in one bank so risk is secured, funds are easily accessible. Suminski said Board has not authorized her to invest County funds with NLAF. County Board questioned what institutions were invited to bid. Munford said of 6 local banks invited to bid only 2 local bids were received and they were not competitive. The high bid was 3.2 by NLAF. County Attorney Clark will prepare a resolution designating NLAF as a County depository for Board approval before the meeting adjourns. Discussion was held regarding how to handle payment of bills incurred during construction as well as payments due on the bond. Schrage asked that he manage the disbursements. It was decided the hospital will be responsible for disbursements, however, prior to payment all bills and bond payments will be presented to the County Board for their approval.

Meeting recessed at 10:35 a.m., reconvened at 10:45 a.m. with all members present.

County Budget Accountant Chuck Abel was present for discussion of the County budget. Abel said, based on preliminary figures, it appeared the County would need to cut back their levy to allow funding for the merged Fire District, however, the Assessor's certified valuation numbers indicate this will not be necessary. The bulk of the valuation increase is due to the ethanol plant's personal property, which will depreciate out over the next few years. The Board could take this opportunity to establish a cash reserve without raising the levy from last year. Discussion followed as to the need for a cash reserve and the possibility of the State doing away with the Inheritance Tax. Abel noted that the County usually does not spend all funds budgeted but if they did, the General Fund would be down to nothing. Previous budget action was discussed. Clerk noted her records show the following action: Weed line item 2-2545 cut from \$5000 to \$2000, Road line item 3-0201 decreased by \$20,000 (from \$108,500); Sheriff line item 2-9900 corrected from \$4500 to \$1500; \$10,000 for GIS system and Appraiser fees of \$15,000 moved from Misc. General to Assessor Budget; \$1000 added to Civil Defense budget for purchase of car. Discussion of Veterans' Service Office Budget included: serves many Veterans but question use of Valley County funds to assist out of county Veterans; need for

additional office help salary of \$2600; Smith's request last year for \$4000 increase in his salary and \$3600 for office assistant; Board allowed \$2000 salary increase last year but no funds for office assistant. Following discussion, Cetak moved to remove the \$2600 clerical assistant from the requested VSO budget, seconded by Cullers. Not carried. Yes: Cetak, Cullers. No: VanSlyke, Baker, Waldmann, Vogeler. Absent: none. VanSlyke moved to cut the requested \$2600 to \$1300, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Cetak. No: Vogeler. Absent: none. Discussed the possible budgetary affect of Leth's retirement. Abel noted the budget can be amended if necessary. The Board agreed that Abel should use a levy of .385 in preparing the budget for final Board approval at their Sept. 9 meeting. Subdivisions must be notified of Board action on their levy requests by Sept. 1 and a Resolution is required. Abel noted he did not think reimbursement of the townships would be necessary this year but advised adopting the Resolution authorizing it in case it is needed. Resolution 08-19 authorizing reimbursement of the townships was approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. At the August 11 Board meeting a motion was made and carried approving the subdivision levy requests as received with the exception of the Airport, which was approved at \$30,000 General Fund and \$36,000 Bond and Ord Township, approved at \$79,800. Resolution 08-20 setting the levy authority for requesting subdivisions as set out in the Board motion of August 11, 2008 was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Laurie Hansen and Curie Mincer of CNEDD were present to discuss the \$250,000 grant for a Courthouse elevator. CNEDD personnel wrote the grant for the County. Hansen said the County will receive a contract from NDED setting out requirements the County must meet in order to receive the funds. Once the conditions are met, funds can be released. A grant administrator must be hired, CNEDD can administer the grant if the County chooses. The County has 24 months to complete the project. The need to pursue the additional funding that may be available through LVRPP was discussed. Also discussed what happens if County cannot afford to complete the project. Hansen said grant funds can be turned back to state but it is not desirable to do this; an extension of time can be requested. The County needs to procure for an architect or engineer. A \$5000 Administration salary is part of the grant. Cullers asked if an official thank you letter to the state would be appropriate and Hansen agreed that it would.

Housing Grant General Administrator, Candy Kuntz presented the following grant claims and invoices for Board approval: VC-08-HR \$383.99, VC-10-HR \$367.01, VC-12-HR \$397.83, CDS Housing Admin. \$500, and Drawdown 21 for \$1579. She also presented a Summary of grant activities showing DPA \$12,296.93 and HR \$29,477.41 remaining. No word has been received on requested 6 month extension. Vogeler noted applicant number 11 is missing on summary sheet. Kuntz said it is likely that this applicant either dropped out or did not qualify, however, those duties are handled by CDS. Cullers moved to approve housing rehab requests for VC-08, VC-10 and VC-12, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Housing Admin. Invoice for CDS was approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. Van Slyke moved to approve drawdown #21, seconded by Waldmann. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Kuntz noted the state will conduct the grant monitoring visit on Sept. 1, meeting with her, the County Clerk and CDS. To meet state requirements Kuntz advised the County consider appointing an ADA Coordinator, adopt a written grievance policy and a 504 plan (checking all county owned facilities for ADA compliance and developing a transition plan). The Clerk can fill out a self-evaluation form to meet the 504 requirements for purposes of the Housing Grant monitoring visit.

BCBS Rep., Gary Streeks, spoke to the Board regarding their renewal with NACO/BCBS which was completed in June. Streeks noted that the renewal rates were up 8.4% and the Blue Partners program has been eliminated. They continue to work to increase the size of the pool to keep premiums down. Treasurer Suminski said the County would like to see Streeks prior to renewal time. Streeks said he represents many counties and is not able to meet with all of them during that time. Discussion was held regarding self insuring and partial self insuring. Streeks said it may work well for a while but odds are it would eventually catch up with you. Several counties would like to return to BCBS but are unable to payout their self insured costs. Streeks asked what the County's plan was and the number of participating employees, Chairman Sevenker said he thought Streeks should know this. Streeks admitted he should have reviewed the County's information before appearing before the Board. Sevenker also noted it would be appreciated if Streeks could appear at a Board meeting prior to renewal time to advise them on the available options.

North Loup approved the Law Enforcement Agreement at \$1800 per month.

Sheriff Hurlburt was present for discussion of the Partial Communications Agreement between Ord and the County. Hurlburt and Supervisors Cetak and VanSlyke met with City representatives, Police Chief Kirby and Emergency Manager Simpson regarding the agreement. Discussion included: Region 26 will provide communications for the City at

the same \$7500 cost but will not do the logging the Sheriff's Office does, requires a lot of time for Sheriff dispatchers in addition to their duties to prisoners, appears Region 26 would charge City \$7500 for the service as well as increase County usage charges, desire to continue to provide service to City to facilitate interlocal cooperation. VanSlyke will find out what services Region 26 will provide and the cost at tonight's meeting and another meeting of the representatives will be scheduled. Hurlburt is to determine the amount he feels his office needs to continue the agreement.

County Attorney Clark presented a new Interlocal Agreement for Cooperative Law Enforcement Services between Valley and Adams County for Mental Health Board Hearings due to an increase in rates for Mental Health Board members and the need to incorporate changes made by the Nebr. Mental Health Commitment Act from the 2006 Session. Also, Adams County has decided to bill the county that places a subject in EPC. The billed county can pursue reimbursement from the county of legal residence if they wish to. Cullers moved to approve the Interlocal Agreement with Adams County for Mental Health Board Hearings, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Regarding the letter received from Nebraska State Bar Association advising that counties should have an EEO Policy, Clark noted that the County Personnel Policy states the County "shall not discriminate on the basis of sex, race, creed, ethnic origin, age, or any other constitutionally forbidden basis" which constitutes an EEO Policy.

The Walker lawsuit was not discussed. On advice of Clark, the Claim of Wendy Bronson in the amount of \$6377.28 was denied on motion of Vogeler, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. Clerk has 5 days to notify Bronson and Attorney Jensen of the Board's action.

County Attorney Clark advised that the Public Hearing on Proposed Land Acquisition scheduled for Sept. 9 at 8:30 a.m. should be included on the County Board agenda. Chairman Sevenker is to notify Schrage of this and the Clerk will advertise the change in the Board meeting start time from 9:00 a.m. to 8:30 a.m. on Sept. 9. The hearing is to be held in the County Courthouse Boardroom and the hearing notice has been published.

