



# Valley County Board Minutes



## VALLEY COUNTY BOARD OF SUPERVISORS' MINUTES

The Valley County Board of Supervisors met in regular session at 9:00 a.m., Tuesday, March 10, 2020 in the Courthouse District Courtroom. The Pledge of Allegiance was recited. Roll call: Baker, Cetak, Cullers, DeRiso, Sevenker, VanSlyke, Waldmann present. Clerk verified meeting notice published and agenda posted. The minutes of February 25 were approved on motion of DeRiso, second Cullers. Carried. Yes: Waldmann, Cullers, Cetak, Sevenker, Baker, DeRiso, VanSlyke. No: none. Absent: none. Waldmann moved to adopt the agenda, second Cetak. Carried. Yes: Cullers, Cetak, Sevenker, Baker, DeRiso, VanSlyke, Waldmann. No: none. Absent: none. Sevenker noted Open Meetings Act posted; public copies available. 58 members of the public were in attendance at the Board meeting. Under public comment Guy Brock presented a petition that he will be circulating to obtain police services from the Valley County Sheriff's Department and disestablish the City of Ord Police Department. This issue would be placed on the November General Election ballot if enough signatures are obtained; City of Ord has filed a law suit against him, do not want people to vote on issue; only registered voters of the City of Ord will vote. Cullers said that all of Valley County should be able to vote. Brock said that the law limits the vote to the City of Ord, Sheriff's Department would have to increase by two officers, would be funded through County and City taxes.

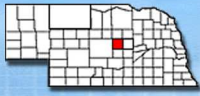
Road Superintendent Meyer asked the Board to approve the sale of surplus Highway Department equipment including two dozers, chip spreader, dump truck, asphalt distributor and step van at an online auction. Meyer would like to purchase a newer used dozer that would be more useful for required work. VanSlyke moved to approve the sale of surplus equipment, second Cetak. Carried. Yes: Cetak, Sevenker, Baker, DeRiso, VanSlyke, Waldmann, Cullers. No: none. Absent: none.

Mark Hackel presented a document entitled Valley County Road Goals "Make the Roads Great", 15 people compiled suggestions to improve the roads; Hackel presented pictures of issues; road system not working; surprised at small road budget; public has helped with grading, moving snow and buying gravel; need to work together to make a plan. Cullers stated the Road Department works in the shop when they cannot work on the roads. Meyer said the Road Department cannot work when the roads are sloppy; it comes down to money and personnel, short personnel for several months; need to improve, trying to have perfect roads. Waldmann asked where we find money and qualified equipment operators. Hackel suggested out sourcing some work, costs less than overtime; road department work longer hours when conditions are right and fewer hours when cannot work on roads. Meyer said cost to have gravel hauled was \$59,000, spent \$43,000 on overtime, employees can receive comp time instead of overtime, worked 9 hour days from June to September, could not hire qualified operators because County does not offer family insurance, lost a good employee because of the stress of dealing with the public, pulling the ditches makes the roads worse before they can get better. Cullers stated that Meyer puts in extra hours with no compensation because he works for a salary, the Road budget is one-third of the County budget, might have to increase the levy to finance better roads. Hackel said there needs to be uniform standards, form a task force so the County and public can work together. Sevenker said the Road budget was cut to keep the tax rates the same, use to be 28 road employees and now there are 12, some road graders are 1990 models, will take increase of levy to hire more operators, blame should be on the Supervisors, have received no money from FEMA yet, borrowed \$300,000 to pay some expenses.

Valley County received a letter from NEMA informing the County that the obligation amount for the Federal Disaster Sub-grant Application 933 is \$20,764.83, will receive the Federal share of \$15,573.62 from FEMA in several weeks, first of several Sub-grant Applications.

Baker moved to approve Resolution 20-5 authorizing Weed Superintendent Kaminski, the County Board and County Attorney to act as the Weed Control Authority, second DeRiso. Carried. Yes: Sevenker, Baker, DeRiso, VanSlyke, Waldmann, Cullers, Cetak. No: none. Absent: none. Cullers made the motion to approve the Employment Contract of Kaminski, second Waldmann. Carried. Yes: VanSlyke, Waldmann, Cullers, Cetak, Sevenker, Baker, DeRiso. No: none. Absent: none.

