

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, January 13, 2009 in the Courthouse Boardroom. Roll call: Baker, Cetak, Cullers, Sevenker, VanSlyke, Vogeler and Waldmann present. Acting Chairman Sevenker opened nominations for Chairperson. Waldmann nominated Sevenker to continue as Chairperson, seconded by Vogeler. Cetak moved that nominations cease, seconded by Cullers. Following discussion, votes were taken on the motions. Nomination of Sevenker, Carried: Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Nominations cease, Carried: Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none. VanSlyke moved to nominate Cullers as Vice-Chairman and that all nominations should cease and a unanimous ballot be cast for Cullers. Carried. Yes: VanSlyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: none. Abstain: Cullers. Publishing meeting notice and posting of agenda was verified by the Clerk. Minutes of December 30, 2008 meeting, included in the Board packets, were approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Waldmann moved to adopt the agenda, seconded by Cullers. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Resolution 09-01, which provides authority for Road Supt. Leth to restrict travel on county roads when necessary, was discussed and approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Leth's general report included: crews pouring cracks; received state rating of 56 bridges, 14 require posting, new signage requirements mean new signs need to be purchased, also need more yellow signs and object markers, will purchase through road budget; maintaining main roads; opened road into Greeley County south of Vech's for cattle hauling; all road crew to attend NIRMA safety training; 1&6 plan half done, problem getting quotes for oil, steel, lumber and fuel; if oil goes down can do project cheaper without Federal aid as is 3-4 year delay with Federal aid; could not participate in stimulus package this year as no projects ready; received request for sign on Mortensen Drive from highway, advised state would have to do this, he will check into getting one for the Mortensen Drive/County road intersection. Discussed road to Davis Creek Dam: not done this year due to cost of oil, is in 1 & 6, will check into getting assistance from NRD. Leth noted that Kolar and the crew are doing a good job.

County Attorney Clark reported that the Svoboda discrimination hearing was delayed until Jan. 16 and that there was a pre-trial conference in the Bronson case and the Judge has ordered mediation. He has sent a letter to Bronson's Attorney, Gregg Jensen, but has not received a reply. He also reported updating the legal description of the County Farm lease for the Mortensen Site. The values of the leased Mortensen Industrial Site properties were reviewed to verify if they were in compliance with the lease agreement which requires the tenant to maintain a value of \$100,000 in improvements and personal property. Clark proposed that for those tenants not meeting the required value he would send a letter informing them of the noncompliance and suggesting that they can comply by adding improvements or personal property or paying the county the difference in taxes that would be due on the \$100,000 value and signing an agreement to that effect.

Architect Glenn Mannes was present for discussion of the construction of an exit from the 3rd floor and the receipt of grant funds for the installation of an elevator. Also present for the discussion were: Gene McCoy, Caleb Pollard, Nancy Glaubke, Rolland Cronk and Gene Bredthauer. Discussion included: County plans to provide 3rd floor exit and fire sprinklers within 5 years; receipt of \$25,000 gift for Courthouse renovation; Mannes can provide design for all 3 projects but hard to separate for bidding; Mannes' fee would be less if done as one project, he estimated his fee at 15% to 20% of construction cost, he charges \$120 per hour; discussed project priority, 3rd floor exit and sprinklers are priority items for Fire Marshal, importance of receipt of grant funds for elevator which provides significant savings to taxpayer, financial health of the County, need for information on project costs; Pollard and Glaubke are looking into the grant process for USDA no interest loan through LVRPP, but it cannot be used for elevator due to receipt of grant funds; Mannes noted design difficulties due to historic building designation and Fire Marshall requirements, he also said he felt Berggren's plans were good; if hired, his fee would include design, bidding documents and oversight of projects; discussed contacting Berggren's or another architect for second opinion; Glaubke indicated they need plans to submit with the application for USDA funds.

Marc Munford of Ameritas told the Board they are considering another bond issuance due to the current favorable market even though funds are not needed at this time. They will stay under the \$10,000 annual issuance to remain bank qualified. Hospital CEO Schrage said it would be a good financial move if can get at 5% and invest in CD at 3.5%. Munford will stay in contact with Schrage and Sevenker and, if it is decided to move forward, will present bond paperwork at next Board meeting on January 27, 2009. Following discussion, it was agreed to continue with NLA.

Meeting recessed for lunch at 12:10 p.m. and reconvened at 1:05 p.m. with all members present.

Weed Supt. Darrell Kaminski and State Ag Inspector Brent Meyer were present to discuss Kaminski's 2009 Plan and the annual Office Evaluation completed by Meyer. Copies of the Plan and the Evaluation were provided to each Board member. Kaminski noted that he will be asking the Board to approve the Plan at their next meeting, meantime they can review it and make any suggestions they feel are needed. Meyer's Office Evaluation was favorable, giving Kaminski 1000 points out of a possible 1000. Discussion included: getting good landowner compliance with 15 day notices; will always be open files, 9 were open last year at this time, 6 were closed over the past year and 2 new ones opened; sections reviewed by Meyer are randomly picked by computer, he will close files if sees couple of years of good management; Meyer suggested Valley County join a Weed Management Area, there is no cost to the County and State money is funneled through them, Kaminski will check into this and report at the next meeting.

Laurie Hansen of CNEDD was present to report that the State is requiring an updated form for the Environmental Review and apologized for having to ask the County Board to sign this Review for the third time. Hansen will review the grant and elevator plans and advise the County as to what their next best step should be.

Treasurer Suminski presented the Month End Fund Report for December: General Fund is at \$264,830.06, Visitors Promotion \$1146.81, Visitors Improvement \$5117.40, Stop Program \$4725, Inheritance Tax \$787,739.50. Suminski received information at the NACO Conference indicating that spending of Stop Program Funds should have been agreed to by the County Attorney, County Board and DMV when it was first put into place. Will check with County Attorney Clark with regard to fund set up. She also reported replacement of a pledge security for North Loup Valley Bank and her request for a pledge security for First National Bank due to the recent Airport activity. Lastly, she provided a written report of the NACO Board meeting noting that this is her last meeting as a NACO Board member. The Misc. Receipts folder is available for review.

Clerk Lindsey presented her December fee reports for County Clerk and Clerk of the District Court showing fees received and remitted.

Reminder of the NIRMA Safety training scheduled for Wednesday and Thursday was noted.

Employee recognition dinner was discussed: to be held February 21, 2009, 6:00 p.m., at Jane's Diner; County pays employee's dinner, employee pays for spouse/guest; meal choices are sirloin steak, French fried shrimp, fried chicken; County will provide appetizers; tax and gratuity will be included in the price of each meal choice.

Supervisor Baker left the meeting at 2:20 p.m.

Housing Assistance Grant claims VC-10-HR \$1710, CDS VC-Lead 10 \$250 and Drawdown 25 \$1960 were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, VanSlyke, Cetak. No: none. Absent: Baker.

January claims for BCBS premium and the annual sales tax collected by the Road Dept. were approved on motion of Vogeler, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Cullers, Waldmann. No: none. Absent: Baker.

Committees and Representatives for 2008 were reviewed. For 2009 Waldmann, Vogeler, Cullers, Cetak will serve on the Claims Committee. All other Committee Members remained the same and no changes were made to the Agency Representatives. County Attorney Clark is to be consulted regarding the duties of the County Physician

Current Expenditures Summary Report for December 2008 was reviewed; Annual Signature and Seal Report was completed; scheduling of a Committee meeting for discussion of consolidation of law enforcement on 1/14/09 was noted; participation in a voluntary OSHA Survey was discussed and decided against; Sevenker reported that Beckenhauer is looking into the HVAC difficulties and requested information from each office; Lindsey reported phone call from Sherman County Clerk with information that 9 Public Defender applications have been received, the Policy Committee will review them on Jan. 15, Policy Committee members are Curt Sikyta, Julianna Jenkins and Carolyn Heil.

Mail Folder items available for review: Loup Basin RC&D Newsletter, NIRMA Quarterly Loss Report.

Meeting adjourned at 3:10 p.m., to reconvene on January 27, 2009 at 9:00 a.m. in regular session. Complete minutes of the January 13 meeting and an agenda for the January 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 in their Courthouse meeting room on Tuesday, January 27, 2009, at 9:05 a.m. Roll call was taken with Sevenker, Vogeler, Baker, Cullers, VanSlyke, and Cetak present. Absent: Pat Waldmann. The Deputy Clerk verified publication of meeting notice and posting of agenda. Minutes of January 13, 2009 meeting were approved on motion of Cullers, seconded by Cetak. Yes: Cullers, Vogeler, Cetak, VanSlyke and Baker. No: none. Absent: Pat Waldmann. Motion carried. Baker moved to adopt the agenda, seconded by VanSlyke. Yes: Cullers, Vogeler, Cetak, Baker, VanSlyke. No: none. Absent: Pat Waldmann. Motion carried. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Bill Clark Project Inspector for Karr Tuckpointing Co. discussed their proposal for exterior masonry maintenance and repairs to the Valley County Courthouse building. Mr. Clark gave an overview of the current courthouse's condition and what repairs should be made. Items mentioned in the report were power washing the building, repair to missing or defective mortar joints and sealing of movement cracks. Pat Waldmann arrived at 9.10 a.m. Clark went on to explain other repairs needed to complete the project as well. Discussion was held on the removal or repair of the chimney, it was determined Inspector Clark and Custodian Cronk would look at the chimney for possible removal and submit a new proposal. Clark reported when the tuck pointing process begins they will stay on the job until it is completed. Clark presented a Statement of Contractors Qualifications for the Board to review and file. The Board determined due to the cost of the project a bid letting notice should be published.

Sandy Simpson, Road Secretary gave the road claims and balances for the month on January and reviewed fuel, asphalt sealant, motor grader payment and reported balances in the fuel and gravel budget. Lower fuel and asphalt prices have been favorable to the budget.

Max Leth, Road Supt. reported the 1 & 6 year plan report will be presented for Board review at the Febr. 10, 2009 meeting and requested the hearing for the 1 & 6 year plan be published for the Febr. 24, 2009 meeting. On motion by Vogeler seconded by Cetak to approve the hearing date for Febr. 24, 2009 from 9:15 a.m. to 9:30 a.m. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Motion carried. Leth also reported the receipt of a payment from FEMA in the amount of \$13,811.00, a bridge near the Keyser farm will be replaced with tubes after a study by a Hydrologist, discussion was held regarding the contracting of fuel due to the lower fuel prices. Leth will get quotes from suppliers and report to the Board. Leth reported on a letter received from Region 26 Council regarding the development of a Mitigation Plan to have input on projects that will help reduce loss of life and property damage resulting from natural disasters. On motion by Waldmann seconded by Cullers for Road Supt. Leth and Region 26 Representative VanSlyke attend the meeting to be held at the Valley Co. Fairgrounds on Wed. Feb. 18, 2009. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. Motion carried.

Weed Supt. Darrell Kaminski presented his 2008 report and 2009 plan which is required to be submitted to the State by January 31 each year. He reported on the progress that has been done in regard to weed infestation in the county and reported 1095 infested acres in Valley Co., Kaminski's weed inspections report included the leafy spurge and thistle problems are being addressed and progress is being made. Vogeler complimented Kaminski on the job he is doing as Weed Supt. On motion by Vogeler seconded by Waldmann to approve the 2008 report and 2009 plan as follows: Activity Report, Weed Control Authority Board Roster, Noxious Weed Infestation Report, 2009 Budget Report and the 2009 Noxious Weed Control Plan. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Motion carried.

Marc Munford, Asst. Vice President for Ameritas Investment Corporation presented paperwork for the issuance third in a series of General Obligation Bonds SRS 2009A in the amount of \$5,330,000.00 to be delivered to the Valley Co. Treasurer on closing date March 03, 2009. Munford indicated market conditions are favorable. Munford stated that bond issuance cannot exceed \$10,000,00.00 for year 2009 and money will be on hand to finish the project as needed. On motion by Vogeler seconded by Cullers to approve Resolution 09-02 for the issuance of Bonds in the amount of \$5,330,000.00 and to authorize Chairman Bob Sevenker and Dorrita Helm, Deputy Clerk to sign the Agreement for Bond Purchase. Yes: Vogeler, Waldmann, Cetak, Vogeler, Baker, Cullers. No: none. Absent: none. Motion Carried.

Planning & Zoning Director Nancy Glaubke appeared to request reappointment of Marvin Scheideler, Jeff Wieskamp, Lynn Griffith to Planning Commission. Vogeler asked if others were interested in the position, Glaubke stated it was hard to get individuals to serve and these people are willing to continue. On motion by VanSlyke seconded by Cullers to reappoint Scheideler, Wieskamp and Griffith for a three year term expiring January 2012. Yes: Vanslyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Motion carried.

Recess was called at 10:55 a.m., and reconvened at 11:04 a.m.

At 11:05 the Board moved to go in Board of Equalization Treasurer Janet Suminski and Deputy Clerk Dorrita Helm were present on motion by Cullers seconded by Cetak. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Motion carried. Motion to accept Motor Vehicle Exemption Applications for St. John's Lutheran Church, Loup Basin RC&D Council and Mid-Nebr. Individual Services was made by Baker seconded by VanSlyke. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Motion carried. Motion to go out of Board of Equalization was made by Cetak seconded by Cullers. Yes: Cullers, Vogeler, Waldmann, Baker, VanSlyke. No: none. Absent: none. Motion carried.

Chairman Sevenker opened the Public Hearing for Lease of County Farms at 11:05 a.m. Sevenker stated the Public Hearing is held to hear objections to the Lease of County owned real estate. Sevenker explained the farm site acreages, the changes made on the Mortensen tract due to the development sites, the term of the lease is three years with payments due March 1 and Sept 1 each year, the tenant will pay all water charges and supply pipe, motors and pumps as needed for irrigation purposes, also reported on the limit of animal units allowed in the East County farm pasture. Discussion was held on transferring the certified water acres from one farm to another, it was determined that could be settled between to two tenants. Public Hearing closed at 11:20 a.m.

Bids for Lease of County Farms was opened at 11:21 a.m. The bidding for the "Mortensen Tract" and the "East County Farm" was opened. Present were Marty and Curt Petska, Chuck Shoemaker, Jordan Ryschon, Carl Schauer, Kent Hornickel, Gene Bredthauer. Sevenker reported that James Knapp was in Texas and would be bidding by phone. Bidding on the Mortensen tract was Curt Petska, James Knapp and Jordan Ryschon. High bidder on the Mortensen tract was James Knapp with a bid of \$15,150.00. Bidding for the East County Farm was James Knapp and Jordan Ryschon. High bidder was James Knapp for \$18,000.00. Bids closed at 11:55 a.m.

Keep Loup Basin Beautiful Director Linda Studnicka was present to request funds for the Hazardous Waste Cleanup collection fee. Studnicka explained they will collect prescription drugs, florescent bulbs, batteries, oil based paint, household chemicals, computer monitors as examples of what they will collect. On motion by Vogeler, seconded by Cetak for Valley Co. to participate in the Hazardous Waste Cleanup, and to allow the \$1,000.00 fee to be paid from General Fund. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Motion carried.

Recessed for lunch at 12:15 p.m. to reconvene at 1:10 p.m.

Janet Suminski, presented the Treas. Semi-Annual Fund Balance Report with ending balance of \$1,982,976.84 to be published in the Ord Quiz on Jan. 28, 2009. The Treas. Fund Balance report ending Dec. 31, 2008 was reviewed. Board members were informed the Delinquent Tax List will be advertised in February. Suminski explained the Stop Program Agreement and the types of items allowable for the purchase of supplies and education uses by Law Enforcement. Balance in the Stop Program Fund is \$4,725.00. The Pledge Security by the North Loup Valley Bank was accepted for filing. Suminski also explained the County Levy for 2008 is -4.54% less than the 2007 levy while the County Valuation for 2008 increased by 17% more than the 2007 valuation. Suminski cited examples of property values and taxes in the county for the 2007 and 2008 tax years. Sevenker expressed concern regarding the VeraSun Bankruptcy in regard to the personal property taxes due in the amount of \$880,000.00 and County share of taxes due. Suminski reported the taxes are a first lien.

Co. Attorney Glenn Clark reported the Svoboda v. Valley Co. case with the Equal Opportunity Commission found insufficient evidence to support allegations of discrimination and their determination found "no reasonable cause" in the charge against Valley Co. Clark also reported he has received interrogatories on the Walker and Bronson cases.

The Courthouse HVAC System may to be working better since some sensors have been added and moved, but reports to Beckenhauer from courthouse officials regarding the system in each office indicated there were still things out of adjustment and will contact factory technicians to check and monitor the system in the courthouse. Also modifications are needed for additional backup heat in the jail heat pumps.

Sevenker reminded members the about County Board Workshop Feb. 11-13, at the Kearney Holiday Inn, Cullers and Vogeler are registered to attend; NIRMA Annual Conference Feb. 11, Kearney Holiday Inn, Cullers is planning to attend.

Chairman Sevenker presented the board members with a copy of the minutes taken at the Consolidation of Law Enforcement meeting held on January 14, 2009 at the City Hall. Sevenker related items that were discussed at the meeting. He reported that further discussion between the Ord Police Department and Valley Co. Officials determined an oversight committee should be formed to discuss issues between the two departments. The oversight committee would consist of the Valley Co. Sheriff, Chief of Police, members of the City Council and members of the Board of

Supervisors. On motion by VanSlyke seconded by Vogeler to appoint Sevenker, Cetak and Cullers as representatives of the Board to serve on the oversight committee. Yes: VanSlyke, Cetak, Waldmann, Vogeler, Baker. Abstained: Cullers. No: none. Absent: none. Motion carried.

Sheriff Casey Hurlburt was present to request payment in the amount of \$9,000.00 from the Inheritance Fund for in-vehicle video equipment to be reimbursed by a Grant from Highway Safety Commission. On motion by Cullers seconded by Vogeler upon receipt of the Grant funds the money will be deposited back into the Inheritance Fund. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Sheriff Hurlburt gave an activity report of calls the Sheriff's department has made within the City of Ord. The Board requested Hurlburt submit a case by case report of all calls the Sheriff's department responded in the city of Ord limits. Vogeler complimented Hurlburt on the job the department is doing in the North Loup.

January Claims & Balances report and claims list was reviewed. On motion by Cullers seconded by VanSlyke to approve the claims and fund request for January. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Motion carried. Motion by Baker seconded by Vogeler to approve the Housing Grant request. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Motion carried.

VanSlyke moved to approve reappoint Becky Trotter and Larry Koelling and to appoint Sharon Iwanski to the Visitors Committee for a four year term seconded by Cullers. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Motion carried.

Baker moved to appoint Michael Schudel to the Extension Board at the request of Scott Brady seconded by Waldmann. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none. Motion carried.

The NACO Purchasing Card Program was discussed and no action was taken the matter was tabled.

Committee reports were given by Vogeler who has been appointed to the Audit Committee for Mid-Plains, Cetak reported on Mid-Nebr. Individual Services is going well and serves a 22 county area, Cullers reported the change in the requirement that checks issued for more than \$5,000.00 will require two signatures.

Mail folder: Ord Area Chamber invitation meet Caleb Pollard, NIRMA letter on hiring Law Enforcement & Safety Specialist, CNEDD Newsletter, Chamber thank you for membership, email from Mike Dobesh on LB5, Chamber/ED newsletter, VCHS Annual Report, NIRMA Interchange, CNCS Re-Cap.

Meeting adjourned at 3:10 p.m., to reconvene on February 10, 2009 at 9:00 a.m. in regular session. Complete minutes of the January 27, 2009 meeting and an agenda for the February 10, 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

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, February 10, 2009 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Waldmann, VanSlyke, Cullers, Baker present. Clerk verified meeting notice was published and agenda posted. Sevenker requested that the minutes of the January 27, 2009 County Board meeting, included in the Board packets, be amended to include the minutes of the meeting of the representatives from the City and County regarding consolidation of law enforcement. Waldmann moved to approve the County Board minutes of Jan. 27 with the addition of the law enforcement consolidation meeting minutes, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. 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 posting of Open Meetings Act and public copies available. There was no public comment.

Road Supt. Leth presented the 1 & 6 Year Plan with five projects listed on the 1 year plan, the same 5 plus 5 more listed on the 6 year plan. Location and cost estimates are included for each project. The total cost for all projects listed is estimated at \$205,000, however, listed projects can be delayed for lack of funds or other good reason. The public hearing on the 1 & 6 Year Plan will be held at the Feb. 24 meeting at 9:15 a.m.

The NDOR letter offering opportunity for review of the state's road plans (STIP) was noted.

At 9:40 a.m., on motion of Cetak, seconded by VanSlyke, the Board moved into executive session to prevent needless injury to the reputation of an individual during discussion of the position of County Road Supt. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none. At 9:50 a.m. VanSlyke moved to go out of executive session, seconded by Vogeler. Carried. Yes: Van Slyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none. No action was taken by the Board as a result of the executive session.

Leth's general report included: does not advise participation in the sign & object marker program for the 1 county bridge that qualifies as would be greater cost to county; requesting new computer sign program provided by NIRMA under safety program; gave power company easement on county road for airport.

Treasurer Suminski's printed Month End Fund Report and Misc. Receipts folder were reviewed in her absence. Clerk Lindsey's County Clerk and Clerk of District Court fee reports for January were also reviewed.

A recess was called at 10:05 a.m., meeting reconvened at 10:15 a. m. with all members present.

At the request of County Attorney Clark, Vogeler moved to go into executive session at 10:15 a.m. to prevent needless injury to the reputation of an individual during discussion of a public defender contract, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none. At 10:50 a.m. Cetak moved to go out of executive session, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. No action was taken by the Board as a result of the executive session and the County Attorney had no General Report.

Discussion was held regarding the need to address possible further industrial development in the lease document for the county farm known as the Mortensen Farm. Clark will revise the lease to include this and present it at the Feb. 24 meeting for Board approval. Baker moved to formally accept the bids of James Knapp in the amount of \$15,150 for the Mortensen Farm and \$18,000 for the East County Farm received at the January 27 meeting, seconded by Waldmann. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

No action was taken on the revised proposal received from Karr Tuckpointing.

There was nothing to report on the Courthouse heating and cooling system.

Peggy Anderson of Cedars Youth Services reviewed the services provided by Cedars and requested Board approval of a Memorandum of Understanding which allows release of grant funds. The deadline for the signed memorandum is February 24. Anderson said the service area includes Blaine, Custer, Greeley and Valley Counties and the program provides juvenile aid services. The Board noted that they would appreciate more information and time to evaluate the program before being asked to sign the memorandum. Cullers moved to authorize Chairman Sevenker to sign the Memorandum of Understanding for release of grant funds, seconded by Cetak. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. No: Vogeler. Absent: none. Sevenker asked that, in the future, information on the program be provided to the Board prior to the meeting.

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

Appraiser Chad Martinsen noted that he has completed the reappraisal of rural residential improvements. Assessor Arnold said informal notices will be mailed to residents in the final four townships that were reappraised, Arcadia, Yale, Davis Creek and Independent, offering them a chance to meet with her on March 5 to answer their questions or make any necessary corrections so that they will not have to file protests in June. She is able to make corrections without Board action until March 19th after this date residents will have to file a protest with the County Board. Formal valuation notices will be mailed to all county residents on June 1. Arnold said, in an effort to prevent a large swing in valuations, they plan to do new depreciations next year.

At 11:20 a.m., Cetak moved to go out of Board of Equalization, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

Informal bids for performing the annual county audit were requested from Tonniges & Associates, McDermott & Miller, Contryman Associates and Dana Cole. Randy Tonniges was present for the consideration of the bids. Bids from all four entities were received and were opened and read by the Clerk at this time. Bids: Tonniges & Associates bid \$5975 for each of the next three years beginning with June 30, 2009; McDermott & Miller bid \$7850 for each of the next three years beginning with June 30, 2009; Contryman Associates bid \$7500 for June 30, 2009, \$8800 for June 30, 2010, \$8500 for June 30, 2011, with a notation of possible extra fees of up to \$2500; Dana F. Cole & Co. provided a one year option of \$10,750 and a three year option of \$10,500, \$11,250, and \$12,100. Cullers moved to accept the low bid of \$5975 for each of the next three years, beginning with June 30, 2009, by Tonniges & Associates, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Tonniges will send 2 copies of the engagement letter for the February 24, 2009 agenda.

Candy Kuntz of Miller & Assoc. presented Housing Grant items for Board consideration. Said items were discussed and approved. Amending the program budget to move \$1600 rehab funds to down payment assistance was approved on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. Vogeler moved to approve VC-14-DPA of \$14,500 and VC-14-HR of \$5000 (maximum rehab allowed, may not need that much) contingent on favorable appraisal & inspection, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Cetak, VanSlyke, Baker. No: none. Absent: none. Baker moved to approve VC-10-HR of \$1716.58, VC-08-HR of \$66.33 and VC-12-HR of \$188.96, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Cullers moved to approve Miller & Assoc. invoice of \$1200 for General Administration, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to approve Community Development Services Invoices of \$250 for Housing Administration VC-Admin-20 and \$250 for Lead Based Paint Testing VC-Lead-11, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Cullers moved to approve drawdown #26 for \$16,204 and drawdown #27 for \$1200, seconded by VanSlyke. Carried. Yes: Cullers, VanSlyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: none.

At 12:00 noon a recess was called for lunch, meeting was reconvened at 1:00 p.m.

Jerry Berggren of Berggren Architects was present to discuss Courthouse renovations including the installation of an elevator, 2nd and 3rd floor exits, a fire sprinkler system and tuckpointing. Nancy Glaubke was present for this discussion as she is helping to write a grant for possible USDA funds loaned through LVRPP for the exits, sprinkler system and tuckpointing. Discussion included: 2007 estimate received from Beckenhauer; need to simplify original Berggren design for enclosed 2nd and 3rd floor exit; Fire Marshal indicated that roof of jail can be used as part of exit path; Berggren advised stair should not be attached to building but should be self-supporting; no longer legal to have retractable stair; would need to fence in landing area to keep people out; Berggren could work hourly, under contract for fixed amount, or % of construction; Berggren quoted hourly rates of \$65 for technical staff, \$75 for design staff and \$110 for himself and said hourly rate could be capped at 10% of construction if Board desired; Berggren said he could have a proposal ready for the Board's March 10 meeting; he noted that there may be stimulus package money available for preservation of historic buildings; Glaubke said she would need separate figures for the exits, sprinkler system and tuckpointing to submit for the USDA funds. Vogeler moved to hire Berggren Architects for tuckpointing, sprinkler system, exits and elevator with separate designs for each at their hourly rate or 10% of project cost whichever is less, seconded by Cullers. Carried. Yes: Vogeler, Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: none. Berggren will get a contract and line items to county by the next meeting or the one after that.

At 2:15 p.m., Cetak moved to go into executive session for discussion of personnel with Sheriff Hurlburt to prevent needless injury to the reputation of an individual, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Vogeler, Waldmann. No: none. Absent: none. At 3:15 p.m., VanSlyke moved to go out of executive

session, seconded by Vogeler. Carried. Yes: VanSlyke, Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none. No action was taken as a result of the executive session.

Early claims and fund request to meet the deadline for BCBS premium payment were approved in the amount of \$26,781.53 on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The expenditures summary for January 31, 2009 was reviewed.

Discussion was held with regard to the Wozab Fund. Cullers presented the Nebraska Community Foundation Quarterly Report noting the beginning balance was about \$1,186,000, the ending balance about \$1,160,000 for a loss of about \$26,000. NFC is recommending awards of \$42,000 based on a 12 quarter average. Following discussion, it was decided to set the Wozab Fund application dates from February 18 to March 20 with the Board to meet at 7:00 p.m. on March 30 to determine the recipients. The Board will set the award amount at their March 10th meeting.

The following informational items were reviewed with no action taken: Loup Rivers Scenic Byway/RC&D Tourism Committee annual meeting and dinner invitation, receipt of annual Hospital audit, notice of jail inspection scheduled for Feb. 6, CNCS Annual Report for loan repayments for the owner-occupied housing rehab grant, County Rx card offer, Chamber banquet/nomination ballot.

Mail folder items available for review: LBRC&D thank you, Nebr. Safety Council Awards, Nebr. Life subscription, Kirkham Michael Public Funding Workshop, American Funds Annual Report & Prospectus, Chamber/Econ. Dev. Report.

Meeting adjourned at 4:00 p.m., to reconvene on February 24, 2009 at 9:00 a.m. in regular session. Complete minutes of the February 10 meeting and an agenda for the February 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, February 24, 2009 in the Courthouse Boardroom. Roll call: Cetak, Cullers, Sevenker, VanSlyke, Vogeler, and Waldmann present; Baker absent due to illness, excused. Clerk verified meeting notice was published and agenda posted. Minutes of February 10, 2009 meeting, included in Board packets, were approved on motion of Waldmann, second by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Cetak, Vogeler. No: none. Absent: Baker. The agenda was adopted on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: Baker. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Road Claims & Balances for February were reported by Road Secretary, Sandy Simpson. Payroll totaled \$36,791.55 and Accounts Payable totaled \$30,062.02. The larger expenses were for diesel, parts, oil and tires. Simpson noted that there should be sufficient funds in the Road budget for the remainder of the FY.

The Public Hearing for the 1 & 6 Year Road Plan was opened at 9:15 a.m. as advertised. Gene Bredthauer and Larry Larkowski were present for the hearing. Scheduled projects were reviewed; 5 projects on the 1 Year Plan and an additional 5 projects on the 6 Year Plan. Following discussion, project #10 will be left on the plan this year and removed when next year's plan is submitted and project #3 will be completed if funds allow. Traffic on the Sargent Highway is high; Leth estimated the last ADT count was 680. Projects completed will depend on cost of asphalt, which should be known by end of March. Maintenance projects are not required to be on the Plan. Bredthauer noted maintenance operators do not get over to the road edge which leaves the road low in the middle. There being no further discussion, the Public Hearing was closed at 9:40 a.m. Resolution 09-02, adopting the 1 & 6 Year County Road Plan as presented at the February 10, 2009 meeting, was approved on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: Baker. The required Affidavit acknowledging that proper procedures were followed was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Wladmann, Vogeler, Cetak, VanSlyke. No: none. Absent: Baker.

The NDOR letter regarding the update of Local Public Agency (LPA) Project Administration was informational. A new manual is to be provided and training required. Leth does not plan to take the training.

Leth reported that Dean Rasmussen of the NRD thought there might be funds available to assist the county with maintenance of the Davis Creek road and agreed to check into it. Leth said he needs to hire a consultant for a one-time fee to get advice on 5 or 6 things, mostly to do with bridges; he will check into the cost and report back. Kent Larsen of TSP, the engineering firm for the new hospital, will be in Ord on March 10 and has agreed to meet with the Board. Leth will try to set it up for 1:00 p.m. at the hospital site. Leth also reported: snow removal has gone well; maintaining now; cleaned dead trees out of ditch on Springdale Road. VanSlyke asked about the high edges on the roads and Leth said he will have Larry look at it. Sevenker noted a complaint from Rich Bonne on the Comstock Road; Leth said the problem is a big cable that is buried there but that he will look at it again this spring.

Hospital CEO, Larry Schrage, presented written Hospital Reports for January and February. Overall stats are up compared to last year, salaries and benefits are at budget, and net income is ahead of last year. Appear to be on line to assure sufficient funds for going into new building. Hospital Board approved a 4% payroll increase in January and, based on the marketing study of an outside firm, also approved a fixed, on-site MRI to be part of the new facility. TSP is on budget and on schedule. Bid packages are out and due back on March 10. TSP will study the bids and make recommendations to the Hospital Board who will make selections on March 18.

Meeting recessed at 10:30 a.m., reconvened at 10:40 a.m. with all members present except Baker.

County Attorney Clark reported that court ordered mediation has been scheduled for March, in Grand Island, in the Walker and Bronson lawsuits against the county. The Treasurer has received the VeraSun bankruptcy notice but no claims date, so Clark sent a letter asking if a claims date has been set. Assessor Arnold said the Merrick County Assessor advised that she accelerated the 2009 taxes for their ethanol plant and Arnold has done the same. Information on the VeraSun website indicates that bids on the plant are to be accepted from March 16 through the 31st. Clark will check with Boone and Merrick Counties.

The Mortensen County Farm Lease was updated by Clark to include the possible lease of additional lots for industrial development. Discussion was held regarding the current industrial lot leases which require a lease payment of \$1.00 per acre per year and the Clerk was directed to pursue collection of this amount from the current lessees.

There was nothing to report regarding the Courthouse heating and cooling system and the VeraSun bankruptcy was discussed under the County Attorney Report.

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

Goodwill Industries of Greater Nebraska's Application for Tax Exemption by Qualifying Organization (Form 451) for personal property located at their Ord Office was considered. Assessor Arnold recommended approval. Cullers moved to approve the Exemption Application for Goodwill Industries of Greater Nebr., seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: Baker.

In the past, Tax Exempt Organization Applications were considered every year, however, according to Nebr. Rev. Statute 77-202.03, a properly granted exemption shall continue for a period of 4 years if a statement of reaffirmation of exemption (Form 451A) is filed as required. The four-year period shall begin with years evenly divisible by four. The proper filing of Form 451A shall maintain the tax exempt status of the property without further action by the county; however, the county can review any exemption to determine whether the exemption is proper. A list of approved organizations filing Form 451 in 2008 and Form 451A in 2009 was provided.