County Inventories were reviewed and approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

The Claims and Balances Report and Claims List for August were reviewed. The Clerk reported that the fund request approved by the Board on August 12 for Housing Assistance Grant funds in the amount of \$9804.80 has not been submitted to the Treasurer yet as the grant funds have not been received from the state. The August Claims and Fund Request were approved on motion of Vogeler, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

Attorney Clark submitted Resolution 08-21 authorizing the Treasurer to invest County Funds with Nebr. Liquid Asset Fund. Resolution 08-21 was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

The following informational items were reviewed with no action taken: Regional/local Communications Information from NEMA, PSC information regarding the Nebr. Internet Enhancement Fund, Natural Resources Conservation Service information on a study done in Iowa on the economic impact of organic farming.

Supervisor Cullers reported that at the NIRMA conference she attended they advised that employees should be involved in emergency planning.

Mail folder items available for review: KARR Tuckpointing, Region 26 Council Agenda, CNCS Annual Report 2007.

Meeting adjourned at 3:15 p.m., to reconvene on September 9, 2008 at 8:30 a.m. in regular session. Complete minutes of the August 26 meeting and an agenda for the September 9 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 8:30 a.m., Tuesday, September 9, 2008 in the Courthouse Boardroom. Roll call was taken with Cullers, VanSlyke, Waldmann, Baker, Sevenker, Vogeler and Cetak present. Clerk verified publishing meeting notice and posting agenda. Minutes of the August 26, 2008 meeting were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Baker moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of the Open Meetings Act and availability of copies for the public.

At 8:30 a.m. the Public Hearing regarding the proposed acquisition of certain real property in Ord, Nebraska for construction of the new Valley County Hospital facility was opened as advertised. Present were: Larry Schrage, Valley County Hospital CEO; Hospital Board members Eulalia Edwards, Garry Miska and Pres., Kara Fischer; Valley County resident Steffan Baker. Schrage read a statement which said in part: purchase proposal is for 12.14 acres of commercial real estate, hearing notice published, citizens approved 21.3 million dollar bond issue for construction of new hospital on May 13, 2008, \$330,000 purchase offer approved by Hospital Board and GLVA, state statute requires County ownership of real property. Opportunity was given for public comment, there was none. Discussion was held regarding GLVA's purchase of the property. A professional appraisal has been done on the property. Schrage noted GLVA has donated \$400,000 toward the building and \$600,000 toward a fitness center. Public Hearing was closed at 9:00 a.m. Cullers moved to approve the Real Estate Purchase Agreement dated July 21, 2008 between Valley County Health System and Greater Loup Valley Activities and the County of Valley agrees to take title, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Legislative candidate, Kate Sullivan, spoke to the Board under public comment noting her rural background, interest in education, property tax concerns and the need to promote the interests of the state's rural areas.

On Leth's recommendation, Easement 08-284 for Jay A. Knapp was approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. On Leth's recommendation, refund of Easement 07-273 for Hayes Creek Farms was approved on motion of VanSlyke, seconded by Cullers. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Everett Lech was present for discussion of land adjacent to the County road located at the first corner west of Fort Hartsuff entrance. Lech said he donated a corner of his property to the County in 1992 to allow the road to be moved to its present location. There is no legal record of it, it was a verbal agreement. He is requesting a Quit Claim deed from the County. Kent Helm was present for this discussion, noting that it is necessary for him to have access to this strip of land to allow larger equipment, such as hay movers, to exit his field. Following discussion, it was decided that County Attorney Clark and Road Supt. Leth will research the issue and report at the next Board meeting.

Discussion was held regarding applications received for the County Road Supt. position. Leth explained that state reimbursement to Valley County is currently \$9000 because he has a Class A License, a Class B License would get only \$4500 in state reimbursement. He said regulations for bridge inspection and construction have changed and require the services of an engineer or consultant in many cases. Valley County has 90 to 100 bridges, half of which are concrete. Leth recommended the County extend the application process for 6 months, re-advertise the position and contact Custer County Road Supt., Chris Jacobsen, to see if he would be willing to serve as Valley County Road Supt. temporarily. This would allow additional time to search for a Road Supt. with a Class A License and Bridge Inspection Certificate. The Custer County Board would also need to be contacted to request their approval of the arrangement. Leth noted he has talked to Jacobsen about an Interlocal Agreement between the counties for the purchase of asphalt.

Planning & Zoning Administrator, Nancy Glaubke, presented the annual P&Z Interlocal Agreements with Elyria, Arcadia and North Loup for County approval. All three villages have approved their agreement. VanSlyke moved to approve the Interlocal Cooperative Agreements for Planning and Zoning with North Loup, Arcadia and Elyria Villages, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Cullers, Baker. No: none. Absent: Vogeler.

The Budget Hearing was opened at 10:00 a.m. as advertised. Budget Accountant Abel was present, no public comment was offered. Abel noted that he received an incorrect figure from the Hospital regarding the bonds so he will need to publish a correction. He budgeted to issue and spend all bonds this FY in case that would be necessary. This does not negatively affect the budget and would avoid amending the budget later. As determined by the Board, he used a tax rate of .385 in preparing the budget. He reviewed the levy limit and restricted funds calculations and noted that,

due to higher valuations, more funds will be raised with a lower tax rate. Following discussion, Resolution 08-22 authorizing an additional 1% of budget authority was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Vogeler moved to approve Resolution 08-23 adopting the FY 2008-2009 budget, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Budget Hearing was closed.

At 10:30 a.m. the Special Hearing to Set Final Tax Request was opened. No public comment was offered. Following discussion, Resolution 08-24 setting the final tax request at \$1,732,522 was approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none. Following discussion of the need to provide funding for Planning and Zoning, Road and Weed through the General Fund, Resolution 08-25 authorizing the County Treasurer and County Clerk to make the necessary monthly fund transfers, not to exceed the budgeted amounts allowed by the Board, was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Abel again agreed to assist the Clerk in preparing the Management Discussion and Analysis required for the County audit. Cetak moved to appoint the Clerk to oversee the County audit and prepare the MD&A Statement with the assistance of County Budget Accountant Abel, seconded by Cullers. Carried. Yes: Cetak, Cullers, Waldmann, Vogeler, VanSlyke, Baker. No: none. Absent: none.

A recess was called at 10:40 a.m. and the meeting reconvened at 10:50 a.m.

Fee reports for the County Clerk and Clerk of the District Court were reviewed.

Mortensen Site Covenants and the need for a lease agreement for Marty Petska's Seed Solutions were discussed with County Attorney Clark. Clark advised that the County incorporate covenants into future lease agreements. Previous lease agreements required a taxable value of \$100,000 on buildings and improvements during the term of the lease. The Board indicated they were willing to include personal property value in the \$100,000 total and asked the Assessor to calculate the real and personal property totals for each lessee and provide this information for the next Board meeting. Clark will prepare a lease agreement for Petska for the next Board meeting.

At 11:05 a.m. the Board of Equalization convened on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. The Assessor and Clerk were present. Tax List Corrections for Ryan W. Franzen and Farnstrom's Family Clothing were presented and approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. At 11:10 a.m., Cetak moved to go out of BOE, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Curie Mincer of CNEDD was present for discussion of the elevator grant contract. The contract contains certain conditions the County must meet prior to requesting the grant funds. The Clerk noted the Board adopted an Excessive Force Policy and Procurement Procedures and Code of Conduct in conjunction with the Housing Assistance grant so they are already in place. Mincer provided an agreement for General Administration of the grant and advised that, since the County is a CNEDD member, the Board can appoint CNEDD as the administrator of the elevator grant without procuring for the position if that is their wish. The grant provides funds for payment of the administrator. Vogeler moved to appoint CNEDD as the General Administrator of the CDBG grant for the installation of a Courthouse elevator, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Chairman Robert D. Sevenker and Clerk Jenette G. Lindsey were authorized to request CDBG Funds for CDBG Grant No. 08PW007 and both signed the Authorization form. The letter of appreciation for the grant award was approved.

