

Valley County Board Minutes



VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session in their Courthouse meeting room on Tuesday, July 10, 2018 at 9:00 a.m. The Pledge of Allegiance was recited. Roll call was taken with Cetak, Cullers, DeRiso, Sevenker, VanSlyke, Waldmann present, Baker absent. Clerk verified meeting notice published, agenda posted. June 26 minutes approved on motion of DeRiso, second Cullers. Carried. Yes: VanSlyke, Cullers, Waldmann, DeRiso, Cetak, Sevenker. No: none. Absent: Baker. Agenda adopted on motion of Cullers, second VanSlyke. Carried. Yes: Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: Baker. Sevenker noted Open Meetings Law posted, public copies on counter. There was no public comment. Baker arrived at 9:08 a.m.

Have not heard anything from Sen. Tom Briese concerning the State concepts for the intersections on the Hwy. 11 project; DeRiso spoke to Governor Ricketts concerning the State's request that the County share in the cost of the turning lane, said someone from his office would call, no one has called. Grader Blade bid date and time was set for July 31 at 9:30 a.m., on motion of Waldmann, second DeRiso. Carried. Yes: Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers. No: none. Absent: none. Baker moved to approve Easement 18-422 for Sterling Ritz, second VanSlyke. Carried. Yes: DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The Clerk and Clerk of the District Court fee reports were reviewed. The Pledge Security for the payroll and claims and District Court accounts was increased from \$350,000 to \$500,000.

Treasurer Suminski reported that PILT funds are paid in lieu of taxes which would have been collected for the Davis Creek Reservoir land, does not favor becoming part of the class action lawsuit, if ask too much may not receive payment any more, rate does not increase. Suminski presented the Fund Balance Report for June, balance of \$216,877.92 General, \$319,481.80 Road, \$508,751.73 Inheritance, \$148,157.45 Bond; total collected for the month \$565,000. The Semi-Annual Fund Report which was printed in the Quiz and the FY Balance of all funds were reviewed. The 2016 Chalupa estate tax was transferred from the holding fund to the Inheritance Tax fund, received no response to the letter sent to the estate attorney. Pledge Security for Pathway Bank was noted.

An update on the tax foreclosures was reviewed.

Claims and Fund Request in the amount of \$36,190.07 were approved on motion of VanSlyke, second Baker. Carried. Yes: Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso. No: none. Absent: none.

The District 8 Probation budget for FY 2018-2019 was reviewed, no increase to Valley County. Sevenker spoke to Co. Surveyor Jesse Hurt concerning the Project No. STP 11-3 (116) agreement between the County and NDOR to perform surveying services, \$100 fee to tie out and remonument each land monument will not cover the actual cost. Cullers moved to sign the agreement, second VanSlyke. Carried. Yes: Sevenker, VanSlyke, Cullers, Waldmann, DeRiso, Cetak. No: Baker. Absent: none. The Region 26 FY 2018-2019 budget was discussed, Valley Co. assessment is \$55,056.39, base was raised from \$9,000 to \$18,000.

Co. Atty. Hanson sees no benefit in pursuing the PILT lawsuit, will add the foreclosure costs to his budget.

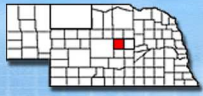
The meeting was recessed at 10:10 a.m. to conduct the quarterly jail inspection, reconvened at 10:40 a.m. with all members present.

Committee Reports: Cullers presented drawings of tables for the District Courtroom, will discuss at July 31 meeting. The sidewalk section west of the Courthouse was replaced.

The Board of Equalization convened at 11:00 a.m. on motion of Baker, second Waldmann. Carried. Yes: Baker, Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: none. The Assessor, Clerk, Darrel Stanard and Josh Garris from Stanard Appraisal, Eileen Bruha, Roland Shafer, Gaylord Boilesen, Jim Trotter and Tom Kruml were present.

Protest #10, Eileen Bruha, Parcel #880020125, Ord Original Add/102 Div L & G Exc W 16' L7, N2 Div F B12; protested value: Land \$4,755, buildings \$16,405, Total \$21,160; requested value: Land \$4,755, buildings \$13,500, Total \$18,255; Eileen Bruha was present; written testimony included: There have been no improvements; There was no heat, water or toilet facilities.; This is for storage only. Stanard Appraisal recommendation: Accept requested valuation; land \$4,755 and building \$13,500 for a total of \$18,255. Cetak moved to approve Stanard's recommendation, second Cullers. Carried. Yes: Baker, Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: none.

Protest #1, Roland Shafer, Parcel #880029435, Ord City Div/102 N 314' of Div P Exc N 90' of E 142' & Exc E 120' of W 155' of N 90' & Exc W 35' of N 178' NW4 22-19-14; protested value: Buildings \$64,420; requested value: Buildings



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\$48,390. Roland Shafer was present; written testimony: There have been no improvements of this property for over 40 years, Just because someone paid too much for Kittle's Courts does not justify increasing my values. Stanard's testimony included: Had to equalize the valuation of the two trailer courts, Hook ups went from \$1,000 to \$2,050, Costs went up, two trailers occupied for rent, two occupants working off rent; Recommendation: Keep value as is and revisit in a year, land \$15,610 and improvements \$64,420 for a total of \$80,030. Cetak moved to approve the Stanard's recommendation, second Cullers. Carried. Yes: Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers. No: none. Absent: none.