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

Candy Kuntz of Miller & Assoc., General Adm. of the Housing Assistance Grant, presented the final claims to be drawn on the grant as the extended deadline for completion of the grant is Feb. 22, 2009. Cullers moved to approve the \$427.81 claim for VC-12-HR, seconded by VanSlyke. Carried. Yes: Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: Baker. Waldmann moved, seconded by Vogeler, to approve the \$1200 claim of Miller & Assoc. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Cullers. No: none. Absent: Baker. CDS invoices of \$1877 for VC-Admin-21 and \$250 for VC-Lead-12 were approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, VanSlyke. No: none. Absent: Baker. Kuntz explained that although Drawdowns #26 and #27 were approved at the Board's last meeting, #26 had to be voided because the potential homebuyer was unable to obtain a mortgage. Therefore, Drawdown #27 became #26 and the number 27 was given to the Drawdown presented today. Drawdown #27 for project costs of \$5027 (includes amounts from original Drawdown #26 that do not apply to the DPA-14 requests) and Drawdown #28 for \$1200 General Admin., were approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, VanSlyke. No: none. Absent: Baker. Kuntz then presented the Final Financial Report for CDBG #06-HP-220 noting that \$26,434 of the \$203,000 grant were not used. She said applicants are now being referred to CNEDD for housing assistance funds. Cullers moved to approve the Final Financial Report for CDBG 06-HP-220 submitted by Kuntz, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: Baker. Kuntz thanked the Board for their cooperation and the Board expressed their appreciation for her work in administering the grant.

On advice of County Attorney Clark, the Board moved into executive session at 11:35 a.m. for discussion of personnel matters with Sheriff Hurlburt with regard to his request to hire an additional deputy, to prevent needless injury to the reputation of an individual, on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Cullers. No: Vogeler. Absent: Baker. At 12:25 p.m. the Board came out of executive session on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, VanSlyke. No: none. Absent: Baker. As a result of the closed session discussion, Cetak moved to approve the hiring of a part-time deputy for the remainder of the 08-09 FY for the purpose of reducing overtime, to work no more than 30 hours per week and to be made full-time in July if warranted, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Cullers, Waldmann, Vogeler. No: none. Absent: Baker. (see later motion changing hours to 32)

At 12:35 p.m., the meeting recessed until 1:00 p.m. At 1:00 p.m. the meeting reconvened with all members present except Baker.

The Valley County Highway Supt. position was discussed with applicant Brian Kolar. Kolar noted that he currently does not hold either a Class B or Class A license, but plans on attending a training workshop and taking the Class B exam in April. He will let the Board know whether he passes the exam. Discussion included: Kolar's education and work experience are good, could earn Class A license with 2 years work experience as Highway Supt., Board would hope to retain Leth in some capacity during this time, County would lose portion of incentive during the 2 years, willing to work toward bridge inspection certification, Kolar has set no salary requirement, Board recognizes need to increase compensation as licenses are acquired.

Sheriff Hurlburt appeared to request that the Board's earlier motion allowing him to hire a part-time deputy be amended to allow 32 hours per week to accommodate 8 hour days. Cetak moved to amend his previous motion regarding the hiring of a part-time deputy to allow 32 hours per week, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Cullers, Waldmann, Vogeler. No: none. Absent: Baker.

February Claims and Balances Report and Claims List were reviewed. Waldmann moved to approve the February Claims and Fund Request, seconded by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Cetak, Vogeler. No: none. Absent: Baker. The Clerk withdrew her request for approval of a second Fund Request for grant funds due the changes in the Housing Assistance Grant drawdowns.

The Central District County Officials Assoc. Meeting on March 19 at the Interstate Holiday Inn was noted.

Treasurer Suminski explained that the state is looking for more space for the DMV due to legislative changes that require additional security measures. District Supervisor Delbert Pearson has met with Suminski and viewed the current room used for DMV which the state has deemed insufficient for their needs. Suminski is hopeful that the state will agree that use of the alcove adjacent to the current room will provide sufficient space for them since there are no larger spaces available on the ground floor of the Courthouse. DMV has requested that the County name a contact person to work with them on this issue. On motion of Vogeler, seconded by Cetak, Suminski was named as the DMV contact person. Carried. Yes: Vogeler, Cetak, Cullers, VanSlyke, Waldmann. No: none. Absent: Baker.

Receipt of the \$679 recommitment incentive from NIRMA was noted.

There were no committee reports, however, Vogeler and Cullers noted that they attended the County Board Workshop. Vogeler said Attorney General Bruning gave a good presentation. Cullers noted that in talking with other County Officials she learned that a Public Defender that is not elected is limited to 400 cases.

The following Mail Folder items were available for review: Loup River Valley Tourism Coalition Travel Guide, Region 26 Council meeting notice, Loup Basin RC&D Newsletter.

Meeting adjourned at 2:10 p.m., to reconvene on March 10, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the February 24 meeting and an agenda for the March 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, March 10, 2009 in the Courthouse Boardroom. Roll call: Cullers, VanSlyke, Waldmann, Baker, Cetak, Sevenker and Vogeler were present. Clerk verified meeting notice was published and agenda posted. Minutes of February 24, 2009 meeting, included in Board packets, were approved on motion of Cullers, second by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Baker moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available. No public comment was offered.

On Leth's recommendation, Easement 09-287 for Loup Valleys Rural Public Power to install an electric power line across Tower Road east of the intersection of Tower Road and 475th Ave., was approved on motion of Cetak, second by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Discussion was held regarding the burying of irrigation pipe on the Mortensen Farm. Sevenker noted that he, Leth and Vogeler viewed the property yesterday and that both Knapp and Petska would like to have the pipe buried. The Board agrees that it should be buried. Leth will get information on cost and report back to Board at next meeting.

Stephen and Dawn Scott of North Loup were present to discuss cleaning of roadside ditches. Leth said it was his understanding that the County Attorney had advised this was the landowner's responsibility. County Attorney Clark checked the statutes and reported that, in fact, it is the county's responsibility. The dirt removed can be placed on the road or on the landowner's property if landowner gives permission.

The Planning & Zoning Public Hearing scheduled for 9:30 a.m. was opened at 9:55 a.m. for the Conditional Use Permit Application of Randy and Melanie Rice. The application was for the construction of the 4th house in an approximately ½ mile stretch in the NE4 of 22-18-15. The house will be located at the corner of 807th Road and 472nd Ave. Planning & Zoning Administrator Glaubke and applicant Melanie Rice were present. Glaubke presented the written recommendation of the Valley County Area Planning Commission listing their factual findings and recommending approval of the application subject to the following conditions: driveway must meet County specifications with egress onto a graveled county road (not a minimum maintenance road), Impact Easement must be granted by Rice Ranch, Inc. due to location of a feedlot, and septic must be installed by certified personnel. There was no further verbal or written testimony. Based on the factual findings of the Commission and their recommendation of approval, the Conditional Use Permit Application of Randy and Melanie Rice was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

Adam Kunz presented his plans for changing the current lawn sprinkling system to avoid hard water deposits on the benches, trash receptacles and light poles. His company representatives in California recommend a subsurface drip system containing herbicide to keep it free of roots, guaranteed for 7 years. This is a fairly new product. It could be installed around the entire border of the lawn or only where needed. Kunz noted that the first option would be the most expensive and provide the best coverage, the second option would cost about half of the first but, while he thought it would work okay, he could not guarantee there wouldn't be some dry spots. Kunz was reluctant to put a price on his plans without the Board's assurance that bids would not be sought for the project. Discussion was held regarding whether this project would be required to be let for bids. It was felt that since the system was installed by Kunz and now required an adjustment to avoid damage to the aforementioned items installed on the lawn after the sprinkler system was in place, it was a maintenance issue and bids would not be required. It was moved by Cetak, seconded by Waldmann that Kunz could provide cost figures for his proposals and the Board would not take bids on this project since it was a maintenance issue. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Kunz estimated the cost of the second option at ten or eleven thousand dollars and the cost of the first option at sixteen or seventeen thousand dollars, noting the more expensive option could be a bit higher as he had not had time to firm up those costs. He also recommended that any sod that had to be removed should be replaced with new sod rather than reusing the old. VanSlyke asked what happened after the 7 year guarantee and Kunz said herbicide could be injected through the valves to kill the roots and open up the lines. Kunz will prepare informational packets for the Board's next meeting and further discussion will be held.

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

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

A Tax List Correction for VeraSun Ord, LLC was presented to accelerate their 2009 personal property taxes since the business is to be sold at auction. Discussion was held as to whether this was allowed since the business had filed bankruptcy. Assessor reported that this is what Merrick County had done. Treasurer reported that the Correction had already been completed and mailed. Attorney Clark said he did not think it would be a problem and recommended that the Board approve the Correction. Vogeler moved to approve Tax List Correction #3729 for VeraSun Ord, LLC, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: none.

The Board moved out of BOE on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

County Attorney Clark reported that a mediation meeting was held in Grand Island last Tuesday as required by the Judge in the Walker and Bronson lawsuits against the County. Attorney Vince Dowding was the mediator. Clark called to their attention the recent Federal ruling regarding sick pay, but no agreement could be reached. He assumes the cases will be set for trial.

Sevenker noted that now might be a good time to schedule a committee meeting between the City and County, including the City Attorney, County Attorney, Police Chief and Sheriff. Attorney Clark said Wednesdays or Fridays would be the best days for him. Sevenker will contact Mayor O'Brien to see about scheduling a meeting.

VanSlyke reported that the City of Ord wants out of their contract with the County for Partial Communications Consolidation. The City currently pays the County \$7500 per year to handle some of their dispatching duties and they now wish to contract with Region 26. VanSlyke did not think the price they quoted for using Region 26 was accurate, but will know more after the next Region 26 meeting. He was not aware of this until contacted by the City. He told the City that a decision to break the contract would have to be made by the entire Board. Discussion included the change by Region 26 to bill by usage rather than population which VanSlyke had promoted as a more equitable method of determining costs for those using Region 26 services. He felt it would be a savings to the County and the City. Gene McCoy suggested that the County look into the amount of funds Region 26 receives and also talk to Custer County who pulled out of Region 26 and went on their own.

Leth returned to inform the Board that the price of irrigation pipe and fittings is down now, but will go up on Friday. Ordering now would provide a substantial savings to the County. Leth asked the Board's approval to purchase pipe and fittings for the Mortensen Farm, noting he does not have the funds for this in his budget. Vogeler moved, seconded by VanSlyke to authorize moving and installing underground pipe on the Mortensen Farm to be paid out of the General Fund. Carried. Yes: Vogeler, Cetak, VanSlyke, Waldmann, Cullers, Baker. No: none. Absent: none.

Meeting recessed at 12:15 p.m. to reconvene at 1:00 p.m., and reconvened at 1:05 p.m., all members present.

Discussion was held regarding the fact that the Sheriff has been notified that he is to receive equipment from Region 26 to enable him to provide a backup communications site if Region 26 should be disabled. Sheriff Hurlburt was not present as he is at training this week. Sevenker said he and Hurlburt met with the equipment installers last week and the installers felt the best place to install one of the larger components was in the Clerk's basement storage room. It appears the equipment could be ready for installation in the next few weeks. The Board felt they should have received advanced notice and information regarding this with the opportunity to agree or decline. The Clerk was directed to send an invitation to Alma Beland, Region 26 Director, to attend the March 31 Board Meeting to explain what the receipt of this equipment entails for the County.

The Jail Standards Inspection Report stating that the County Jail was in full compliance was reviewed.

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

Sevenker noted that there is nothing to report on the Courthouse heating and cooling system. Beckenhauer is trying to set up a time for the engineers to visit the Courthouse.

The draft agreement from Berggren Architects was reviewed with the County Attorney. Attorney Clark will contact Berggren to request clarification of portions of the proposed agreement.

Architect Kent Larsen and Engineer Bob Morcom of TSP who are currently working on the site for the new hospital were present to discuss the County's concerns with regard to the adjacent County Road. Hospital CEO Larry Schrage was also present. Larsen and Morcom felt that the plan they had in place would not cause a problem for the County if the County made sure their culvert was cleaned out. They noted that once the graded area was covered with vegetation the run-off would be less and slower. Larsen and Morcom said an elbow connection would be used to direct the detention cell water into the road ditch. Leth felt a junction box was needed to direct the water. Schrage noted that, regardless of the plan for the new construction, if the County's pipe is plugged proper drainage cannot be achieved and suggested the County dig out the narrow plastic portion of the pipe and replace it with a larger steel

pipe. Sevenker noted the work already in place has infringed on the County ROW restricting the County's options and to dig out the existing pipe they would have to dig into the new slope and netting. Vogeler said if the engineer's plan was designed to work with the existing County pipe he did not feel the County should change anything. Leth will check the County's culvert to determine if it needs to be cleaned out and stay in contact with Larsen and Morcom.

The following items were reviewed and/or approved: direct cost reimbursement for rent and utilities for the HHS Office, mitigation plan ideas from Region 26, Loup Rivers Scenic Byway letter regarding link to County website, and Current Expenditures Summary Report for Feb.

Early claims and Fund Request for payment of the BCBS premium and disbursement of funds received through the housing assistance grant and a separate fund request for grant funds approved at the Feb. 24 meeting for which funds will be received prior to the next Board meeting were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

Discussion was held regarding the Wozab Fund distribution amount for this year. Due to economic conditions the fund has lost money. Nebraska Community Foundation has recommended disbursing a maximum of \$42,000, however, the Board felt it would be better to disburse less. Baker moved to approve disbursement of \$30,000 from the Wozab Fund for the 2009 applications, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

No committee reports were given. Mail Folder items available for review: NCIP 2009 Awards Guide/Trainings, 2009 After-Prom Party, CNEDD new location, Nebr. Jail Standards Training Conference, Lower Loup NRD Newsletter, National Safety Council Publication, American Funds Prospectus & 2008 Annual Report.

Meeting adjourned at 3:00 p.m., to reconvene on March 30, 2009 at 7:00 p.m. as the Wozab Advisory Committee, March 31, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the March 10 meeting and an agenda for the March 30 and March 31 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, March 31, 2009 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Baker, Cullers, VanSlyke, and Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of March 10, 2009 meeting were approved on motion of Cullers, seconded by Waldmann. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Cetak moved to adopt the agenda, seconded by Baker. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Nancy Glaubke and Chuck Fuhrer appeared to present the completed REDLG grant application for the Board's consideration. Also present for the discussion were Ron Jensen, Marvin Scheideler and Dale Zadina. Glaubke noted that this is a \$300,000 grant through USDA for which a government entity can apply and, if approved, the funds would be provided to Loup Valley's Rural Public Power District to be loaned, interest free, to the County who would pay the funds back over 10 years. The repaid funds then become a revolving loan available to other entities and LVRPPD can charge interest on the revolving loan funds. Fuhrer noted that the LVRPPD Board approved the County's grant application at their last meeting with the stipulation that the County help fund the required 20% match of \$60,000 either by paying the interest on a loan for the \$60,000 or by loaning LVRPPD the \$60,000 interest free. LVRPPD will repay the \$60,000 over 10 years. USDA requires the \$60,000 loan to be kept separate from the grant funds. He also noted that LVRPPD will charge the County 1% per year on the loan balance for administrative costs. The revolving loan funds can only be provided to entities within LVRPPD. Discussion included: projects include installation of an elevator (for which a \$250,000 CDGB grant has been received), an exit from the 3rd floor, a fire sprinkler system, and tuckpointing; the County also has the Courthouse renovation bond obligation of \$40,000 per year which the County was able to fit in the budget; the County could not afford to proceed with any of these projects without the interest free loan. Cullers moved to go forward with the application and plan to loan the \$60,000 match payment out of the Inheritance Tax Fund with repayment to go back into the Inheritance Tax Fund, pending approval of the grant application by USDA, seconded by Waldmann. Further discussion included: Glaubke said the entire project is estimated to cost \$750,000 and could be done for a \$50,000 yearly payment; with LVRPPD paying \$6000 per year toward repayment of the \$60,000 match funds, the County's loan payment would be only \$30,000 per year; Sevenker said on average, the Inheritance Tax Fund accumulates enough each year to fund the yearly \$30,000 payment; Vogeler asked LVRPPD to consider waiving the 1% fee since the County is putting up the \$60,000 match; Cullers felt the 1% fee was fair and would only cover the administrative expenses LVRPPD would incur in handling the grant funds. Chairman Sevenker asked for a vote on the motion and the motion carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. The County expressed their appreciation to LVRPPD for agreeing to file the grant application and to Glaubke for volunteering her time and effort to complete the grant application. Fuhrer also thanked Glaubke for her work on the grant application on behalf of LVRPPD.

Following review of the Claims and Balances Report and Claims List, VanSlyke moved to approve the March Claims and Fund Request in the amount of \$174,662.31, seconded by Vogeler. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Road Secretary Simpson reported on the Road Claims and Balances for March, noting the larger expenses were for a new pickup transmission, parts and fuel.

Discussion was held regarding the NDOR letter regarding the new Bridge Policy (copies provided). Leth noted that the new engineering requirements will add a lot to the costs and the budget will have to be raised next year. Leth noted that the new requirements are the result of a Federal mandate. Sevenker reported that Brian Kolar is no longer interested in the Valley County Road Supt. position as he has received another job opportunity. Another application has been received, but the applicant has requested that it not be made public at this time. Board can go into executive session later on this topic. Leth provided a letter regarding a delay in receipt of the 80 signs ordered through the Horizontal Curve Signing Project due to concerns of the U.S. Fish and Wildlife and the NDEQ regarding effects of sign installation on migrating cranes, bald eagles, beetles, leaking of oil from service vehicles and wetlands. Discussion was held regarding talking to legislature, NACO, and Larry Dix regarding the new bridge regulations and the concerns causing the delay in the sign installation. State is checking on historical bridge north and east of North Loup. The County built a new bridge downstream but the old one is still in place. Will cost \$13,464 to replace undercarriage of

excavator, feels it would be better to get new machine. There are many requests to clean ditches so will get much use. Railroad has many used ones, would like to get a larger one. He will get price estimates for next meeting.

Hospital CEO, Larry Schrage, presented the monthly Hospital Report, reviewing the statistical information. Utilization and volume numbers are trending up, more focus is being placed on swing bed, Dr. Janke starts in May for eye procedures, the trend is down for long term care due to home care and assisted living facilities. All is basically in place to proceed with construction of new facility, about 2 million under budget. Have presented request to planning commission to annex property into City of Ord and name it the Valley County Health System Addition. A printed, updated construction cost summary report was provided. Schrage noted that it is not recommended to change the bond amount even though they are currently under budget.

Caleb Pollard was present to request use of the Courthouse steps and lawn for ExtraOrdinary Days May 29-31. Baker moved to approve the request, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted they will need to talk to Custodian Cronk to have Courthouse doors unlocked for use of the restrooms.

Weed Supt. Darrell Kaminski was present for discussion of his contract for the coming year and the annual resolution authorizing action regarding weed control in the County. Kaminski requested a raise from \$1050 per month to \$1150 beginning July 1, 2009, the new fiscal year. Following discussion, Vogeler moved to approve the salary increase from \$1050 per month to \$1150 per month effective July 1, 2009, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Waldmann moved to approve the employment contract for the coming year to include the salary increase effective July 1, 2009, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. Resolution 09-04 for weed control was approved on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Region 26 Director Alma Beland, Platte Valley Communications representative Mike Epley, and Sheriff Hurlburt were present for discussion of Region 26 providing equipment purchased with grant funds that would allow the Valley County Sheriff's Office to provide full emergency communication services should the Region 26 communication center be disabled. The equipment consists of a computer work station and a cabinet, about 7'X24"X3', which holds the interface equipment and a tower that will be placed on the roof. The equipment will be owned and maintained by Region 26 but the Sheriff's Office can use it in order to keep it in working condition. Region 26 will provide training on use of the equipment. The equipment is worth about \$120,000. The cabinet will be placed in the County Clerk's basement adjacent to the jail kitchen. The equipment will remain in place unless the County leaves Region 26 or Region 26 ceases to exist. It was noted that a better ventilation system for the jail kitchen may be needed due to its proximity to the computer which makes it difficult to keep the computer workings clean. The equipment should be installed within the next couple of weeks. Sevenker noted that the upper portion of the chimney may be removed which may affect placement of the tower. Epley said the tower could be positioned elsewhere and that no holes would need to be drilled as existing holes can be used. Discussion was held with regard to the current billing system used by Region 26. Vogeler asked if Valley County would get a break on their Region 26 fees since they would be providing backup service for Region 26. Beland said they are looking at their fee structure. Sevenker noted that the fees are based on usage but the representation is based on population which places Valley County at the top of the fee structure but does not provide corresponding representation on the Board.

Jim Gustafson and Diane Wilson of Nebraska Community Foundation were present for an evaluation of the Wozab Foundation Fund. Informational handouts were provided on the Wozab Memorial Fund Assets as of 2/28/09 and the Management of Endowed Assets. It was noted that the Wozab's written documentation requested that the funds be invested in "Certificates of Deposit or some other solid interest bearing evidences of investment". Currently 85.6% of the funds are invested in Certificates of Deposit, 5.1% in mixed assets and 9.3% in equities. The percentages are adjusted annually. Wilson noted there has been a decrease in assets of about 4% since July. Their target is to get to 25% equities. They will not go over the FDIC insured amount without pledge securities. NCF also receives investment recommendations from Dain Rauscher as required by the Wozabs. The Wozab Fund was established in June 1999 with \$1.22 million in assets; \$423,000 has been distributed; as of June 30, 2008 there were \$1.21 million in assets; February 28, 2009 assets were \$1.16 million. Fiduciary responsibilities of NCF and County were reviewed as well as the NCF investment policy.

Meeting recessed at 12:30 p.m. and reconvened at 1:00 p.m. with all member present.

Discussion of Wozab Fund investments continued. Vogeler questioned the investment strategy, noting he felt there should have been more return from 2000-2008. Wilson acknowledged that the return was low by historical standards but did not feel the market was that good during those years and noted that to make big dollars you would need to take more risk than is advisable for charitable funds. NCF fees were discussed. Wilson noted that their fees account for only 40% of actual costs so a lot of time is spent in soliciting funds from other sources. Cullers noted an average income of 4% on the fund. Sevenker asked if they would be adjusting the investment percentages to get closer to 75% in the Certificates of Deposit and they said they review the percentages annually. Gustafson and Wilson agreed to provide a report to the County Board at their first March meeting each year.

Supervisors VanSlyke and Baker reported that the Committee exploring the hiring of a Public Defender for Valley, Sherman and Howard Counties has approved the hiring of Gary Peterson of Broken Bow. Peterson has agreed to provide Public Defender services at a cost of \$30,000 each from Valley and Sherman Counties and \$60,000 from Howard County. Each County will have a separate contract with Peterson. Nebr. Revised Statute 23-3406 requires a 2 year contract for a Public Defender. County Attorney Clark noted that some court appointed attorneys will still be required. VanSlyke moved to approve the hiring of Gary Peterson of Broken Bow to serve as the Valley County Public Defender, seconded by Baker. Further discussion included: Clark called Peterson who agreed to strike paragraph 13 of contract and change it to read "shall be required to handle no more than 100 cases at any one time for Valley County", contract will commence on April 1, 2009 and expire 2011, pay will remain the same for the 2 year contract. Sevenker called for a vote on the motion and it carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. VanSlyke then moved to approve the Public Defender Contract, seconded by Waldmann. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Attorney Clark reported that the Sheriff is applying for a COPS grant to hire an additional deputy. If awarded, the grant would pay salary and benefits for 3 years and the County would have to pay the 4th year. County would have to supply uniform and vehicle for all 4 years. Discussion was held regarding the need for a 3rd deputy in order to prevent overtime hours for existing deputies and the need to refer city callers to the police department.

For the information of the other Board members, Chairman Sevenker presented his notes from the City/County Law Enforcement Oversight Committee meeting held March 17, 2009 at 4:00 p.m. in the Courthouse Boardroom. Supervisors Cullers and Cetak were present at the meeting and verified the accuracy of Sevenker's notes.

Treasurer Suminski presented the Month End Fund Balance Report: General Fund \$156,229.96, Road \$53,806.53, Inheritance Tax Fund \$788,633.58. She also reported receipt of the latest Hospital Bond sale proceeds in the amount of \$5,271,370 which were transferred to Nebr. Liquid Assets Fund. The Tax Sales Report listing buyers was reviewed as was the Certification to Close Tax Sale. The Delinquent Tax Report and Delinquent Street Assessment Report were reviewed. A listing of County Tax Sale Certificates Due for Foreclosure was presented and reviewed as was the Notice to County Attorney Foreclosure List with copies of the certificates attached and a sample of the letter sent to property owners. Following discussion, Resolution 09-03 to Foreclose on County Tax Sale Certificates was adopted on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Sheriff Hurlburt was present for discussion of a letter received from the State Auditor's Office regarding their investigation of a complaint regarding the possible double billing of a claim by his office. The letter indicated that the County had already discovered and reconciled the inadvertent double billing and offered recommendations as to how to deal with this type of error and for preventing it in the future. The letter noted that they did not anticipate the need for any further audit work on this subject.

The following items were reviewed: reminder of April 10 registration deadline for NACO County Legislative Day; acknowledgement of receipt of cost estimates from Adam Kunz for adjustment of lawn sprinkler system to avoid watering benches, trash receptacles and light poles, this item to be on next agenda; Sevenker reported that Daiken representatives have been here twice reviewing the Courthouse HVAC system, Beckenhauer will report to the Board once all the information has been gathered; Chief Probation Officer, Clay Shutz was unable to appear due to the weather and will be rescheduled to May 12; date for the Wozab celebration will be set at the next meeting.

Jerry Collier of Collier Lawn Service presented a written offer to continue providing lawn service at the same prices as last year and offered to include power raking this year at a cost of \$425. Following discussion, it was decided the power raking was not needed and Cullers moved to continue with Collier Lawn Service at the same rates as last

year, not to include the power raking, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Drawdown for Administrative Fees for CNEDD in the amount of \$2500 from the CDBG Contract 08PW007/Valley County (elevator grant) was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Also noted was receipt of the release of funds for the grant and the information from CNEDD that the County is required to procure for an architect for the project. Curie Mincer of CNEDD has prepared a procurement ad for publication and will send copies to architects Berggren and Mannes. The ad calls for letters of interest to be received by Friday, April 10 for Board consideration on April 14.

Discussion was held regarding information received from NACO offering Long-Term Disability Insurance. Employees currently covered by the NACO/BCBS Health Ins. will automatically receive this benefit and it appears there is an option to provide this coverage to other employees as well. Vogeler moved to notify NIS that the County is interested in the Buy-Up Option and having information presented to employees, seconded by Baker. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Information was presented on a free telephonic conference on employment law offered by NIRMA on April 23. Registration deadline is April 15. This information is to be on the April 14 agenda.

At 4:10 p.m. VanSlyke moved to go into executive session for discussion of the latest applicant for the County Highway Supt. position in order to prevent needless injury to the reputation of an individual, seconded by Waldmann. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. At 4:15 p.m. VanSlyke moved to go out of executive session, seconded by Waldmann. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The Board took no action as a result of the executive session.

Mail Folder items available for review: Chamber/ED Report, Beckenhauer Newsletter, NACO Legislative Report, Loup Basin RC&D Newsletter, Region 26 March 31 agenda.

Meeting adjourned at 4:20 p.m., to reconvene on April 14, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the March 31 meeting and an agenda for the April 14 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 14, 2009 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 31, 2009 regular meeting and March 30, 2009 Wozab Fund meeting, included in Board packets, were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. VanSlyke moved to adopt the agenda, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Sevenker noted posting of Open Meetings Act with public copies available. No public comment.

County Road Supt. Leth recommended approval of the refund of Easement 08-278 for Wilma Nagorski and the issuance of Easement 09-288 for Robert Stowell. Stowell is changing from natural gas to electric power for irrigation. Waldmann moved to approve refunding Easement 08-278, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Easement 09-288 was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Leth presented Resolution 09-05 for approval of the installation of a stop sign at the junction of 805th Road and 479th Avenue in the SW corner of Section 25, Township 18 North, Range 14 West due to tree growth obstructing sight distance. Waldmann moved to approve Resolution 09-05, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Leth agreed to notify area landowners.

An emailed letter from Eric Zach, NDOR noted the environmental concerns expressed in HRRRP Manager Don Neary's letter of March 24, 2009 regarding the installation of signs purchased through the Horizontal Curve Signing Project HRRR-STWD (084) have been resolved. Signs will be ordered and Counties can begin installation upon receipt.

An additional applicant for the Road Supt. position met with Leth, Sevenker, VanSlyke and Vogeler. The applicant wishes this to remain confidential at this time so this will be discussed in closed session later in the meeting.

Nebr. Machinery has a 2006 excavator for sale which is a size bigger than the one the County needs to replace. The 2006 has 3200 hours on it but the replaced engine has only 500 hours on it. The price is \$90,000 with a \$30,000 trade-in allowance for a cost of \$60,000. They will bring the excavator here to demonstrate it. Leth estimated a new one would cost \$220,000 or more. Discussion included: how to fit purchase in budget, may be funds left in this year's Road budget to pay part of it, use of FEMA funds; cost too great to repair old one, many ditches to clean out. The Board agreed the County should demo the machine. Leth will also contact Murphy Tractor. Vogeler asked if ditch cleaning could be bid out, Leth said yes but didn't know cost and would have to be sure ditch was properly back sloped and that digger's hot line was contacted.

Leth asked if Board wished to continue road striping; \$15,000 budgeted this year, \$10,860 used. Following discussion Board felt striping should be continued. Irrigation pipe on County Farm has been buried, have not yet received billing from Irrigation District. Zipper machine to recycle asphalt can be rented from Diamond Engineering or Asphalt Zipper, Inc. for approximately the same cost. Leth noted he preferred renting from Diamond Engineering. This procedure would cut road project costs by half or more. Board agreed to proceed with Diamond Engineering using our operator and loader. Ditch on Mortensen Industrial Site needs to be cleaned out to alleviate drainage problem, will do as soon as possible. Road crew has begun hauling gravel. Leth reported later in the meeting that the Irrigation District billing for burying the pipe on the Mortensen Industrial Site was \$6900.

Treasurer Suminski presented the Month End Fund Report. Taxes are coming in now so funds should be fine for April and May. Bond payment is due in May. Received real estate tax payment from Verasun but most goes to TIF. She will meet with County Attorney Clark regarding filing a claim with the Bankruptcy Court for the personal property tax on the ethanol plant. Board requested 5 year average for Inheritance Tax Fund receipts. An additional Pledged Security was presented for TierOne Bank.

Clerk Lindsey presented the monthly fee reports for County Clerk and Clerk of the District Court.

Meeting recessed at 10:10 a.m. and reconvened at 10:25 a.m. with all members present except Baker.

County Attorney Clark reported receipt of filing deadline of May 25, 2009 for Verasun Bankruptcy. He will get information from Treasurer to file claim. Personal property tax does not affect property title clearance as it follows the property owner not the real estate. Bankruptcy Court has approved sale of ethanol plant, need to watch for filing of deed; once deed is filed can request payment from new owner, if no response can file distress warrant.

Supervisor Baker returned to the meeting at 10:30 a.m.

Hard water deposits on memorial benches, light poles and trash receptacles from the Courthouse lawn sprinklers was discussed. Baker noted negative comments on cost of Kuntz proposal to install underground watering system to alleviate this problem and suggested painting the benches white. VanSlyke, Vogeler and Cetak also reported negative feedback on cost. Sevenker suggested he and a couple of other Board members meet with Kunz to see if existing sprinklers can be adjusted to avoid sprinkling these items, even though may cause some dry spots in the lawn.

The following agenda items were noted: letter from Nebr. State Historical Society okaying the construction of a 3rd floor courthouse exit was noted; Presto X representative reported to Clerk that jail has a type of ant, not termites; no one has expressed interest in the NIRMA telephonic conference regarding Employment Law Update; there was nothing to report regarding the courthouse HVAC system.

Wozab Awards Celebration was set for April 27 at 7:30 p.m. in the District Courtroom. Cullers will send letters to applicants and make programs. Nebr. Community Foundation notified Cullers that one of the Wozab Fund applicants approved by the County Board may not qualify to receive Wozab Funds, they are seeking more information in order to make a determination. Cullers will not send out letters until this has been resolved. NCF has offered to meet with the Board and explain the rules governing applicant qualifications as the Board was not aware of any criteria other than those set by the Wozabs.

There was no business to come before the Board of Equalization.

The Claims and Fund Request for the April BCBS billing in the amount of \$26,249.92 were approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. The Claim and Fund Request for payment of CNEDD Invoice for grant administration in the amount of \$2500 (invoice approved at March 31 meeting along with the grant drawdown) was approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Cetak, Vogeler, VanSlyke, Baker, VanSlyke. No: none. Absent: none.

Letter from Ms. Ella Mae Dahms requesting information on location of grave in old Elyria Cemetery was reviewed. Clerk reported phone call to Ms. Dahms to verify that she was requesting assistance in locating a grave in order to have a marker erected. The Board asked the Clerk to notify Ms. Dahms that, while the County has a responsibility to maintain abandoned cemeteries, they have no way to determine the location of an unmarked grave.

County Attorney Clark introduced Attorney Gary Peterson, the new County Public Defender.