Road Supt. Leth returned to complete his general report: 2 detention cells will be built as part of the new hospital construction, access will be off Highway 11, they will need County permission to tear up a County road; offered to make next year's 1 & 6 year plan for the County; recommended ILA with Custer County for purchase of asphalt to save money; state has required posting of 5 ton limit on one of 3 bridges that will need to be included in next year's plan. Craig asked who was responsible for weeds and trees in road ditches. Leth said weeds are County responsibility, landowners are responsible for trees.

The Clerk was directed to pay the entire \$40,000 special assessment for the Street Improvement project received from the City of Ord with the September claims. Payment is due by October 22, 2008.

Reminder of Central District Meeting on Sept. 18 at the G. I. Interstate Holiday Inn was acknowledged.



Claims in the amount of \$9805 for disbursement of grant funds received for drawdown #20 and the BCBS Claims and Fund Request totaling \$26,781.53 were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Discussion was held regarding the need to appoint a 504 coordinator and adopt a grievance policy to meet the requirements of the Housing Assistance grant which is to be audited by the state on Sept. 26. Both pertain to Section 504 American with Disabilities Act. Following discussion, it was moved by Vogeler, seconded by Baker to appoint County Attorney Clark as the 504 Coordinator. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none. The Clerk was directed to place on the next meeting agenda the adoption of a grievance policy and the discussion of including wording regarding special needs accommodations to the County Board meeting notice under the County Attorney Report to receive his input.

The NIRMA Property Valuation Update report was discussed. NIRMA now offers reproduction cost coverage on property that is listed on the National Register of Historic Places. At the County's request the Courthouse was appraised for both replacement and reproduction cost coverage, the remaining County property was appraised at replacement cost coverage. Insuring the Courthouse at reproduction cost coverage would cost the County an additional \$3896 annually. Following discussion, Baker moved to continue to insure the Courthouse at replacement cost, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

Supervisor VanSlyke reported receipt of a letter from Jeanne Fells resigning her position on the Tourism Advisory Board. He said Becky Trotter is willing to serve the remainder of Jeanne's term, which expires February, 2009. VanSlyke moved to appoint Becky Trotter to serve the remainder of Jeanne Fells term on the Tourism Advisory Board, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Lodging Tax receipts and expenses, the Current Expenditures Report for August and the Wozab Fund Annual Audit Report were reviewed. The Clerk was directed to publish the Wozab Report as required.

Mail Folder items available for review included: KARR Tuckpointing, Ord Area Chamber, Stock Realty & Auction.

Meeting adjourned at 12:55 p.m., to reconvene on September 30, 2008 at 9:00 a.m. in regular session.

Complete minutes of the September 9 meeting and an agenda for the September 30 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, October 14, 2008 in the Courthouse Boardroom. Roll call: Cullers, Baker, VanSlyke, Sevenker, Cetak, Vogeler, Waldmann present. Clerk verified meeting notice was published and agenda posted. Minutes of September 30, 2008 meeting, included in the Board packets, approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Baker moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Emergency Manager Ryan Simpson was present to respond to the question of who is responsible for reporting information to the press and the public in a disaster situation. Simpson noted that the LEOP (Local Emergency Operations Plan) lists all County, Village and City officials and has a flow chart of how information flows and decisions are made. He is currently working with Region 26 on updating the LEOP and should be finished by the end of the month. The County, Village or City Attorney is generally listed as the Public Information Officer for the entity as they are familiar with laws regarding protected information.

On recommendation of Road Supt. Leth, Easement 08-285 for NCTC was approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

For FEMA/NEMA reimbursement purposes, the Chairman was authorized to sign a County Declaration of Disaster for damages caused by flooding on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

An additional application for the position of Valley County Road Supt. was discussed. Leth noted the applicant has good education and experience and could take the exam for a Class B License. A Class A license requires a certain amount of experience and 20 hours of continuing education which the applicant could work toward. He estimated it would take 2 or 3 years to get the Class A License. The applicant also appears to have bridge experience. Chairman Sevenker and Leth will meet with the applicant and report back to the Board.

Leth presented a letter from the NDOR noting that they will provide oversight for all Local Public Agency Projects. A new LPA manual will be provided by January 30, 2009, training will be required for cities and counties beginning in February 2009 in order to receive federal funds and a team of auditors will be in place by January 1, 2009 to audit LPA project administration.

Bridge inspections were completed by Leth and Chris Jacobsen, Custer County Road Supt., 58 bridges were inspected. Bridge #215 on the Sargent Road east of Fairplay School is showing deterioration and will be repaired.

Leth noted NIRMA has a handheld sign retroreflectometer for use in gauging the reflectivity of signs and is available free of charge to member counties.

Treasurer Suminski presented the Month-end Fund Report for September. General Fund is at \$439,388.20, Road \$48,652.53, Visitors Promotion \$1518.74, Visitors Improvement \$6,185.90, Inheritance \$751,680.15 and Courthouse Bond Fund \$48,006.44. The Courthouse Bond fund is sufficient to pay the amount due in November. The Report of Distress Warrants Returned From Valley County Sheriff was discussed and Distress Warrant #16 for Integrated Leasing Corp. in the amount of \$2.98 for Tax Year 2005 was stricken as uncollectable on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Resolution 08-28 was presented for Board consideration authorizing the Treasurer to transfer the Hospital Bond proceeds from NPAIT to NLAF. The resolution is necessary because the timing of the receipt of these funds does not allow for Board approval of each transfer. Suminski will present a claim for Board approval in the month the transfer is made. Vogeler moved to approve Resolution 08-28 authorizing the Treasurer to transfer hospital bond funds from NPAIT to NLAF, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none. Vogeler also moved to approve the claim presented for the initial transfer that took place last month, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The meeting recessed at 10:05 a.m. and reconvened at 10:15 a.m. with all members present.

Marc Munford of Ameritas presented the paperwork for issuance of an additional 2.68 million in bonds bringing the total for calendar year 2008 to 9.9 million. The interest rate is higher than the last issue due to the market conditions. Discussion was held regarding current market conditions. Fewer local banks bid this time, received no local investor calls but will continue to advertise, all were sold in Nebraska, November 4 is the closing date. Next issue will not close until 2009 to protect the 10 million dollar cap allowing banks to participate. County Attorney Clark advised that he had reviewed proposed Resolution 08-29 for the bond issuance and had no problem with it. Cullers

moved to approve Resolution 08-29 authorizing the issuance of Series 2008B Bonds in the amount of \$2,685,000 and to authorize the Chairman to sign it, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The Paying Agent and Registrar's Agreement between Valley County and Union Bank and Trust Company was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Dr. LaVern Franzen spoke on behalf of the Central Community College effort to increase their levy by 3 cents for a 5 year period in order to fund building projects on the Columbus, Grand Island and Hastings campuses. He reviewed how CCC began in 1967 and its growth over the years. He noted the services provided by CCC, the fact that 95 % of their students stay in Nebr. and the need to replace aging facilities. The issue will be on the November ballot.

Planning & Zoning Administrator Glaubke reported that Max Cruikshank is willing to serve on the Board of Adjustment in place of Ellen Novak who has resigned. Following discussion, VanSlyke moved to accept the resignation of Ellen Novak and appoint Max Cruikshank to fill the vacancy, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

At 11:25 a.m. Cetak moved to go into Board of Equalization, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. The Assessor and Clerk were present.

The levies were calculated by the Clerk, Treasurer and Assessor using Assessor's certified property valuations and funding requirements listed in each entity budget. Following discussion, Resolution 08-30 setting the levies was approved on motion of VanSlyke, seconded by Vogeler. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Cetak moved to go out of BOE at 11:35 a.m., seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Clerk's Monthly Fee Report & District Court Fee Report were reviewed. Write off of uncollectable charges of \$13.57 dating from 1997 to 2000 in the Clerk's Accounts Receivable record was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

Nebr. Economic Development letter regarding the monitoring review conducted on Sept. 26 for the CDBG Contract #06-HP-220 noted that there were no findings requiring a response, however, there was one concern noted regarding the timely payment of grant funds in Febr. The Clerk felt that the auditors had confused two checks issued to the same firm and for the same amount and is planning to write a letter to that effect.