Sheriff Hurlburt presented Resolution 20-6 to establish the County as a second amendment sanctuary county; displayed a map of sanctuary counties in the United States; Democrats want to take fire arms away; need to pass a resolution to protect from "red flag laws;" LB58 allows a person to obtain a court order if they think someone should not have guns, law enforcement takes the guns, dangerous situation for law enforcement to take guns; LB58 is out of committee and ready for Legislature to vote, Governor says he will veto the law. Sevenker contacted NACO but they



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had no opinion on the Resolution, NIRMA said it could be a liability issue for the County. County Attorney Haberstick stated that everyone has a duty to obey the laws; loss of an officer is an emotional issue; if there are concerns about LB58, should discuss with the Legislature; if bill is passed, have to obey the law; believes LB58 is unconstitutional and will file a law suit to that effect if directed by the County to do so; supports Second Amendment rights; resolution does not trump the laws, it does bind the Board and causes liability to the Board. Haberstick further said that courts have to determine the legality of a law, sheriff has to obey the laws, the Resolution is binding on the Board forever, if directed she will write a letter to the Legislature opposing LB58 on behalf of the Board and the County. Chuck Kokes said there was no way to address right to get guns back. Sevenker believes Haberstick should write the letter to the legislature and wait to see if LB58 is passed before passing the Resolution. Baker said should rub the politician's noses in the Second Amendment. Cullers asked why incur liability until the law is passed. Baker moved to approve Resolution 20-6 making Valley County a Sanctuary County, second VanSlyke. In further discussion Cullers stated that she believes in the Second Amendment but believes a letter should be sent to the Legislature. DeRiso said he supports the Second Amendment, the Resolution sends a message the County is running scared. Sevenker called for a vote. Not carried. Yes: Baker, DeRiso, VanSlyke. No: Waldmann, Cullers, Cetak, Sevenker. Absent: none. Sevenker said we will wait to see if LB58 passes.

The Board moved the meeting to the Courthouse Boardroom. Meeting recessed at 10:45 a.m. and reconvened at 11:00 a.m. with all members present.

Waldmann made a motion to direct Haberstick to write a letter to the Legislature in support of the Second Amendment and opposing LB58, second Cullers. Carried. Yes: Cullers, Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker. No: none. Absent: none.

The Board of Equalization was convened at 11:00 a.m. on motion of Baker, second Cetak. Carried. Yes: Waldmann, DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers. No: none. Absent: none. The Assessor and Clerk and Joe Novotny and Kim Farnstrom representing Valley Rods were present.

Assessor Waltman presented information about the Department of Revenue's review of the 451 Permissive Tax Exemption for Valley Rods, Department suggested that Board allow 50% exemption instead of 100% since there is an area for the museum, change the exempt category to Educational instead of Charitable. The Department of Revenue is also questioning Valley Performing Arts Theater, 3.5-acre lot north of the Seventh Day Baptist Church in North Loup and Karp and Krow Grounds all of which are being taken to the TERC Board. The TERC Board will determine the exemption if the Board does not change the exemption from 100% for Valley Rods. Waldmann moved to leave the Valley Rods exemption at 100%, second DeRiso. Carried. Yes: DeRiso, Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann. No: none. Absent: none.

The Board moved back into regular session at 11:15 a.m. on motion of DeRiso, second Cetak. Carried. Yes: Cetak, Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso. No: none. Absent: none.

Meeting recessed at 11:15 a.m. and reconvened at 11:30 a.m. with all members present.

The County Clerk and Clerk of the District Court February Fee Reports were reviewed. Baker asked what the Clerk's report is reconciled to, Clerk explained it is reconciled to the bank statement.

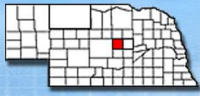
The following informational items were reviewed: Central District Meeting March 19 in Kearney, Wozab meeting 7:00 p.m. March 30 to review applications. Sevenker spoke to Kayla Hinrichs concerning the Extension Annual Report, each county handles their expenditures differently.

Following review, the Fund Request and Claims in the amount of \$29,973.20 were approved on motion of Cullers, second VanSlyke. Carried. Yes: Sevenker, VanSlyke, Baker, Cullers, Waldmann, DeRiso, Cetak. No: none. Absent: none.

The TERC Board is raising fees. NIRMA Spotlight seminar series will focus on life as a public official, registration deadline is March 24. FEMA Category A Debris removal deadline has been extended to September 21.

**Following sentence corrected at 3-31-2020 meeting: DeRiso reported that the State will be redesigning the turn on the west side of North Loup, business owner said the 811<sup>th</sup> Road design will not work.** DeRiso reported that the State will be redesigning the turn on the west side of North Loup, 811<sup>th</sup> Road design will not work. Cullers reported that Mid Plains formed an LLC to gain a tax advantage, Region 3 audits Mid Plains.

Mail Folder items: Wozab Thank You, Ord Chamber of Commerce Thank You



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Meeting adjourned at 11:50 a.m., to reconvene on March 30, 2020 at 7:00 p.m. as the Wozab Advisory Committee, March 31, 2020 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. Complete minutes are also available on the County Website, [www.co.valley.ne.us](http://www.co.valley.ne.us).

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Paula Musil, Valley County Clerk