The County received 4 answers to their Request for Expression of Interest & Qualifications for Engineering/Architectural Services. Mannes Architects and JEO declined participation at this time. Gilmore & Associates Inc. and Berggren Architects submitted Statements of Qualifications which were reviewed and scored at this time. Based on the scoring review, Berggren Architects was selected due to the amount of experience they listed in working with historic buildings and courthouses. Vogeler moved to proceed with contract negotiations with Berggren Architects for the construction of an elevator and removal of architectural barriers at the Valley County Courthouse, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

The email communication from Larry Pelan of NIRMA regarding the use of a volunteer assistant/storm spotter by Emergency Manager Simpson was noted. Pelan's email stated that the county has permissive user coverage on vehicles so anyone operating a county vehicle with the county's permission has the same coverage as if a county employee or official was using the vehicle.

The Current Expenditures Summary Report for March 31, 2009 was reviewed.

County Attorney Clark was present for discussion of the letter from BankFirst requesting that the county agree to subordinate the 3 deeds of trust recorded for Joel Kokes, a housing assistance grant recipient, so the bank can approve a home equity line of credit for Mr. Kokes to construct a garage on the property. The line of credit would be in the amount of \$8000. The housing assistance grant requires that Mr. Kokes pay the county \$200 in order for them to approve the subordination. BankFirst also asks that the County Attorney prepare the subordination documents, which Attorney Clark agreed to do. Following discussion, Cullers moved to approve the subordination contingent upon receipt of the \$200 from Mr. Kokes, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

At 12:00 noon, Waldmann moved to go into executive session for discussion of an applicant for the Road Supt. position to prevent needless injury to the reputation of an individual, seconded by Vogeler. At 12:15 p.m., Waldmann moved to go out of executive session, seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. The Board took no action as a result of the executive session.

Cullers presented a written report as the County's representative on the Region 3 Board, noting that they are working on a new children's system with Mid Plains and that the proposal to require 2 signatures on checks of \$5000 and above did not pass but remains at \$2000 and above.

At 12:20 p.m. the Board conducted the quarterly jail inspection.

Meeting adjourned at 12:40 p.m., to reconvene on April 28, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the April 14 meeting and an agenda for the April 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, April 28, 2009 in the Courthouse Boardroom. Roll call: Vogeler, Sevenker, Cetak, Waldmann, VanSlyke, Cullers, and Baker were present. Clerk verified meeting notice was published and agenda posted. Minutes of April 14, 2009 meeting were included in the Board packets and were approved on motion of Waldmann, seconded by VanSlyke. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Baker moved to adopt the agenda for today's meeting, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

Road Secretary Simpson presented April Road Claims and Balances Report. Total expenses \$56,271.47, budget remaining for fuel \$41,254.31, gravel \$25,012.49, total budget \$346,639.87 should be sufficient for this FY.

Road Supt. Leth recommended approval of Easements 09-289 for Great Plains Communications to bury fiber optic cable and 09-290 for North Loup River PP & Irrigation Dist. to bury water pipe. Following discussion, VanSlyke moved to approve Easements 09-289 and 09-290, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

There was nothing to report on the Road Supt. position. Leth's General Report included: information on asphalt prices for 2009 bid jointly with Custer County; may need to reduce length of Arcadia Road project to lower cost; Ashton Road needs armor coat, can purchase some materials out of this FY budget to keep next FY budget lower; will make one windrow as soon as weather breaks; the Zipper from Diamond Engineering will be here first of June, rental cost \$9800 for 1.8 miles, Arcadia south – 466 Ave., project C88-247A, road will be closed to all but local traffic for about a week, cost using Zipper about \$14,000 or \$15,000 compared to \$70,000 or \$80,000 without use of Zipper; may need to work on about 6 miles of gravel road due to change of location of Windmill Fest; crew is patching and maintaining roads and cleaning ditches. Discussed whether purchase of used excavator should have been bid. Quotes were received from Nebr. Machinery and Murphy Tractor. Advice will be sought from County Attorney and this will be on the next agenda.

Hospital CEO Larry Schrage presented his monthly report, reviewing the financial and statistical information from the written report. Volume is up in most areas and they are holding the line on expenses. The cash balance goal of 2 million has been reached. Federal Home Health survey found no defects, State audit of Nursing Home found one minor deficiency which has been corrected. Hospital Board has adopted a random drug testing policy and ID theft protection policy and is considering a new auditing firm. A written summary of construction project costs for March, 2009 was presented.

Caleb Pollard presented the VCED Quarterly Report. Report included: listing of Sales Tax Fund usage and it was noted that loan repayment issues have been resolved; need for new housing development was discussed as was the need for higher end rental properties as 6 new couples are moving here; they are applying for a grant for a county-wide commercial in-fill project; working with Central Community College on lease of Hamilton building; Loup Valley Jaycees have reorganized; invited to participate in a national pilot project to combat the affects of rural depopulation; Pollard has visited over 20 area businesses.

Meeting recessed at 11:00 a.m. and reconvened at 11:10 a.m., all members present.

BCBS Representative Gary Streeks informed the Board that health insurance premiums will go up by 18.34% for FY 09-10. To help the county absorb the increase, NACO/BCBS is offering a plan with a \$2500 deductible of which the county can pay a portion of the deductible through a third party administrator. This plan does not include the office visit co-pay. The health insurance renewal date is July 1, 2009. This will be on the next agenda for further discussion.

There was no County Attorney report as he was absent due to illness.

The following agenda items were noted: nothing to report with regard to the Courthouse HVAC system or the lawn sprinkler system; DED letter regarding Housing Assistance Grant was reviewed; letter faxed from County Attorney Clark noted his approval of the draft contract presented by Berggren Architects with the suggestion that the Board appoint an individual to act on behalf of the county as provided in section 4.3 of the contract; the Clerk is to include a reminder of the BOE Seminar on the next meeting agenda.

April Claims and Fund Request were approved on motion of Vogeler in the amount of \$196,385.62, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Choice Gas Program for the County Shop and the HHS Office was discussed. Sevenker noted that Markowski had recommended the fixed rate with ACE, noting that the Asgard quote was lower but is a new company and not much was known about them. Following discussion, Vogeler moved to go with ACE at the fixed rate, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

VanSlyke moved to approve the preliminary draft of the 07-08 County Audit received from Dana F. Cole & Co. and authorize the Chairman to sign the letter accepting it, seconded by Cetak. Carried. Yes: VanSlyke, Baker, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Following discussion, Cullers and Baker volunteered to respond to the Loup Rivers Scenic Byway request for "Things to see and do" in the area.

After reviewing the form, the Board decided not to participate in the Nebraska County Sustainability Survey request from the Political Science Dept. of UNK.

Cullers presented the Quarterly Report for the Wozab Fund from NCF, noting a beginning balance of \$1,159,715.32 and an ending balance of \$1,171,291.06 as of March 31, 2009. Cullers said she has the award checks for those applicants who did not attend the award ceremony and suggested a letter encouraging attendance be sent to them along with the check. The Board agreed and Cullers will present a letter for their approval at the next meeting, after which the checks will be mailed.

VanSlyke, County Rep for Region 26, reported they are continuing discussion of the basis for billing at tonight's meeting. Valley County feels that more emphasis should be placed on usage for billing purposes and also notes that, while population is the current basis for billing it is not the basis for representation on the Region 26 Board.

Vogeler, County Rep for Mid Plains, reported that he missed the last meeting due to the Wozab Awards presentation but that they are looking at combining with 2 other organizations in regard to child services.

Mail folder items: Region 26 Council meeting notice/agenda, Appriss-NE VINE training sessions.

Meeting adjourned at 12:55 p.m., to reconvene on Tuesday, May 12, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the April 28 meeting and an agenda for the May 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, May 12, 2009 in the Courthouse Boardroom. Roll call: Baker, Cetak, Cullers, Sevenker, VanSlyke, Vogeler and Waldmann were present. Clerk verified meeting notice was published and agenda posted. Minutes of the April 28 meeting, included in the Board packets, were 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 for today's meeting, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

As recommended by Highway Supt. Leth, refund of Easement 08-279 for Duane Jacobs was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

The Clerk reported County Attorney advised through email that used equipment is considered a noncompetitive purchase because of the difficulty in providing a bid sheet for used equipment and it was his opinion that the County was not required to formally bid the purchase of a used excavator. Informal bids were received from Murphy Tractor at \$76,460 and from Nebraska Machinery at \$60,000. Leth recommended the Nebr. Machinery offer. Vogeler moved to approve the purchase of the 2006 Caterpillar Model 315CL Excavator offered by Nebr. Machinery, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Chairman Sevenker reported that Jay Meyer, Highway Supt. for Howard County, applied for the Highway Supt. position in Valley County. Meyer was interviewed by VanSlyke, Vogeler and Sevenker and they were favorably impressed. Meyer has a Class A License and Bridge Inspection Certificate. His application was discussed previously in closed session at his request. Meyer notified Sevenker that he would be available June 1. VanSlyke moved to hire Jay Meyer as Valley County Highway Supt. at a starting wage of \$40,000 per year, seconded by Baker. Further discussion: Meyer spent a day with Leth and Leth approves hiring him; Leth wants to begin collecting his retirement and cannot until he is no longer employed by the County, he would be willing to help Meyer for a while without compensation. Vote on the motion: Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Leth's General Report included: unpaid bill for bridge planks in the amount of \$49.92 for Chad DeNoyer is 4 months overdue and has been turned over to the County Attorney; water pipe leak under County road at Dockhorns, installed in 1980's and has no valve, Dockhorns will dig it out tomorrow, Kolar will oversee the work to be sure road is in good condition; requested State put up chevrons on County Roads 815 and 475 during the construction; State will maintain the detour road for the 3 to 4 weeks it is in use; Mac truck taken to Lexington for repair of clutch and to check out filings found in the oil; have cleaned out ditches and will start seeding today; will begin spraying spurge next week; remainder of first windrow and a second windrow will be used for the Ashton Road project; watching portion of Highway 22, looks okay now; Arcadia project scheduled for June.

Treasurer Suminski reviewed the Month End Fund Report and noted that the ethanol plant has paid the property tax but not the personal property tax. Discussion was held with the County Attorney and he will file a claim with the Bankruptcy Court for the 2008 personal property tax. A claim can only be filed for taxes due at the time the bankruptcy was filed. Because the property has sold, the entire year's tax is due. Clark suggested that he and Suminski check with other counties to see what they are doing with regard to the ethanol plant bankruptcy. Suminski will check with Stowell's office to see what he found out regarding the personal property. This subject is to be on the next Board agenda for a report on the personal property taxes for the ethanol plant. Suminski presented an additional Pledge Security from North Loup Valley Bank.

Clay Schutz, Chief Probation Officer of District 17 and Tara Sprigler-Price, Chief Probation officer of District 8 presented information on the newly formed Probation District 8. The Nebraska Supreme Court has mandated that the Probation Districts align with the Judicial Districts which has caused the reformatting of some districts. Valley County will now be in Probation District 8 rather than District 17, a map showing the new district configuration was provided. The same probation officers will continue to serve this area. Howard County will be added to Local Probation Officer Tom Gidley's coverage area. Ms. Sprigler-Price is headquartered in O'Neill. The County pays a percentage of the District's budget each year based on population. The State pays wages and benefits, the Counties provide the office and pay the office expenses. Sprigler-Price hopes to have a budget in place by July in order to provide information to the Counties on their share of the costs. She also will provide a copy of the budgeted expenses to the County and is willing to appear and report to the County Board quarterly or annually if they wish.

A recess was called at 10:35 a.m., meeting reconvened at 10:45 a.m. with all members present.

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

Chairman Sevenker reported that Beckenhauer is expecting information from Daiken on the Courthouse HVAC system within the next week or so and will forward that information to the County. He also noted that he and Adam Kunz of Turf Pro set the lawn sprinklers to avoid the benches as much as possible.

Following discussion, Vogeler moved to accept the contract with Berggren Architects for Courthouse projects including but not limited to: 3rd floor fire exit, fire sprinkler system, elevator installation and masonry tuckpointing, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Jerry Berggren is to appear at the May 26 Board meeting to present project information.

The reminder of the BOE Seminar in Kearney on May 14 was noted.

At 10:50 a.m., VanSlyke moved to go into the Board of Equalization, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The Assessor and Clerk were present.

The Clerk noted there is no longer a statutory requirement for a specific number of hearing dates for Property Valuation Protest Hearings. The following dates were set for hearing Property Valuation Protests: June 9 at 11:00 a.m., June 29 at 7:00 p.m., June 30 at 11:00 a.m., July 6 at 7:00 p.m. and July 14 at 11:00 a.m. if needed. The dates and times will be published. Protesters are required to be given 10 days notice of their hearing date or sign a waiver of the notice. Assessor Arnold presented a letter explaining the setting of property valuations to be sent out with the Notices of Valuation Change in an effort to help the public understand the process her office is required to follow.

LB213 was discussed. Arnold presented information on concerns the Assessors have with this legislation regarding Property Valuation Protest requirements. Vogeler suggested that she include in the explanation letter that information on the sales used to establish values is available in her office and she agreed to do that.

VanSlyke moved to go back into regular session, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Erin Philbrick and Jonna Sich with American Family Insurance, and Randy Cullers and Chuck Abel who's offices pay employees to purchase their own health insurance, were invited by Supervisor Cullers to participate in the discussion of the County's health insurance plan due to the recent notification of the 18.34% premium increase in the NACO/BCBS Health Insurance Plan for FY 09-10. Discussion included: frustration with timing of premium increase and renewal deadline, need time for employees to shop for coverage to establish cost, how to set one amount to pay all employees given variety of health issues and insurance requirements, HSA funds, may need to stay with NACO/BCBS another year to give time to explore options, advisability of choosing the \$2500 deductible plan without office visit co-pay with the County reimbursing a portion of the deductible, Abel suggested County give each employee a summary at the end of each year showing what the County has paid in retirement and insurance for that employee. This will be on the next Board agenda for further consideration. Clerk advised the usual NACO/BCBS renewal deadline is June 1.

At 12:00 noon the meeting recessed for lunch, at 1:00 p.m. the meeting reconvened with all members present.

NACO/BCBS has scheduled a special Health Insurance Workshop for May 13, 2009 in Kearney. The Clerk reported that Larry Dix indicated the Workshop is to explain the new \$2500 deductible plan offered by NACO/BCBS with the County reimbursing a portion of the deductible and paying a 3rd party to handle the reimbursement paperwork due to HIPPA regulations. The annual BCBS Informational meetings are to be held on May 21, 2009 at various locations in Nebraska.

The Claim and Fund Request in the amount of \$26,249.92 for payment of the May BCBS premium were approved on motion of Vogeler, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

The following items were reviewed: April Current Expenditures Summary, NIRMA Quarterly Loss Report, Central Nebr. Housing Conference June 17, Loup Basin RC&D Council proposed by-law changes.

Sevenker noted a request from Loup Valley Arts Council to set up tent on the Courthouse lawn for ExtraOrdinary Days. The tent would be up overnight. It was noted that the Board has approved the Chamber's use of the Courthouse lawn during this same time period and that the lawn sprinklers should be shut off during this time. Cullers moved to approve Loup Valley Arts Council's request to set up a tent on the Courthouse lawn for ExtraOrdinary Days, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The Board approved the sample letter presented by Cullers to be sent with the awards check to Wozab Fund recipients who did not attend the awards ceremony. The letter is meant to encourage recipients to attend, send a substitute, or let someone know that there will be no representative at the ceremony. The Board also approved the

use of Wozab funds to pay publication costs for the Wozab Advisory Committee meeting, application deadline and an updated Wozab poster. Wozab correspondence: Thank You notes and apologies for missing the awards ceremony.

There were no Committee/Agency Rep. reports.

Sheriff Casey Hurlburt presented the Law Enforcement Agreement between the County and Arcadia Village for the County Board's approval. The agreement is the same as the North Loup Village agreement and has been signed by Arcadia. The new Deputy, Roy Crites, is currently living in Arcadia. Following review of the agreement, Waldmann moved to approve it, seconded by VanSlyke. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

Mail Folder items available for review: Loup Basin RC&D Newsletter, American Funds semi-annual report, Chamber/ED Newsletter, CNEDD Newsletter.

Meeting adjourned at 2:10 p.m., to reconvene on May 26, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the May 12 meeting and an agenda for the May 26 meeting are available for public inspection in the office of the County Clerk.

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 26, 2009 in the Courthouse Boardroom. Roll call: Cullers, Van Slyke, Waldmann, Baker, Sevenker, Cetak 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 12 meeting were included in the Board packets. Chairman Sevenker asked that the minutes for May 12 be corrected to clarify that the 2008 real estate taxes were paid by the ethanol plant but the 2008 personal property taxes have not been paid. The May 12 minutes were approved as corrected on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. The agenda was adopted on motion of Baker, seconded by Cetak. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

Jay Meyer, the new Valley County Road Supt. as of June 1, 2009, was present. The Board welcomed Meyer and expressed their appreciation to Leth for his 30 plus years of service to the County.

Road Secretary Sandy Simpson reviewed the May Road Claims & Balances: accounts payable \$100,384.31 and payroll \$34,849.14. The larger expenses were for repair, excavator, fuel, gravel, and grass seed. The Road budget should be sufficient for the remainder of the fiscal year although individual line-items may be over spent.

Gravel bidding for FY 09-10 was discussed. Jefferies Gravel has expressed interest in bidding. VanSlyke moved to set the gravel bid opening for June 30, 2009 at 9:30 a.m., seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Discussion was held regarding the transition period in the Road Dept. due to the change in Road Supt. Leth is willing to provide assistance during this time; however, he wishes to access his retirement funds and cannot do this as long as he continues to receive payment from the County. Leth will meet with Road Committee members to decide on a severance package to be paid in June, 2009 for his assistance and will receive no further pay from the County.

Meyer reported that Howard County wishes to retain his services while they search for a replacement so that they do not lose their allocation funds and they wish to hire him to do their bridge inspections. He would do the bridge inspections on his own time and the services required to meet the requirements for Howard County to continue receiving allocation funds would be minimal. Meyer is to meet with the Howard County Board today and will try to get an idea of the time frame they are looking at and report to Valley County. The Valley County Board agreed that they have no objection to Meyer providing assistance to Howard County as long as it does not interfere with his commitment to Valley County. Meyer noted that he has been inspecting Howard County bridges for 10 years and Greeley County bridges for 8 or 10 years. Discussion was held on the distribution of cell phones. Kolar has one and Simpson has one. Simpson said her phone is connected to the computer so it needs to remain in the office. Meyer said he has no problem using his own cell phone for work related calls.

Discussion was held regarding a billing statement in the amount of \$705 submitted by Dawn Scott for cleaning out a road ditch. At one time the County Attorney advised the Board that cleaning road ditches was not the County's responsibility, but it has been determined that this was not correct. During this time some people cleaned their own ditches. County liability was discussed. Meyer noted that Howard County does not allow anyone else to do any road or ditch work due to liability issues. County Attorney noted County is only responsible if ditch is plugged due to natural causes. Board felt people should have sought Leth's approval before doing any work in a County road ditch. It was agreed that more information was needed. Leth, Meyer and County Attorney Clark are to meet and determine how to handle this situation. Action on the billing statement presented by Dawn Scott will be delayed until the next meeting.

Leth's report included: received notice from State that they will pay up to \$12,000 for maintenance and gravel on the detour road; purchased 2 loads of asphalt for \$24,000, will be higher now due to rise in oil prices; Mac truck taken to Lexington for replacement of clutch also needs transmission work costing \$5000; waiting for hot weather to call for the Zipper machine for the 1.8 mile road work south of Arcadia.

Hospital CEO Schrage presented the monthly Hospital report. His remarks included: April was a high volume month; statistical trend favorable to budget; long-term care down and likely to remain there; continue to look for additional doctors; OR also down, hope up to date equipment and facilities will help; staying conservative on bottom line, awaiting year-end figures; building ahead of schedule and under budget; Hospital Board retained technology consultant; LTC generator takes 30 seconds to power up and requirement is 10 seconds, will need to replace it; salary and benefit stats reflect change to partial self-insurance for which expenses have been high this year.

Meeting recessed at 10:40 a.m. and reconvened at 10:50 a.m. with all members present.

County Attorney Clark reported that he tried to contact Green Plains, purchaser of the ethanol plant, regarding the taxes but his call was not returned. He will send them a letter. It will probably be a couple of months before we hear anything regarding the claim filed with the Bankruptcy Court. Suminski received confirmation that the court received the County's claim. Attorney Jensen filed a Motion for Summary Judgment in the Walker and Bronson cases which were continued to give Clark time to respond.

Chairman Sevenker said Buster Beckenhauer will report on the Courthouse HVAC system at the June 9 meeting.

At 11:00 a.m. the County Board moved into BOE on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. The Assessor and Clerk were present.

Assessor Arnold noted receipt of TERC's Findings and Orders for tax year 2009 that the valuations set by her office were acceptable and "no adjustment to the value of a class or subclass of real property in Valley County is required by law". Chairman Sevenker and Supervisor Cullers attended the BOE Workshop and each received a new BOE Handbook. Sevenker noted some things other counties did when hearing property valuation protests: make no decisions until all protests have been heard; tape the hearings; swear in the assessor and testifier; whole Boards go out and look at protested properties; some don't think it is right to look at protested property in the precinct they represent; pass resolution appointing Assessor to represent the County at TERC hearings.

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

Caleb Pollard, VCED Director, presented the agreement between the County and Chamber for administering the Lodging Tax in cooperation with the Visitor's Committee appointed by the County. No significant changes were made in the contract for this year. Following discussion, the contract was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Pollard also presented a preliminary draft of the proposed budget for the Lodging Tax funds, noting there has been a significant drop in collections. Choices will have to be made as to use of the funds. Due to decline in collections and lack of interest or need for "brick and mortar" projects, the Committee is looking at possibility of using a portion of the Visitors Improvement Fund for promotional activities. The Committee is also discussing cutting funds previously granted to local village activities in favor of more County and area-wide promotions. Pollard noted promotion of the area through the use of electronic media is cost effective and reaches a vast audience. Board agreed that they would go along with whatever Pollard and the Committee felt was best.

Claims & Balances Report and Claims List were reviewed. Vogeler moved to approve May Claims and Fund Request, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none.

The Base Acres Reduction Form CCC-505 received from the Ord FSA Office indicates the County Farm acres are reduced by 9.6 acres, from 73.6 to 64.0 acres due to additional land being used for industrial lots. VanSlyke moved to authorize Chairman Sevenker to sign the Base Acres Reduction Form CCC-505, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

The Nebr. DMV letter giving the County the opportunity to change to the alphanumeric system for license plates was discussed and the Board agreed to make no change in the license plates at this time.

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

Jerry Berggren of Berggren Architects presented information and drawings for the outside exit stairway for the second and third floors of the Courthouse. He noted: painted steel stairway with mesh side panels; experimenting with use of bar joists as trusses; don't want to penetrate jail roof; local welder could construct it; visited with plans examiner in Fire Marshall's office in effort to meet their requirements; chose east side of jail because west is front of building and south has no bearing location to carry the load; will need to smoke-seal the doors and have door closers which can be tied to the alarm system if desired; exit through jury room on third floor; will need to confirm jury room is entirely and always vacant except for jury trial; may have to anchor jury table to maintain pathway for fire exit; may have to make another door into jury room; openings within certain radius of fire exit will have to be fire rated; will confirm number of windows that will have to be replaced, maybe 4; will check on moving existing equipment on jail roof to allow 10 foot distance from building for exit walkway; original elevator estimate included basement to 4th floor, plans are now from 1st floor to 3rd floor so cost should be less, allowing more funds for other projects; can bid whole project contingent on spreading it over 2 fiscal years and list budget limit for each year; he will provide more exact estimates on project; he will draw up plans for stairway that can be used by contractor for construction; if

sprinkler system includes the jail could reduce cost of doors required for fire separation; will need separate water system for sprinklers so will excavate to attach to building; north wall of basement in bad shape due to moisture, suggests putting moisture barrier on foundation and replacing old galvanized pipe while wall is exposed to connect separate water system; need to confirm type of wire that has been run through the fresh-air shaft to see if it is fire rated; new electrical service is grounded to gas main which is not grounded, so this will have to be changed; he will provide periodic updates.

Berggren Architects billing was discussed. Board directed that the funds be requested through the elevator grant for the elevator portion of the billing and that the remainder of the billing be paid through the Misc. General Fund if budget allows or the Inheritance Tax Fund if necessary.

Meeting recessed at 2:25 p.m. and reconvened at 2:35 p.m. with all members present.

Discussion of the County Health Insurance plan was continued from last meeting. The NACO/BCBS plan the County is currently on will go up 18.34% for next year and renewal is required by June 1. NACO/BCBS has offered a plan with a \$2500 deductible to provide lower premiums; however, it does not include the office visit co-pay. Supervisor Cullers suggested the employees might prefer that the County pick up the office visit co-pay rather than a portion of the deductible and noted that this may provide better preventative medical care if employees avoided doctor appointments due to cost. Treasurer Suminski said she and her employees felt the office visit co-pay was an important benefit. Discussion included the County picking up both a portion of the deductible and the office visit co-pay as well as the possible need to freeze salaries for the new fiscal year depending on how things go during the budget setting process. Suminski said she felt employees would prefer to receive a salary increase rather than assistance with health insurance. Cullers moved to go with the new \$2500 deductible plan with the County paying \$1500 of the deductible through a third party administrator, seconded by Waldmann. Further discussion included the County paying both \$1500 of the deductible through a third party administrator and paying an office visit co-pay administered by the Clerk's Office. The Clerk noted that she would need to check into the HIPAA requirements for administering the co-pay. Cullers amended her motion to include the County providing office visit co-pay reimbursement to employees contingent on the Clerk's ability to meet HIPAA requirements, Waldman seconded the amended motion. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

The following items were reviewed with action taken as noted: CNHD letter regarding new housing program Purchase, Rehab, Resale was reviewed; NACO postcard regarding County membership was reviewed and the Board was not interested in joining at this time; letter from Public Defender Peterson regarding prorating reimbursement of education costs between the 3 counties, Board is okay with prorating costs between the counties; the Board was not interested in participating in the DED 2009 Nebraska Elected Official Survey.

Cullers presented a letter in support of continued funding for Fort Hartsuff for the Board's review. Baker moved to approve the letter, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. All Board members signed the letter to be sent to each member of the Game & Parks Commission and the Governor.

There were no Committee/Agency reports and the following mail folder items were available for review: Tara Sprigler-Price, Chief Probation Officer Dist. 8: Thank You; Loup Rivers Scenic ByWay/Junk Jaunt Meeting; Morrill County 100th Anniversary; Region 26 Council Agenda; Loup Basin RC&D Newsletter.

Meeting adjourned at 3:45 p.m., to reconvene on June 9, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the May 26 meeting and an agenda for the June 9 meeting are available for public inspection in the office of the County Clerk.

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 9, 2009 in the Courthouse Boardroom. Roll call: Sevenker, Waldmann, Baker, Cullers, Vogeler, Cetak, and VanSlyke were present. Clerk verified meeting notice was published and agenda posted. Minutes of the May 26 meeting were included in the Board packets and were approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. The agenda was adopted on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Vogeler, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Sevenker noted Open Meetings Act is posted, public copies available.

Jordan Cudney signed up for Public Comment to thank the Board for the Wozab funds granted to the GLVA youth football program. They recently changed from all flag football to padded football for the 5th and 6th graders which added to their costs. They have participants from the entire area; last year participants numbered 60 or 65

County Road Supt. Jay Meyer said former Road Supt. Leth has reviewed refunding of Easements 08-280 for Leonard Sedlacek and 08-281 for Michael L. Jackson and recommends approval. Vogeler moved to approve refunds for Easements 08-280 and 08-281, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none. Meyer said he has reviewed requested Easement 09-291 for Zangger & Sons and recommends approval. Baker moved to approve Easement 09-291, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

The billing statement for ditch cleaning presented at the last meeting by Dawn Scott was discussed. Meyer, Leth and County Attorney Clark met regarding this issue and the County Attorney advised that the County not get involved in paying landowners for the cleaning of ditches. All agreed it was unfortunate that the County had been previously misinformed as to their responsibility for cleaning County roadside ditches, however, they did not want to set a precedent by paying some landowners and not others. Vogeler moved to decline payment of the billing statement from Frahm Construction Inc. to Jim Layher presented by Dawn Scott for ditch cleaning, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Meyer reported that he needs to purchase a pickup and that Leth had budgeted for one this FY. He has been unable to find one locally that fits his needs, but has found one in St. Paul and will need to act quickly in order to use this FY funds. Also needs a computer for his office and plans to tie into the Sheriff's to get better price for both offices for internet service. Plans to get rid of Leth's cell phone once contract runs out and use his own so he doesn't have to carry two cell phones, will use his own for County business. Meyer expressed his appreciation for the assistance he has received from Larry Kolar and Sandy Simpson. Meyer's general report included: mixed last windrow last week; waiting for good weather to begin work on Sargent Highway, try to finish before festivals; will mix 2 more windrows from next year's budget, probably winter over one or part of one windrow; looking to level some areas on Sargent Road before armour coating; contacted Jerry Woodgate regarding detour road, State has agreed to repair any damage caused by the detour traffic and will provide signs which County will install; State will also address complaints received about Fort Hartsuff Road and will stripe and sign it; have hauled 9 loads of gravel and graded several times which State will pay for; overall budget should be okay for this FY; will be attending Highway Supt. meeting in Valentine this week, back on Friday; waiting for warmer temperatures to begin use of the Zipper, may be after June; over weekend had water over road in SW part of County, fixed washed out culvert and will be cleaning some ditches for better drainage.

Following discussion, the Board agreed that former County Highway Supt. Leth will receive his final County pay check this month at the rate agreed upon in September and it was noted that Leth has agreed to be available to advise Meyer and the Board when necessary.

Keith Shellhase, Ryan Simpson and Larry Copp appeared to present information about the new fire hall to be built on the empty lot south of the Ord Post Office. Shellhase noted that the Ord City Fire Dept. merged with Ord Rural Fire Dist. 2 several years ago. A drawing of the proposed building and construction plans were presented. They are working with Chief Construction out of Kearney and Grand Island for plans; local contractors will be invited to bid on the project. The building includes a storm shelter, handicap accessible restrooms and a kitchenette. The cost is estimated to be 1.4 million. The levy required to pay for it is estimated to be .0581 over 20 years, the estimate does not include the ethanol plant. They are planning to apply for a grant to help pay for it. The grant amount is not specific but over 2 million is available. Chief says building could be complete by late spring of 2010.

A recess was called at 9:55 a.m. and the meeting reconvened at 10:05 a.m. with all members present.

Treasurer Suminski reported Month End Fund Balances of \$455,764.90 General Fund, \$44,879.40 Road Fund, \$810, 247.74 Inheritance Tax Fund and \$56,454.54 in the Courthouse Bond Fund. The Courthouse Bond payment of \$40,232 is due November 15, 2009. She also reported a Pledge Security substitution with Tier One Bank.

Clerk Lindsey presented the May Fee Reports for the County Clerk and the Clerk of the District Court.

County Attorney Clark was not present due to a Court conflict in Custer County. County Sheriff Hurlburt is also involved in the Court case and will not be present so the Interlocal Law Enforcement Agreement with Ord City Police Dept. will be delayed until next meeting.

Sevenker said Custodian Cronk has switched the Courthouse HVAC system to the summer mode. Beckenhauer has asked that the Custodian and the Building & Grounds Committee meet with them and Daiken Representatives June 16th at 11:00 a.m. to review Daiken's findings with regard to the system.

Mortensen Industrial Site lease valuation requirements were discussed. County Attorney Clark had sent a letter to Kokes Welding and Premier Pump regarding their failure to meet the required \$100,000 valuation for their buildings. The letter indicated that they could make up the discrepancy by paying the difference in taxes between buildings valued at the \$100,000 and the value of their building (the amount was noted in the letter) and that they should contact the County Attorney to sign an agreement to that effect. The Assessor had noted that Kokes Welding did not meet the requirement for 2008 because their building renovation was not completed but that they do meet it for 2009. Kokes Welding did not contact the County Attorney or sign an agreement but did pay the amount listed as due. No payment has been received from Premier Pump nor have they contacted the County Attorney. The Board directed that the payment from Kokes be paid to and receipted by the Treasurer and that the County Attorney is to follow up with Premier Pump.

Discussion was held regarding the third party administrator for the BCBS deductible and the Office Visit Co-pay. Clerk Lindsey noted that when an employee reaches the \$1000 deductible and the County begins picking up the remaining \$1500 the employee cannot claim the Office Visit Co-pay as it will be of the reimbursed deductible. Lindsey also noted that information received from NACO Attorney Beth Ferrell notes that penalty fines for HIPAA violations have risen from \$100 to \$10,000 to \$50,000 which makes it unwise for her office to administer the Office Visit Co-pay. Following discussion, Cullers moved to go forward with First Concord as the third party administrator for both the BCBS deductible reimbursement of \$1500 of the \$2500 deductible and the \$30 Office Visit Co-pay (employee pays \$30 for office visit, County pays the remainder) at a cost of \$5.00 per person per month, seconded by Cetak. Carried. Yes: Cullers, Cetak, Vogeler, Waldmann, Baker, VanSlyke. No: none. Absent: none. Further discussion was held regarding the two options for reimbursement provided by First Concord, Option 1 provides payment to the employee and Option 2 provides payment to the provider. The Clerk and Treasurer will check into the options and choose the one that appears to be the most appropriate.