An Environmental Review Record, Determination of Level and letter regarding the County's fair housing practices prepared by Curie Mincer of NEDD and needed for the elevator grant awarded to the County were approved on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Countywide Cost Allocation Plan prepared by MAXIMUS based on costs for the FY ended June 30, 2007 was approved on motion of Waldmann, seconded by Vogeler. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Baker moved to approve the Fund Request and Claims for payment of the Blue Cross Blue Shield October billing and the Fund Request for Housing Assistance Grant funds for which claims were approved at the last Board meeting, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Vogeler moved to authorize Chairman to sign the NACO Voter Registration for Valley County designating Treasurer Suminski to vote in the Chairman's absence, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

The first November Board meeting was rescheduled to November 10<sup>th</sup> due to the Veterans Day holiday on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Baker and VanSlyke volunteered to attend a meeting suggested by Sherman County to discuss with Valley and Howard County the hiring of a public defender.

Informational items reviewed: Lodging Tax receipts and disbursements, Sept. Current Expenditures Summary, reminder of NACO Legislative Conference, letter noting the Oct. 29 presentation of the movie "The Ultimate Gift" by the Valley County Community Foundation and other local charitable organizations.

There was no County Attorney or Committee report.

Mail Folder items: Midwest Assistance Program, KARR Tuckpointing, NIRMA Interchange, Joint Meeting RC&D, Chamber/VED Newsletter.

Meeting adjourned at 12:30 p.m., to reconvene on October 28, 2008 at 9:00 a.m. in regular session. Complete minutes of the October 14 meeting and an agenda for the October 28 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, October 28, 2008 in the Courthouse Boardroom. Roll call: Cullers, VanSlyke, Waldmann, Baker, Cetak, Sevenker, Vogeler present. Clerk verified meeting notice was published and the agenda posted in the Courthouse and on the County website. Minutes of October 14, 2008 meeting, included in the Board packets, were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to adopt agenda, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. Sevenker noted Open Meetings Act posted and public copies available. There was no public comment.

Road Secretary Simpson gave the Road Claims and Balances report for October: accounts payable \$44,339.40; payroll \$41,301.17; larger expenses were diesel, striping, gravel; \$87,375 remains in the fuel budget and \$63,656 in gravel. It was noted that the County pays the cost of CDL's for Road employees.

Road Supt. Leth reported that the State gave Hooker Brothers a place to pile the excess dirt so they will not be putting it on County Roads but it should be available to the County at no charge if there is a need. He noted the letter from the State regarding new requirements for bridge construction. County will have to replace load limit signs and he will figure an approximate cost. He closed the road to the bridge north of the park after receiving a call indicating it may not be safe but on inspection, he found it to be sound. This bridge is rated at 18 tons, however, heavier traffic has been using it even though they have been informed of the bridges load rating. Baker reported that the Irrigation District is aware that some flooding occurred on the Mortensen Industrial Site due to a plugged pipe and the pipe has been cleared. Leth will look at doing some landscaping on the site to help with drainage. Baker also noted some flooding of private property due to work being done on the new hospital site but should not happen again and no real damage was done. Leth reported completion of repair of piling on bridge on Sargent Highway east of Fairplay School. VanSlyke gave Leth a list of Arcadia area roads needing gravel compiled by the school bus drivers. The letter from Custer County indicating they were not interested in sharing the services of their Road Supt. was noted.

At 9:30 a.m. the Board went into executive session to discuss Road Supt. application in order to prevent needless harm to the applicant on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. At 10:00 a.m. the Board went out of executive session on motion of VanSlyke, seconded by Vogeler. Carried. Yes: VanSlyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none.

Meeting recessed at 10:00 a.m. and reconvened at 10:10 a.m. Chairman Sevenker noted that the Board took no action as a result of the executive session.

Hospital CEO, Larry Schrage, presented the monthly hospital report. At their October 15 Board meeting the annual insurance update was presented, Merrill Lynch gave a pension report and the annual audit scheduled for October was moved back to November on request of the auditor due to personnel changes. This is the best quarter they have had, revenues are up and expenses are down slightly. A written Summary Construction Project Costs was presented to keep the County Board informed as to how the bond funds are being spent. Schrage will present such a summary each month with his regular report. Report of flooding on private property caused by the hospital construction work was discussed. Schrage acknowledged it was caused by the construction work and said they will take care of anything that needs to be done. He said the dry weather forecast should help. Supervisor Vogeler apologized for missing the ground breaking ceremony.

Schrage explained the letter received from Union Bank & Trust Co. requiring County approval. UB&T is the paying agent for the bonds and every 6 months they must collect the interest &/or principal 5 days prior to when it is due, the letter authorizes them to invest the collected funds for those 5 days. The Hospital pays the annual Account Acceptance and Set Up Fee of \$450. Cullers moved to authorize Chairman Sevenker to sign the JP Morgan US Treasury Plus/Direction letter authorizing UB&T to invest the funds for the 5 days, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Ord Mayor Randy O'Brien was present for discussion of consolidation of law enforcement services. Discussion included: not taking away any services, most efficient use of taxpayer dollars, contribute to spirit of cooperation. It was decided to ask to have this topic on the next City Council meeting, Monday, November 3, 2008. Sevenker will attend the meeting.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, presented claims and the resulting drawdown for Board approval. Kuntz noted a change in the drawdown amount to add \$17.00 to repay the County for interest on the line-of-credit account used for timely payment of down payment requests. Following discussion, claims of \$434.32 for VC-12-HR, \$4275.56 for VC-08-HR, invoice of \$500 for CDS, the interest of \$17.00 and Drawdown #23 for the total of \$5227 were approved on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

VanSlyke and Baker reported on the meeting with Sherman and Howard Counties regarding the appointment of a Public Defender. An Interlocal Agreement would be needed. Valley County Attorney Clark provided written information on the process of appointing a Public Defender and noted that even with a Public Defender, circumstances could require paying additional attorneys. VanSlyke provided a copy of an ad to be published inviting attorneys to apply for the position. The Public Defender would be under contract and would pay his own assistants, if needed. The three counties would share the cost based on population. It was noted that Sherman and Howard County are currently paying more than Valley County is for this service.

At 11:15 a.m. the Board of Equalization convened on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Clerk and Assessor were present.

Tax List Corrections 3725 and 3726 were approved on motion of Vogeler for The China Garden due to the building and equipment being auctioned and G-M Construction due to the company going out of business, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Board noted letter from State Auditor that Arcadia Township 2008-2009 budget was received late.

At 11:20 a.m. the Board moved back into regular session on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Discussion was held regarding the 3 used, county-owned vehicles currently stored beside the quonset across from the County Shop. It was decided they will be advertised for sale by sealed bids to be accepted by the County Clerk through November 24th. Bids will be opened at the November 25<sup>th</sup> meeting.

Supervisor Baker offered to contact James Duda regarding his purchase of a parcel of land owned by the County since he has not replied to the County's letter noting that a deed will be prepared to transfer the land to his ownership on receipt of payment and information regarding how he wishes to take title to the property.

Board noted the Nebr. State Probation letter stating the County's share for 2008-2009 FY will be \$2908, billed at the end of the FY.

County Attorney Clark said he has filed answers in the two pending lawsuits against the County and noted the letter from NEOC regarding Svoboda's age discrimination suit which stated they are reviewing the case and will contact the county if further information is needed. Discussion was held regarding the County Personnel Policy and the latest legislation regarding sick leave. Clark will review and report to the Board at their December 9<sup>th</sup> meeting. He has sent a letter to Everett Lech on the County's behalf regarding his request for a QC Deed. He will report in December on the Stop Program funds and other accounts he needs to eliminate. Discussion was held regarding the best way to proceed with enforcing the requirement that those leasing Mortensen Industrial Site lots maintain \$100,000 worth of taxable property. Vogeler moved to have Clark meet with the Assessor to determine values of the leased properties, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Waldmann. No: none. Absent: none.

Nancy Glaubke introduced Caleb Pollard, the new Executive Director of Valley County Economic Development. Chairman Sevenker introduced the Board members. Pollard noted that he grew up in Nebraska and has worked in economic development for 5 years.