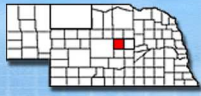
Protest #3, Ord Hotel Group, LLC, Parcel #880036960, JAT Subdivision/L2 B1, replat of L1 & L2 Valley 2nd Addition to Ord, all part of section 27-19-14; protested value: Land \$30,635, Buildings \$3,969,470, Total \$4,000,105; requested value: Land \$30,635, Buildings \$2,514,000, Total \$2,544,635. Gaylord Boilesen and Tom Kruml present; written testimony included: Valuation of the Ord Cobblestone facility should be comparable to the Cobblestone hotel/convention center in Broken Bow; Custer County NE of \$2,514,788 for improvements; Ord Hotel Group, LLC – Cobblestone Ord is the same basic hotel as the Broken Bow facility, except Ord has no indoor swimming pool and Ord has no meeting room off of the hotel lobby; If the hotel/convention center improvements for each are valued the same (\$2,513,000) and using Ord's land value would have a total value for the Ord Cobblestone facility of \$2,544,635; Broken Bow's facility has a higher land value to account for sewer, street and electric utility improvements that were specially added to get that site developed for Broken Bow, Ord's site already had all improvements by the prior developer so those were not new addition in Ord as all were preexisting. Stanard testimony: Ord Cobblestone and Broken Bow Cobblestone not exact; Square footage is different; Custer County using 2011 costs, Valley County using 2017 costs, State requires updating costs; Recommendation: Land \$30,635, Improvements \$2,800,000, Total of \$2,830,635, revisit in a year. Cetak moved to approve Stanard recommendation, second VanSlyke. Carried. Yes: DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The Ord Hotel Group requested that the 10% penalty for the late filing of personal property taxes be waived since the tax statement had been sent to the former management company in Wisconsin, filing has been completed. Cetak moved to waive the 10% penalty, second DeRiso. Carried. Yes: Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso. No: none. Absent: none.

Protest #4, Loup City Propane & Equipment, Parcel #880029890, Org Add No Loup/L1 & L2, W 28' L3, E 22' N ½ L3 B1; protested value: Land \$3,800, Buildings \$275,285, Total \$279,085; requested value: Land \$3,800, Buildings \$150,000 Total \$153,800. Jim Trotter and Tom Kruml present, written testimony: Property constructed in 1991; 2017 valuation was \$161,330; No improvements made to property – concrete needing replaced; 2016 purchase price included blue sky, inventory and equipment, not just buildings and land; No basis for increasing valuation from 2017 to 2018; as building and concrete/parking continue to depreciate. Stanard recommendation: \$211,000, \$153,800 plus personal property of \$57,000. Baker moved to approve requested valuation of \$153,800, second DeRiso. Not carried. Yes: Baker, DeRiso, Cetak. No: Sevenker, VanSlyke, Cullers, Waldmann. Absent: none. Baker would like to see it stay open. Cetak moved to approve the recommended valuation of \$211,000, second Waldmann. Carried. Yes: VanSlyke, Cullers, Waldmann, Cetak, Sevenker. No: Baker, DeRiso. Absent: none.

Protest #5, James A & Virginia A Trotter (Arcadia Café), Parcel #880032781, Org Add Arc/W 30' L8 B8; protested value: Land \$590, Buildings \$32,565, Total \$33,155; requested value: Land \$590, Buildings \$17,080, Total \$17,670. Jim Trotter and Tom Kruml present; written testimony: No improvements or change have been made to the property; The 2017 valuation of \$17,670 is too high and the property did not appreciate for 2018 by \$15,485 with no work or improvements; Instead the property would depreciate; No comparable sale can support the \$15,485 increase in valuation; The 2017 valuation should continue unchanged. Trotter added that he collects no rent, provides a service. Cetak moved to go with the requested value, second DeRiso. Carried. Yes: Baker, Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: none.

Protest #6, Trotter's Whoa & Go Plaza, Parcel #880012418, Ord Valley Add/16.22 Ac platted subdivision NE4 27-19-14; protested value: Land \$48,785, Buildings 1,986,865, Total \$2,035,650; requested value: Land \$48,785, Buildings \$1,837,785, Total \$1,886,570. Jim Trotter and Tom Kruml present; written testimony: No improvements have been made to this property; The 2017 valuation of \$1,886,570 total was high and the property did not appreciate by approximately \$149,000 with no work or improvements; Instead it would depreciate; No comparable sale can support the \$149,000 increase in valuation; The 2017 valuation should continue unchanged. Kruml said that 100' x 100' tract



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was given to the City of Ord. Stanard said there was not a deed to City of Ord, permanent easement; using updated costs; Recommended valuation of \$2,035,650. Cetak moved to go with the requested value of \$1,886,570, second Baker. Carried. Yes: Cullers, DeRiso, Cetak, Sevenker, VanSlyke, Baker. No: Waldmann. Absent: none.