Clerk Lindsey explained that employees who qualified to participate in the County's health insurance were allowed to sign up for the Long Term Disability Insurance Buy-Up Option at their own cost. She did not realize that in order to participate in the Buy-Up Option the employee must also have the basic Long Term Disability Insurance provided by NACO as part of the NACO/BCBS coverage. One employee who signed up for the Buy-Up Option qualifies for the County's health insurance but chooses not to participate, therefore, does not have the basic LTD. The Board can elect to pay the basic LTD for this or any future employee who qualifies but does not choose to take the County insurance or the Board can elect to require the employee to pay the premium for the basic LTD in order to get the LTD Buy-Up Option. The cost for the basic coverage is about \$2.67 per month. Following discussion, Cullers moved to pay the \$2.67 premium for the basic LTD coverage for employees who qualify for participation in the County health insurance plan but chose not to take it and wish to participate in the LTD Buy-Up Option, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. Abstain due to relationship: Waldmann.

A recess was called at 10:55 a.m., meeting reconvened at 11:05 a.m. with all members present.

Board of Equalization was convened on motion of Baker, seconded by Waldmann at 11:05 a.m. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. The Assessor and Clerk were present.

Property Valuation Protest #1 for Steven C. Vech Rev. Trust on property located at L7 B52, Ord Original Addition was heard. No one was present to testify. Written testimony indicated house was purchased in December 2006 for \$30,000 and is presently listed for sale for \$45,000 and is in below average condition. Valuation Protest Form requests valuation of house be lowered from \$53,895 to \$32,000. Assessor Arnold, Deputy Assessor Nance and Supervisor Cullers viewed the house on June 3, 2009. House is well built but needs some work and has flooding issues in garage. Due to condition of the house, Arnold recommends condition change from good plus to fair plus, lowering the value to

\$42,020. Arnold also noted that the house is listed for sale in the Quiz and on Wolf's website at \$49,000. Cetak moved to accept Assessor's recommendation of land value at \$6580, buildings at \$42,020 for total value of \$48,600, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Property Valuation Protest #2 for Robin L. Dahlsten on property located on L4 B4 North Loup Babcocks 1st Addition was heard. No one was present to testify. Written testimony indicated house not livable and requested building valuation be lowered from \$6540 to \$2015. Assessor Arnold, Deputy Assessor Nance and Supervisors Cullers and Vogeler viewed the property through windows as the doors were locked. Arnold indicated the roof is in poor condition, trees are growing into the foundation, house is not livable and owner plans to burn it down. Assessor recommends house be priced at \$2.00 per sq. foot for a value of \$2015 with the land at \$445 for a total value of \$2460. Vogeler moved to approve the Assessor's recommendation, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: none.

As required by law, the Assessor presented the 2009 Level of Value listing assessment statistics for Residential Real Property, Commercial Real Property and Agricultural Land reflecting the valuation changes made for 2009.

Valuation Notices for 2009 for County owned property including parcels number 880015155, 880015316, 880010934, 880011606, 880036752, 880036880, and 880036881 were reviewed. Board questioned number of acres noted as taxable in the Mortensen Industrial Site and the Mortensen Farm. The Mortensen Farm acreage has been reduced due to the development of the Mortensen Industrial Site and the Board did not feel the County should be taxed for the vacant lots, roads or the mixing strip on the Industrial Site. Arnold said the Dept. of Revenue advised that the Board should apply for exemption for these areas. Following discussion, Vogeler volunteered to meet with Arnold to review the taxable acres. This will be on the agenda for the next Board meeting.

Arnold presented 2009 Notices of Valuation Change that were made after March 19 and are required to go through the Board of Equalization. Each notice listed the property description, owner, prior and current valuations and the reason for the change. These notices are on file in the Clerk's Office.

Arnold said she has learned of a grant that will pay for GIS and intends to apply for it.

The Board moved out of BOE on motion of Waldmann, seconded by Cullers at 11:45 a.m. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Marc Munford of Ameritas was present to report the plan for another bond issue, 2009B. Exact amount of issue will be decided later. Anticipate marketing the week of the 22nd and returning to Board on June 30 for the Bond Purchase Agreement. The stimulus package has raised the amount of issue allowed to stay bank qualified from 10 million to 30 million dollars so all remaining bonds can be sold in 2009.

A request has been received for a Special Designated Liquor license from Pat Proskocil, through Dennis Kamarad as DRK Inc., for a festival to be held on July 31, August 1 & 2, ½ mile east of the intersection of 463rd Ave and 809 Road in a pasture on the north side of the road. Approval of the County Board and the County Sheriff is required to accompany their special license application to the State Liquor Commission. Kamarad has a Caterer's license which simplifies the application process. During lunch recess, Sevenker will try to contact County Attorney regarding this issue. Proskocil and Kamarad will return after lunch for further discussion.

Recess was called at 12:10 p.m., meeting reconvened at 1:05 p.m. with all members present.

Discussion was held on the expiration of Cullers' term on the ED Board in July. Cullers felt other Board members would benefit from serving and the ED Board would benefit from new ideas. The term is 3 years. Waldmann is willing to serve and was nominated by VanSlyke who also moved that nominations cease, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Cullers, Baker. No: none. Absent: none. Abstain: Waldmann due to relationship.

The resignation letter received from Planning & Zoning Administrator Nancy Glaubke was reluctantly accepted on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none. The Clerk was directed to write a letter to Glaubke expressing the Board's appreciation for her past service and her willingness to assist during the transition to a new Administrator. Caleb Pollard was present for discussion of Glaubke's replacement and offered to check into advertising together for the ED/Chamber position held by Glaubke and the P&Z Administrator. Pollard said his educational background includes planning & zoning but he currently has too much responsibility to consider taking on the P&Z Adm. duties.

Sevenker reported a request from Ord Memorial Chapel regarding a County paid burial. He directed them to the HHS Office per the County's Burial Policy which requires approval of a burial claim through HHS just as other assistance claims are handled. Clerk Lindsey reported that Connie Felt indicated the burial was approved for County assistance and she will be submitting a claim.

The early Claims and Fund Request for payment of the BCBS premium was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Following discussion, Vogeler moved to authorize the Chairman to sign the Addendum #1 For Cooperative Reimbursement Agreement For Child Support Services for the County Attorney contingent upon the County Attorney's approval, seconded by Cullers. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none. The letter accompanying the Addendum indicates it is due back by June 30, this action will allow the County Attorney to meet that deadline if he approves the Addendum.

The FEMA letter regarding flood map distribution and the NIRMA 2009-10 Renewal letter were reviewed.

Dennis Kamard and Pat Proskocil returned for the special liquor license. Following discussion, VanSlyke moved to approve the requested liquor license for DRK Inc., subject to County Attorney approval, seconded by Vogeler. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Sheriff Hurlburt and Police Chief Adam Miller appeared before the Board. Sevenker noted that the Board did not act on the Interlocal Agreement for Law Enforcement between the City of Ord and the County because of the absence of Sheriff Hurlburt and the County Attorney. Both Hurlburt and Miller felt the agreement was needed. Following discussion, Baker moved to approve the Interlocal Agreement between the City of Ord and County of Valley to allow City Law Enforcement Services within one mile of the City of Ord, seconded by Waldmann. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Sheriff Hurlburt reported that his office has developed a new policy for dispatcher hours based on advice from Attorney Pam Bourne who works with NIRMA, they are going to a 14 day work period with 12 hour shifts. The dispatchers are in favor of the change. Under this policy they would work 36 hours one week and 48 hours the next week. This policy allows for 86 hours to be worked in two weeks before overtime is required. New Sheriff Deputy Roy Crites was introduced to the Board.

Mail folder items: Wozab Thank You, OSHA Training, CNCS Annual Report, NIRMA Interchange.

Meeting adjourned at 2:20 p.m., to reconvene as Board of Equalization on June 29, 2009 at 7:00 p.m. and on June 30, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the June 9 meeting and an agenda for the June 29 BOE and June 30 regular session and BOE meeting are available for public inspection in the office of the County Clerk.

Jenette G. Lindsey, Valley County Clerk

VALLEY COUNTY BOARD OF EQUALIZATION MINUTES

The Valley County Board of Equalization met in the Courthouse Boardroom at 7:00 p.m. on Monday, June 29, 2009. Present by roll call: Baker, Cetak, Cullers, Sevenker, VanSlyke, Waldmann. Supervisor Vogeler was absent. Clerk verified meeting notice was published and agenda posted. Cullers moved to adopt the agenda, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Waldmann. No: none. Absent: Vogeler. Sevenker noted Open Meetings Act is posted, public copies available. No public comment offered.

The County Clerk, County Assessor and Appraiser Rexroth were present. Supervisor Vogeler arrived at 7:05 p.m.

Property Valuation Protest #4 filed by Lawrence A. & Judi K. Welniak was heard on their property in Elyria Twp., NW4 less TO Canal, 26-20-15, 152.77 acres. Lawrence and Judi were present. The protested valuation was listed as land \$112,240, buildings \$69,960, total of \$182,200. The requested valuations were listed as buildings \$41,065, no change on the land value. Their written testimony indicated they were protesting the value of the house, there is no basement, and has had no improvements added since purchased in 1994. Assessor, Deputy Assessor and Supervisor Waldmann viewed the property on June 23. The Assessor recommendation was to change the condition of the house to average bringing the value to \$59,285, leaving the outbuildings at \$3380 and the land at \$112,240 for a total valuation of \$174,905. She did not feel the rural pricing could be changed because it has been used on all of the suburban classified properties. Discussion included: house is rental property, property within a one mile radius of Ord, Elyria, Arcadia & North Loup is classified as suburban, house sets on 150 acres, last year value was \$35,685, this year value is \$69,960, a 15% rollup was necessary for suburban properties due to sales, rural properties required a 5% roll up, depreciation allowed for suburban pricing is 55%, depreciation allowed for rural pricing is 27%. Board questioned use of suburban classification & asked for listing of properties so classified. Arnold and Rexroth explained that prior to this year, suburban pricing was used for properties with a suburban classification; however, they used rural pricing for these properties this year, which allows less depreciation, plus a 15% rollup in order to meet state valuation requirements. The Board decided to carry this protest over to another meeting to allow time to gather additional information. The Welniaks will be notified as to when their protest hearing will be continued.

Property Valuation Protest #5 filed by Russ Barnes was heard on property in Ord, Milfords Add, L4 B18. Russ was present. The protested valuation was listed as land \$6620, buildings \$66,980, total \$73,600. The requested valuation was listed as land \$2260, buildings \$49,858.44, for total of \$56,478.44. Written testimony was that the valuation was too high based on Barnes' calculations starting with the value when purchased, less removal of a square foot value for the old garage, laundry room and drive and then adding on a square foot value for the new garage, drive and addition to the house. Assessor, Deputy Assessor, Supervisor Cullers and Supervisor Sevenker viewed the property on June 18. Rexroth noted that the home improvements were in progress as of January 1 and thought that Barnes' request of \$49,858.44 was close to market value for this year and that the valuation could be reviewed for next year since the construction will be completed. Sevenker said he felt it should not be valued as very good condition and felt that a valuation of \$50,000 would be fair for this year. VanSlyke moved that a value of \$50,000 be put on the house for this year due the construction in progress, land value to remain at \$6620, for a total value of \$56,620, seconded by Cullers. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Property Valuation Protest #6 filed by Barrey & Melissa Konicek on property in Ord Twp, a 6.14 acre tract in S2SE4 17-19-14. Melissa Konicek was present. The protested valuation was listed as land \$21,425, buildings \$66,565 for a total of \$87,990. The requested valuation was listed as land \$21,425, buildings \$45,115 for a total of \$66,540. The written testimony indicated that there had been no improvements to the house and that defects had been discovered which should lower its value and a list of comparable properties was attached. Assessor, Deputy Assessor, Supervisor Cullers and Supervisor Sevenker viewed the property on June 18. This house is also in an area classified as suburban so was treated the same as the Welniak house. Konicek indicated only half of the structure has updated electrical, which they did after purchasing. Assessor recommended no change as all properties with suburban classification were treated the same and noted that Koniceks purchased the property for \$88,000 in 2004. Vogeler moved to accept the Assessor's recommendation of no change in the valuation for 2009, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: none.

Further discussion was held regarding the suburban classification. VanSlyke felt that property connected to an agricultural operation should not be classified as suburban. Also discussed were the limited number of sales in smaller counties.

Meeting adjourned at 9:00 p.m., to reconvene as Board of Equalization on June 30, 2009 at 11:00 a.m.
Complete minutes of the June 29 meeting and an agenda for the June 30 meeting are available for public inspection in the office of the County Clerk.

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 30, 2009 in the Courthouse Boardroom. Present by roll call: Cullers, Vogeler, Baker, Sevenker, Waldmann, Cetak, VanSlyke. Clerk verified meeting notice was published and agenda posted. Minutes of June 9 meeting, included in Board packets, were approved on motion of Baker, second by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Vogeler moved to adopt the agenda, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. Sevenker noted Open Meetings Act is posted, public copies available. No public comment offered.

Road Secretary Simpson reported June Road Claims & Balances: \$140,069.12 for accounts payable, \$38,039.37 for payroll, \$133,229.09 was transferred from General to Road for June and \$33,297 remains in the budget.

Road Supt. Meyer recommended approval of Easement 09-292 for Tony McCarville to install electric lines across a county road. Vogeler moved to approve Easement 09-292, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

Cullers moved to approve the letter to NDOR and Nebr. Central RR Co. requesting \$5000 from each entity for the closing of the RR crossing near the ethanol plant as stated in the closing agreement, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none.

Meyer reported: half of one windrow has been used on the Sargent Road; rain interfering with gravel hauling; hope to get Zipper in July for road south of Arcadia; attended preconstruction meeting for bridge south of Arcadia where he learned that it will be restricted down to 10' sometime in August, will impact County for haulers and farmers and will last about a year, first half to be completed this year, second half to be torn up during winter months and completed next year; will begin 40 hour work week for road crew in July, crew will continue to get the same pay which includes 4 hours of overtime but no raises will be given this year, crew will be paid overtime if overtime hours are required, overtime will be a separate line item and paid with a separate check, regular work hours will be 7:00 a.m. to 3:30 p.m., should not be much overtime depending on winter storms.

Weed Supt. Kaminski reported: due to legislative budget cuts lost 2 state inspectors, Valley County has a new one; of the 7 open cases, 6 have acted, 1 has not due to financial constraints; has sent 15 day notices; due to thistles in alfalfa notices will be issued to 3 landowners requiring them to feed their hay on site in an effort to prevent spread of thistles, he will review with County Attorney before sending notices.

Gravel Bids were opened and read at 9:30 a.m. as advertised. Bids were received from Jeffres Sand & Gravel Inc. and Ulrich Gravel Inc. Lee Jeffres and Scott and Wes Ulrich were present. Jeffres bid, received at 8:45 a.m., listed: gravel at pit \$7.30/yard, yard mile \$0.28, minimum haul \$2.80/yard, sand \$4.00/yard, 47B \$7.45/yard, armor coat gravel \$7.40/yard, mud rock \$14.85/yard. The Ulrich bid, received at 9:15 a.m., listed: at bin 7.00 per cubic yard, cubic yard mile .19, mud rock at pit 14.00, clean rock at pit 15.00, sand at pit 3.50, AC gravel at pit 7.00, 47B gravel at pit 7.20, waste rock at pit 8.00, 5 mile minimum haul 1.75. Following discussion, Vogeler moved to accept both bids, leaving to Meyer's discretion which supplier to use based on project location, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The following persons were present for discussion of the possibility of changing Valley County's 911 service from Region 26 to Custer County: Troy Smith, Emergency Manager & Communications Director for Custer County; Custer County Supervisors Larry Hickenbottom, Don Olson, Don McCullough; Jay Meyer, Scotia Fire Chief; Casey Hurlburt, Valley County Sheriff; Kevin Hood of Thomas County; Alma Beland, Region 26 Director; Doug Wrede, Greeley County Commissioner; Ryan Simpson, Valley County Emergency Manager. Smith presented estimates of the cost to Valley County for use of Custer County's system, including monthly charges and one-time set up fees. The estimate did not include electrical work that might be required. He estimated the yearly cost to Valley County would be about \$12,000. The one-time set up fees would be around \$134,000 with the microwave link and \$55,000 without it. The microwave link allows for future upgrades if needed and provides service without phone lines. There would be an additional charge to Valley County based on usage. Region 26 will provide Valley County's current usage numbers so that Custer County can provide an estimate of usage charges. Region 26 assessed Valley County \$55,037.23 for the 08-09 fiscal year and also receives the 911 surcharge for Valley County lines which should be about \$26,000 per year. Going with Custer County would allow Valley County to keep the 911 surcharge funds. Discussion included: saving money is important but must continue to have good 911 service; can be difficulties between areas using different emergency communications providers; Simpson felt Valley and Greeley County could work out differences and suggested, if

change goes forward, a committee be formed to include fire departments, sheriffs, police and emergency management from both counties; Custer County broke from Region 26 in 1990 or 1991, paid for their own communications system in 3 years, they only had one vote on the Region 26 board and paid by far the most for the service, they are happy with their decision to go on their own; Sevenker noted that Region 26 gives good service, but the council representation is unfair and the basis for billing should be based more on usage rather than population and valuation; Beland noted that there is more to the service than 911 calls, they do everything including bookwork, payroll, taxes, own & maintain equipment, maintain 911 addressing; Sevenker and Valley County Region 26 Rep. VanSlyke noted that Region 26 has been unwilling to discuss changes in representation and billing formula, VanSlyke failed to get a second to his proposal for changing it; Beland said they are planning to discuss billing practices at their meeting tonight; Sevenker felt the County owed it to the taxpayers to look at the Custer County proposal but also needs to make sure emergency service needs are met; Meyer noted that North Loup and Scotia pagers need to be notified at the same time, this will need to be worked out if system changes; Wrede asked Valley County to consider staying with Region 26 even if costs are higher in consideration of the other Region 26 members; Sevenker said Valley County has no wish to harm other members but owes it to the taxpayers to look at the options and restated the disparity in representation based on share of cost with Region 26; Beland said Custer County's estimate does not include a share of the operating costs; Sevenker thanked everyone for their comments. Valley County will get usage figures together for Custer County and pursue a committee as suggested by Simpson.

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

Valley County Hospital CEO Larry Schrage presented the hospital report including statistical and financial information for May. Utilization and financial operations are good. Hospital Board has approved the 09-10 FY budget. ADC is above budget; Radiation Tests are up; PT is up; OT & Speech are growing; Home Health is up; LTC is down as expected, due to better home health care and change in LTC attitude, will continue to maintain 45 budget; future emphasis to be placed on operating room procedures as new facility will enhance this; positive cash flow. Board of Trustees, Medical Staff and Management met to discuss strategic planning for the next 3 years. Building is on schedule and under budget. The Project Managers Monthly report from TSP was provided to the County Board. Hospital Board has approved leasing Ruthie's Variety building in Burwell to expand rehab services, 2 months of renovation will be needed at estimated cost of \$15,000. This will provide a gym area, 4 treatment rooms and a small office.

At 11:10 a.m. Cetak moved to go into Board of Equalization, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. The Assessor, Clerk and Appraiser Larry Rexroth were present.

PVP #3 was heard for Leonard M. Urbanski on property located in Ord Original, S2 L7 & 8 B40 with a protested value of land \$3290, buildings \$80,405 and a requested value of land \$3290, buildings \$76,575. No one was present to testify in favor of the protest. Written testimony indicated the basement wall is caving in. Assessor, Deputy Assessor, Supervisors Cullers and Sevenker viewed the property on June 18. The Assessor recommends no change in valuation as the basement wall has been repaired and all houses in Ord City were rolled up 5% in order to meet the state valuation requirements. It was also noted that the home was purchased in 2003 for \$80,500. It was moved by VanSlyke, seconded by Cullers to go with the Assessor's recommendation of no change. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Notices of Valuation Change were presented for: Parcel #880036772 Ronnie C. Hulinsky due to removal of concrete pads; Parcel #880030422 Laurel Andersen due to error on year of house; Parcels #880036752, 88036880, 880036881, 880036890, 880010934 Valley County due to removal of portions of County owned property not producing income and match the number of acres on lease agreements. Following discussion, Arnold agreed to remove the notation of 11.12 acres from parcel 880036752 and add it to parcel 880010934.

Appraiser Rexroth provided information on sales used to calculate values noting that the sales support the assessed values. When questioned regarding the suburban classification and the possibility of not using this classification as long as the property remains part of a farming operation, he noted that the value is there because the landowner has the option to sell off 10 acres and a house at any time and buyers are looking for this type of property. Rexroth also noted that the classification system is regulated by the state and is used to align similar properties but the bottom line is market value and location drives value in the market place. The Assessor agreed to provide information at the next meeting on the number of properties classified as suburban and to check on whether the County Board can remove the subdivision classification around the villages.

The Board moved back into regular session at 11:50 a.m. on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Marc Munford of Ameritas present the resolution authorizing the issuance of 6.35 million in bonds for the new hospital and noted this is 2009 Series B and represents the entire bond amount, there will be no further bonds issued. He presented the required paperwork for the Board to sign, the debt service schedule for the 2009B series and the Aggregate Debt Service Schedule for all of the bonds, noting they were able to keep the interest rate under the target rate of 5%. Following discussion, Cullers moved to approve Resolution 09-07 authorizing the issuance of the series 2009B bonds in the amount of 6.35 million dollars, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Following review of the Claims List and Claims and Balance Report, the June Claims and Fund Request in the amount of \$530,355.30 were approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

County Attorney Clark reported: can issue distress warrant for personal property at ethanol plant but has been assured by Stowell that new owners are planning to pay it when they close on the property so won't do anything yet but continue to monitor; Stowell said he will notify Treasurer Suminski if a problem develops so the distress warrants can be issued as this has to be done prior to the sale. Clark also noted that he is researching the County's obligation with regard to the Probation District budget for Custer County and Valley County and will report his findings.

The meeting was recessed at 12:25 p.m. and reconvened at 1:10 p.m. with all members present.

Caleb Pollard, Executive Director of the VCED, thanked Supervisor Vogeler for attending the meeting in Lincoln with Game & Parks regarding the funding cutbacks for Fort Hartsuff. The Board noted receipt of a letter from Game & Parks in reply to their letter of support for continued funding for Fort Hartsuff. Pollard said he felt the Commission did not realize the economic impact of the Fort in the area and for the state as well as its national historic significance.

Pollard advised the Board that the Tourism Committee was considering rotating their monthly meeting sites between Ord City and the Villages and asked their opinion of the idea. Pollard asked if the Tourism Committee was subject to the open meetings law and County Attorney Clark advised that it probably was and they could meet their obligations by posting notice of their meetings.

Planning & Zoning Administrator vacancy was discussed. The Board has not advertised the position yet as current Administrator Glaubke has agreed to stay on through the summer, but has received one application. Following discussion, it was decided that the vacancy would be placed on the agenda for the last meeting in July.

County Attorney Clark noted receipt of the DHHS letter regarding child support incentive payments and said all incentive payments received by his office are paid to the County Treasurer. Clark also agreed to send a letter to Premier Pump regarding their lack of response to his initial letter notifying them that they are not in compliance with their lease in the valuation of their building. Kokes Welding has taken care of their non-compliance issue. He further reported that he has submitted briefs in the Walker and Bronson cases and that the Judge will rule on the requested Summary Judgement.

The Interlocal Law Enforcement Agreement between the County and the City of Ord was presented as approved by Ord City Council with the change to authorize the City Police to patrol within a one mile radius of Ord City, to include the entire Mortensen Development Site. Said agreement was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Beckenhauer had an outside firm review the Courthouse HVAC system and presented a list of things this firm felt should be done to improve the working of the system. Following discussion, it was decided to provide Wadas with a copy of the list without the prices the outside firm listed and invite him to the next meeting to see if he is interested in doing this work.

Sevenker reported that Jane John has decided not to request a Special Designated Liquor License.

Drawdown #2 for elevator grant funds in the amount of \$9319 was approved on motion of Waldmann, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none. These funds are to pay Berggren Architects for their work toward the installation of an elevator in the Courthouse.

Resolution 09-06 authorizing the County Treasurer to transfer delinquent tax collections from old, unused funds to current funds for Road and Weed was approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Sevenker reported receipt of a letter of resignation from Sam Gailey on the Airport Authority Board. The remaining Board members will provide names of persons interested in serving on the Board and the County can appoint one of them to finish out Gailey's term. This will be on the July 28 agenda.

The Audit Report of Valley County for year ending June 30, 2008 prepared by Dana F. Cole was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The Audit Agreement letter from Tonniges & Assoc. for years ending June 30, 2009, 2010, 2011 was approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Waldmann, Cetak, Baker, VanSlyke, Cullers. No: none. Absent: none.

Meeting adjourned at 2:15 p.m., to reconvene as Board of Equalization on July 6, 2009 at 7:00 p.m. and on July 14, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the June 30 meeting and an agenda for the July 6 BOE meeting and the July 14 meeting, both regular session and BOE, are available for public inspection in the office of the County Clerk.

Jenette G. Lindsey, Valley County Clerk

VALLEY COUNTY BOARD OF EQUALIZATION MINUTES

The Valley County Board of Equalization met in their Courthouse meeting room on Monday, July 6, 2009 at 7:00 p.m. Present by roll call: Cetak, Sevenker, Baker, Vogeler, Cullers, VanSlyke, Waldmann. Clerk verified meeting notice was published and agenda posted. Minutes of the June 29, 2009 meeting were approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Baker moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none. Sevenker noted Open Meetings Law is posted, public copies available. No public comment. Clerk, Assessor and Appraiser Rexroth were present.

Protest #24, Thomas S. Kruml, parcel #880036595, PNW4 N&W of No Loup Irrig. Dist. canal/lateral, 20.77 assessed acres, 10-19-14. Protested value: land \$30,990, buildings \$224,115; requested value: land \$25,265, buildings \$214,440. Thomas S. Kruml was present to testify. Written testimony: 5 acres assessed as 1D land and should be 1D1, poor county road condition and lack of road repair negatively impact land value, would accept total improvement value of \$214,440; oral testimony: understand need for taxes and wants to pay fair share, okay with land and outbuilding values but has issue with house value, per square foot value of house is \$93.67, Jim Knapp's house is \$59.35, Kruml house depreciation is 3%, Johnson house is 27%, Reznicek house is 17%, requests 20% depreciation or explanation of the difference. Appraiser Rexroth explained that depreciation is determined based on sales over a 2 year period and that it represents the loss in value over time for physical, functional and location of the home. According to the sales data, rural homes retain their value longer than homes in town. Kruml said the valuation exceeds what he has invested in the home and advised that the Board should look at the depreciation discrepancy between town and rural, noting that rural properties do not have city utilities or streets. Sevenker noted that small counties are at a disadvantage in that there are fewer sales to use to compute the valuation. The Assessor's written testimony noted that she, the Deputy Assessor, Supervisors Cullers, Waldmann, and Sevenker viewed the property on July 1 and she recommended no change in the 2009 valuation due to the fact that the land use is correct, the comparable properties Kruml cited are not rural and she listed rural comparable properties of Zadina, Petska and Nelson to illustrate that comparable properties were treated the same. Vogeler moved to go with Assessor recommendation for no change in the 2009 valuation, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Protest #7, Lannie L. & Terri L. Geiser, parcel #880015232, No. Loup Twp, 4 ac tract in SE4 31-19-13. Protested value: land \$17,000, buildings \$255,765; requested value: land \$15,000, buildings \$245,000. Lannie and Terri Geiser were present. Geiser's written testimony noted they had the property appraised in April and a copy of the appraisal was provided to the Assessor, the appraised value of the property totaled \$260,000. Assessor Arnold recommended that the appraised value be accepted since comparable sales from the Assessor's sales roster were used in the appraisal. Cullers moved to accept the Assessor's recommendation to use the total property value of \$260,000 per the appraisal report, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Gary Ackles, Protest #13, parcel #88005194, North Loup Twp., NWNW4 less canal, RR & Hwy ROW; less 1.11 ac to NDOR, 14-18-13, 69.15 ac, protested land value \$94,525, requested land value \$80,405; Protest #14, parcel 880005068, North Loup Twp, Pt W2SW4 less Hwy ROW & T/O canal; less 5.75 ac to NDOR, 11-18-13, 38.36 ac, protested land value \$25,945, requested land value \$21,020; Protest #15, North Loup Twp, NE4 lying S & W of Hwy ROW, less 7.48 ac to NDOR, protested land value \$75,165, requested land value \$60,885. Gary Ackles was present to testify: written testimony on Protest 13, 17.6% increase not acceptable; Protest 14, 23.4% increase not consistent with area values and not acceptable; Protest 15, 23.4% increase, too high, not acceptable. Sevenker noted that sales data is sent to the state and they determine the class values. Board and Ackles discussed need for changes in property taxes. Assessor's recommendation for Protests 13, 14 & 15 is that land use and acreage is correct, so no justification for lowering valuation. Baker moved to accept the 2009 valuation as recommended by the Assessor for Protests 13, 14, & 15, seconded by Vogeler. Carried. Yes: Baker, VanSlyke, Cetak, Vogeler, Waldmann, Cullers. No: none. Absent: none.

Protest #17, Martin H. & Linda J. Markvicka, parcel #880005544, North Loup Twp, L1 NE4NE4, W2NE4, SE4NE4, 25-18-13, 152.2 ac; protested value: land \$90,165, buildings \$123,600; requested value: land \$71,400, buildings \$108,790. Martin & Linda Markvicka were present. Their written testimony indicates 8 acres of dry land, 146 acres not farmable, no livestock on it for 8 years, 2 horses in pasture since June 1, 2009, 66 acres labeled by state as poorest quality, original house burned down and another moved in over old foundation, basement only under fourth of house, new roof installed over old one, paperwork found in house from 1882. Assessor, Deputy, Supervisors Waldmann and Vogeler viewed the house on July 2, 2009. Assessor notes 66 acres are in lowest classification available, and recommends adding 3 plumbing fixtures, changing 2 porches to living areas and year of house to 1882. This lowers house \$640 for a total valuation of \$213,125 for 2009. Following discussion, no decision was made at this time.

Protest #18, Thomas E. & Karen Meyer, parcel #880025655, Ord Hillside Add, L2 B6, 21-19-14; protested value: land \$6560, buildings \$20,205; requested value: land \$6560, buildings \$0. Thomas & Karen Meyer were present, their written testimony included pictures and notation that house was purchased 5-7-09 in unlivable condition and torn down on 5-10-09. Assessor recommends no change in 2009 valuation because property is valued as of January 1, 2009 and the house was there at that time, no provisions are made for prorating valuation for a portion of the year. Vogeler moved to leave the land value at \$6560, and prorate the house value to include only the 5 months it was there for a building value of \$8420, total value of \$14,980, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Protest #38, Kenneth G. Dawson, parcel #880036764, Ord Twp, 10.20 acre tract in NE4NE4 35-19-14, protested value: land \$26,065, buildings \$165,455; requested value: land \$11,805, buildings \$165,455. Kenneth Dawson was present, written testimony indicated FSA maps show 8.85 acres should be grass, not part of the site. Assessor indicates Dawson provided certification from FSA for the 8.85 acres and recommends changing the 8.85 acres to grass for a land value of \$11,805, buildings remain at \$165,455 for total value of \$177,260. VanSlyke moved to go with the Assessor recommendation for Protest #38, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Protest #4, Lawrence A. & Judi K. Welniak, parcel #880017745, Elyria Twp, NW4 less TO canal, 2620-15, 152.77 ac; protested value: land \$112,240, buildings \$69,960; requested value: buildings \$41,065. This protest was continued from June 29. Judi Welniak was present, written testimony indicates no basement, no improvements since purchased in 1994. Assessor, Deputy, and Supervisor Waldmann viewed the property on June 23. Assessor recommends changing condition of house to average, but no change in land value because all properties classified as suburban were valued using the same criteria and required a 15% rollup to meet the state percentage requirement. Assessor recommendation brings house to \$59,285, leaves outbuildings at \$3380 and land at \$112,240 for total of \$174,905. Judi Welniak said house value went up 80% from \$39,000 to \$69,000. Discussion included: suburban class properties were below state percentage requirements and even though pricing was changed to rural to lower depreciation, a 15% rollup was required to meet state requirements; use of suburban classification around villages was questioned; 97 properties classified suburban; only 4 of the 97 suburban property owners protested and 1 of those was valued at the purchase price; should property of more than 10 acres be rural, not suburban, can County Board change definition of suburban classification, Rexroth thought this would require hearing before TERC Board; Assessor is required to use available sales to establish market value. Sevenker suggested changing house condition and quality to fair which would bring the value to \$50,340. Cetak moved to change the house condition and quality to fair for a value of \$50,340 with no change to the land and outbuildings value, for a total valuation of \$615,960, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker. No: VanSlyke. Absent: none.

Cullers moved to accept the Assessors recommendation of \$213,215 total valuation on previously discussed Protest #17 for Martin & Linda Markvicka, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker. No: VanSlyke. Absent: none.

Protest #19, Jerome Bruha, parcel #880014119, Geranium Twp, W2SE4, E2SW4, 6-19-16, 160 acres; protested value: buildings \$62,955; requested value \$59,810. No one was present to testify. Written testimony indicates many buildings in poor condition; old hog buildings are not in use or are unusable. Assessor, Deputy and Supervisor Waldmann viewed the outbuildings on July 1, 2009 and found that a granary is gone but the other 4 outbuildings are usable and reasonably valued. Assessor recommendation is to remove the granary valued at \$450 and leave the other 4 outbuildings as they are. This would bring the 2009 valuation to: outbuildings \$23,055, house \$39,450 for total building value of \$62,505. Waldmann moved to go with the Assessor recommendation for a total outbuilding valuation of \$62,505 on Protest #19 for Jerome Bruha, seconded by Baker. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak, Vogeler. No: none. Absent: none.