The Claims and Balances Report and Claims List were reviewed. Resolution 08-31 authorizing the transfer of funds from Inheritance Tax to General Fund for payment of window treatments, fresh air duct on Courthouse roof and road sign posts was approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. October claims and Fund Request were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The U.S. Dept. of Homeland Security letter noting their approval of the county's application to NFIP was noted.

Cullers reported as County Representative to Region 3, providing a written report for filing and noting that Region 3 will provide \$300,000 to Mid-Plains for debt retirement on their new building and that Region 3 is working on an agreement with BRYANLGH Medical Center if they will agree to honor the Medicaid rate.

Cullers also noted that she attended the Legislative Conference sponsored by NACO and that it was interesting and informative. NACO continues to look after the interest of the counties.

Mail folder items available for review: CCC annual report, CNCS Newsletter, Loup Bsin RC&D Agenda/Minutes, Region 26 Agenda, NDOR Minimum Design Standards.

Meeting adjourned at 12:10 p.m., to reconvene on Monday, November 10, 2008, due to the Veterans' Day Holiday, at 9:00 a.m. in regular session. Complete minutes of the October 28 meeting and an agenda for the November 10 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

Due to Veterans' Day, the Valley County Board of Supervisors met in regular session at 9:00 a.m., Monday, November 10, 2008 in the Courthouse Boardroom. Roll call: Waldmann, Vogeler, Sevenker, Cullers, Cetak, and Baker were present; VanSlyke's absence was excused. Clerk verified meeting notice was published and agenda posted. Minutes of October 28, 2008 meeting, included in the Board packets, were approved on motion of Vogeler, second by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: VanSlyke. Cullers moved to adopt the agenda, seconded by Vogeler. Carried. Yes: Cullers, Baker, Cetak, Vogeler, Waldmann. No: none. Absent: VanSlyke. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Veterans' Service Officer, Walt Smith, presented a report for the third quarter: yearly audit completed with everything in order; Veterans' Aid Fund helped 4 Valley County families; a total of \$117,324 in disabilities and pensions was applied for and secured through his office; received 123 calls and visits for assistance. Discussed out of county requests. Smith tries to assist all who call but does not spend Valley County funds for out of county veterans, however, he does include them in his statistics. Cullers asked for a breakdown of out of county requests in his next report.

Vogeler moved to authorize Chairman to sign Certification of County Highway Superintendent form required by the NDOR and used for determining incentive payment, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Cullers. No: none. Absent: VanSlyke. At 9:10 a.m. Waldmann moved to go into executive session for discussion of Highway Supt. employment applicants, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Cetak, Vogeler. No: none. Absent: VanSlyke. At 9:25 a.m. the Board moved out of executive session on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: VanSlyke. Action taken as a result of the closed session discussion was the motion of Vogeler, seconded by Waldmann, to authorize the Chairman to move forward with an employment offer to one of the Highway Supt. applicants. Carried. Yes: Vogeler, Waldmann, Cetak, Baker, Cullers. No: none. Absent: VanSlyke.

Highway Supt. Leth reported: patching completed during warm weather; Ashton Road at North Loup is in bad condition due to truck traffic, has asked Werners for assistance and they will help if it gets bad enough, Werners are dragging gravel to help keep road up; Leth explained the process for getting gravel is that he stakes the road and Ulrich's have 10 days to haul it or a late penalty can be assessed, they are usually pretty close; discussed work being done for new hospital, will ask person in charge of the project to appear at the next County Board meeting to discuss some concerns; State says bridge at Rod O'Neel's should be closed, is part of State project for removal.

Custodian Cronk notified Chairman Sevenker of difficulties with handicap door buttons, Sevenker reported Bill Clamp is coming tomorrow to look at why they are not working consistently. Cronk reported: some of the floor drain pipes have rusted out and will not hold water causing an odor, he has purchased plugs for some of the drains but this is not a permanent solution, Board approved having Petska evaluate the drains and make a recommendation to the Board; Wadas has not completed the installation of the sensors, it is in this year's budget; feels there should be a CD to use for seasonal heating/cooling changes rather than have to change each individual unit on the computer, Board asks that Wadas be invited to discuss these items at their next meeting; Karr Tuckpointing has inspected the Courthouse and will be presenting a proposal. Discussion was held regarding vegetation on either side of the Courthouse west entrance. Road Dept. has removed it for now but it will grow back. Cullers noted Cronk has tried vinegar on the new benches and it appears to remove the hard water deposits. Discussed replacement of broken light globes at west entrance, must have credit card for company that sells the larger ones. Board felt could be put on a personal credit card and reimbursed by the County. Cronk asked if the Board would be willing to donate some of the old library books from the rural School Supt. office for a project he is helping with to restore the District 13 Plain Valley school house. Vogeler moved to approve donation of all the old library books to the project, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Cullers. No: none. Absent: VanSlyke.

A recess was called at 10:15 a.m., meeting reconvened at 10:20 a.m.

Planning and Zoning Admin., Nancy Glaubke, updated the Board as to information received from DEQ, noting they send letters to the Board whenever a person applies for a conditional use permit. These requests have to be approved by DEQ, but they act based on their own criteria and do not take County regulations into account. When there is a discrepancy between the DEQ approved permit and County regulations Glaubke notifies the owner that they need to get County Board approval.



Treasurer Suminski gave the Month End Fund Report showing account balances of \$305,257.43 in General Fund, \$65,643.30 in Road Fund, \$770,087.28 in Inheritance Tax Fund. Discussion was held regarding the County Board's role in the County Airport finances and Suminski is to invite an Airport Authority Board member to the next County Board meeting. Suminski noted that the remaining Courthouse bond funds are currently in savings and felt they should be in the Courthouse Bond Fund where they could be used to help pay off the bond if needed. Suminski provided written notice of the replacement of a matured pledge security with a new one for TierOne Bank. Resolution 08-32 authorizing the consolidation of services relating to motor vehicles to provide the public with one stop motor vehicle services in the Treasurer's Office was approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Baker, Cetak, Vogeler, Waldmann. No: none. Absent: VanSlyke. Suminski certified that Distress Warrants were delivered to the Valley County Sheriff on October 31 as required with an attached summary listing the total count and breakdown of amounts due. She also presented a written explanation and request to strike the 2001 personal property taxes for Country General in the amount of \$727.28. She discussed the issue with Deputy County Attorney White, and they felt the best course of action is to strike this amount from the delinquent reports, however, it would remain on the books and could be collected if available. Vogeler moved to strike the \$727.28 in 2001 personal property taxes from the tax roll for Country General, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: VanSlyke.

Candy Kuntz of Miller & Assoc., Admin. of the Housing Assistance Grant, appeared to request approval of grant claims. Following discussion, Cullers moved to approve VC-10-HR claim of \$1206.41, VC-05-HR claim of \$429, CDS Invoice for \$200 and Drawdown #24 for \$1835, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker. No: none. Absent: VanSlyke.

The County Clerk's Report of October Fees was reviewed.

Chairman Sevenker reported attending the Ord City Council meeting to ask if they would be interested in discussing the possibility of consolidation of law enforcement in Valley County. Sevenker said Koehlmoos moved to appoint a 3 member committee to meet with the County for discussion of the topic. Petska, Blaha and Goldfish voted no; Koehlmoos, Eppenbach and Carson voted yes; Mayor O'Brien voted yes to break the tie. Sevenker did not feel the city had much interest in the discussion. Cetak, VanSlyke and Sevenker will represent the County in the discussion.

Supervisor Baker reported that Jim Duda will be in to settle for his purchase of a county owned parcel of land.

Cetak reported that they have not heard anything regarding the results of an ad for a public defender to be shared with Sherman and Howard Counties.

Sevenker reported that he cleaned out the used vehicles, got them started and placed an ad on party line and in the Quiz. Keys are at the County shop and bids will be taken in the County Clerk's Office until November 24.

Following discussion, Cullers approved the extension of the County's line of credit for the housing grant until February 22, 2009 when the grant expires, seconded by Baker. Carried. Yes: Cullers, Baker, Cetak, Vogeler, Waldmann. No: none. Absent: VanSlyke.

