



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, April 10, 2018 at 9:00 A.M.

The Clay County Board of Supervisors met April 10, 2018, as per public notice given in the Clay County News on April 4, 2018. A copy of the proof of publication is on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Nuss presided with roll call showing the following present: Fintel, Samuelson, Anderson, Schmidt, Black and Nuss; absent: Shaw. Minutes of the meeting held March 27, 2018 were mailed to the board members. All of the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Chairman, Todd Nuss stated that the open meeting law poster is posted on the west wall in the back of the room.

There was no Public Input.

Motion by Fintel and seconded by Black to approve the minutes of the meeting held March 27, 2018 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Black, Fintel and Nuss; absent: Shaw. Motion carried.

Thomas Roemmich II, Highway Superintendent reported that work started again yesterday on the Glenvil project. They have started on driveways and hauling gravel. He briefly discussed getting another tractor but it isn't essential if there isn't money in the budget. Work has started on the bridge by Ong that was damaged last year. The road work report was presented.

Motion by Anderson and seconded by Schmidt to approve the Highway Superintendent's road work report for the month of March 2018. On roll call, yea: Anderson, Schmidt, Black, Fintel, Samuelson and Nuss; absent: Shaw. Motion carried.

Ted Griess, County Attorney discussed a Right to Use Water from Water Conservation Reservoir and Drought Wells that was filed in 1935. The intent of the document was to grant the County use of the reservoir or well in the event "a drought exists which makes advisable for humanity's sake and the welfare of the county the opening of the reservoir and/or well to the public". The reservoir or well no longer exists and this document is causing a defect in the title of the property. Ted advised passing a Resolution to allow the Chairman to sign a release of this document. After discussion, the board agreed. Ted will return to the meeting with a Resolution and Release.

The proposal from All Around Lawn & Landscaping was discussed. The proposal is for dirt, sod, river rock, plants, labor, materials, etc. to repair the landscape that was damaged during the front step replacement at the courthouse. It was decided not to include any plants; just have it rocked.

Motion by Fintel and seconded by Black to accept the proposal, excluding estimate 22946, from All Around Lawn & Landscaping to repair the landscape that was damaged



Clay County Board Minutes



north of the courthouse and authorize the chairman to sign. On roll call, yea: Schmidt, Black, Fintel, Samuelson, Anderson and Nuss; absent: Shaw. Motion carried.

The fee reports were circulated for review. Motion by Anderson and seconded by Fintel to accept the fee reports for the following county officials for the month of March 2018: County Clerk, \$13,395.87, County Court \$9,333.01, Clerk of District Court, \$24,409.25, County Sheriff, \$11,217.68 and County Treasurer receipts #18030001 through #18030070 in the amount of \$518,002.85. On roll call, yea: Black, Fintel, Samuelson, Anderson, Schmidt and Nuss; absent: Shaw. Motion carried.

The Clerk presented information from the Department of Health and Human Services. The office in Hastings will be processing applications for Clay County now. Contact information and phone numbers were given to the board members.

Ted came back with the Resolution and Release. Motion by Fintel and seconded by Anderson to adopt Resolution #18-04 that authorized the chairman to sign a Release of the Right to Use Water from Conservation Reservoir and Drought Wells. On roll call, yea: Fintel, Samuelson, Anderson, Schmidt, Black and Nuss; absent: Shaw. Motion carried.

RESOLUTION NUMBER 18-04

The Clay County Board of Supervisors having been advised that there exists a Right to Use Water from Conservation Reservoir and Drought Wells which affects the title to N ½ SE ¼ 26-8-5, which Right is filed of record in Book 18 at Page 83 of the Miscellaneous Records of Clay County, Nebraska; and

Whereas it appears that such Right does not provide any benefit to Clay County, Nebraska;

It is hereby resolved that the Chairman of the Clay County Board of Supervisors be authorized to sign a Release of the Right to use Water from Conservation Reservoir and Drought Wells filed in Book 18 Page 83.

IT IS SO RESOLVED.

/s/ Todd Nuss, Chairman, Clay County Board of Supervisors
Attest: Deb Karnatz, Clay County Clerk

Motion by Black and seconded by Fintel to authorize the chairman to sign the Release referred to in Resolution #18-04. On roll call, yea: Samuelson, Anderson, Schmidt, Black, Fintel and Nuss; absent: Shaw. Motion carried.

The Board went to the Jail for the quarterly visit. After visiting the Jail they went to the Service Building to inspect it.

Motion by Samuelson and seconded by Fintel to adjourn this meeting at 10:45 A.M.; next meeting scheduled for April 17, 2018. On roll call, yea: Anderson, Schmidt, Black, Fintel, Samuelson and Nuss; absent: Shaw. Motion carried.

Deborah Karnatz, County Clerk

Todd Nuss, Chairman



Clay County Board Minutes