Protest #20, Alan & Jana Edghill, parcel #88002471, Ord West Ord Add, N15.5' L7, L8 B8; protested value: land \$8160, Buildings \$98,885; requested value: land \$8160, buildings \$80,145. No one was present to testify. Written testimony indicates 18% raise is too much and house next door is same square footage, has been rebuilt and is valued less than this property. Assessor recommendation states property not viewed because Assessor discovered error in valuation that when corrected brings house value to \$84,150 and Edghill was agreeable to corrected value. Cetak moved to go with Assessor's corrected house value of \$84,150, land value \$8160 for a total value of \$92,310 for 2009, seconded by Cullers. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

Protest #22, Brad Lowe, Lowe Investments LLC, parcel #880004088, Arcadia Twp, Pt Div K in SE4 23-17-16, 16.7 acres; protested value: land \$21,250, buildings \$0; requested value: land \$185,000, buildings \$0. Protest #23, Brad Lowe, Lowe Investments LLC, parcel #880036703, Arcadia Inside Corp, N220' Div X, Div K lying N of Hawthorne Creek less 1.51 ac tract, Div NE of Hawthorne Creek SE4 23-17-16; protested value: land \$15,235, buildings \$0; requested value: land \$13,260, buildings \$0. No one was present to testify. Written testimony references attached Nebr. Dept. of Revenue listing of 2008 to 2009 % Change in Valuation by County which shows 13.82% change in agland valuation for Valley County and notes that his property valuation increased 24%. His requested valuation reflects a 13.82% increase. Assessor recommendation indicates that both properties were valued based on NRD certification of irrigated acres with the remaining acres valued as grass and recommends no change. It was noted that the Dept. of Revenue listing appears to be the average percent of valuation increase in each County for each property classification not the percent of change for individual properties. Baker moved to accept the Assessor's recommendation of no change on Protests #22 and #23, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

Meeting adjourned at 9:10 p.m., to reconvene on July 14, 2009 at 11:00 a.m. as Board of Equalization. Complete minutes of the July 6 meeting and an agenda for the July 14 meeting are available for public inspection in the office of the County Clerk.

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 14, 2009 at 9:00 a.m. Roll Call: Baker, Cetak, Cullers, Van Slyke, Vogeler, Waldmann present; Sevenker absent (excused). Meeting was conducted by Vice Chairperson Cullers. Clerk verified meeting notice was published and agenda posted. Minutes of the June 30, 2009 meeting were approved on motion of Van Slyke, seconded by Cetak. Carried. Yes: Van Slyke, Baker, Vogeler, Cetak, Waldmann. No: none. Absent: Sevenker. Clerk Lindsey requested that the agenda be amended to include under item 10A, Act on Claims and Fund Request, \$9319 in grant funds received after the deadline for changing the agenda. These funds are in payment of work done by Berggren Architects on Courthouse elevator design and are required to be disbursed within 10 days. Baker moved to amend the agenda as requested and adopt it as amended, seconded by Waldmann. Carried. Yes: Baker, Van Slyke, Waldmann, Vogeler, Cetak. No: none. Absent: Sevenker. Cullers noted Open Meetings Law is posted and public copies are available. There was no public comment.

County Attorney Clark was present but had District Court commitments today so the issue of pivots spraying roads was discussed at this time. Road Supt. Meyer said he has been receiving complaints and that water can cause paved roads to break up and create muddy areas on other roads. Clark said this is a law enforcement issue as it is prohibited by statute and can create hazardous driving conditions. He advised that complaints received by the Road Dept. be referred to the Sheriff's Office. He will instruct the Sheriff to investigate and document the complaints and provide a form letter for the Sheriff to send to the offending landowner and/or tenant. Clark also advised that Meyer check with former Road Supt. Leth to see if there is a list of past offenders. If the offending party does not correct the situation or is a repeat offender, they can be prosecuted. The Board also approved the publication of an ad informing the public that watering the roadway is prohibited and the offender is subject to prosecution.

Old Business item 8A, Region 26 contract & options, was discussed with Attorney Clark. Information provided by Clerk Lindsey indicates: the County's Region 26 file does not contain a copy of the July 1, 1990 Interlocal Cooperation Agreement with Region 26 which was provided to Supervisor Van Slyke and the copy provided to Van Slyke is not signed; this Agreement indicates written notice of withdrawal must be provided 2 years in advance and the Council can decide if service will be provided for the withdrawing County for those 2 years but the withdrawing County is obligated to pay its assessment whether service is provided or not; excerpt from County Board minutes of July 10, 1990 says amended contract was presented changing required withdrawal notice from 90 days to 7 years; County Board's motion did not approve amended contract but approved their assessment under the same contract as before with 90-day termination notice; excerpt from County Board minutes of July 31, 1990 indicates John O'Brien of Region 26 Council asked County Board what kind of commitment they were willing to make to Region 26 and the Board's motion approved a 2 year commitment; a 15 year extension of the Interlocal Cooperation Agreement was presented at County Board meeting of October 30, 2001 by Ron Kerkman of Region 26; extension says agreement shall terminate under provisions of Paragraph 6 of original agreement; minutes indicate Kerkman said 30 day notice of withdrawal was required. Attorney Clark will review the information and advise the County Board of his opinion.

Meyer noted that Ord City has already completed the installation of electric service on the 3 easements they are requesting from the County and that he advised them to get the easements approved prior to installation in the future. He has inspected the work and recommends approval of Easements 09-293, 09-294 and 09-295 for Ord City and that the \$100 deposit for each Easement be waived. Vogeler moved to approve said Easements for Ord City and waive the \$100 deposit for each, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Van Slyke, Baker, Waldmann. No: none. Absent: Sevenker. Meyer said that Ord City gave the County a 1955 distributor truck some years ago but it was never properly signed over and titled to the County. He is working with McKenney to get the title and add it to the County inventory.

Meyers general report included: ready to place new 911 signs on highway north of town; tentative schedule for paving project south of Arcadia using the Zipper is next week; mixing 2 final windrows, will winter over half to use next spring; Sargent Road about done; will begin on Haskel Creek Road where have had many complaints; will work on Davis

Creek Road and various other spots in County; new guidelines for Federal Aid projects require Local Project Assistants who have completed training, there is no cost for the training but takes a lot of time, must complete 24 hours of online classes in order to qualify for the 10 day school, he plans to take the classes in Sept. and Oct. when they are offered in Kearney so he can drive back and forth, if he can pass the classes can act as LPA, Federal Aid projects take longer to complete but can save the County a lot of money and allow needed projects to be done; a licensed engineer is also required to sign off on projects requiring hydraulic studies, load ratings, etc., mostly bridge projects; the County has a couple of bridges that need to be opened before harvest so he has budgeted \$5000 for engineering; Federal Aid projects will require the County to have an official County Engineer which will require a selection/bid process, they will usually agree to act as the County Engineer and charge by the project, a 3 year contract is normal in order to complete a project with the same engineer; Board agreed that an engineer should be hired if it is required; Meyer will check regulations on how this is done and get the process started; met with Mike regarding changes to the drainage plans approved by the County on west side of new hospital, has concerns about changes to the drainage plan on the south side of the west side drainage where they were originally going to build a structure so water does not sit but have done nothing, now the water will wash out our road, he asked them to elbow and bury under the road and agreed to provide pipe if they provide elbow and do the work; Leth allowed landowners to buy culverts from County stock but Meyer is requiring that they buy their own and if Board approves County will install, this avoids having to carry cost of extra culverts in the County's budget. Minimum maintenance roads were discussed per the letter from Cook & Cook Inc. regarding their Property Valuation Protest and it was noted that minimum maintenance means minimum maintenance. They do not stand up to weather and have to be a low priority in order to maintain the more traveled roads.

Treasurer Suminski presented the Month End Fund Report for June, noting that a total of \$505,000 was collected and giving the fund balances. She also noted that on July 6 the 2008 Personal Property taxes on the ethanol plant were paid in full. A copy of the Summary of Collections, Disbursements and Balances that will be published was provided as well as a 4 page breakdown of the summary amounts. Suminski also presented a State Assistance Comparison Report showing State Aid and Property Tax Relief received each year from 2001-2002 to 2009-2010. The estimated 2009-2010 State Aid is \$14, 894.21 with no Property Tax Relief. Finally, she reported the replacement of a Pledge Security for North Loup Valley Bank.

The County Clerk and Clerk of the District Court Fee Reports for June were reviewed as was the annual report of collections of old ambulance bills.

There was no County Attorney Report as he was in District Court.

Van Slyke reported: Sherman County did not have a copy of the 1990 contract provided to him by Region 26, Region 26 Council seems more willing to discuss issues and is looking at a different method to figure costs, Custer County is trying to get accurate usage figures from Region 26 in order to provide a better cost estimate to Valley County, Howard County is also interested in having Valley County join their communication system. The Valley County Region 26 assessment for FY 09/10 is \$45,767.29.

While waiting for the 11:00 a.m. scheduled start of the Board of Equalization, the County Board moved to New Business. Claims and Fund Request in the amount of \$35, 576.41 for payment of the BCBS premium and disbursement of the grant funds to Berggren Architects were approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker. No: none. Absent: Sevenker.

A special budget meeting was set for Monday, August 10, 2009 at 7:00 p.m. for discussion of the budget requests of the County Officials, Dept. Heads and other requesting entities.

NIRMA email with regard to possible ICE inspections of employers' I-9s was reviewed as was the Chamber/Economic Development Report for July. Cullers called the Board's attention to the letter from Adam Miller and the Sales Tax Receipt information in the Report.

There were no Committee/County Rep. reports.

Meeting recessed at 10:20 a.m. and reconvened at 11:00 a.m. with all members present except Sevenker.

Cetak moved to go into Board of Equalization, seconded by Van Slyke. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Van Slyke. No: none. Absent: Sevenker. The minutes of the July 6 BOE meeting were approved on motion of Baker, seconded by Vogeler. Carried. Yes: Baker, Van Slyke, Waldmann, Vogeler, Cetak. No: none. Absent: none. The Assessor and Clerk were present.

Property Valuation Protest #8, Joan Deaton, parcel #880010773, Ord Twp, N2SW4 5-19-14, 80 acres, protested valuation \$139,600 land, \$45,845 buildings. No requested valuation listed. No one present to testify. Written testimony indicates improvement value went from \$43,740 to \$45,845, were assessed at \$14,055 in 2002. Buildings are 78 years old, no additions or alterations. Does not feel increase is based on condition of buildings. Land has increased from \$77,500 in 2002 to \$106,450 in 2007 and \$139,600 in 2009. Feels 2009 valuation is based on data prior to recent recession and requests recent data reflecting nearby agricultural land sales. Assessor and Deputy viewed house July 1, accompanied by Adrian Sonnenfeld who lives in the house. Assessor's written testimony indicates: new windows and siding on 3 sides, kitchen cupboards updated, patched cracks in all rooms except living room, porch in back used as bedroom and is heated and cooled, basement wall on west side caving in, steel beams on ceiling with jacks to keep house from falling in if basement wall caves, west side has old windows and no siding. Review provided no reason to change value of outbuildings. Land use and number of acres appear to be correct. Assessor noted that, although there is a problem with the west side of the basement, the house is solid otherwise, and with updates, changing condition of the house would lower valuation too much. Her recommendation is to change the 128 sq. ft. porch to living area, bringing the house valuation to \$43,525 with no change to the outbuildings and land, for a total 2009 value of \$184,795. Following discussion, Van Slyke moved to accept the Assessor's recommendation on Protest #8, seconded by Baker. Carried. Yes: Van Slyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: Sevenker.

Protest #9 received from Karl A. Jorgensen was withdrawn by Mr. Jorgensen on June 25, 2009.

Protest # 10, James Wray, parcel #880015855, Noble Twp, E2 22-20-13, 320 acres, protested value \$318,880 land, \$2455, buildings; requested value \$261,845 land, \$0 buildings. James Wray was present. His written testimony indicates house not livable. Wray informed Assessor that house has a lot of bees around it so it was not viewed. Assessor's written recommendation indicates Wray's brother has similar house with no value, James Wray's house not usable for storage so recommends house value, which is only salvage value, be removed. Wray agreed land use is correct and Assessor noted it was certified by FSA, so she recommends land value remain the same. Following discussion, Vogeler moved to accept Assessor's recommendation on Protest #10, bringing total value to \$318,880, seconded by Waldmann. Carried. Yes: Vogeler, Cetak, Van Slyke, Baker, Waldmann. No: none. Absent: Sevenker.

Protest #11, Robert Cook, parcel #880007154, Enterprise Twp, NE4 less .826 ac tract in NE4NE4 28-18-14, protested value \$220,115 land, \$1520 buildings; requested value \$184,065 land, \$1520 buildings. Robert Cook was present. His written testimony indicates he is not getting any more rent this year. Assessor recommendation indicates that Cook agreed the land use was correct so Assessor recommends no change for 2009.

Protest #12, Robert Cook, parcel #880007210, Enterprise Twp, SE4, 29-18-14, 160 acres, protested value \$189,220 land; requested value \$150,000 land. Robert Cook was present. His written testimony indicates property turning into swamp. Photos, FSA maps and commodity summary information were attached to the protest. Cook testified he does not want to have area designated as wetland as he is working to make it usable and hopes to have corn on it next year. Assessor's recommendation indicates land use is based on NRD certification and recommends no change for 2009. Baker moved to accept the Assessor's recommendation on Protests #11 and #12 for Robert Cook, seconded by Van Slyke. Carried. Yes: Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: Sevenker.

Protest #16, Hubert D. & Twilla V. Bowley, parcel #880025585, Ord Hillside Add, L4 B4, protested value \$6,635 land, \$71,170 buildings. No one was present to testify. Written testimony indicates: assessed more than it is worth, more than selling price, more than comparable properties. Assessor's recommendation is for no valuation change for 2009 as the house has been reviewed numerous times and Bowleys agree house structure and roof are good. Valuation

change is result of 5% rollup necessary on all property in Ord City to meet state valuation requirements based on area sales. Waldmann moved to accept the Assessor's recommendation on Protest #16, seconded by Cetak. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: Sevenker.

Protest #21, Edward & Sharon Conley, parcel #880006279, North Loup Twp, SW4NW4 36-18-13, protested value \$72,650 land, \$104,930 buildings; requested value \$61,650 land, \$72,335 buildings. Ed Conley was present to testify. Written testimony indicates value too high. Conley noted smaller house was an office at one time, it has never been rented and no one lives in it. Assessor, Deputy and Supervisor Cullers reviewed both houses on July 6. Assessor recommendation notes Conley said smaller house was once a cattle shed, has no electricity or water. Main house has been redone, chalk block foundation, outside walls dry walled but not inside walls, sun room added in 2006, second floor original, new windows and paint, new kitchen cupboards, leaking problem in kitchen. Assessor recommends change small house condition from good to average for value of \$4075; on main house change 60 sq. ft. of porch to living area as it is a laundry room, and use miscellaneous table to value 256 sq. ft. solar room bringing value to \$78,915; outbuildings and land stay the same. Discussion was held regarding use of suburban classification and fact that 15% roll up was required on suburban properties as well as lower depreciation to meet state valuation requirements. Waldmann suggested changing small house to storage value since it has no water or electricity. Assessor noted it has some heat to keep pipes from freezing. Waldmann moved to approve the Assessor recommendation on Protest #21 accept for the small house which is to be valued as a storage building for total property value of \$153,135, seconded by Van Slyke. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: Sevenker.

Protest #25, Loup Valley Investment, Gaylord Boilesen, Pres., parcel #880036878, Trotter First Add, protested value \$107,940 buildings; requested value \$66,000. Boilesen was present. Written testimony: building did not have roof, doors, or trim on January 1 and has no floor. Assessor written testimony indicates Boilesen provided written accounting of materials and labor from GC Contracting totaling \$165,003 and noted there was no roof, doors or trim on Jan. 1. Assessor had 70% complete on January 1 but with new information recommends change to 40% complete for 2009, review 2010 for 2009 valuation of \$61,680. Cetak moved, Vogeler seconded, to accept recommendation of Assessor for Protest #25. Carried. Yes: Cetak, Van Slyke, Baker, Waldmann, Vogeler. No: none. Absent: Sevenker.

Protest #26, Edith Payne, parcel #880019047, Eureka Twp. E2SW4, Inc cemetery, 32-20-16, 80 acres, protested value \$48,635 land; requested value \$39,125 land. No one was present to testify. Written testimony indicates: too big of a jump in valuation, income is not increasing, not all acres are favorable, asks how surrounding land compares. Assessor written testimony indicates agland sales from July 1, 2005 to June 30, 2008 were used in sales analysis, state mandates values between 69% & 75% of market, Valley County is at 73%, as long as land classification and number of acres is correct value is same as everyone else with like property and cannot be changed. Assessor recommends no change for 2009. Vogeler moved to accept the Assessor's recommendation of no change for Protest #26, seconded by Baker. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Van Slyke. No: none. Absent: Sevenker.

Protests #27-35 were filed by Cook & Cook Inc, Robert Cook was present. Protest #27, parcel 880006930, Enterprise Twp, S2 21-18-14, 320 acres, protested value \$396,085 land, \$117,685 buildings; requested value \$340,175 land, \$112,550 buildings. Written testimony indicates no new improvements. Protest #28, parcel #880000686, NW4 22-17-13, Independent Twp, 160 acres, protested value \$82420 land; requested value \$77521 land. Written testimony indicates up \$8590 from 2008. Protest #29, parcel 880000504, Independent Twp, SE4 16-17-13, protested value \$78,760 land; requested value \$75,000 land. Protest #30, parcel #880000448, Independent Twp, SW4 15-17-13, 160 acres, protested value \$76,410 land; requested value \$71,000 land. Protest #31, parcel #880001316, NW4 9-17-14, 160 acres, Davis Creek Twp, protested value \$71,825 land; requested value \$68290 land. Protest #32, parcel #880008316, Vinton Twp, S2 27-18-15, 320 acres, protested value \$148,720 land; requested value \$138,140 land. Protest #33, parcel #880001323, Davis Creek Twp, SW4 9-17-14, protested value \$74,280 land; requested value \$72,271 land. Protest #34, parcel #880000644, Independent Twp, NE4 21-17-13, 160 acres, protested value \$73,670 land; requested value \$69,450 land. Protest #35, parcel #880007168, Enterprise Twp, NW4 28-18-14, 160 acres, protested value \$229,875 land,

\$67,285 buildings; requested value \$190,575 land, \$64,550 buildings. The same written testimony was attached to each protest and included: valuations too high for economic times, County spends excessively, protester does not care who or how formula came to be, should be separate category for investors who purchase land for a tax break and farmers trying to make a living, all of protested property on minimum maintenance roads and they get no maintenance, what are tax dollars going for, suggestions for cutting county costs including cutting office staff, getting qualified people on Medicare instead of county insurance, employees pay portion of insurance premium, custodian should do all maintenance inside and out, underground sprinklers and hiring mowing and snow removal is waste of money, new doors that stay open so long waste heat and cool air, schools spend too much per pupil. Supervisor Cullers said she had called Evelyn Cook and visited with her about her concerns. Cullers explained to her that: minimum maintenance roads only get minimal maintenance but the County Road Dept. can be contacted if there is a significant problem, Medicare will not provide primary coverage for a person who is eligible for group coverage, current custodian is part time and receives no benefits which saves the County more than the cost of mowing and underground sprinklers, the custodian does most of the snow removal, the doors that remain open longer are the handicapped accessible doors and are required to stay open that long. The Assessors written testimony indicates that the Cooks agree that their land use and acreage is correct and did not want their buildings reviewed so there are no grounds on which to make any changes and she recommends no changes for 2009 for Protests #27, #28, #29, #30, #31, #32, #33, #34, #35 for Cook & Cook Inc. Van Slyke moved to accept the Assessors recommendation of no change for 2009 for Protests #27-#35 for Cook & Cook Inc., seconded by Cetak. Carried. Yes: Van Slyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: Sevenker.

Protest #36 filed by Terry & Peggy Reineke was withdrawn on July 8, 2009 by Terry & Peggy Reineke.

Protest #37, Bruce Worm, parcel #880007371, Enterprise Twp, NW4NW4, 34-18-14, 3 acres, protested value \$14,000 land, \$25,745 buildings; requested value \$12,350 land, \$25,000 buildings. No one was present to testify. Written testimony indicates he does not believe the valuation is accurate. Assessor, Deputy and Supervisor Cullers reviewed the house on July 6, 2009. Assessor written testimony indicates water damage around chimney and ceilings in every room, paint peeling in the house, basement leaks, foundation has large cracks, putting new roof on house, living in house. Assessor recommendation is to change the condition from average to fair plus and flag to be changed next year after repairs are completed making value on house \$7,980, outbuildings \$12,975 and land \$14,000 for total value of \$34,955. Van Slyke moved to accept the Assessors recommendation for Protest #37, seconded by Baker. Carried. Yes: Van Slyke, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: Sevenker.

Protest #39, Steve Bruha, parcel #880036657, North Loup Twp, 5.8349 acre tract SE4SE4 14-18-13, protested value \$21,040 land, \$37,040 buildings; requested value \$15,000 land, \$20,000 buildings. No one present to testify. Written testimony indicates value too high. Assessor, Deputy and Supervisor Cullers viewed house on July 6, 2009. Original cupboards, kitchen ceiling dry walled, addition has been put on with 3 fixture bathroom, laundry room & bedroom, new windows on second floor, 1 bedroom dry walled, 2 bedrooms original, in process of lowering ceiling in office. House should be valued higher due to addition, will review next year and change to very good condition due to addition. Assessor recommends adding 2 plumbing fixtures for 2009 and reviewing for 2010, bringing house to \$36,745, outbuildings \$945 and land \$21,040. Vogeler noted he reviewed the house on his own and felt the condition should be dropped from good to average. Assessor felt this would lower value too much and noted she could not provide the resulting value without going to her office and calculating it. Vogeler moved to accept the Assessor's recommendation with the exception of lowering the house condition from good to average and reevaluate it next year, seconded by Van Slyke. Carried. Yes: Vogeler, Waldmann, Baker, Van Slyke, Cetak. No: none. Absent: Sevenker.

Protest #40, Charlotte M. Kamarad, parcel #880036618, E2SE4 32-19-16, 80 acres, protested value \$56,195 land, \$21,445 buildings; requested value \$56,195 land, \$10,840 buildings. No one was present to testify. Written testimony indicates house not habitable, basement walls falling in, septic tank caved in, radon tests do not allow living in house, repairs too costly, only usable for storage. Assessor, Deputy, Supervisors Cullers and Waldmann viewed house July 6, 2009. Not habitable as furnace has been taken out, water shut off & radon tests indicate not livable, windows in poor

condition, floor sloping, ceilings cracked and plaster falling, basement walls cracked & leaks, only usable for storage. Assessor recommends house be put in storage value of \$1620, outbuildings \$8,495, land \$56,195 for total valuation of \$66,310 for 2009. Waldmann moved to accept Assessor recommendation on Protest #40 for total value of \$66,310, seconded by Vogeler. Carried. Yes: Waldmann, Vogeler, Cetak, Baker, Van Slyke. No: none. Absent: Sevenker.

Protest #41, Lonnie & Salina Jensen, parcel #880032060, North Loup Rublees Add, L12 & W50' L13, protested value \$2555 land, \$28,690 buildings; requested value \$2555 land, \$21,070 buildings. No one present to testify. Written testimony: no improvements since property was last reviewed, needs new siding and shingles. Assessor, Deputy and Supervisor Cullers viewed house July 6, 2009 but were unable to view inside as property owners could not be present. Took pictures of outside which appears in need of maintenance. Eaves rotted as well as window sills, needs painted or sided, trees and brush close to house in back, needs to be shingled. Assessor recommends changing condition of house from average plus to fair, bringing value to \$24,285 and leave land at \$2,555 for total value of \$26,840 for 2009. Vogeler moved to accept Assessor's recommendation for Protest #41 for total value of \$26,840 for 2009, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Van Slyke. No: none. Absent: Sevenker.

A Tax List Correction for First Data AKA FDMS-POS was submitted due to disposal of leased equipment on 9-28-2007. Baker moved to approve Tax List Correction #3730 for First Data AKA FDMS-POS, seconded by Waldmann. Carried. Yes: Baker, Van Slyke, Waldmann, Vogeler, Cetak. No: none. Absent: Sevenker.

Assessor Arnold informed the Board that she has submitted an application for grant funds to help pay for the GIS and asked if a Board member would be willing to go with her to the hearing that is to be held on Sept. 15 regarding the grant. Cullers said she would be willing to go. Arnold noted that she will have to budget for the GIS but will not have to spend those funds if the grant is awarded to Valley County.

Supervisor Baker complimented Arnold and her office staff on their handling of the Property Valuation Protests.

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

Meeting adjourned at 12:00 noon, to reconvene on July 28, 2009 at 9:00 a.m. in regular session. Complete minutes of the July 14 meeting and an agenda for the July 28 meeting are available for public inspection in the office of the County Clerk.

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 28, 2009, at 9:00 a.m. Roll call was taken with Cullers, Vogeler, Baker, Sevenker, Waldmann, Van Slyke, and Cetak present. The Clerk verified publication of meeting notice and posting of agenda. The Clerk noted discovery of errors in the last 3 Board Meeting Minutes which need to be corrected for the record: June 30 Minutes noted 6.35 million dollar Hospital Bond and should have been 6.035 million, July 6 Minutes listed Welniak's property value at \$615,960, should have been \$165,960, and July 14 Minutes listed Conley's property value at \$153,135, should have been \$156,135. Vogeler moved to approve the above listed corrections to the June 30 and July 6 minutes and to approve the July 14 Minutes as corrected above, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker, Van Slyke. No: none. Absent: none. Cullers moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Sevenker noted the Open Meetings Act is posted and public copies are available. There was no public comment.

Road Secretary, Sandy Simpson, gave the July Road Claims & Balances report totaling \$103,722.51. The larger expenses were tires, tack oil, grader payment, oil, fuel, and gravel. Meyer noted that tires were purchased from Bauer Built Tire Inc. in order to take advantage of the substantial savings provided by the state bid.

Meyer requested Board approval of Resolution 09-08 for a stop sign at the intersection of 814th Road and 475th Ave. The state installed a stop sign here during the highway construction and in the interest of public safety Meyer felt the stop sign should remain due to the amount of traffic and a daycare in the area. Cullers moved to approve Resolution 09-08, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. State has paid for a double arrow sign and post for road realignment on Hwy 11, and has promised to use millings to widen the turn off the highway toward the County Neighbor to allow trucks to make the turn and to remove trees to help visibility when coming onto the highway from Sargent Road but none of this has been done yet.

Meyer is not familiar with Nebraska Track Service, Inc. from Madison NE whose letter requested that the County consider using their services to buy, sell or repair heavy equipment. Meyer noted the County does their own small repairs and warranted repairs require a specific dealer.

Meyer passed around pictures showing 466th Road after the Zipper was used last week. One mile was completed with about ½ mile to go when the Zipper broke down. Meyer also noted: added diesel as millings were too dry, will armor coat and seal right away to keep moisture out, no need to let it cure, pleased with result, will see how it does over the winter, widened the road a bit, will see how edges hold up.

Meyer checked on drainage at the hospital site after 1.5 inch rain last week. North side would have been okay except silt fence came down and plugged riser tube. He feels water will run over the road on the south side if we get a 2 or 3 inch rain. Sevenker noted the design for the south side agreed on by the County, Hospital and Project Engineer was changed without the County's approval. The original design called for the County to install a tube to which the construction company would add an elbow and pipe directing the flow away from the road. County installed the tube but no elbow or piping was added, it currently goes directly to the road. It was agreed this issue needs to be settled before the project is completed. Meyer, Sevenker, and any other available Board member who wishes to participate will meet with Mike Swanson to try to resolve this issue and report their findings at the next Board meeting.

Meyer has received many complaints about the condition of the Haskell Creek Road due to the heavy trucks hauling sand for the building of a new storage facility for the North Loup elevator and gravel trucks. The road crew will try to patch the road but the patches will not hold up for any length of time due to the heavy traffic. The Comstock Road has been graveled in preparation for the festival, no parking signs have been installed along the shoulders and it will be graded just before the weekend. The Board complimented Meyer on his work.

Budget Accountant Chuck Abel provided handouts to the Board with information on the valuation, levy, budget requests, expenditures and receipts for FY 08/09 and projections for FY 09/10. The projected valuation is \$457,021,930 which does not include the ethanol plant. The County's levy is currently at .385 cents and the limit is .50 cents, which includes .05 cents for interlocal agreements. Abel noted that allowing all funds requested would significantly decrease the cash balance and that Inheritance Tax funds would have to be used for operational costs. Board also received budget requests from County Officials and Dept. Heads and will meet with them and Subdivisions requesting levies on August 10, 2009 at 7:00 p.m. in the Courthouse Boardroom. Budget discussion will continue at the regular meeting of August 11, 2009. Abel noted that he will not be available to attend either of these meetings.

Sevenker moved to agenda item 8A since Ryan Simpson was present. Simpson informed the Board that he has been getting questions from area fire chiefs and the public as to the County's intentions with regard to their membership in Region 26 and he requested that the County Board establish an official committee to study the issue before taking any action. Sevenker noted that discussions are pretty preliminary yet. Van Slyke said the County's goal is not to pull out of Region 26 but to address concerns with how costs are figured and he noted that Region 26 did not want to discuss the issue before and now are more willing to discuss it. Simpson said he would like to see an official committee include: Fire Chiefs from Ord, North Loup, Scotia and Arcadia; Region 26 Rep. Van Slyke; a representative from Arcadia, North Loup and Elyria Village Boards and Ord City Council; Valley County Sheriff; Ord City Police Chief; representative from the County Hospital; Chairman Sevenker and couple of additional Board members; Emergency Manager Simpson. The Board agreed that no official committee be established until questions regarding a signed contract between the County and Region 26 and the applicable termination requirements have been resolved. Van Slyke agreed to call Simpson following the Region 26 meeting tonight.

A recess was called at 10:20 a.m., meeting reconvened at 10:35 a.m. with all members present.

Joe Wadas was present to discuss the solution list proposed by Getzschman Heating, LLC of Fremont to address Courthouse HVAC system concerns. Solution list includes: 1)check each system to determine state and condition of refrigerant charge, leakage and codes, 2) reclaim refrigerant leak, check system, repair leaks, recharge system and restart, 3) move sensors from outside wall to interior wall, 4) install sound attenuating baffles and diverters in courtroom, 5)supply and mount 208 3ph heated air curtain to lobby entrance, 6) supply and mount 20KW electric heaters to replace existing 15KW heater, 7) supply and mount 2 circulation fans with stop start disconnects with stat to mechanical penthouse, 8) supply and mount 2 small ventilation fans to electric heat control panels in mechanical penthouse. Wadas has found and repaired the leak which required draining and recharging the lines, so items 1 and 2 are done. Wadas did not think there were many sensors on outside walls, but will check to see how many would need to be moved. He noted original plans did not include installing sound insulation in the registers, however, he would do this for \$100 per register in the District Courtroom. Discussion was held regarding installation of a heated air curtain at east entrance to prevent hot/cold air exchange due to length of time handicap access door stays open. Wadas suggested installing over the second doorway, not the entrance door and suggested that it not use heated air. Custodian Cronk was present for discussion and noted he has no opinion on whether the air curtain should be installed at the entrance or at the second doorway. Discussed whether air should run continuously or be shut off at night and on weekends; also noted was the affect of opening east and west entrance doors at the same time. Wadas said cost without heat is \$2100, with heat would be almost double that. Upgrading jail heaters from 15KW to 20KW would be \$1647.20. He would like to try an experiment in the penthouse to add a duct system that would circulate the cold outside air within itself rather than through the units. He has seen a similar system in Kearney and if it would works would be considerably cheaper. There would be no cost to the County for this experiment. Discussed problem in Jail kitchen area due to cooking grease clogging the filter and it was suggested that a better ventilation system may be needed. Cronk noted that Daikin promised training and a backup system but he has not received either. Wadas and Cronk will contact Daikin to see what they are planning to do. When asked if the new system is cheaper to operate than the old, Cronk noted that you cannot get a good comparison as it is all electric and is heating and cooling a lot more area

than the old system did. Wadas noted Jail windows need to be looked at as they let in a lot of outside air. Vogeler thought items 7, 8 and 6 were the most important. Wadas is to return on August 11 with prices on items 3, 4 and 5.

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

Corrections to the minutes of July 6 and July 14 are noted above. Assessor Arnold explained the Homestead Exemption for Roger W. Heermann had to be rejected because a physician certification is required and could not be obtained. Arnold also notified the Board that TERC has scheduled the Schauers 2008 PVP Appeal for September 16, 2009 at 12:00 noon at the Holiday Inn Express in Kearney. She also asked if some of the Board members could meet with her for an explanation of her budget request as she will not be able to attend the scheduled budget meetings.

The Board moved back into regular session at 11:20 a. m. on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none.

County Attorney Clark's General Report included: FY 09/10 budget request from new Probation District Two totals \$86,078, Valley County's share is \$6,025.46, in FY 08/09 County belonged to Probation District 17 with actual expenses of \$32,513.05 and Valley County's share was \$2601.04, Clark noted that the statute setting out the County's obligation to the Probation District is difficult to interpret but questions whether all expenses listed in the budget are covered in the statute, Clark advised allowing same percentage increase in the Probation Office budget as is allowed in other County Offices; the Request for Summary Judgment in the Walker and Bronson cases was overruled; a case dismissed with prejudice means it cannot be re-filed and is what he tries to do if the case is too trivial to warrant a jury trial; did not find out in time to budget for new \$1000 subscription fee for Family Advocacy Network which provides trained personnel to conduct interviews etc. in juvenile or abuse type cases, this is a necessary service.