The Clerk was asked to get additional information regarding the NIRMA letter offering CPR and First Aid training for County employees.

Blue Cross Blue Shield claim, housing grant claims and Fund Requests for both were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Baker, Cullers. No: none. Absent: VanSlyke.

NACO Conference deadlines were discussed. Cullers, Waldmann and Sevenker plan to attend. The Board will make their own reservations for the NIRMA luncheon.

Lodging Tax receipts of \$931.39 and the Current Expenditures Summary Report for October 31 were reviewed.

The draft MD&A Statement, part of the audit the County is required to complete, was discussed and approved.

The County Attorney was unable to attend the meeting due to illness.

Cullers reported that her attendance at the recent TERC hearing for the Schauer's property valuation protest was educational and interesting.

Vogeler noted that he was unable to attend the last Mid Plains meeting but that in his absence he was appointed to the auditor's committee.

Mail Folder items available for review: CNEDD Newsletter, NACO Audit, Chamber/Ec. Dev. Report, LLNRD Newsletter, American Funds Prospectus & Annual Report, Stock Auction Co. Ad.

Meeting adjourned at 12:10 p.m., to reconvene on November 25, 2008 at 9:00 a.m. in regular session. Complete minutes of the November 10 meeting and an agenda for the November 25 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, November 25, 2008 in the Courthouse Boardroom. Roll call: Cullers, Sevenker, VanSlyke, and Waldmann were present, Cetak and Vogeler were absent; Vogeler's absence was excused, Cetak may arrive later. Clerk verified meeting notice was published and agenda posted in Courthouse and on website. Minutes of November 10, 2008 meeting, included in the Board packets, were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Baker, VanSlyke. No: none. Absent: Cetak, Vogeler. Baker moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldman. No: none. Absent: Cetak, Vogeler. Sevenker noted posting of Open Meetings Act and public copies available. Newly elected State Senator Kate Sullivan appeared under public comment inviting the Board to contact her with their concerns and noting that she will check in with them from time to time.

Road Secretary Simpson noted November payroll and claims totaling \$95,716.58. Larger expenses were tires, diesel, parts & labor, chemicals, and gravel. Remaining gravel budget is \$40,249 with \$4000 billed but not paid and \$71,556 remains for fuel. Leth explained the chemicals are used to kill weeds around bridges where a mower can't reach. Leth noted a claim from Ron Jensen for replacing a stock trailer tire which was punctured when he ran over a drag being pulled behind a grader. As there was no apparent negligence, Leth recommended denying the claim.

Hospital construction personnel were not available to attend today's meeting to discuss County concerns but will try to come to next meeting. Leth has viewed the work and feels the ditch needs to be wider with a flat bottom. A new design has been completed and Leth will review it. Construction work is finished for now but will begin again in the spring. Discussed drainage onto Carr's property with Sevenker noting that although Carr was not unduly upset, he felt the construction personnel or the Hospital should have contacted him and taken responsibility for the silt deposited on his property. Schrage acknowledged that an apology was in order and that the silt was caused by the construction, however, Carr did not contact them with a complaint and he felt the most important thing was to make sure the situation was corrected so it did not occur again. Schrage questioned the history and condition of an existing pipe that appears to be partially plugged. Leth was told that the mandatory silt plan is being drawn up and that the construction company will seed and sod where needed. Leth will look at the existing pipe.

Supervisor Cetak arrived at 9:30 a.m.

Easement 08-286 for Loup Valleys Rural Public Power District to bury pipe across a County road south of Dale Melia to meet airport runway regulations was approved as recommended by Leth on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: Vogeler.

NDOR requires the county to designate an official county newspaper each year for bid advertising. Cullers moved, seconded by Cetak, to designate the Ord Quiz as the official county newspaper for 2009. Carried. Yes: Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: Vogeler.

Discussed applicants for County Road Supt. position: notification received from Brian Kolar indicates he is interested in the position but would not be available until the middle of next year; Terry Wicht has received a Class B Highway Supt. license and asked the Board to reconsider his application. Sevenker will contact Wicht to request references and set up a date to meet with him.

Leth reported: Ashton Road south of North Loup taking lot of truck traffic, suggests State/Federal Aid project in conjunction with State Road Project (2012 or 2105) between Ord and North Loup for hot mix overlay of about 2 miles on Ashton Road, he will report on cost estimates at next meeting; State hired HDR to inspect timber bridges, 14 were designated low grade requiring new signs which he will pay for out of the Road budget; 90 curve signs ordered through a state program will be installed this winter; almost finished installing 911 road signs; accident with County pickup in Arcadia has been reported to NIRMA. Sevenker noted Haskell Creek road looks better. VanSlyke asked about affect of weight limits on the 14 bridges on area farmers, wondering if they could be replaced with culverts. It is now required to hire an engineer on all bridge projects which adds 10 or 15 thousand dollars to the project cost.

Hospital CEO Larry Schrage reviewed financial and statistical portion of the regular written monthly Hospital report. First 4 months of FY has been busy, average daily census about 12% over budget, surgery is currently down but overall trend is up in radiology, PT and ER. Heritage is doing well, 20% over last year. Hospice and Home Health are also over last year. Gross revenue is over budget and they continue to work with management for staffing in relation to volume. A summary of employee satisfaction survey will be provided to the County. Planning public sessions in January to provide information on completed building design, answer questions and acknowledge public support for the project. A written summary of construction costs for October was provided to the County Board.

Sevenker moved to agenda item 8A while Schrage was present to discuss the Union Bank and Trust letter. Schrage explained that UB&T requested and received County Board approval of investing early interest and/or principal payments but it only applied to Series B bonds, now they are asking approval of for all Hospital Bonds. Cullers moved to approve the request of Union Bank and Trust to set up a sweep account for investment of these funds, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: Vogeler.

Meeting recessed at 10:25 a.m. and reconvened at 10:30 a.m.

The October Fee Report for District Court was reviewed.

Resolution 08-33 authorizing the transfer of remaining Courthouse Bond funds from the General Fund to the Courthouse Bond Fund was approved on motion of Cetak, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Vogeler.

The Request for Release of Funds and Certification form confirming the County has met the requirements for accessing grant funds for installation of a Courthouse elevator was signed by Chairman Sevenker and will be sent to the state. Cullers will contact architect Mannes to set up a time for him to meet with the Board.

Chris Jacobsen and Max Leth appeared to discuss the employment of Jacobsen to do the required inspection of County bridges. It was agreed that, at this time, Jacobsen will be hired as a County employee to do the routine annual inspection of County bridges on his own time, outside of his Custer County employment. He will look at getting his own liability insurance in the future.

County Attorney Clark gave his report at this time as he was present for the discussion with Jacobsen. Clark said parking signs setting at various sites around the Courthouse are blowing down and have caused some problems. It was noted that these signs are provided by the City of Ord. Clark will contact City Attorney Cullers. Information was presented regarding requirements for spending STOP Program funds. Clark noted he has about \$1400 of these funds in an account established prior to his taking office. In an effort to close out the account, he will check with Sheriff Hurlburt to find a use for the \$1400. The County's current Personnel Policy was discussed with regard to the latest Federal Court interpretation of sick leave requirements. The interpretation indicates that unused sick leave is not required to be paid absent some agreement to do so and includes accrued sick leave. A draft change in the County's Personnel Policy was reviewed which states that an employee must be sick in order to use sick leave (employee's actual illness, medical care or to tend to the medical needs of a spouse or dependent or, with consent of Official or Dept. Head, sick leave may be donated to other employees) and that unused accumulated sick leave will be forfeited upon leaving County employment. VanSlyke moved to amend the County Personnel Policy effective January 1, 2009 as to sick leave as stated in the written draft presented by County Attorney Clark, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Cetak. No: none. Absent: Vogeler. It appears the EEOC will soon hear and rule on the discrimination claim filed by LeRoy Svoboda. He will contact Attorney Jensen with regard to the lawsuits filed by Walker and Bronson.

AED/CPR and First Aid training offered by NIRMA was discussed. The Clerk will circulate a sign-up sheet to determine interest and report at the next Board meeting.

Sevenker will contact Mayor O'Brien to set up a meeting of the committees to discuss consolidation of law enforcement and to find out where we are in reviewing the agreement for Partial Consolidation of Communications.