Protest #7, Trotter, Inc, (Arcadia Service Station) Parcel #880034825, E 93' Div H & E 93' Div HA, part NW4NW4NE4 26-17-16; protested value: Land \$1,825, Buildings \$66,470, Total \$68,295; requested value: Land \$1,825, Buildings \$35,450, Total \$37,275. Jim Trotter and Tom Kruml present; written testimony: No improvements have been made to this property; The 2017 valuation of \$37,275 total was high and the property did not appreciate by approximately \$31,000 with no work or improvements; Instead it would depreciate; No comparable sale can support the \$31,000 increase in valuation; The 2017 valuation should continue unchanged. Stanard testimony: Using new pricing; Square footage is wrong; Lean-to added in 2005; Tanks have to be on personal property or real estate; Recommended valuation of \$44,175. VanSlyke moved to accept the recommendation, second Baker. Carried. Yes: Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers. No: none. Absent: none.

Protest #8, James Trotter, Trustee James A Trotter LRT, Parcel #880032249, Robbins Add No. Loup/L1-4 B1; protested value: Land \$8,570, Buildings \$123,700, Total \$132,270; requested value: Land \$8,570; Buildings \$93,570; Total \$102,140. Jim Trotter and Tom Kruml present; written testimony: This property is rental/storage units in North Loup; No changes or improvements have been made; Request is for the 2017 value to continue - \$102,140 total – as this property only depreciates and is not appreciating. Stanard testimony: Standard rentals; Valued same as other storage. DeRiso moved to accept the protest value of \$102,140, no second. VanSlyke made the motion to accept the valuation of \$132,270, second Cullers. Carried. Yes: Cetak, Sevenker, VanSlyke, Cullers, Waldmann. No: DeRiso, Baker. Absent: none.

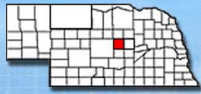
Protest #9, Rolling Hills Townhomes, LLC, Parcel #880036920, Rolling Hills Add Phase II/Lot 5-10; protested value: Land \$48,655, Buildings \$260,460, Total \$309,115; requested value: Land \$48,655, Buildings \$121,058, Total \$160,713; written testimony: This is an IRS Section 42 rent restricted property; Pursuant to the current statute, Neb. Rev. Stat. §77-1333; The NE Legislature changed way these properties are to be assessed; The Assessor's valuation does not comply with this statute. Stanard's testimony: Have to use State's cap rate, Cost to build over \$1,000,000, Expense rate at 87%, management rate at 15%; Recommendation: accept protested value of \$169,713. Cullers moved to accept recommended value, second VanSlyke. Carried. Yes: Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso. No: none. Absent: none.

Protest #11, Casey's Retail Co., Parcel #88002124; protested value: Land \$23,395, Buildings \$330,085, Total \$353,480, requested value: Land \$24,245, Buildings \$205,749, Total \$229,994; written testimony: Subject property is 2,376 sq. ft. Casey's General Store; In our analysis we have utilized the cost approach to value as all of our stores are company owned; As tax agent for Casey's we review hundreds of valuation in many states and feel strongly that our older, aluminum siding Casey's General Stores should all be classified as Convenience Stores (419) Average Class S Market as illustrated in Marshall & Swift Sec 13 Page 9; We believe a base cost of 82.00 is appropriate with a depreciation of 40%; This appears to be the main difference in our values as we are very close on the values of the fueling canopy, concrete, etc. Assessor's testimony: store is valued as convenience store in average condition; Recommended valuation of land \$23,395, Improvements \$330,085, Total \$353,480. Waldmann moved to go with the Assessor's recommendation, second Cetak. Carried. Yes: Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso, Cetak. No: none. Absent: none.

Three properties receiving Notices of Valuation Change were reviewed, land purchased by Mountain Tower & Land locally assessed starting in 2018. DeRiso moved to approve the Notices of 2018 Valuation Change, second Cullers. Carried. Yes: Baker, Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: none. The Notice of Rejection of Homestead Exemption for Jacob Cattle Co % Ardith Jacobs due to house owned by corporation was approved on motion of Waldmann, second VanSlyke. Carried. Yes: Baker, Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke. No: none. Absent: none.

The Board moved out of Board of Equalization at 12:30 p.m. on motion of Baker, second Waldmann. Carried. Yes: Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker. No: none. Absent: none.

Meeting adjourned at 12:35 p.m., to reconvene on July 31, 2018 at 9:00 a.m. in regular session and 11:00 a.m. as Board of Equalization. Complete minutes of the July 10 meeting and an agenda for the July 31 meeting are available for



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public inspection in the office of the County Clerk. Complete minutes of the July 10 meeting are also available on the County website www.co.valley.ne.us.

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.

Paula Musil, Valley County Clerk