July Claims list was reviewed and the claims and Fund Request for July in the amount of \$267,252.22 were approved on motion of Vogeler, seconded by Baker. Carried. Yes: Vogeler, Cetak, Van Slyke, Baker, Cullers, Waldmann. No: none. Absent: none.

Agenda item 10B, Drawdown #3 for the Elevator Grant, is not necessary because the cost of design work for the elevator on Berggren's billing statement was less than the \$1500 required to request grant funds.

Region 3 FY 09/10 County Match Request in the amount of \$8960.51 was approved on motion of Cullers, seconded by Van Slyke. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Due to a reconfiguration of population, the County's match is less this year.

The EPC Letter of Agreement with Region 3 was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Cullers, Baker, Van Slyke. No: none. Absent: none.

Following discussion, a reminder of the regional public meeting regarding the Hazard Mitigation Plan for Lower Loup NRD and Participating Jurisdictions to be held in Ord on August 12 is to be on the next County Agenda.

Letter from Viaero regarding their application for a grant to fund broadband service in Valley County was discussed. Clerk reported Ryan Simpson indicated he was going to fill out the paperwork to accept Viaero's offer, however, the Board felt they did not have sufficient information to approve participation in the grant application. The deadline to participate was July 31. Van Slyke offered to call Simpson regarding the Board's position on the offer.

Waldmann and Cetak agreed to attend a meeting proposed by Caleb Pollard regarding the Ord downtown area.

Vogeler moved to appoint Clerk Lindsey to replace former Road Supt. Leth as Safety Committee Chairperson, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none.

The Planning & Zoning Administrator vacancy will be carried over to the next meeting, Baker will check with Pollard as to his plans with regard to the vacancy. The Airport Authority will meet on August 11 and recommend candidates for the vacancy on their Board, so this item is to be carried over to the County Board's August 25 meeting.

Copies of the drawings provided by Berggren for the addition of an outside exit from the second floor were reviewed. Cullers, Van Slyke and Waldmann accompanied Berggren and the Deputy Fire Marshall on a tour of the Courthouse to review the project. Berggren's email noted that the Chief Plans Examiner, Doug Hohbein, of the State

Fire Marshall's Office is requiring a separate corridor for the second floor exit which will require putting in 2 doors and a wall resulting in a substantial cost increase for the project.

Following discussion, Cullers moved to approve receipting the \$5000 from NDOR and the \$5000 from NCRR for closing the RR crossing at the ethanol plant to the Road Fund, seconded by Baker. Carried. Yes: Cullers, Baker, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none.

Following items reviewed, no action taken: the Quarterly Financial Statement for the Wozab Fund showing a beginning balance of \$1,171,291.06 and an ending balance of \$1,220,027.54; NACo President's letter regarding America's health system; reaffirmation agreement for housing assistance grant recipient who filed for bankruptcy.

The Board conducted their quarterly jail inspection.

Cullers presented a written report as County Rep on the Region 3 Board, highlighting a budget of \$12,511,338 made up of \$12,014,718 State and Federal Funds and \$496,620 County Match funds. Priorities include a reduction in EPC situations, ensuring 17 year olds and up encounter a seamless transition to the adult behavioral health system.

Mail Folder items available for review: CNCS Re-Cap, LBRC&D Meeting Notice & newsletter, NIRMA Interchange, VCED Quarterly Report

Meeting adjourned at 12:20 p.m., to reconvene on August 10, 2009 at 7:00 p.m. for the 09-10 budget meeting and August 11, 2009 at 9:00 a.m. in regular session. Complete minutes of the July 28 meeting and an agenda for the August 10 and 11 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 special session to consider the 09-10 budget and subdivision levy authority requests at 7:00 p.m., Monday, August 10, 2009 in their Courthouse meeting room. Roll call: Cullers, Vogeler, Baker, Sevenker, Waldmann, Van Slyke, and Cetak present. Clerk verified meeting notice published and agendas posted. Agenda adopted on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none. Sevenker noted Open Meetings Law posted, public copies available.

Terry Christensen present to discuss Loup Valley Ag Society levy authority request in the amount of \$52,500 General Fund and \$20,000 Cap Construction, \$10,000 higher than last year. They need to pay street paving costs this year and replace three 30 year old furnaces in the main building.

Ryan Simpson present to discuss Civil Defense budget. He is asking slightly less than last year as he has most of the equipment he needs. He is training Scott Philbrick to take his place and would like to increase his pay.

Deputy Assessor Nance and Assessor employee Stevens appeared to discuss Assessor budget in absence of Assessor Arnold. Written note from Arnold indicated: reappraisal of Commercial properties was bid at \$24,775 each year for two years; residential reappraisal bid at \$27,720 over three years of which \$10,000 is included in this budget; \$7500 for sales studies and new depreciation tables from Appraiser Rexroth; used vehicle for pick-up work, protest reviews and reappraisal; will not find out about grant application for the \$17,000 GIS system before budget is approved, could receive \$10,000 or \$25,000.

Custodian Cronk present to discuss Building and Grounds budget. His request is less than last year as not as many requests for remodel/renovation projects in offices. Sheriff requested funds for a project but did not provide an amount so could not include it in budget, Board could move from Sheriff budget to B&G if they wanted to.

Road Supt. Meyer present to discuss Road budget. Road employees will not receive a raise as hours were cut but pay stayed the same and Meyer did not budget a raise for himself. Increased budge is due to: want to buy belly dump truck for \$50,000 to haul own gravel and save \$25,000 hauling charges to pay for more gravel; can't find parts for old Dodge pickup, want to purchase used one from state surplus; \$16,000 for radios for road crew, communication is necessary, crew should not have to use their own cell phones which don't work in many areas anyway; signage for T intersections, chevrons for curves and stop signs; CAT program to overhaul machines for \$69,000, makes them almost like new, county machines are approaching 22,000 to 25,000 hours without an overhaul which is recommended at 12,000 hours; like to send Jared to school for diesel mechanic training as CAT rates are \$120 per hour; asphalt same as last year, will be used before fall; will need grader blades; had to replace 30 tires; engineer required on hydraulic projects and bridge repair. Most important needs are belly dump truck, radios, and asphalt. If had to cut \$30,000 would be \$10,000 from equipment labor and \$18,000 for pickup; already allowed for gravel with purchase of belly dump truck.

Sheriff Hurlburt present to discuss Sheriff and Jail budgets. Line item 2-1012 printing and publishing corrected from \$7500 to \$1500. Sheriff budget substantially higher than last year due to request for third deputy. With 2 deputies he either has to work too many hours or pay overtime and it's hard to find part time deputy that is available when needed. County was not awarded grant to pay a deputy for three years, requiring county to pay for fourth year. He has increased revenue to the county through contracts with North Loup and Arcadia and the number of out of county prisoners held in the jail, but these extra duties contribute to need for third deputy. Purchased 2005 Dodge Dakota pickup with 23,000 miles on it for \$14,885 with funds from both Sheriff and Jail budget; pay remainder and equip it through the 09/10 budget. Pickup gets same mileage as a car, has 4-wheel drive and higher resale value. He felt \$3000 could be cut from line item 3-0209 machinery & equip fuel, \$6000 cut to correct printing and publishing and \$12,300 could be cut from overtime line item; in Jail budget could cut \$6000 for new doors requested by Jail Standards.

Budget Accountant Abel was unable to attend this meeting and the Board feels his advice is needed to assist in determining how much will need to be cut from the budget requests. An additional budget meeting will be scheduled for Monday, August 24, 2009 at 7:00 p.m. in the Courthouse Boardroom. Chairman Sevenker will contact Abel on Friday and let the other Board members know what Abel advises so they can review the requests and be prepared with their thoughts on the action that needs to be taken at the August 24 meeting.

Meeting adjourned at 10:45 p.m., to reconvene on August 11, 2009 at 9:00 a.m. in regular session. Complete minutes of the August 10 meeting and the agenda for the August 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

Valley County Board of Supervisors met in regular session in their Courthouse meeting room Tuesday, August 11, 2009, at 9:00 a.m. Roll call: Baker, Cetak, Cullers, Sevenker, Van Slyke, Vogeler, Waldmann present. Clerk verified meeting notice published, agenda posted. Minutes of July 28 approved on motion of Baker, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none. Agenda adopted on motion of Van Slyke, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Cetak, Vogeler, Waldmann. No: none. Absent: none. Sevenker noted Open Meetings Act is posted, public copies available. There was no public comment.

Sevenker reported speaking with Mike Swanson of TSP regarding County concerns with drainage at the new hospital site. Swanson advised writing a letter to Craig Holmen, TSP Project Manager. Sevenker called Holmen who said he was not aware of the problem but will be here August 19 and will meet with Board members and Road Supt. Meyer.

Meyer's Road report: finished overlay on Haskel Creek Road, used 50 loads (almost a full windrow) costing 40 or 50 thousand dollars, holes deeper than appeared, will armor coat to seal at cost of \$12,000, large expense for 2 mile stretch but hope is good for couple of years, lot of heavy traffic on it; waiting on Zipper repair to finish road by Arcadia; attended NIRMA Workshop on employee relations; curve signs Leth applied for through a grant are in St. Paul, will pick up and install; unable to attend Hazardous Mitigation meeting on Aug. 12; will replace bridge on Haskel Creek Road with two 84" culverts; getting hydraulics for replacement of bridge by Gary Miska, need to build shoofly for traffic. Van Slyke asked if County would be willing to haul state millings for use by Arcadia School District on their track. State project would be in 2 or 3 weeks and the school would pay for fuel or mileage. School also requests county use their roller on the track after millings are down. State project is near Boelus and they are not piling the millings but would require the county to be on hand to have them loaded as they are milled. Meyer is willing to provide this service to the school if they pay for the fuel but is concerned with the distance of the project and that county trucks would be required to be on hand to receive the millings as they are milled, he thought there could be 20 to 30 loads. Meyer suggested that Trotter's side dump truck could be used if the millings were piled for later pick up. Van Slyke will check to see if state is willing to pile the millings. Vogeler received request to reduce 50 mph speed limit from the turn into North Loup to Hwy 22 due to a day care and 6 or 8 residences on this road. Meyer felt something could be done and will look into it.

The County Clerk and Clerk of District Court fee reports for July were reviewed.

While awaiting the arrival of County Attorney Clark, agenda item 8E was discussed. Supervisors Baker and Van Slyke will plan to attend the LLNRD Hazard Mitigation Plan meeting on Aug 12. Reminder of Central District Meeting in Kearney on Sept. 17 and the VCED/Chamber meeting on Aug. 20 was noted.

Clark noted receipt of letter from Attorney Valentino indicating U.S. EEOC has closed its file on discrimination claim of Leroy Svoboda, having adopted the prior findings of NEOC of "no reasonable cause" and included a copy of the U. S. EEOC Dismissal and Notice of Rights. Clark reported: pre-trial has been set for August 18 for the Walker and Bronson cases; a follow-up letter was sent on July 29 to Premier Pump regarding their failure to meet the valuation requirement of their lease but no response has been received, will review at next meeting if no response received by then. Discussed Region 26 contract: no one has found a signed copy, Van Slyke is on committee to discuss how charges are figured, also discussing raising the base charge which would help Valley County; discussing not charging cities and villages; a state person is to help set up the fees. Van Slyke noted that Region 26 pays mileage to City and Village Reps but not to County Reps.

Wadas was unable to attend today's meeting but provided information on his charges for items on the suggested solutions list for the Courthouse HVAC system. He listed: item 3, discussed moving sensors from outside wall to inside wall with Officials and was told they are satisfied with the operation of the system and do not want the sensors moved; item 4, \$800 to install sound baffles in District Courtroom; item 5, \$3,680 to supply and install heated air curtain with thermal control fans in lobby; item 6, \$1647 to supply and mount 20 KW electric heaters in jail. The costs listed by Getzschman Heating for these items are: #4, \$90.00 per grill (4 grills); #5, \$2714; #6, \$2816. Sevenker reported receipt

of email from Buster Beckenhauer which included a billing statement from Daikin for service and travel costs of \$2211.28. Sevenker replied that he was under the impression the county would be notified in advance of any expenses they would be responsible for, that the county pays bills at the last meeting of the month and that he would bring the statement before the Board. He also questioned the warranty on the HVAC system and noted the county's disappointment with the whole thing. Beckenhauer's reply listed the services he has performed at no charge on the county's behalf, expressed his regret that the county was still not satisfied and said the county could toss the Daikin invoice. Sevenker talked to Daikin Rep yesterday and he is willing to work with the county and send out instruction manuals for county review. It was noted that part of the original deal was training for the offices and custodian on operating the system but training was not provided. Sevenker talked to Corey Bartlett who works for Daikin and was told that the invoice received by Beckenhauer was for high tech Daikin people who reviewed the system to determine what was needed to make it work correctly. According to Bartlett, the equipment works fine the problems are with the engineering design. Custodian Cronk noted the biggest problem is with the design in the penthouse which allows the circuit board to freeze up during cold weather. Wadas has a plan to fix this problem that he will try at his own expense. The Getzschman solution list addresses this in items 7 & 8 at a cost of \$8,411 and \$2272. The heaters for the jail are a necessity and need to be completed before cold weather. This cost is not included in the 09/10 budget at this time. Vogeler moved to authorize Wadas to go forward with item #6 at \$1647, items #7 & 8 at no charge to the county and item #4 at \$360, seconded by Waldmann. After further discussion, Vogeler amended his motion to indicate that items 7 & 8 were at no cost to the county during their experimental phase, Waldmann seconded the amended motion. Carried. Yes: Vogeler, Waldmann, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Sevenker reported that Bartlett said the county could fill out a form indicating when the units come on and off and the temperatures at which they are set and Daikin could produce a chip that would auto set the system as indicated. Cronk noted that in March they downloaded the system information and were to get back to the county but never did. Sevenker said this is more than just changing from summer to winter mode. There are 40 units and 6 zones that can be programmed independently, it may help lower costs if rooms that are not used daily, like the District Courtroom, are set separately from the others. Sevenker will talk to Bartlett again.

Following discussion, Cullers moved to approve payment of Berggren Invoice #09000-910 for work period June 15th to July 15, in the amount of \$8178.11 from the Inheritance Tax Fund, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

The August Claim and Fund Request for payment of the BCBS premium in the amount of \$25,768.92 were approved on motion of Van Slyke, seconded by Baker. Carried. Yes: Van Slyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

A recess was called at 10:50 a.m.; meeting was reconvened at 11:05 a.m. with all members present.

Baker moved to go into Board of Equalization, seconded by Cullers. Carried. Yes: Baker, Cullers, Van Slyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Deputy Assessor Nance and Clerk Lindsey were present. As required by law, the Assessor's 2009 Plan of Assessment was submitted to the Board, reviewed and accepted. It was noted the plan indicates that its implementation depends on available funding. The Board moved back into regular session on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Van Slyke, Baker. No: none. Absent: none.

Caleb Pollard presented the Quarterly Report for VCED noting: 2 active projects in the owner occupied grant program; New Neighborhoods Initiative plans still in progress with the state; Sales Tax Fund has had lots of activity; CCC announcement is expected in couple of weeks; new media marketing campaign made possible by the Wozab Fund has been successful; Friends of Fort Hartsuff continues to work to keep the Fort open to the public, feels state does not recognize value of historic treasures only economic assests, working on method to track number of visitors to Fort.

Pollard indicated he will not be available to act as the County Planning & Zoning Administrator as he does not have the time. The County received an unsolicited application for the position from Dan Hruza who currently serves as P & Z Admin. for Garfield and Wheeler Counties. Sevenker talked to current P & Z Admin. Glaubke who has had occasion to work with Hruza on new Wind Farm regulations and feels he would be a very capable replacement. Following discussion, the Board determined the position should be advertised, requesting that resumes be sent to the Clerk's Office to be opened on August 24 for review and a decision made on August 25.

Discussion was held on requesting old pictures from area residents depicting area businesses, activities, etc. that could be copied and displayed in the lower lobby area. The Board approved the idea.

Ron Wolf of Twin Loups Reclamation District was present to discuss the subdivision's request for levy authority. The Board noted that no decisions had yet been made but that since the District has asked for the same amount for a number of years there will likely be no problem. Wolf thanked the Board for their support.

The Board is not interested in supporting a specific company in their efforts to receive stimulus money to provide broadband service to the area.

The Boardroom inventory was reviewed and approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, Van Slyke, Cetak. No: none. Absent: none.

No further discussion was held on the budget requests as the Board felt more information was needed from Accountant Abel as to the amount that needs to be cut from the requests.

The Budget Hearing was set for Sept. 8 at 10:00 a.m. and the Special Hearing to set Final Tax Request was set for Sept. 8 at 10:15 a.m. on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Cetak, Van Slyke, Vogeler, Baker, Waldmann. No: none. Absent: none.

No Committee or Representative reports. Mail Folder items available: August Chamber/ED Newsletter.

Meeting adjourned at 12:10 p.m., to reconvene on August 24, at 7:00 p.m. regarding the 09/10 budget and on August 25, at 9:00 a.m. in regular session. Complete minutes of the August 11, 2009 meeting and an agenda for the August 24 and 25 meetings 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.

Jenette G. Lindsey, Valley County Clerk

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

Valley County Board of Supervisors met in special session to consider 09-10 budget and subdivision levy authority requests at 7:00 p.m., Monday, August 24, 2009 in their Courthouse meeting room. Roll call: Baker, Cetak, Cullers, Sevenker, Vogeler, Waldmann present; VanSlyke absent. Clerk verified meeting notice published, agenda posted. Agenda adopted on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: VanSlyke. Sevenker noted Open Meetings Law posted, public copies available. There was no public comment. Accountant Chuck Abel was present. Supervisor VanSlyke arrived at 7:15 p.m.

Initial discussion included: County can levy up to 45 cents plus 5 cents for interlocal agreements, voters can approve higher rate; up to 15 cents of the 45 cents can be allocated to subdivisions but not required; township requests basically support library; County can assume portion of township levy; last year County lowered levy from .403344 to .385000; due ethanol plant sale, 2 years taxes were collected this year; use Inheritance Tax Fund to offset taxes; spending lid, restricted funds affect County but bonded indebtedness, capital improvements (land purchase, building improvements) and 5 cents of interlocal agreements do not; Weed, Road and Planning & Zoning are funded by budgeted transfers from General Fund; use of Inheritance Tax to fund regular business could cause problems if State takes it away; current economy requires public to tighten belts, County should too, would like to leave levy at last years rate.

Weed Supt. Kaminski was present for discussion of his budget, no cuts were made.

Subdivisions requesting levy authority from the County were discussed. Board action on the requests is by resolution and entities must be notified by Sept. 1. This is on the agenda for tomorrow's regular meeting.

Treasurer Suminski and Assessor Arnold were present. Suminski noted her office has taken over the issuance of vehicle titles requiring additional hours for her part-time employee and a resulting budget increase. Arnold said the purchase of a GIS system approved by the Board last year and the need to continue the reappraisal process account for her budget increase. Arnold has applied for a grant to help pay for the GIS system but grant awards will not be announced until after the budget is approved. Following discussion, Arnold agreed to cut \$26,775 from her reappraisal budget and if the grant is approved, the GIS funds could be used for reappraisal work.

Road Supt. Meyer was present for discussion of the Road budget. He noted that road employees will not receive a raise this year since their regular work hours were cut from 44 to 40 hours per week as of July 1, but their hourly rate was increased so they will be paid approximately the same monthly amount they received with 4 hours of overtime each week. Meyer offered the following budget cuts: \$200 for travel/meals, \$8,000 equipment repair/labor, \$200 shop tools, \$2,000 material/grader blades, \$1,000 materials/concrete, \$2500 materials/steel products, \$750 flares/flags/barricades, \$3000 road surfacing equipment, \$1000 other road equipment, \$15,000 cap outlay/other equipment, \$2,000 cap outlays/miscellaneous for a total of \$35,650.

Sheriff Hurlburt was present for discussion of the Sheriff and Jail budgets. Hurlburt offered the following budget cuts from the Sheriff's budget: other deputies salary \$15,175, printing & publishing \$6,000 (\$7500 budgeted in error), other equipment rep/Sher vehicles \$3000, machinery & equipment fuel \$3,000; from the Jail budget: cap outlay/autos \$6000. Discussed need for third deputy and less cost for part-time help but hard to find available help when needed.

The following cuts were made from the Misc. General budget: real estate taxes/County farm \$2,500, probation officer costs \$3000. The Clerk's budget was reviewed, no cuts were made. Accountant Abel advised his preliminary budget estimates are conservative so revenue would likely be higher and all of the budgeted funds are usually not spent, therefore, he felt that with the \$101,100 in budget cuts the County could leave the levy at .385 as it was last year.

Meeting adjourned 10:10 p.m., to reconvene August 25, 2009 at 9:00 a.m. in regular session. Complete minutes of August 24 meeting and agenda for August 25 meeting available for public inspection in 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, August 25, 2009 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Baker, Cullers, VanSlyke, and Waldmann present. Clerk verified publishing meeting notice and posting agenda. Minutes of the August 10 budget meeting and August 11 regular meeting were approved on motion of VanSlyke, seconded by Waldmann. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. Cullers moved to adopt today's agenda, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. 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 August Road Claims and Balances totaling \$99,686.67 noting the larger expenses were for truck tires, culverts, fuel, asphalt and gravel.

Meyer recommended approval of Easement 09-296 for Citizens Telecommunications Co., dba Frontier, to lay cable in County ROW saying Frontier is good about cleaning up and will usually pay to replace gravel. He recommended approval of Easement 09-297 for W.O Zangger & Son due to septic system failure. Following discussion, Easement 09-296 and 09-297 were approved on motion of Vogeler, seconded by VanSlyke. Carried. Yes: Vogeler, Cetak, Waldmann, VanSlyke, Baker, Cullers. No: none. Absent: none.

Meyer reported: culverts installed last week to replace bridge on Haskel Creek road were washed out and will need to be replaced as soon as water recedes, culverts did not have time to settle in before 4.5 inch rain, notified Region 26 that road currently closed, hopes to have repaired in couple of days; have picked up curve signs received through a grant; armor coating next couple of weeks; not sure if Zipper will be back to finish Arcadia road this year as is too cool, will armor coat the completed portion and finish next year; hired Brent Leth to trim low hanging branches obstructing roadway as he felt was a significant safety hazard; will be using cut-across road during Popcorn Days as usual.

Hospital CEO Larry Schrage presented financial and statistical reports for June and July as well as a summary of construction costs as of July 31, 2009. Schrage noted that as of the end of the fiscal year, June 30, 2009, total revenue was up 13% over last year and stats were up 10%. The hospital audit should be completed in October. Building project is ahead of schedule and under budget. All bonds have been sold and will go toward the building.

Meeting recessed at 10:05 a.m. and reconvened at 10:20 a.m. with all members present.

Treasurer Suminski presented the Month End Fund Balance Report showing collections for the month and fund balances. General stands at \$292,240.16, Road \$72,792.85, Inheritance Tax \$811,510.40, Courthouse Bond \$69,204.26. A bond payment of \$40,232 will be due in November. The Misc. Receipts folder was available for review.

Attorney Clark reported: unable to obtain copy of Region 26 contract from Logan County; advised County could cut budget request of new Probation District, statute is vague and increase from \$2600 to \$6025 seems excessive.

Following discussion, Cullers moved to revise County Personnel Policy to reflect change in Road Dept. work hours from 44 to 40 hours per week and add Martin Luther King Day to County holidays, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Vogeler, Waldmann. No: none. Absent: none. Clark will revise the policy.

Premier Pump property valuation issue is to be on the next agenda if no response has been received.

Caleb Pollard presented a revised budget for Lodging Tax Funds approved by the Tourism Advisory Committee. The Committee recommended lowering the budget for both Promotion and Improvement funds due to the economic situation. Recommended Promotion Fund budget is \$7500, Improvement \$9350. They also approved discontinuing the mini-grants for local community events and hope to develop media kits for use by the Villages to market these events. The Clerk was directed to budget \$7500 in the Promotion Fund and \$9350 in the Improvement Fund.

Board of Equalization convened at 11:00 a.m. on motion of Cetak, seconded by Waldmann. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none. The Assessor and Clerk were present.

The appeal of the Rejection of Homestead Exemption for Roger Heermann was presented. Assessor Arnold advised that the Exemption was initially rejected for lack of a doctor's Certification, however, a properly completed and signed Certification was attached to the appeal, so it can be granted. Vogeler moved to approve the appeal of Roger Heermann of the rejection of his Homestead Exemption and to grant said exemption, seconded by Baker. Carried. Yes: Vogeler, Cetak, Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: none.

At 11:10 a.m. the Board moved back into regular session on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none.

Accountant Abel was present for continuing budget discussion and subdivision levy requests. Cuts to Visitors Promotion and Improvement were noted. Following discussion, Resolution 09-09 setting subdivision levy authority requests as follows: Twin Loups Reclamation \$31,392; Valley County Airport Authority \$30,000 General, \$36,000 Bond; Loup Valley Agricultural Society \$50,000 General, \$17,500 Cap Const; Ord Township \$80,000; North Loup Township

\$11,625; Arcadia Township \$15,300; Ord Fire District \$61,000 General, \$27,369 Bond; North Loup Fire District \$18,750 General, \$4150 Sink Fund; Arcadia Fire District \$13,000 General, \$2000 Sink Fund, was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke, Baker. No: none. Absent: none. Clerk will provide final numbers to Abel who will prepare the budget document and publish the required information.

Chairman Sevenker reported the Valley County Airport Authority Board has recommended Tom Cooper to complete the term of Sam Gailey who has retired from the Airport Authority Board. Gailey's term runs through 2012. Baker moved to appoint Tom Cooper to complete the term of Sam Gailey on the Airport Authority Board, seconded by Waldmann. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

Due to the resignation of County Planning and Zoning Administrator Nancy Glaubke, the position was advertised; however, no additional applications were received in response to the advertisement. Initially, VCED Director Caleb Pollard thought he might be willing to serve in this position, however, he ultimately decided he could not. A letter of application was received from Daniel L. Hruza in June. Hruza currently serves as Garfield and Wheeler County Zoning Administrator. Both Glaubke and Economic Development Director Pollard have worked with Hruza and indicated he would be a good choice to fill the position. Vogeler moved to appoint Daniel L. Hruza to the position of Valley County Planning and Zoning Administrator effective September 1, 2009, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cullers, Cetak, Baker, VanSlyke. No: none. Absent: none.

Following review of the August Claims list, August Claims and Fund Request were approved on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

County inventories were presented for review and were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: none.

The Board reviewed a letter that Clay County Supervisors sent to the Governor regarding their concern over the loss of thousands of dollars in tax revenue for the state and the county due to the action of conservation groups. Clay County asked for comments from other counties. The Valley County Board directed the Clerk to respond to Clay County, thanking them for bringing this to their attention and noting that, unfortunately, they have no solution to offer.

Supervisor Baker had no report on the cemetery near Fort Hartsuff and asked that it be on the next agenda.

The Wozab Fund financial statement for FY ended 6-30-09 was reviewed and will be published.

Clerk Lindsey reported in regard to the NEMA letter asking for required documentation supporting an active Local Emergency Planning Committee (LEPC) that Ryan Simpson is out of town but that she contacted Alma Beland at Region 26 who said they are aware of the letter and she has spoken to the state about it. At the state's suggestion Region 26 is working on creating an LEPC for the region and will keep us posted.

Committee and County Rep reports: Baker attended the Hazardous Mitigation meeting, Simpson also attended, Simpson and Baker will fill out the required paperwork; Waldmann attended the ED/Chamber meeting regarding revitalization of downtown Ord where ideas on attracting local shoppers were discussed; VanSlyke reported that discussions with Region 26 are ongoing, appears to be more flexibility in how entity costs are figured, no signed contracts found to date; Baker noted big tree in SW corner of Courthouse lawn is dying and needs to be removed.

Mail folder items available for review: Loup Basin RC&D Meeting Notice, Region 26 Meeting Agenda.

Meeting adjourned at 12:25 p.m., to reconvene on September 8, 2009 at 9:00 a.m. in regular session. Complete minutes of the August 25 meeting and an agenda for the September 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 regular session at 9:00 a.m., Tuesday, September 8, 2009 in the Courthouse Boardroom. Chairman Sevenker reported that Supervisor Vogeler will be absent today and noted that he felt any further comment would be inappropriate. Roll call was taken with Baker, Cullers, VanSlyke, Waldmann, Cetak, Sevenker present; Vogeler absent. Clerk verified publishing meeting notice and posting agenda. Minutes of August 24, 2009 and August 25, 2009 meetings were approved on motion of Baker, seconded by Cullers. Carried. Yes: Baker, Cullers, VanSlyke, Cetak, Waldmann. No: none. Absent: Vogeler. VanSlyke moved to adopt the agenda, seconded by Waldmann. Carried. Yes: VanSlyke, Waldmann, Cetak, Baker, Cullers. No: none. Absent: Vogeler. Sevenker noted posting of the Open Meetings Act and available copies for the public. There was no public comment.

Dan Hruza, newly appointed Valley County Planning & Zoning Administrator, was present to meet the Supervisors and discuss the appointment. Hruza also holds this position in Garfield and Greeley Counties. He met with former Valley County P&Z Administrator Glaubke, who is willing to work with him during the transition period. He felt the 09-10 P&Z budget will work for him. Hruza receives \$12 per hour from Garfield and Greeley Counties and they provide an office and computer; he asked \$15 per hour from Valley County since they do not provide an office or computer and as partial compensation for use of his cell phone. The County Board agreed to his request of \$15 hour.

Glaubke requested reappointment of Max Cruikshank and Mike Winkelbauer to the Board of Adjustment as they are willing to continue. Waldmann moved to reappoint Cruikshank and Winkelbauer to the Board of Adjustment, seconded by Cetak. Carried. Yes: Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: Vogeler.

Road Supt. Meyer recommended approval of Easement 09-298 for Loup Valleys Rural Public Power to install electric power along a County road on the north edge of North Loup. Cetak moved to approve Easement 09-298 for LVRPP, seconded by Baker. Carried. Yes: Cetak, Baker, VanSlyke, Cullers, Waldmann. No: none. Absent: Vogeler.

Meyer presented Resolution 09-10 to revise the County 1 Year Plan to include Bridge Projects C88-256B and 257B so that these projects can be completed this year. If approved by the County Board, the revision must then be submitted to the State for their approval. Cullers moved to approve Resolution 09-10, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. No: none. Absent: Vogeler.

Meyer's general report included: starting armor coating of road to Davis Creek Dam in order to save the road, this may mean that Haskel Creek road will not be armor coated this year, Sargent Road is next in line for armor coating; found used motor for Hyster roller, will cost less than repair; going to State Surplus next week to look for pickup; met with North Loup Irrigation District regarding condition of bridge east of Fort Hartsuff due to use for hauling corn, the District Board will meet and determine what they think needs to be done and will be a cost-share project with the County, replacing bridge with culverts would be cheaper but think Districts wants to replace bridge. Discussion included: Sargent Highway rough but okay if obey speed limit; plan to work on shoulders after other road work is completed; most landowners mowing ROW, ad is published July and Sept.; trying to get ditches cleaned as time allows; Ulrichs running out of road gravel may need to get some from Jeffries.

Treasurer Suminski presented the August Month End Fund Report with balances of \$615,337.06 General, \$41,830.51 Road, \$808,563.44 Inheritance. Some offices have discontinued mailing receipts for personal and real estate tax payments due to the cost. Receipts are currently required but legislation has been proposed to eliminate this since most people pay by check or credit card which provides a payment record. Suminski plans to notify residents that her office will not mail receipts unless requested. She has received the Sheriff's Distress Warrant Report and will present it and her report to the Board at the Sept. 29 meeting. The Misc. Receipts folder is available for review.

Meeting recessed at 9:55 a.m. and reconvened at 10:00 a.m. with all members present, Vogeler absent.

Budget Accountant Chuck Abel was present and explained that the amount of levy authority allowed Ord Township had to be lowered in order to stay within the limits for each taxing district. Allowing a levy authority of \$68,695 for Ord Township brings the levy for each district into compliance. Abel has informed the township and they are in agreement with the change. Abel also noted that the accelerated tax paid by the ethanol plant was disbursed to the entities this year and will be in addition to this year's levy. Resolution 09-11 to revise Resolution 09-09 to indicate the reduction in levy authority for Ord Township from \$80,000 to \$68,695, was approved on motion of Cetak, seconded by Cullers. Carried. Yes: Cetak, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: Vogeler.

The Budget Hearing was opened at 10:00 a.m., no public testimony was offered. Abel presented copies of various pages of the proposed county budget document and explained each page. The hospital and courthouse bond are included in the outstanding bonded indebtedness as of July 1, 2009. The levy was kept at the same rate as last year, .385 per \$100 of valuation, due to the budget cutting efforts of the County Board, Officials and Dept. Heads. Abel reviewed the calculation of restricted funds, lid exceptions, and lid computations. The law allows the County to increase their budget by 2.5% and, a resolution approved by 75% of the Board, allows an additional 1% increase. The additional 1% does not have to be used, but approval is recommended so it is available if needed. Resolution 09-12, authorizing the additional 1% of levy authority, was approved on motion of Waldmann, seconded by VanSlyke. Carried. Yes: Waldmann, VanSlyke, Cetak, Baker, Cullers, Sevenker. No: none. Absent: Vogeler. Resolution 09-13, adopting the County budget for FY 2009-2010, was approved on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, VanSlyke, Cetak, Waldmann. No: none. Absent: Vogeler. The Budget Hearing was closed at 10:20 a.m.