Supervisor Cetak left the meeting at 11:30 a.m.

One bid was received on the 2000 Crown Victoria, no bids were received on the 1990 or 1995 Crown Victorias. The bid was for \$100 by Ron Skolil. The bid was rejected as it was felt that the vehicle would bring more than that if sold for parts. VanSlyke will contact Farritor Auto Parts in Broken Bow to see if they would be interested in any or all of the vehicles. If not, the vehicles will be included on the next Wolf Auction.

The Board noted receipt of letters from Karl & Linda Wadas and Ron & Sharon Riskowski regarding their intent to refuse to grant an easement to Triple T Farms should they apply for expansion.

Resolution 08-34 to extend the County's commitment to participate in NIRMA and NIRMA II through June 30, 2012 was approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: Cetak, Vogeler. While the County has not been a member of NIRMA long enough to receive a share of the dividends this year, they will receive a recommitment dividend of \$679.

Baker moved to approve the closing of Courthouse offices on December 24 and December 31 at 1:00 p.m., seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

November claims, with exception of Jensen tire damage claim, and Fund Request were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

Cullers presented the written Wozab Quarterly Report ending September 30, 2008 showing a negative return.

Mail Folder items available for review: Governor Announces Grants, Candidate for NACO Sec/Treas, CNEDD Annual Meeting, Stock Auction Ad, Region 26 Agenda, Champlin Tire Recycling Scrap Tire Cleanup.

Meeting adjourned at 12:00 noon, to reconvene on December 9, 2008 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the November 25 meeting and an agenda for the December 9 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, December 9, 2008 in the Courthouse Boardroom. Roll call: Baker, Cullers, Sevenker, VanSlyke, Waldmann present; absent Cetak, Vogeler. Clerk verified meeting notice was published and agenda posted. Minutes of November 25, 2008 meeting, included in the Board packets, were approved on motion of Cullers, second by Waldmann. Carried. Yes: Cullers, Waldmann, VanSlyke, Baker. No: none. Absent: Cetak, Vogeler. Baker moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Valley County Emergency Manager, Ryan Simpson, presented a draft of the updated LEOP. Simpson noted the plan was updated to meet NEMA requirements and to provide current names and available equipment. Waldmann moved to approve the updated Valley County Local Emergency Operations Plan by adopting Resolution 08-35, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: Cetak, Vogeler. Simpson also noted that Region 26 is planning a Table Top Exercise in the spring on how to deal with a break of the dam.

Road Supt. Leth said the letter from NDOR regarding "Remote Residential Road Criteria & Standards/Concepts & Options" involved areas with a population density of no more than 5 people per square mile and Valley County does not qualify. Regarding the email from Larry Dix on a possible economic stimulus package for federal funding for transportation projects, Leth said the County has no such projects at this time. Sevenker, VanSlyke, Waldmann and Leth reported on their meeting with Terry Wicht, an applicant for the Road Supt. position. Wicht has a Class B license, has worked in the Hall County Highway Dept. since 1976 and agreed to provide written references. He is asking for \$45,000. It would take 2 years of experience and continuing education to qualify for the Class A license and 5 years experience plus training and testing to qualify as a bridge inspector. Discussion was held regarding dirt work for the new hospital site. The current design directs drainage to the ditch along the County road and Leth does not feel the ditch will handle it. He also thinks they may be encroaching on County ROW which would cause road maintenance problems. The designer has agreed to redesign it and Leth will review it. It would appear that the consulting firm has made no direct contact with the adjacent landowner or the County Board regarding the project. Leth will write a letter requesting that a meeting be scheduled with himself and the County Road Committee.

The piling on bridge number 2040 on the Sargent Road has been repaired and he will notify the state. The County contracts with NDR for required random drug testing for Road employees. The drug kits cost \$180 and the hospital charges \$15 per test. Leth advised that he has taken the required training and is currently qualified to require testing if he suspects drug use by an employee, but when he retires someone else will have to be trained to do this. NIRMA has been provided with all information regarding the motor grader accident in Arcadia. The NEMA and FEMA funds the County was to receive for the last storm have not arrived, he will check on this.

Treasurer Suminski presented the Month End Fund Report for November showing collections and disbursements. Fines are distributed to the schools; Federal Entitlements are a payment in lieu of taxes for property used for the Davis Creek Dam project. The total amount collected for November includes the latest Hospital Bond issuance. Suminski will provide copy of annual Airport spreadsheet for next meeting Board packets. No response has been received from McDermott regarding the Boards request for a report of airport activities. A copy of the letter requesting a report will be sent to all Airport Authority Board members. Suminski reported the replacement of a matured pledged security for TierOne Bank. Suminski provided information regarding a US Bank purchase card program designed with NACO's input for county government use. Each county sets up the account with card control parameters such as credit limit or limit on what can be purchased and there is a 40 day remittance period to allow for the county claims process. NACO has decided to fund a disability plan for county employees with the trust and service fees received from BCBS Health Insurance Plan.

The November Fee Reports for County Clerk and Clerk of the District Court were reviewed.

A recess was called at 10:10 a.m., the meeting reconvened at 10:25 a.m.

Discussion was held regarding the sale of the 3 used Sheriff's vehicles. Sevenker reported Sheriff Hurlburt received a verbal bid of \$300. Van Slyke reported a verbal bid from Farritors of Broken Bow of \$600 for the 2000 Crown Victoria, and \$300 for each of the other two (1997 & 1995). The Clerk read written bids from Bob Reilly: 1997 Crown Victoria \$350 and 1995 Crown Victoria \$350. Following discussion, Baker moved to accept Farritors verbal bid of \$600 for the 2000 CV and Reilly's written bids of \$350 each for the 1997 CV and the 1995 CV, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

The Board agreed to accept Chris Jacobsen's suggestion of \$3487.76 designated as an annual payment for his inspection of Valley County bridges. Jacobsen will turn in a claim to the County for this amount.

Two letters expressing interest in serving as Public Defender for the County were reviewed but no action taken at this time as they continue to explore sharing a Public Defender with Sherman and Howard Counties.

Clerk Lindsey reported approximately 17 county employees expressed interest in the safety training classes offered by NIRMA, 7 Board members bring the total to 24 participants. Clerk will check on available dates.

Marc Munford of Ameritas was unable to attend due to illness.

Following discussion, Waldmann moved that the Clerk send letters to three or more accounting firms inviting informal bids for the County's 08-09 audit, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: Cetak, Vogeler. Bids will be considered at the Feb. 10, 2009 Board meeting.

Items reviewed: NIRMA letter regarding Partners in Safety which provides membership in the Nebr. Safety Council and the National Safety Council to NIRMA member counties, the November Expenditures Summary report.

Dale Zadina was present to discuss a gift of \$25,000 toward the renovation of the Courthouse. He did not designate a specific use but requested that it not go to operating expenses. Treasurer Suminski checked with the State Auditor and Chuck Abel, the County's Budget Accountant, and the funds can be receipted and kept in a special account. A specific line item can be added to the General Fund budget for gifts or donations. The County will write a letter of thanks noting receipt of the gift and that no benefit was received by the donor which Zadina can keep in his records for accounting purposes. The Board expressed their appreciation to Zadina for the gift, noting that there were many Courthouse projects to which it could be applied.

At 11:10 a.m. the Board moved into Board of Equalization on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler. The Clerk and Assessor were present.

The Amended Personal Property Return of Caterpillar Financial Services Corp. was presented to remove an excavator that was moved out of the state prior to 12/31/07 but was reported in error for 2008. Following discussion, VanSlyke moved to approve the amended return, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: Cetak, Vogeler.

At 11:15 a.m. the Board moved back into regular session on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, VanSlyke, Baker. No: none. Absent: Cetak, Vogeler.

Claim and fund request of \$26,781.53 for December BCBS premium were approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: Cetak, Vogeler.

Following discussion, Cullers moved that the Board preferred Courthouse Offices to remain open on December 26<sup>th</sup> but they could be staffed with a skeleton crew at the Officials' discretion, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Waldmann. No: none. Absent: Cetak, Vogeler.