At 10:20 a.m. the Special Hearing to Set Final Tax Request was opened, no public testimony was offered. Following discussion, Resolution 09-14 setting the final tax request at \$1,761,451 for the fiscal year beginning July 1, 2009 was approved on motion of VanSlyke, seconded by Cullers. Carried. Yes: VanSlyke, Cullers, Baker, Waldmann, Cetak. No: none. Absent: Vogeler. The Hearing was closed at 10:25 a.m. Resolution 09-15 authorizing the Clerk and Treasurer to transfer funds from the General Fund to the Road, Planning & Zoning and Weed Funds through the claims process was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Cetak, VanSlyke, Baker. No: none. Absent: Vogeler.

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

County Attorney Clark reported that his secretary is entering the County Personnel Policy on the computer, including the revisions to the overtime hours for the Road Dept. and the inclusion of Martin Luther King Day to the holidays observed by the County, and it will be presented for Board approval when that is completed. Chairman Sevenker told Clark that prior to roll call he reported to the Board that Vogeler would be absent and that he felt no further comment would be appropriate and asked Clark if there was anything the Board should do. Clark said Board action would not be appropriate at this time.

Chairman Sevenker noted that the County Board's appointment of Tom Cooper to the County Airport Authority Board at their last meeting is invalid as he is not a Valley County resident which is a requirement for the position. The Clerk notified Cooper and the Airport Authority of the error. The Airport Authority has recommended the appointment of Mike Blaha, who is a Valley County resident and has indicated his willingness to serve. Waldmann moved to rescind the appointment of Tom Cooper and appoint Mike Blaha to fill the vacancy created by the resignation of Sam Gailey on the County Airport Authority Board, seconded by Baker. Carried. Yes: Waldmann, Baker, Cullers, VanSlyke, Cetak. No: none. Absent: Vogeler.

The reminder of the Central District Meeting in Kearney on Sept. 17 was acknowledged as was the notice of the Central District Rep. vacancy on the NACO Board. No Board member expressed an interest in running for the vacancy.

The letter from the Nebr. Dept. of Agriculture regarding the licensing requirements in the Commercial Dog and Cat Operator Inspection Act was discussed. Following discussion, Attorney Clark said he would review it and report to the Board at their Sept. 29 meeting. He felt that the County would need to appoint an Animal Control Officer and asked that this be on the agenda for Sept. 29. The County must fill out and return the Verification Form by October 1, 2009.

The Claims and Fund Request in the amount of \$26,791.94 in payment of the Sept. BCBS premium was approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, VanSlyke, Baker, Waldmann, Cetak. No: none. Absent: Vogeler.

The Nebr. DEQ letter regarding the Recovery Zone Bonds designated to Valley County was discussed. No action was taken.

At 11:00 a.m. the Board of Equalization was convened on motion of VanSlyke, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Cullers, Baker. No: none. Absent: Vogeler. The Assessor and Clerk were present. Tax List Correction #3731 in the amount of \$39.68 for Lena J. Osentowski (Trust) was submitted for approval due to the sale and moving of a mobile home. Baker moved to approve Tax List Correction #3731, seconded by Waldmann. Carried. Yes: Baker, Waldmann, Cetak, VanSlyke, Cullers. No: none. Absent: Vogeler. The Board moved back into regular session on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Cetak. No: none. Absent: Vogeler.

Cody Sitz, owner of Premier Pump, was present and explained to the Board that he did receive the letter County Attorney Clark sent in January regarding the \$100,000 improvement and personal property valuation required in the lease agreement. Sitz has scheduled contractors to do about \$20,000 worth of construction including adding a third overhead door, concrete the shop area, insulating, heating and tinning and hopes to have it completed by the end of this year. He also agreed to correct the default of the lease agreement for this year by paying the County the difference in taxes on the existing valuation and the required valuation which Clark's January letter calculated at \$350.70.

Steffan Baker was present for discussion of the cemetery near Fort Hartsuff which Supervisor George Baker had reported to the Board at an earlier meeting. County Attorney Clark presented information on the County's duty regarding abandoned and neglected cemeteries. According to Steffan Baker, the military has removed soldiers that were buried there, there are 25 civilian graves remaining, tombstones from the graves have been removed and thrown in a nearby gully, the Fort has some records and the Historical Society may have some records of the cemetery. Steffan would like to retrieve the headstones. Privately owned land must be crossed to get to the cemetery. Cemetery is currently being mowed by Jim Domier. County funding may be needed for some upkeep and improvements to the area. Clark advised seeking an easement from the landowner allowing access to the cemetery even though it may not be required by law.

Discussion was held regarding the emailed request to add a link on the County website to a website that provides job information. No action was taken on the request.

There were no Committee or Representative reports. The mail folder items available for review: NPAIT Newsletter, Loup Basin RC&D Newsletter, American Funds Semi-annual report.

Meeting adjourned at 11:50 a.m., to reconvene on September 29, 2009 at 9:00 a.m. in regular session. Complete minutes of the September 8 meeting and an agenda for the September 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, September 29, 2009 in the Courthouse Boardroom. Roll call: Sevenker, Waldmann, Baker, Cetak and VanSlyke present; Vogeler and Cullers absent. Chairman Sevenker noted that historically the Chairman has only voted in case of a tie, however, this is County policy not a legal requirement. Sevenker felt this policy should be reviewed by the Board. Board members in attendance agreed that, with 2 Board members absent, Chairman Sevenker should vote on the issues brought before the Board in today's meeting. Clerk verified publishing meeting notice and posting agenda. Minutes of September 8, 2009 meeting were included in Board packets and approved on motion of Baker, seconded by Cetak. Carried. Yes: Baker, Waldmann, Cetak, VanSlyke, Sevenker. No: none. Absent: Vogeler, Cullers. Sevenker noted Agenda Items 14D and 14G were added after the packets were mailed but before the 24 hour deadline. Cetak moved to adopt the agenda with the meeting date corrected from Sept. 30 to Sept. 29, seconded by Waldmann. Carried. Yes: Cetak, Waldmann, Baker, VanSlyke, Sevenker. No: none. Absent: Vogeler, Cullers. Sevenker noted posting of Open Meetings Act and available copies for the public. There was no public comment.

Clerk Lindsey presented a written Report of Inadvertent Failure to Publish Meeting Notice for August 2009 and County Wage Schedule. Lindsey explained that on July 23 she emailed the above notices to the Quiz for publication in the July 29 Quiz. A copy of the email is attached to the report. On September 14 it was discovered that proofs of publication had not been received for these notices and they did not appear on the Quiz billing statement. The Quiz was contacted and indicated they did not receive the emailed notices. On advice of County Attorney Clark, the Clerk's report and a list of all action taken by the County Board/Board of Equalization at the unadvertised meetings on August 10, August 11, and August 25 is attached to and referenced in the agenda for today's meeting in order to provide opportunity for the Board to reaffirm those actions at a meeting for which proper notice was given. The Clerk apologized for not catching this sooner and noted that she now asks for an acknowledgment of receipt on all notices emailed for publication. VanSlyke moved to approve all Board action taken at the meetings of August 10, 11 & 25 and listed on the attached report, seconded by Waldmann. Carried. Yes: VanSlyke, Baker, Waldmann, Cetak, Sevenker. No: none. Absent: Vogeler, Cullers.

Road Secretary Simpson presented the Sept. Road Claims and Balances report totaling \$139,091.22. The larger expenses were diesel, gas, auto parts, asphalt and gravel. It was noted that Sevenker and Meyer met with TSP representatives to inspect work done to provide drainage on the west side of the new hospital site. TSP feels it is adequate, both Sevenker and Meyer think water will run over the road in a heavy rain.

Road Supt. Meyer presented the following reports required to be approved by the Board and submitted to the State each year: Road & Bridge Contract Report, LB 904 Certification, and the Annual Reporting Certification. He also provided an Equipment Cost Report listing the operating and maintenance costs for each machine, the number of miles or hours each machine was operated and the cost per mile or hour for each machine. Waldmann moved to approve the above listed reports and authorize the Chairman to sign them, seconded by Baker. Carried. Yes: Waldmann, Baker, VanSlyke, Cetak, Sevenker. No: none. Absent: Vogeler, Cullers.

Meyer recommended approval of Easement 09-299 for Max Cruikshank. VanSlyke moved to approve Easement 09-299, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Baker, Sevenker. Absent: Vogeler, Cullers.

Following discussion, Waldmann moved to set October 13, 2009 at 9:30 a.m. to take bids on grader blades, seconded by Baker. Carried. Yes: Waldmann, Baker, VanSlyke, Cetak, Sevenker. No: none. Absent: Vogeler, Cullers.

The list of NDOR 2009 Annual District Program Meetings was reviewed.

Meyer's general report included: finished armor coating; striping Comstock Road yesterday and today; have painted center line on Sargent Road, striped Haskell Creek Road and cut-across road at North Loup; striped and armor coated Ashton Road curves; 2 bridges that were closed last year have been repaired, will seek State approval to reopen and get new load rating; did not find affordable pickup at State auction; Kusek and Irrigation Dist. have agreed to share cost of replacing bridge with culvert, will try to get it done before harvest. Discussed installation of electric lines by Bossen's, will await receipt of Easement application.

Recess called at 10:00 a.m., meeting reconvened at 10:10 a.m., including all members answering initial roll call.

Jessica Whalen of Congressman Smith's Office was present to meet the Board and answer questions. Sevenker introduced each Board member. Health insurance, green house and cap & trade proposals were discussed. At 10:30 a.m. Whalen will be in the Driver's Examiner's room to meet with the public who have questions or comments.

Hospital CEO Schrage presented the monthly written hospital report, reviewing the statistical and financial pages. Utilization is up over last year and positive to budget. Total expense is over budget, primarily due to salaries and benefits, which will be evaluated after September. Cash is also up. Schrage provided written Summary of Construction Project Costs. Hope to have the outside completed by winter and be able to work inside during cold weather. Project is ahead of schedule and under budget at this point. He offered Board members a tour of the building.

Treasurer Suminski presented the Report of Distress Warrants Returned from the Valley County Sheriff. Sheriff Hurlburt was present. Treasurer is required to deliver Distress Warrants to the Sheriff by November 1 and the Sheriff is required to return them by August 1. The Sheriff's written report indicates 30 Distress Warrants were received, 21 were returned satisfied, 1 was paid directly to Treasurer and a partial payment was made on 1. Following discussion, Suminski requested Board approval to strike taxes as uncollectable for Tim Churchill and Moran Customs. Baker moved to strike Personal Property Tax in the amount of \$149.22 for Tim Churchill and \$606.29 for Moran Customs, seconded by Cetak. Carried. Yes: Baker, VanSlyke, Cetak, Waldmann, Sevenker. No: none. Absent: Vogeler, Cullers. Suminski noted that taxes can still be collected after they are struck.

September Claims & Balances Report and Claims List were reviewed and the September Claims and Fund Request in the amount of \$400,278.51 were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Waldmann, Cetak, Sevenker. No: none. Absent: Vogeler, Cullers.

The letter from BCBS regarding new laws effective with renewals on or after November 1, 2009 was reviewed.

Discussed request for use of Courthouse lawn on October 7 for a free barbeque following an informational town hall meeting at the Ord Theatre regarding the proposed school bond. Cetak moved to approve the request, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Waldmann, Sevenker. No: none. Absent: Vogeler, Cullers.

At 11:00 a.m., the Board of Equalization convened on motion of Cetak, seconded by Waldmann. Carried. Yes: Cetak, Waldmann, Baker, VanSlyke, Sevenker. No: none. Absent: Vogeler, Cullers. Assessor and Clerk were present.

The following Tax List Corrections were presented for Board approval: #3732 for C & D Secalap, LLC due to demolition of the drive in; #3733 for C & D Secalap, LLC due to modular being moved from site; #3734 for Mary Nemeskal % Raymond due to mobile home being given to Raymond Maly. Tax List Corrections #3732, #3733 and #3734 were approved on motion of Waldmann, seconded by VanSlyke. Carried. Yes: Waldmann, VanSlyke, Baker, Cetak, Sevenker. No: none. Absent: Vogeler, Cullers.

Assessor reported: Assessor Arnold, Supervisor Cullers and County Attorney Clark were present for the TERC hearing on the Schauer Property Protest Appeal held on September 16, no decision has been received from TERC; Supervisor Cullers accompanied Arnold to the Grant Application hearing on the 18th of Sept., \$15,000 was awarded to Valley County Assessor for the purchase of a GIS system.

At 11:10 a.m., the Board moved back into regular session on motion of Cetak, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Waldmann, Sevenker. No: none. Absent: Vogeler, Cullers.

Recessed at 11:10 a.m., reconvened at 11:15 a.m. with Cetak, VanSlyke, Baker, Waldmann, Sevenker present.

At 11:10 a.m., as advertised, the Public Hearing on Adoption of Wind Regulations was opened. Present for the hearing were: Valley County Planning & Zoning Administrator, Dan Hruza; Marv Scheideler, Valley County Area Planning Commission Chairman; Sarah Fredrick, Sherman County Planning & Zoning Administrator; Consultant Orval Stahr of Stahr & Associates. Stahr, who assisted the County with their Planning & Zoning regulations, spoke regarding the proposed Wind Regulations. Regulations are necessary to protect the County and the tax-paying public. Issues include: set back regulations for wind towers; regulate use of roads & bridges used to bring in large, heavy towers; regulate decommissioning of a wind farm and removal of large generators & towers; safety regulations for construction; set back allows for use of pivot corner; noise not a big factor; developer pays cost of access road; painted towers must be neutral color; Valley County permit will require lighting. The proposed regulations were included in the Board packets and available at the meeting. Scheideler reported that the Planning Commission has worked on this issue for 3 or 4 months and presented their written recommendation for approval. Waldmann moved to adopt the proposed Wind Energy Zoning Regulations for Valley County as presented, including the listed addition as a Permitted Use, the addition as a Conditional Use and the additional section in the Supplemental Regulations in the zoning resolution, seconded by VanSlyke. Carried. Yes: Waldmann, Cetak, VanSlyke, Baker, Sevenker. No: none. Absent: Vogeler, Cullers.

Hruza presented the Interlocal Agreement between the County and Villages which has been approved by the Villages and asked for County approval. VanSlyke moved to approve the Interlocal Cooperation Agreement for joint rural and urban planning between the County, Elyria, Arcadia and North Loup, seconded by Baker. Carried. Yes: Waldmann, Cetak, VanSlyke, Baker, Sevenker. No: none. Absent: Vogeler, Cullers.

The County Attorney had no General Report.

County Attorney Clark advised that statute requires the County to designate an animal control authority and recommended appointing the Valley County Sheriff. VanSlyke moved to appoint Sheriff Hurlburt as the County animal control authority, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Waldmann, Baker, Sevenker. No: none. Absent: Vogeler, Cullers. Clark reported that Ord City has a licensed animal control facility and that a request to allow the County to use their facility is on the October 5th City Council agenda. He has received temporary permission for use of the facility from Ord Police Chief, Adam Miller, to allow the County to meet the reporting deadline required by the State Dept. of Agriculture. Clark noted that the County is rarely called on to deal with animal control that requires the use of a facility so allowing the County to share their licensed facility should have minimal impact on the City. If the City does not approve the request, other arrangements will need to be made. Clark presented the completed and signed verification form for mailing to the State Dept. of Agriculture.

The updated, revised County Personnel Policy was reviewed and accepted.

The Board took no action on the Tort Claim filed by Jeanette and Buddy Bower.

The letter from Mid-Plains requesting that Supervisor Vogeler be replaced as the County Rep on their Board was discussed as was replacing Vogeler on the Economic Development Board. Sevenker reported that Vogeler has agreed to his replacement on both Boards. Appointments can be a Valley County resident, there is no requirement to appoint a member of the Board of Supervisors. It was decided to table the appointments until the next meeting to give the Board time to consider possible appointees.

County Attorney Clark advised he will reply to the letter from Attorney Egr regarding an assessment error in the 2008 real estate taxes which caused a shortfall in revenue for Ord Rural Fire District 2. The letter requests the name of the County's bond/errors & omissions company. Clark said he is still reviewing the legal responsibilities in this matter.

Committee/Rep Reports included: Baker's report that access to Fort Hartsuff Cemetery is difficult, there is a decent fence around it and it is being mowed; he does not feel any action is required by the Board at this time.

Mail Folder: Architect Joseph R. Hewgley & Assoc. Inc. letter, Chamber/ED Report, Loup Basin RC&D Newsletter.

Meeting adjourned at 12:30 p.m., to reconvene on October 13, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the September 29 meeting and an agenda for the October 13 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 13, 2009 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Vogeler, Baker, Cullers, Van Slyke, Waldmann present. Clerk verified meeting notice was published and agenda posted. Minutes of September 29 meeting, included in Board packets, approved on motion of Van Slyke, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. Baker moved to adopt the agenda, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, Van Slyke. No: none. Absent: none. Sevenker noted posting of Open Meetings Act, public copies available. There was no public comment.

County Road Supt., Meyer, recommended approval of Easement 09-300 for NCTC to install telephone lines near Gene Bruha. Waldmann noted some need for clean up after the installation was completed and Meyer said he will inspect the project and make arrangements with NCTC if more needs to be done. Waldmann moved to approve Easement 09-300, seconded by Vogeler. Carried. Yes: Waldmann, Vogeler, Cetak, Van Slyke, Baker, Cullers. No: none. Absent: none. Meyer also recommended approval of Easement 09-301 for LVRPP. LVRPP was not aware of the need for an easement from the County so the project was started before the easement was requested; however, issues were resolved through discussion between LVRPP, Meyer, Sevenker and Van Slyke. Because the road is not centered, LVRPP wanted the County to be responsible for the cost of moving the poles if it becomes necessary in the future but the County would not agree to do this. Easement 09-301 was approved on motion of Van Slyke, seconded by Cetak. Carried. Yes: Van Slyke, Cetak, Vogeler, Waldmann, Culler, Baker. No: none. Absent: none.

Meyer presented an agreement allowing the County to place an antenna and repeater on the LVRPP tower south of Ord in order to provide better communication for the County Road employees at a cost of approximately \$112 per month. Following discussion, Cetak moved to approve the Non-Exclusive License to use Tower and Associated Structures between LVRPP and Valley County, seconded by Baker. Carried. Yes: Cetak, Van Slyke, Baker, Cullers, Waldmann, Vogeler. No: none. Absent: none.

As advertised, the Public Hearing was opened at 9:30 a.m. for acceptance of Grader Blade Bids. Bidders present were: Tim Braithwait of B's Enterprises and Dan Most of NMC, Inc. Bids were taken on lots of 100, curved double bevel ½" S8"X8' and ½"X8"X7', standard highway punch blades. The Clerk opened and read the bids in the order in which they were received: NMC, Inc. \$60.61 per blade for 8', \$53.70 per blade for 7'; Island Supply Co. Inc. \$64.16 per blade for 8', \$56.14 per blade for 7'; Midwest Service & Sales \$64.00 per blade for 8', \$56.00 per blade for 7'; B's Enterprises Inc. \$64.80 per blade for 8', \$56.70 per blade for 7'. Following discussion, Van Slyke moved to accept the low bid of \$60.61 for 8' blade and \$53.70 for 7' blade received from NMC, Inc., seconded by Waldmann. Carried. Yes: VanSlyke, Waldmann, Vogeler, Cetak, Baker, Cullers. No: none. Absent: none. The Hearing was closed at 9:45 a.m.

Information on a belly dump trailer was reviewed. Meyer found no used trailers in the area; a new one would cost forty to forty-five thousand. A used one was found through the internet in Minnesota. It is a 2001 Load King with air ride suspension at a cost of \$24,900 and \$767 for delivery. The belly dump trailer would save time and fuel and provide better coverage. The necessary funds were budgeted. The Board indicated that if the funds for the purchase are budgeted, the decision is up to him and noted they appreciated notification of this type of larger purchase.

The Board agreed that it would be a good idea to publish a notice to the public regarding the requirement for County permission before undertaking any type of construction on a County Road or County Road ROW. Assistance on wording such a notice has been sought from the County Attorney.

Meyer's General Report included: plowed snow on blacktop Saturday; start bridge inspections next week; he and Kolar will go to G.I. for training on using the asphalt zipper; Kusek bridge replacement to start Thursday; got used overhead door for North Loup shop at no cost, will need to frame and install it.

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

Treasurer Suminski was absent, however, her written Month End Fund Balance Report was presented and reviewed and the Misc. Receipts folder was available for review.

The Clerk's September fee reports for County Clerk and Clerk of District Court were presented and reviewed.

Following discussion, the Board agreed that Sevenker will replace Vogeler as the County Representative on the Mid-Plains Board and Cullers will replace Vogeler as the County Representative on the Economic Development Board. In 2003 Bethanne Kunz was appointed as the County Rep on the CNEDD Board and the President of the local ED Board was appointed as the alternate. Since Kunz resignation as VCED Director the County has not had a representative. The current President of the ED Board is Larry Schultz. Caleb Pollard has expressed his willingness to serve as the County's

Rep on the CNEDD Board. Waldmann will visit with both Schultz and Pollard regarding an upcoming meeting of the CNEDD Board to make sure the County has a representative at the meeting.

Maximus has submitted the Countywide Cost Allocation Plan they developed for Valley County which allows state reimbursement to the County for certain costs associated with child support enforcement and collection. They also included a computation for indirect costs pertaining to the HHS Office maintained by Valley County. Following discussion, Vogeler moved to approve the plan and authorize Chairman Sevenker to sign the Plan Certification and the indirect cost sheet for the HHS Office, seconded by Cullers. Carried. Yes: Vogeler, Cullers, Waldmann, Cetak, Van Slyke, Baker. No: none. Absent: none.

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

Following discussion, the Board directed the Clerk to pay the publication costs for the Wozab Quarterly Report from the Wozab Fund and the elevator portion of the Berggren billing statement from the grant. Chairman Sevenker contacted Jerry Berggren by phone and he will appear at the October 27, 2009 meeting.

Following discussion, no decision was made regarding the purchase of boulders to be placed on either side of the west Courthouse entrance steps.

Custodian Rolland Cronk was present for discussion of his resignation, which is effective October 16, 2009. The Board expressed their appreciation of his efforts and Cronk thanked the Board for the opportunity to serve the County. Cronk is willing to advise his replacement on various aspects of his duties. Cronk noted that the County has a push type snow blower but it does not work very well and is stored at the shop which requires hauling to the Courthouse and is not very handy. Chairman Sevenker presented Cronk with a card of appreciation from the Board.

At 11:00 a.m. the Board of Equalization was convened on motion of Cetak, seconded by Van Slyke. Carried. Yes: Cetak, Van Slyke, Baker, Cullers. Waldmann, Vogeler. No: none. Absent: none. The Clerk and Assessor were present.

Information from the Assessor regarding last year's levies by tax district and a draft copy of this year's proposed levies by tax district were reviewed. Sevenker noted that the County tax rate for this year was the same as last year. Resolution 09-16 listing the levies which the County approves was reviewed. Following discussion, Vogeler moved to approve Resolution 09-16 and attached levies, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Cullers, Waldmann, Baker, Van Slyke. No: none. Absent: none.

Notice of Valuation Change for Valleyside Community Association was presented. Arnold noted that Valleyside School was sold and no longer qualifies as tax exempt so a valuation was established for the property. Bringing the Valuation Change before the Board gives the property owner the opportunity to protest the value if they wish to. The land value was set at \$11,330 and the building at \$46,200. There are 2.6 acres of land and the building is 4,000 sq. ft. Average quality and condition were used in establishing the value. It sold for \$12,000 at auction. The established value is comparable to Fairplay School which also sold.

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

Virginia Arvizo of Colonial Life noted that her boss, Michael Meyer, was ill and unable to appear today. She had another associate with her and they presented preliminary information on a supplemental insurance plan that they would like to put together for the County in an effort to save on insurance costs. Following discussion, the Board agreed to hear further information on this at their October 27, 2009 meeting.

There were no Committee/Rep reports, however, Cullers noted that a Custer County Board member told her that they receive funds for their fire districts through a state program and asked if the Board felt Valley County should seek additional information about this program. No action was taken.

At 11:45 a.m. the Board members conducted the quarterly jail inspection.

Mail Folder items: LLNRD Newsletter, NDOR 2008 Traffic Crash Facts, Senator Kate Sullivan Newsletter, NHHS Whitehall Treatment Program, VCHS Housecall Quarterly, MGT cost allocation consultant, FSA Newsletter.

Meeting adjourned at 12:00 noon, to reconvene on October 27, 2009 at 9:00 a.m. in regular session. Complete minutes of the October 13 meeting and an agenda for the October 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, October 27, 2009 in the Courthouse Boardroom. Roll call: Sevenker, Waldmann, Baker, Cullers, Vogeler, Cetak, present; VanSlyke absent. Clerk verified meeting notice was published and the agenda posted in the Courthouse and on the County website. Minutes of October 13, 2009 meeting were inadvertently left out of the packets so they will be considered for approval at the next meeting. Waldmann moved to adopt agenda, seconded by Baker. Carried. Yes: Waldmann, Baker, Cullers, Cetak, Vogeler. No: none. Absent: VanSlyke. Sevenker noted Open Meetings Act posted and public copies available.

Chairman Sevenker had signed up for Public Comment. Sevenker noted that he has received many phone calls regarding the radio ad placed by Larry Koelling stating that the 07-08 taxes were raised 17% and he felt the ad was misleading. Although taxes collected did go up 17%, the valuation went up 16%, largely due to the addition of the ethanol plant, so taxpayers did not experience a 17% increase, in fact for many taxes went down. Sevenker felt the ad was a reflection on the County Board and, while the County does not have control over other taxing entities, the Board has worked hard to keep their portion of the tax levy down.

Road Secretary Simpson presented the Road Claims report for October, accounts payable \$88,105.35 and payroll \$36,414.24. Larger expenses were: culverts, diesel, belly dump trailer, asphalt, salt, highway striping, and gravel.

Road Supt. Meyer recommended approval of the refund of Easement 08-284 for Jay Knapp and it was approved on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: VanSlyke. Meyer recommended approval of new Easements 09-302 for David Shoemaker and 09-303 for Glenn Dockhorn. Dockhorn is installing a water line and Shoemaker is installing both a water line and power line. Baker moved to approve Easements 09-302 and 09-303, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak. No: none. Absent: VanSlyke.

Meyer's report included: hauling gravel as weather permits; hope to finish Kusek bridge project tomorrow, North Loup Irrigation Dist. is paying half cost of supplies, County is installing; unsure if bridges owned by County or NLID, other bridges need to be replaced, need to look into ownership; repairing equipment and putting up signs on rainy days; bridge on county line east of North Loup is rated 3 ton by the state, cannot cross with loaded grain truck or combine, having cost estimate done to see if it can be fixed, has not approached Greeley County regarding sharing cost but will once cost estimate is completed; works well for Board to refer road complaint/request calls to Meyer.

Hospital CEO Schrage presented the written monthly report of financial and statistical information. Most areas looked good for the quarter ending Sept. 30, 2009. Long-term care has trended down and capacity has been adjusted to 52 and is now at 48. They continue to work to create positive cash situation going into the new facility. Building construction is on schedule. They have applied for stimulus funds to build housing for vehicles and will look at community based uses for the old building. Discussed use of old building for HHS Office as County has to provide space and they currently need more room. A copy of the Hospital audit for FY 08-09 was provided to the County.

Meeting recessed at 10:05 a.m. and reconvened at 10:15 a.m. with all members present except VanSlyke.

County Attorney Clark reported that letters from NIRMA to the County and to the Fire District's Attorney James Egr indicate that the error regarding the Fire District taxes is not covered by the County's liability insurance. Clark noted that he will set up a meeting with the Assessor, Fire District and their attorney to see if an agreement can be reached to resolve the issue. Clark also reported that a trial date will likely be set after the first of the year in the Walker and Bronson cases. With regard to agenda item 10C on the billing for the new Probation District 8, Clark advised that a letter be sent to the Chief Probation Officer noting the budget amount approved by the County Board.

Colonial Life Representatives Michael Meyer and Virginia Arvizo have postponed their presentation until the next Board meeting on November 10, 2009.

Joe Wadas appeared to discuss the work on the Courthouse heating and cooling system approved by the Board at their August 11, 2009 meeting. Wadas has installed the new elements in the jail but a new thermostat is also needed and will cost about \$50. The Board agreed to the cost of the new thermostat. Wadas is working on a plan for the cold air in the penthouse. He noticed some flashing lights on system this morning and will check them out. He will install sound baffles in District Courtroom at cost approved by Board and wait on installation of air curtain in east doorway to see if closing inner doors at west entrance makes a difference in the temperature of the lower lobby.

Following discussion, Vogeler moved to appoint Caleb Polard as the County's Representative to the CNEDD Board and the President of the VCED Board as the alternate, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: none.

No decision was made on decorative boulders on each side of west courthouse steps but Sevenker noted that the volunteer plant growth needs to be cleaned out and the area concreted. He will discuss with Road Supt. Meyer.

Receipt of the "in lieu of tax" payment from Premier Pump was noted.

October Claims and Fund Request were reviewed and approved in the amount of \$324,964.08 on motion of Vogeler, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Cullers. No: none. Absent: VanSlyke.

Final decisions will be provided to the Clerk at the next meeting as to who will be attending the NACO Conference in December.

Surplus County property will be set in the lobby, numbered and sold to the highest bidder. The Clerk will notify other offices and Sevenker will number the items when they are ready.

At 11:00 a.m. the Board of Equalization was convened on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Cetak, Vogeler, Waldmann. No: none. Absent: VanSlyke. The Assessor and Clerk were present. The Tax List Correction for Jerome Kramer c/o Peggy & Gene Arduser for the sale of a mobile home which is to be moved to Greeley County was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, Cetak, Vogeler. No: none. Absent: VanSlyke. AT 11:05 a.m. the Board moved back into regular session on motion of Cullers, seconded by Vogeler. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, Baker. No: none. Absent: VanSlyke.

Architect Jerry Berggren presented information regarding the Courthouse renovation plans including the 3rd floor exit, fire sprinklers, tuck pointing and elevator. Berggren said the terra cotta is more difficult to do than the brick and he felt that a mason should be hired to cut the 3rd floor exit to provide information on the existing terra cotta and how best to restore the damaged portions. An independent contractor can do the exit stairway. Berggren felt the Karr Tuckpointing estimate largely addressed the brick. He presented pictures of the Courthouse illustrating the problem and recommended that bidders on the tuckpointing be prequalified. The chimney is no longer needed and has deteriorated to the extent that he recommends removing it, leaving only vents for the elevator shaft. He presented information on a company that manufactures stairway parts according to specifications. A local contractor could still build the frame, bolt the parts together and install it. Bid advertising for the stairway could begin at the end of the week. He will advertise, review and inspect the work. Bids must be advertised for 3 weeks. Bids will be opened by the Building Committee. Berggren will review the bids and make recommendation to the Board. Following discussion, Vogeler moved to go forward with the bidding on the 3rd floor exit stairway, excluding masonry work, with bids to be opened by the Building Committee on December 1, at 11:00 a.m. in the Courthouse Boardroom, reviewed for recommendation by Berggren and the Board decision announced at their December 8 meeting, seconded by Cetak. Carried. Yes: Vogeler, Cetak, Waldmann, Baker, Cullers. No: none. Absent: VanSlyke.

CDBG drawdown #3 in the amount of \$3631 for the elevator portion of the latest Berggren billing was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Baker, Waldmann, Vogeler, Cetak. No: none. Absent: VanSlyke.

Applications for the Courthouse Custodian position were received from Pamela Moore, Brandon Rice, Kevin Knapp and Milt Turek. Discussion included: Custodian needs to be in Courthouse during a portion of the regular office hours; ask Cronk to make list of duties; snow removal. Following discussion, the Clerk was directed to ask Rice and Knapp to appear at the next Board meeting around 10:00 a.m. or 10:30 a.m. and place another ad in the Quiz under Help Wanted.

Informational items regarding Legislative hearings and the BCBS coverage of H1N1 flu vaccine were noted.

Supervisor Cullers presented the Wozab Memorial Fund Quarterly Financial Statement for the quarter ending September 30, 2009 showing a beginning balance of \$1,182,071.87, ending balance of \$1,246,597.63 and 2010 available payout of \$30,500.69.

Cullers also presented a written report as the County Representative on the Region 3 Board on the money that is spent through Region 3 for various programs. A copy of her report is available for review in the Clerk's Office.

Mail folder items: NACO Audit Report, ASI supplement insurance for veterans, LBRC&D Newsletter.

Meeting adjourned at 12:45 p.m., to reconvene on Tuesday, November 10, 2009, at 9:00 a.m. in regular session. Complete minutes of the October 27 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

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, November 10, 2009, at 9:00 a.m. Roll call was taken with Sevenker, Baker, Cetak, Cullers, VanSlyke and Cetak present. Absent: Vogeler. The Deputy Clerk verified publication of meeting notice and posting of agenda. Minutes of October 13, 2009 and October 27, 2009 meetings were approved on motion of Cullers, seconded by Waldmann. Yes: Cullers, Waldmann, Cetak, VanSlyke and Baker. Motion carried. No: None. Absent: Vogeler. Baker moved to adopt the agenda, seconded by VanSlyke. Yes: Baker, VanSlyke, Cetak, Waldmann and Cullers. Motion carried. No: none. Absent: Vogeler. Sevenker noted the Open Meetings Act is posted and copies are available for the public. There was no public comment.