The County Attorney was absent due to the weather.

There were no committee reports.

No jail inspection was conducted due to the absence of the Sheriff.

Mail Folder: TierOne, NIRMA Interchange, Contryman Assoc., VCHS Foundation, VC Health System Newsletter, Mid-Continental Restoration, Goldberg, Sullivan & McCreery Exhibit Booth, NDOR 2008 Hwy Needs Assessment.

Meeting adjourned at 11:35 a.m., to reconvene on December 30, 2008 at 9:00 a.m. in regular session. Complete minutes of the December 9 meeting and an agenda for the December 30 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Jenette G. Lindsey, Valley County Clerk

## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, December 30, 2008, at 9:02 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, Waldmann and Cetak present. The Deputy Clerk verified publication of meeting notice and posting of agenda. Minutes of December 9, 2008 meeting were approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke and Baker. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker, VanSlyke. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Dale and Janie Zadina were present to be recognized for their gift of \$25,000.00 to be used for the renovation of the Valley Co. Courthouse including an elevator, third floor exit, fire sprinklers. The Board extended their appreciation for the generous gift by the Zadina's and their desire to preserve the Historical Courthouse building for future generations.

Sandy Simpson gave the claims and balances report for the month of December and reported the Road Department budget was in line this far in the fiscal year.

Road Supt. Leth stated a letter has been sent to TSP regarding the drainage question at the new hospital site. It was determined that a solution to the problem could be addressed with the co-operation of the county and the hospital project engineers in the spring before construction begins to work on the potential drainage problem. Leth reported bridges near the Marty Petska farm and Larry White farm received a rating of less than three tons and the Department of Roads ordered them closed. When weather is permitting the Road Dept. will build a bypass by the bridge at the White farm and will do the necessary repairs by the Marty Petska farm to comply with the inspection and a new load limit rating performed before they can be reopened. Sevenker asked Leth to keep the Board informed on the progress of repairing or replacing the bridges. Leth stated he will be adding bridges to the 1 & 6 year plan that have not been on before. In other business Leth reported he will be purchasing new grader tires and new weight limit signs. To comply with safety regulations Leth reported the entire Road Dept. is enrolled in the NIRMA Safety Training to be held January 14 & 15<sup>th</sup>, 2009 at the Valley Co. Ag. Complex.

Board members discussed the road supt. application and references of Terry Wicht and his minimum request of \$45,000.00 per year, no action was taken. Sevenker stated that Brian Kolar asked if a decision was made on the hiring of a superintendent indicating he was still interested in the position. Sevenker will notify Kolar inviting him to attend a county board meeting to discuss terms of the position.

Larry Schrage, Valley Co. Hospital CEO gave a report on the construction plans for the new hospital, the financial update and volume statistics for the Valley Co. Health System. Schrage stated the Hospital Board proposed to increase the public transportation rates to be competitive with other area agencies. He announced that on January 13, 2009 a town hall meeting will be held to thank the community for their support of the new hospital. This meeting will include a video presentation of a virtual tour of the building design and drawings of the facility. Schrage reported that bond sales not be let out until the fall and that Marc Munford will come to a board meeting in January to give an update on the bond process. Discussion was held on the bid letting for the hospital construction and will give the local contractors a chance to participate in the bidding process.

Dave Williams, Airport Secretary was present to inform the board of the progress made at the Airport regarding the upgrade to the Ord facility due to the events of 911 making Ord a regional airport. He reported on the land acquisition, the lengthening and widening of the runway and the concrete work is done in to comply with FAA regulations. At this time the airport is available for daytime use only, lighting is to be installed in April. Williams stated that FAA paid for 95%, the State 2% and the County 3%. Williams reported funding from the FAA has now stopped making it fortunate the airport work is done.

Caleb Pollard, Economic Director gave the quarterly Visitors Bureau report. Pollard reported on the Award received for Loup River Valley Tourism Promotion; the tourism grant for placement of a billboard along Hwy 281; the second edition of ESCAPE travel guide; partnership with Garfield Co. that consists of sharing racks and advertising in NE Life Magazine. He spoke about the partnership of 17 county tourism committees called the Central Nebraska Tourism Coalition that promote Central Nebraska. The committees will attend sports and travel shows as well as brochure racks and websites to promote the region.

A recess was called at 10:55 a.m., the meeting reconvened at 11:00 a.m.

Nancy Glaubke, Planning and Zoning Director reported on the NACO meeting in December. Items she spoke about were cell phone towers, impact easements, wind towers and conservation easements. Glaubke reported terms of three members of the Planning & Zoning Commission are up and all have agreed to serve another term.



Sheriff Casey Hurlburt appeared to relate problems with the heating system in the jail. Sensors for the systems are being installed making the system more uniform. Sevenker spoke with Beckenhauer Const. about the heating problem; he offered to send a person here to do a study of the system in the building. It was determined the 30 day study in January when the temperatures vary would give a better idea of the problem with the system.

The Board acknowledged the NIRMA Safety training for Valley Co. employees to be held Jan. 14<sup>th</sup> & 15, 2009.

At 11:35 a.m. the Board moved to go into Board of Equalization on motion of VanSlyke seconded by Baker.

Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The Deputy Clerk and the Assessor were present. The TERC Decision and Order Affirming the Decision of the Valley County Board of Equalization regarding the Schauer property protest was acknowledged and reviewed. On motion by Vogeler, seconded by Baker to approve the tax list correction for Somerset Capital Group LTD in the amount of \$15.30 for personal property no longer in the County. Carried. Yes: Vogeler, Baker, VanSlyke, Cetak, Cullers, Waldmann. Carried. No: none. Absent: none. On motion by Cullers, seconded by Waldmann to go out of Board of Equalization and into regular session. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: None. Absent: None.

Discussion was held on the terms of Tourism Advisory Committee members ending Febr. 2009. No action taken.

Dues notices from Loup Basin RC&D Council in the amount of \$150.00 and Loup Rivers Scenic Byway in the amount of \$25.00 will be approved with the claims in January 2009.

The Board reviewed for filing a letter from the Nebraska Minority Justice Committee regarding non-discrimination and hiring and harassment policy, no action was taken.

On motion by Cullers, seconded by Vogeler. To adopt Resolution #08-36 designating the official depositories for funds of Valley County. Carried. Yes: Cullers, Vogeler, Waldmann, Cetak, Baker, VanSlyke. No: none. Absent: none.

Motion to approve December claims, December fund request and adopt Resolution #08-37 to transfer funds in the amount of \$2,925.56 from Inheritance to the General Fund was made by Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cullers, Cetak, Waldmann, VanSlyke, Baker. No: none. Absent: none.

Motion to set Public Hearing for Lease of County farm at 11:00 a.m. and Advertisement for Bids letting at 11:15 a.m. on January 27, 2009 for lease of County Farms was made by VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Yes: none. Absent: none

To approve the County Holiday Schedule for 2009 based on Nebr. Judicial Branch calendar on motion by VanSlyke, seconded by Waldmann. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Assessor Arnold explained the County Property Tax Notices for 2007 and the breakdown for each parcel in the Airport and Mortensen Additions.

After discussion regarding the County Recognition Dinner it was determined it would be held in February 2009. Helen Cullers will report at the next meeting the date and place for the dinner.

The Board reviewed the letter from Vincent Valentino in regard to Svoboda v. Valley Co. NEOC/EEOC claim stating the investigation was completed and evidence was submitted to and reviewed by the Commissioners.

There were no Committee reports.

Mail folder: DeAngelo Brother re: bid list, Chamber/Ec Dec. Newsletter, T2 Interchange, Beckenhauer Newsletter, NIRMA letter re: recommitment dividend, DEQ Notice Permit Issued, Christmas cards: Berggren Architects, JEO Consulting, Region 3.

Meeting adjourned at 12:30 p.m., to reconvene on January 13, at 9:00 a.m. in regular session. Complete minutes of the December 30, 2008 meeting and an agenda for the January 27<sup>th</sup>, 2009 meeting are available for public inspection in the office of the County Clerk.

I, the undersigned Deputy County Clerk, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the County Board, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the County Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

---

Dorrita L. Helm, Deputy Valley County Clerk