Jay Meyer, Road Supt. presented the design concerns he has regarding the closure or realignment of County Road 484 A Ave. adjacent to Hwy 11 being considered by the State Department of Roads. Meyer wanted to make the Board aware the plan designed by the State could isolate two residences but agreed the intersection is dangerous and could be made safer at no cost to the county. Meyer stated the State is still working on the design but have been scaling down due to cuts in funding. Sevenker suggested Meyer speak with the adjacent landowners to inform them of the realignment of the road on their property. No action was taken but agreed the revision was necessary.

A letter and billing statement for windshield replacement from Barb Markowski was reviewed and discussed. Meyer gave his account of a conversation he had with Markowski after the damage occurred, she stated the windshield already was cracked but was worsened by rock damage after meeting a county truck. The Board determined a copy of the letter and invoice should be submitted to NIRMA for their adjusters to investigate the incident and make their conclusion as to payment of the claim.

Meyer reported the highway department has finished work on the Kusek bridge with one-half of the costs to be paid by the Irrigation District; the road crew is in the process of maintaining minimum maintenance roads; the State gave new bridge ratings and will mandate rating signs be posted at the bridges; Meyer is half done with bridge inspections; Thursday November 12, 2009 a maintenance and safety workshop involving four counties will take place and invited the board members to attend. The new belly dump trailer is due to be delivered to Ord; the bridge crew will replace tubes that were washed out north of Horseshoe Bend on the Haskell Creek Road due to cracked stringers which have made the repairs necessary at this time, a detour will be on the minimum maintenance road during the replacement of the bridge.

Janet Suminski, presented the Treas. Semi-Annual Fund Balance Report containing the funds month end totals and month of October 2009 receipts, pledged security notification of a release of funds from Pathway Bank, and reported 16 distress warrants in the amount of \$13,485.47 were delivered to the Valley Co. Sheriff on Monday November 2, 2009 which are the least she has ever reported.

Caleb Pollard reported he was in Lincoln testifying on behalf of the Economic Development and Tourism etc. He praised the leaders of this community on the job they are doing do promote business and tourism developments in the area. Pollard reported the Sales Tax program budget for 2009-2010 has been set at \$1.12 million. Funds committed in the sales tax reserve are in the amount of \$157,750.00; sales tax receipts are growing and he hopes to have business expansion when the markets begin to thaw and feels the transportation futures look good. Central Community College plans to open its services in January 2010, and by the summer of 2010 has committed to have up to three professors for live classes at the Ord Learning Center. Pollard reported on a downtown task force meeting to discuss promotions, updating the website, and announced the Valley County Economic Development has received approval to begin planning and the pre-work implementation for the New Neighborhoods Grant application. The Ord Chamber and Valley Co. Tourism Committee have formed a coalition with Loup City, St. Paul and Burwell as well as Central Nebraska Adventures aimed at increasing web traffic and tourism interest in this area.

Recess was called at 10:10 a.m., meeting reconvened at 10:20 a.m. with all members present except Vogeler.

The board reviewed the County Clerk and Clerk of the District Court fees.

County Attorney Glenn Clark was present to review the revision of the personnel policy, Clark indicated he will have his office staff make any corrections that need to be made and present the revised policy the next meeting.

Clark was questioned about the possibility of forming an Interlocal agreement that would allow state aid to cooperating fire districts in the area that meet the threshold for population requirements to make them eligible for assistance. The agreement must contain a provision which requires all members of the Mutual Finance Organization to levy the same property tax rate within their boundaries for the purpose of jointly funding the operations of all members

of the MFO. The final levy is determined with a formula set by the county board. Members of the county board and each fire district must be involved in the process, if one of the fire districts fails to levy the rate agreed to by the MFO is disqualified from assistance. The cooperative effort is intended for use in financing operational equipment and needs for fire protection, emergency response and training. Randy Cullers was present and will send letters to contact the fire department districts in Valley County and set up meetings to begin the process of developing plans to submit an application for assistance to the State Treasurer by July 1, 2010.

Michael Meyer and Virginia Arvizo asked to be on the agenda but were not present to give their presentation on behalf of Colonial Life Insurance Company.

Board members were made aware the registration fee for the NACO Annual Conference to be held in Lincoln on December 9, 10 and 11 will be \$120.00 on or before November 27, and \$135.00 thereafter and the deadline for lodging cancellations will be November 13. Sevenker and Cullers plan to attend the conference. The election procedure for Voting for NACO officers required Voter Confirmation be mailed and faxed to the NACO office. It was determined that Helen Cullers would cast a ballot for Valley Co. and the alternate delegate able to cast a ballot to be Janet Suminski.

Claims and Funds request in the amount of \$66,604.18 for payment to BlueCross BlueShield for the health insurance premium and TierOne Bank for Courthouse Bond and Interest were approved on motion by Cullers, seconded by VanSlyke. Yes: Cullers, VanSlyke, Baker, Cetak and Waldmann. Motion carried. No: None. Absent: Vogeler..

The Current Expenditures Summary Report for the budget totals and balance for the month ending Oct. 31, 2009 was reviewed.

An email from Todd Wiltgen regarding the Conditions for Donation of Services and Space Agreement for the 2010 census was tabled for further review.

Minimum Salary Recommendations for 2011-2014 for County Officials to be set by January 14, 2010 will be reviewed and discussed at the next meeting to be held November 24, 2009.

Brenda Knight's request to use the courthouse and lawn for the Winterfest to be held on November 28, 2009 was approved on motion by Cetak, seconded by Waldmann. Yes: Cetak, Waldmann, Cullers, Baker and VanSlyke. Motion carried. No: None. Absent: Vogeler.

The Board interviewed applicants for the custodial position and reviewed the duties, hours to be worked and hourly wage to be paid. Motion by VanSlyke, and seconded by Baker to hire Brandon Rice as a part time custodian at a wage of \$12.50 per hour to work approximately 20 hours per week. Yes: VanSlyke, Baker, Cullers, Waldmann and Cetak. Motion carried. No: None. Absent: Vogeler. Brandon Rice was called back to the meeting, accepted the position to work from 7:00 a.m. to approximately 11:00 a.m. to start duties on November 12, 2009.

Mail folder: Central Nebraska Council on Alcoholism and Addictions In workshop, Central Community College of Columbus 2008-2009 Annual Report.

Meeting adjourned at 12:10 p.m., to reconvene on November 24, 2009 at 9:00 a.m. in regular session. Complete minutes of the November 10, 2009 meeting and an agenda for the November 24, 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

VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, November 24, 2009 in the Courthouse Boardroom. Roll call: Cullers, VanSlyke, Waldmann, Baker, Sevenker present; Vogeler arrived at 9:10 a.m.; Cetak absent. Due to absence of 2 Board members, Chairman will vote today. Clerk verified meeting notice was published and agenda posted in Courthouse and on website. Minutes of November 10, 2009 meeting, included in the Board packets, were approved on motion of VanSlyke, seconded by Baker. Carried. Yes: VanSlyke, Baker, Cullers, Waldmann, Sevenker. No: none. Absent: Cetak, Vogeler. Cullers moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Sevenker, VanSlyke, Baker. No: none. Absent: Cetak, Vogeler. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Road Secretary Simpson noted November payroll and claims totaling \$102,088.71. Larger expenses were diesel, use of Zipper machine, gravel, signs, and fuel. A total of \$676,586 remains in the Road budget. Meyer noted that the Zipper will not be used to complete the remaining 1000 feet of road as it is too expensive.

Supervisor Vogeler arrived at 9:10 a.m.

The Certification of County Highway Superintendent For Determining Incentive Payment was approved and signed by Sevenker. The form will be sent to the State to verify that Meyer has a Class A license which results in incentive payments of over \$9000 a year.

Meyer reported that he had a person from Custer Steel look at two bridges needing replacement, the bridge on the Greeley County line as well as a bridge northwest of it. The cost to replace either bridge would be about \$126,125. Randy Wadas, a Greeley County resident who needs one of the bridges for access, cannot use either bridge for large equipment as one is too narrow and the other is weighted too low. Both are considered fracture critical bridges. Due to the projected cost of the project, bidding would be required which would add to the cost. Because the cost is so high, would have to purchase building materials over several budget years which may eliminate the bidding requirement. Need to meet with Greeley County to discuss sharing cost of replacing bridge on County line. If they are unwilling to share the cost, may have to close this road and replace the other bridge. Need to have County Attorney check on statutory requirements for bridges shared by 2 counties. Meyer will get cost estimates from another company but does not anticipate much difference. He is looking at a steel bridge which will last much longer than wood. Meyer also noted he is still waiting for the state to inspect and assign load ratings to bridges in the county that have been repaired. He has contacted the state several times to no avail. Last week he called the person in charge and sent him the information on the bridges and is hoping to see some progress now.

Meyer's general report: finished bridge replacement on Haskell Creek last Tuesday; working on Courthouse snow blower; gave shop key to Courthouse custodian Brandon Rice; hand patching asphalt roads; maintaining today; still calling to get communication equipment installed on tower, will hold check until equipment is in place, have applied for license but not received it yet.

Hospital CEO Schrage presented his monthly written report and noted that, while October was a busy month, the holiday season months are typically slower. He reviewed with the Board the printed statistic and financial pages of his report. Discussion was held regarding health insurance and the possibility of insuring County employees and Hospital employees together. Schrage will ask for a written opinion from their insurance advisor. Sevenker questioned need for monthly hospital report. Schrage said he is happy to provide a report each month but noted that quarterly reports provide a clearer picture of the financial and statistical information. Vogeler felt the report should be monthly during the construction of the new facility. VanSlyke said people are concerned about services for older residents like the nursing home. Schrage said they recognize the need and are committed to providing services, especially in light of the closing of the Sargent nursing home and the uncertainty at Burwell. The current facility will be remodeled to be more efficient and increase the number of residents. Schrage presented a Summary of Construction Project Costs for October.

A recess was called at 10:15 a.m.; meeting reconvened at 10:25 a.m. with all members present except Cetak.

County Attorney Clark reported that Attorney Cullers is contacting other Fire Districts to see if they are interested in pursuing state aid to cooperating Fire Districts through a mutual finance organization. Attorney Egr, who has represented other Fire Districts, will be consulted and Clark will talk to Custer County regarding their experience with the state aid process. This process is meant to provide more funding for the Fire Districts at less cost to the County taxpayer.

The bridge on the Greeley County line was discussed. Clark will look at statutory requirements and write a letter to Greeley County. Further discussion will be held at the December 8 meeting and a meeting with Greeley County will be scheduled.

Clark reported with regard to the error which excluded the Ord Rural Fire District levy from the City of Ord levy resulting in a tax shortfall of over \$21,000 for the Fire District. Attorney Cullers agreed that there is no way to correct the error at this point and that the Fire District will work with the County to make up the shortfall through the levy process over several years.

The request from the U.S. Census Bureau for an agreement from the County to provide services and space for the 2010 Census was discussed. The agreement asks for space to be donated for a Questionnaire Assistance Center where they can help people complete the 2010 Census questionnaire. The agreement asks for specific dates of availability, however, the only room available for use is the County Courtroom on the 2nd floor and there is no way to know in advance if the County will need the Courtroom. Also there is a question of handicap accessibility. Following discussion, the Board agreed that they were willing to provide the space if the Courtroom was not needed by the County Court. The Clerk was directed to complete and return the agreement including information regarding the lack of handicap accessibility and the question as to specific dates.

Supervisor Baker was reappointed as Valley County Representative on the Loup Basin Health Dept. Board on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Vogeler, Sevenker. No: none. Absent: Cetak. Abstain: Baker.

At 11:00 a.m. the Board of Equalization convened on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Sevenker, Vogeler, Waldmann. No: none. Absent: none. Assessor and Clerk were present.

Steven and Susan Hornickel were present for discussion of their property valuation protest filed on the value of the old Valleyside School building, located in the NW4NW4 of 34-18-14 and including 2.11 acres of land. They purchased it at auction for \$12,000 and the Assessor valued the property at \$11,330 for the land and \$46,200 for the building. The Assessor's recommendation indicated that the property had to be put on the tax rolls and based on brick construction, should be considered good condition. The building measured 4019 square feet and after pricing it out she felt the value was too high and changed the condition to average which brought the value to the total of \$57,530. She did not feel that it could be valued at the sale price due to the property valuation system used in Nebraska and noted that the Fairplay School sold at auction for \$5000 but is valued at \$55,520 for the building and \$8000 for the land. Her recommendation was to leave it at the value she had set. Hornickels noted that an organization called Valleyside Community Association, LLC has been established, however, it is not designated as non-profit and they are not seeking that designation as that would mean the investors could not rent the property. Their intention is to rent the property to the public for good-will donations, no set rental fee. They do not feel they can afford the taxes at the value that is set. They have searched other County's valuations online and noted that the Gates school is valued at \$30,784 and the old Loup City High School, which is used as a business, is valued at \$49,525. They felt there should be a separate category for their building. They also noted that no furnishings came with the school. Eugene Bredthauer was also present for the discussion and noted that the building sits on a flat slab, is brick veneer and cannot be moved. Assessor Arnold noted that her office found out after the value was set that they had the wrong year built on the schoolhouse. This building was apparently built in 1957 and they were using the 1915 construction date of the prior school building. Sevenker asked if there was still a functional obsolescence designation that could be used to lower the value since the building would require extensive remodeling to be considered a residence. Vogeler moved to value the property at the sale price of \$12,000. County Attorney Clark advised that because the property sold at auction and there were no comparable properties to provide equalization, he felt the sale price was a fair valuation. Hornickel noted that there was a kitchen, 2 bathrooms with 2 toilets in each and a basement under 1/3 of the building. Chairman Sevenker then asked for a second on Vogeler's motion or it would die for lack of a second. Baker seconded the motion. Arnold refigured the value using poor condition and average quality, however, using the 1915 year it only brought the value to \$23,500; using poor condition and quality brought it to \$16,810 building and \$11,330 land; using the correct year of 1957, poor quality and condition resulted in a value of \$36,985. Chairman Sevenker called for a vote on the motion. Carried. Yes: Vogeler, Baker, VanSlyke, Cullers, Waldmann, Sevenker. No: none. Absent: Cetak.

The TERC Decision & Order Affirming the Decision of the Valley County Board of Equalization on the Schauer property valuation protest appeal of their 2008 valuation was noted.

At 11:35 a.m., the Board moved back into regular session on motion of VanSlyke, seconded by Vogeler. Carried. Yes: VanSlyke, Vogeler, Waldmann, Cullers, Baker, Sevenker. No: none. Absent: Cetak.

The NACO information and recommendation on official's salaries for the 2010 – 2014 term was reviewed and discussed. This item will be on the December 8 agenda and County officials will be invited to attend.

The revised Personnel Policy was again discussed. The Clerk noted several typographical errors and that the paragraph exempting elected officials from receiving overtime pay did not include department heads. Following discussion, the Clerk was directed to check with the County Attorney as to including department heads in the overtime exemption. If there is no legal objection to the addition of department heads to the overtime exemption, the Clerk will add it, correct the typo's and present the revised policy for Board approval at the next meeting.

Resolution 09-17 transferring \$3202.06 from Inheritance Tax Fund to the General Fund for payment to Berggren Architects was approved on motion of Vogeler, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cullers, Baker, VanSlyke, Sevenker. No: none. Absent: Cetak.

November Claims and Fund Request were approved on motion of Baker, seconded by VanSlyke. Carried. Yes: Baker, VanSlyke, Sevenker, Cullers, Waldmann, Vogeler. No: none. Absent: Cetak.

CDBG 08-PW-007 Drawdown #4 in the amount of \$1799 for Berggren Architects was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, Baker, VanSlyke, Vogeler, Sevenker. No: none. Absent: Cetak.

The email correspondence from Jerry Berggren indicating that no bids or inquiries had been received as a result of the bid advertisement for the 3rd floor exit and recommending that the bid deadline be extended was discussed. Vogeler moved to extend the bid opening to December 22, 2009 at 11:00 a.m. as recommended by Berggren, seconded by Baker. Carried. Yes: Vogeler, Baker, VanSlyke, Waldmann, Cullers, Sevenker. No: none. Absent: Cetak.

Closing of Courthouse offices at 1:00 p.m. on Christmas Eve and New Year's Eve was approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, Baker, VanSlyke, Sevenker, Vogeler, Waldmann. No: none. Absent: Cetak.

Cullers reported that Diamond's Too Jewelry & Gifts and Browns Hardware & Appliance each donated a Christmas tree to be decorated and displayed in the Courthouse, one in the lower lobby and one on the 2nd floor outside balcony. The Board approved a thank you letter to each business for their generous donation.

Mail Folder items available for review: Chamber ED report, Region 26 Agenda

Meeting adjourned at 12:40 p.m., to reconvene on December 8, 2009 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the November 24 meeting and an agenda for the December 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 regular session at 9:00 a.m., Tuesday, December 8, 2009 in the Courthouse Boardroom. Roll call: Cetak, Sevenker, Waldmann, Cullers and VanSlyke present; Baker, Vogeler absent. Clerk verified meeting notice was published and agenda posted. Minutes of November 24, 2009 meeting, included in the Board packets, approved on motion of VanSlyke, second by Cullers. Carried. Yes: VanSlyke, Cullers, Waldmann, Cetak, Sevenker. No: none. Absent: Baker, Vogeler. Cullers moved to adopt the agenda, seconded by Waldmann. Carried. Yes: Cullers, Cetak, Waldmann, VanSlyke, Sevenker. No: none. Absent: Baker, Vogeler. Sevenker noted posting of Open Meetings Act and public copies available. There was no public comment.

Due to the weather, Weed Supt. Kaminski appeared first. He presented copies of his 2010 Noxious Weed Control Plan and the letter and spray agreement that is sent to noncompliant landowners with a 15 day notice. This will provide time for the Board to review the plan before it is approved at their Dec. 29 meeting. Kaminski will bring the 2009 reports and the 2010 Board roster on the 29th.

Road Supt. Meyer recommended approval of refunding Easement 08-286 for Loup Valleys Rural Public Power District and it was approved on motion of Waldmann, seconded by Cetak. Yes: Waldmann, Cetak, Sevenker, VanSlyke, Cullers. No: none. Absent: Baker, Vogeler. Meyer recommended approval of issuing Easement 09-304 for Frontier/Citizens Communications although he noted that the work must have been done the same day the request form was turned in because it was done when he went to view the site. Meyer noted that he has cautioned them about this but may need to do so again. Easement 09-304 was approved on motion of Waldmann, seconded by Cullers. Carried. Yes: Waldmann, Cullers, VanSlyke, Sevenker, Cetak. No: none. Absent: Baker, Vogeler.

Meyer provided cost estimates from Midwest Sales for the bridge on the line between Greeley and Valley Counties and the bridge on 805th Road. Cost to replace the County line bridge with steel and concrete deck bridge, including hydraulic study, would be \$119,242 plus an additional \$3500 if the County did not do the removal. To replace it with the same structure but using concrete slabs instead of stringers would cost \$86,065 plus the \$3500 removal. Meyer prefers the concrete slab construction because there is no deterioration, you gain clearance and trash does not collect underneath. The cost difference is primarily freight. Meyer felt the bridge on 805th Road could be repaired rather than replaced at a cost of \$58,920 or \$61,920 depending on use of concrete deck or \$61,804 if use concrete slabs. Meyer advised that if both bridges cannot be replaced or repaired he would advise closing the County line bridge and repairing the other one. Following discussion it was decided that the Board needs to meet with Greeley County regarding the County-line bridge, Federal Aid Project not good option as additional requirements inflate cost and can take 5 to 7 years to complete, Meyer will type up cost figures and bridge photos to show Greeley County and get on Greeley County agenda, Sevenker will also go to Greeley County meeting, need to clarify responsibility for County line bridge with County Attorney.

Meyer's report included: finished bridge inspection; will attend NACO Conference this week; continues to send bridge information as requested by the State; difficulty getting equipment installed on REA tower as original installers backed out, check will be held until equipment is in place; began replacing faded or out of compliance signs purchased through state grant for curves, chevrons and turns, signs do not contain speed limit, trying to identify areas where need to attach placard with speed limit; moving snow today.

Recessed at 10:10 a.m., reconvened at 10:25 a.m., Waldmann, Cullers, VanSlyke Sevenker & Cetak present.

Jerry Berggren of Berggren Architects appeared with official drawings and instructions for bidders for the fire exit. Chuck Kokes was present and representatives of Staab Welding came later in the presentation. Berggren noted it was discovered that the Courthouse was not built as anticipated. Normally the floors would sit on support beams, however, the floors in the Courthouse are attached to the side of the beams. This means some beams will have to be cut and columns built in the wall to take the load. This could double the cost of the project. They plan to test the load bearing capacity of the beams and the bricks to determine if columns are needed. Another option would be to build a landing and steps for the exits and go over the beams, but this would take up much of the County Court Judge's Office and the Jury Room. He has discussed these plans with the Fire Marshall. The Board adjourned to view the 2 rooms in question. Following the review, it was determined that in the County Court Judge's Office the landing and steps could be used to avoid the cost of support columns if the door from the office into the Courtroom was eliminated, however, this would not work in the Jury Room. Berggren noted that a pre-bid meeting is scheduled for 11:00 a.m. on December 14 at the Courthouse where he will meet with interested bidders. Most of the additional work required to

install the columns would be done by the mason so the bids for construction of the fire exit stairway should not be affected.

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

Tax List Corrections for the Valleyside School building and various properties that were corrected to reflect Central Assessment (state assessment of railroad, public service and car line companies and air carrier flight equipment) were presented for Board approval. The following Tax List Corrections were approved on motion of Cullers, seconded by Cetak: 3736 Valleyside Community Assoc., 3737 Union Pacific RR Co., 3738 AT&T Communications, 3739 Kinder Morgan, 3740 Alltel Communications, 3741 Citizens Telecom, 3742 Nebr. Central RR, 3743 Nebr. Central Telephone, 3744 Source Gas, 3745 NE Colorado Cellular, 3746 USCOC of NE/Kansas (US Cellular). Carried. Yes: Cullers, Waldmann, Cetak, Sevenker, VanSlyke. No: none. Absent: Baker, Vogeler.

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

Treasurer Suminski's written reports, Month End Fund Report and Pledge Security Airport, were reviewed in her absence as she was attending the NACO Conference in Lincoln. Resolution 09-18 approving the banks for deposit for 2010 was approved on motion of Cullers, seconded by VanSlyke. Carried. Yes: Cullers, VanSlyke, Sevenker, Cetak, Waldmann. No: none. Absent: Baker, Vogeler. A billing statement from Terra Scan for an upgrade in the Treasurer's computer system to allow for more memory and virus protection was reviewed. The need for these items was not known at the time the budget was set so they were not included but they are required and will have to be paid for. The Misc. Receipts Folder is available for review.

The County Attorney did not make the trip from Broken Bow due to the weather.

The Clerk's November fee reports for the County Clerk and the District Court were reviewed.

The Personnel Policy was again discussed. Chairman Sevenker noted that the last item references a Drug Free Workplace Policy, however, there is not one attached. The County Attorney is to be consulted regarding this policy and this item will be on the next agenda.

Tara Sprigler-Price, Chief Probation Officer District 8 called to cancel her appearance due to the weather.

Claims and Fund Request for the December BCBS premium and a second Fund Request to distribute grant funds upon receipt to pay a portion of the elevator costs of Berggren Architect billing were approved on motion of Cullers, seconded by Cetak. Carried. Yes: Cullers, Waldmann, Cetak, Sevenker, VanSlyke. No: none. Absent: Baker, Vogeler.

The letter from Extension Educator Kayla Hinrichs requesting appointment of Kay Knapp to replace Lori bush on the Central IV Area Extension Board was discussed. Bush has served 2 terms for a total of six years. VanSlyke wanted to know the reason why Bush was being replaced and felt the new appointee should be from the Arcadia area. The issue was tabled until the next meeting to allow time to get more information.

The Clerk reported a phone call from Jim Vanderslice of Secure Recycling in Grand Island offering to pick up old electrical items on Dec. 15 as his company will be picking up items at the Hospital that day. He indicated that he would like to set up a route through the area 3 or 4 times a year. The items would be hauled away at no cost except for the hazardous items like the old computer monitors. There would be a \$10 charge for each monitor. The Board was in favor of accepting the offer and paying for the disposal of monitors to the extent the County can afford.

Discussion was held regarding the rumor that the Social Services Office in Ord is to be moved to Broken Bow. Sevenker noted that he had confirmed the rumor by phone this morning with Ann Kawatu in the Broken Bow Office. The Board felt that the County should have been notified prior to the decision to move the office, noting that Valley County taxpayers have supported the Ord office for many years without assistance from other area counties whose residents were served by the office and the importance of having these services available locally. Following discussion, the Board asked the Clerk to write a letter to Yolanda Nuncio, Area Administrator and Ann Kawatu from the Broken Bow Office inviting them to meet with the Board to provide more information on this decision.

Salaries for County Officials for the 2010 elected term were discussed. The Board is required to set the salaries by January 15, 2010. Following discussion, it was decided that input from the other elected officials is needed and this issue will be on the next meeting agenda.

Mail Folder items available for review: Ord FSA Newsletter, NACO Conference-Contryman letter, NACO Sec/Treas. candidates, NIRMA Board candidates, CCC educational programs & workshops.

Meeting adjourned at 12:30 p.m., to reconvene on December 29, 2009 at 9:00 a.m. in regular session. Complete minutes of the December 8 meeting and an agenda for the December 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 on Tuesday, December 29, 2009, at 9:00 a.m. in the Courthouse Boardroom. Roll call: Cullers, VanSlyke, Waldmann, Baker, Sevenker, Vogeler, and Cetak present. The Clerk verified publication of meeting notice and posting of agenda. Minutes of December 8, 2009 meeting were approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke and Baker. No: none. Absent: none. Cetak moved to adopt the agenda, seconded by VanSlyke. Carried. Yes: Cetak, VanSlyke, Baker, Cullers, Waldmann, Vogeler. 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 Simpson gave the Road Claims and Balances report for December noting \$33,189.55 for Accounts Payables and \$35,947.90 Payroll. The larger expenses were for motor grader tires, diesel, truck tires, motor grader repair, road signs, fuel and gravel. Due to the snow storm the road crew has logged approximately 200 hours overtime in the last 5 days. The Road Budget is near the half way mark and should be sufficient for the remainder of the fiscal year.

Chairman Sevenker and Road Supt. Meyer reported on their discussion with Greeley County at the Greeley County Board meeting on Dec. 22 regarding the repair/replacement of the bridge on the line between the two counties. Greeley County said they would not be able to provide funding for the shared bridge for at least the next 3 years. Following discussion, Vogeler moved to go forward with the bridge west of Randy Wadas to erect in spring of 2010, paying \$15,000 from this year's budget and the remaining \$46,000 from the FY 2010-2011 budget, seconded by Waldmann. Carried. Yes: Vogeler, Waldmann, Cetak, VanSlyke, Baker, Cullers. No: none. Absent: none. Meyer will report at the next meeting.

Chairman Sevenker noted the Board's appreciation of the efforts of the Road Dept. during the recent blizzard. Meyer also recognized his crew for their efforts and expressed his appreciation for the assistance of the Sheriff's Dept.

Meyer reported: 2 machines are down, water pump and transmission leak; Cat to be fixed today; 95% of roads open at least one way; some areas in NE part of County and NW Ord area will have to be dug out and snow hauled away; chip spreader has clutch problem, hard to find parts due to age, cost 5 to 7 thousand dollars to repair, will need by next fall; will need to replace bridge NW of Arcadia with tubes when weather allows; some ditches cleaned before the snow; oil burner in shop may need to be replaced, is 25 years old, hard to get parts, burns more oil than a new one.

Weed Supt. Kaminski presented the 2009 Noxious Weed Infestation Report and 2009 Activity Report. He noted lower infestation for Musk Thistle and Leafy Spurge due in part to use of the 15 day notice and landowner cooperation. Following review, VanSlyke moved to approve the 2009 Infestation Report and the 2009 Activity Report, seconded by Cetak. Carried. Yes: VanSlyke, Cetak, Vogeler, Waldmann, Cullers, Baker. No: none. Absent: none. Kaminski also presented the 2010 Noxious Weed Control Plan listing the goals and methods of control for 2010. Following review, Baker moved to approve the 2010 Noxious Weed Control Plan, the 2010 Board Roster and 2010 Budget Form, seconded by Cullers. Carried. Yes: Baker, Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: none.

County Attorney Clark noted that he is working with Ord City Attorney Cullers to set up a meeting of the area Fire Depts. to discuss a Mutual Finance Organization in order to receive state aid. Ord Rural Fire Dept. President Keith Shellhase and Fire Chief Larry Copp were present for the discussion. Clark also noted that he has nothing to report regarding the levy error for the Ord Rural Fire District and that he cannot discuss the issue with the Fire District since they have contacted Attorney Egr regarding this matter.

Curie Mincer and Laurie Hansen of CNEDD will reschedule due to the road conditions caused by the blizzard.

Jerry Berggren reported on the public bid opening advertised and held on December 22, 2009 at 11:00 a.m. for the fire escape. Bids were received as follows: Tri-Valley Builders Inc. \$96,000; Greenland Construction \$107,966; Central Contracting Corp \$109,356. He recommended the low bidder, Tri Valley Builders Inc. of Grand Island and presented a letter regarding his considerations and a list of past projects completed by Tri Valley Builders Inc. The bids do not include interior work or masonry but do include 2 exterior doors, replacement of 3 windows and painting the metal. It was noted that the cost of steel was substantially more than estimated. Berggren noted that he plans to hire an independent consultant at his own expense to verify the remaining project estimates. The subcontractors are not known at this time, but the County can question Tri Valley's choice of subcontractors once they are known. If the County would choose to go with a subcontractor that charges more than Tri Valley's choice, the County would have to pay the difference. Following discussion, VanSlyke moved to go with Tri Valley Builders Inc. for the Fire Escape Project at \$96,000, seconded by Vogeler. Carried. Yes: VanSlyke, Vogeler, Cetak, Waldmann, Cullers. No: none. Absent: Baker, left the meeting at 10:35 a.m. Berggren will try to return by the January 12th meeting with Tri-Valley's list of subcontractors and thought the project may get started in mid February. Try-Valley has agreed to a completion date 120 days following the Notice to Proceed.

Meeting recessed at 10:40 a.m. and reconvened at 10:50 a.m. with all members present except Baker.

The December Claims, Fund Request and Resolution 09-19 transferring \$9314.50 from Inheritance Tax Fund to General Fund for payment to Berggren was approved on motion of Cullers, seconded by Waldmann. Carried. Yes: Cullers, Waldmann, Vogeler, Cetak, VanSlyke. No: none. Absent: Baker.

Discussion was held regarding the County's Personnel Policy with regard to the need to clarify and define full-time and part-time positions and to revise the Drug Free Workplace Policy and provide the means to comply with it. Attorney Clark will provide a revised policy at the January 12th meeting for the Board's consideration.

The salaries for the elected officials for the 2011-2014 term were again discussed and will be on the agenda for the January 12 meeting. The salaries must be set by January 15th.

A revised letter of request from UNL Extension Educator Kayla Hinrichs requesting appointment of Vicki Bauer to the Extension Board was discussed. At the last meeting Hinrichs requested appointment of Kay Knapp to replace Lori Bush who had served 2 terms, however, VanSlyke felt the appointment should go to someone from the Arcadia area. Hinrichs was agreeable if a qualified person from the Arcadia was willing to serve. Following discussion, Vogeler moved to approve the appointment of Vicki Bauer to the Central IV Area Extension Board for a 3 year term, seconded by Cullers. Carried. Yes: Vogeler, Waldmann, Cetak, Cullers, Sevenker. No: none. Absent: Baker. Abstain due to relationship: VanSlyke.

Baker returned to the meeting at 11:55 a.m.

Elevator grant Drawdown #5 in the amount of \$1071 was approved on motion of Cetak, seconded by Vogeler. Carried. Yes: Cetak, Vogeler, Waldmann, Cullers, Baker, VanSlyke. No: none. Absent: none.

The list of County Holidays for 2010 was approved on motion of Vogeler, seconded by Cullers. Carried. Yes: Vogeler, Cetak, Waldmann, Cullers, Baker. No: none. Absent: Van Slyke left the meeting at 12:00 noon.

The Annual Report of Signatures and Seals required by the state was signed by the Supervisors present.

The Ord Quiz was designated as the official County Newspaper for 2010 on motion of Cullers, seconded by Baker. Carried. Yes: Cullers, Baker, Cetak, Vogeler, Waldmann. No: none. Absent: Van Slyke.

Notice of the mileage rate change from \$.55 to \$.50 per mile effective January 1st was noted.

Mail Folder items available for review: NDEQ grants, Wind Energy Consulting letter, Berggren Christmas Card, Chamber Newsletter, NPZA training event, MGT of America letter, Loup Basin RC&D Newsletter, Region 3 Holiday Wishes.

Meeting adjourned at 12:10 p.m., to reconvene January 12 at 9:00 a.m. in regular session. Complete minutes of the December 29 meeting and an agenda for the January 12 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.

Jenette G. Lindsey, Valley County Clerk