



# Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, May 28, 2019 at 9:00 A.M.

The Clay County Board of Supervisors met May 28, 2019 as per public notice given in the Clay County News on May 22, 2019 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in the advance notice of the meeting. Chairman Fintel presided with roll call showing the following present: Bitterman, Samuelson, Pavelka, Johnson, Shaw and Fintel; absent: Schmidt. Minutes of the meeting held May 21, 2019 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, Ivan Fintel 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 Samuelson and seconded by Bitterman to approve the minutes of the meeting held May 21, 2019, as mailed. On roll call, yea: Samuelson, Pavelka, Johnson, Shaw, Bitterman and Fintel; absent: Schmidt. Motion carried.

Thomas Roemmich II, Highway Superintendent reported on flood damage. He will talk to the FEMA person today to finish up details on the earlier flood.

An easement request from Windstream was presented. Motion by Samuelson and seconded by Pavelka to approve the request from Windstream Nebraska, Inc. to construct telecommunications facilities occupying the Right-of-Way on Road 3168, from Road D, 2275' East in the NE ¼ Section 16, T7N-R8W. On roll call, yea: Pavelka, Johnson, Shaw, Bitterman, Samuelson and Fintel; absent: Schmidt. Motion carried.

Motion by Shaw and seconded by Johnson to open the public hearing for a water easement in Harvard Township at 9:15 A.M. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel; absent: Schmidt. Motion carried.

There were no other persons present. No written or oral objections were received.

Motion by Johnson and seconded by Pavelka to close the public hearing at 9:20 A.M. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Johnson and Fintel; absent: Schmidt. Motion carried.

The easement for a water line was presented. Motion by Johnson and seconded by Shaw to approve the easement requested by Chris Fishler for a water line across Road KL between NW ¼ NW ¼ and NE ¼ NW ¼ Section 34-T8N-R7W; for a new residence. On roll call, yea: Bitterman, Samuelson, Pavelka, Johnson, Shaw and Fintel; absent: Schmidt. Motion carried.

Ted Griess, County Attorney had asked for a closed session. Motion by Bitterman and seconded by Shaw to enter into closed session at 9:22 A.M. for a strategy session



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regarding threatened litigation. On roll call, yea: Samuelson, Pavelka, Johnson, Shaw, Bitterman and Fintel; absent: Schmidt. Motion carried.

Chairman Fintel went into the main hall and announced the board was going into closed session.

Motion by Bitterman and seconded by Samuelson to go out of executive session and resume regular session at 9:32 A.M. On roll call, yea: Pavelka, Johnson, Shaw, Bitterman, Samuelson and Fintel; absent: Schmidt. Motion carried.

Ted presented two agreements and a claim. Motion by Johnson and seconded by Bitterman to sign the Pre-determination Settlement between Nebraska Equal Opportunity Commission and Clay County and the Settlement Agreement and General Release between Michelle Weese and Clay County. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel; absent: Schmidt. Motion carried.

Motion by Pavelka and seconded by Shaw to approve General Fund claims #5967 through #5969. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Johnson and Fintel; absent: Schmidt. Motion carried.

## General Fund

Ameritas Life Ins., Retirement	\$2812.50
Cornerstone Bank, Withholdings	\$9390.53
Michelle Weese, back wages	\$16,396.97

Bruce Rumsey, Weed Superintendent reported that he has been spraying road right of way and doing inspections. The State did their inspection of Clay County. Six sections were randomly selected for the inspection; no deficiencies were found.

The bids for the 9-1-1 radio system were opened at 10:00 A.M. Brad Stark, Platte Valley Communications was also present. The only bid that was received was from Platte Valley. Brad was asked to go over the proposal. He explained the equipment and answered questions. He also said that he would like to sit down with dispatchers and the Sheriff to find out specific needs. There may be entities interested in purchasing the present equipment.

Motion by Shaw and seconded by Bitterman to accept the bid from Platte Valley Communications for 9-1-1 communication console and recorder in the amount of \$138,524.00. On roll call, yea: Bitterman, Samuelson, Pavelka, Johnson, Shaw and Fintel; absent: Schmidt. Motion carried.

Mike Carroll, Custodian reported that he had talked to Smith's Lawn Care and they will examine the sprinkler system and begin replacing sprinkler heads. Mid-Continental will come and look at the basement. A & L Electric and Plumbing will be here to work on a drain that is clogged; they will add that area to the next phase of work they will be doing in the courthouse. Mike discussed lights needing replaced in the courtroom; Sutton Electric will be contacted for an estimate on replacing/upgrading those lights. Mike will work on some chairs that have seats that are getting loose. Some of the Board members had looked at prices on 4 wheelers and side by sides for use in picking up limbs and other jobs around the courthouse. Mike discussed the information he had on



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a side by side from Bobcat. It has a cab, heater, air conditioner and can be used as a forklift. The Board told him to get pricing on the side by side and itemized pricing on attachments.

Rachael McLain, Clay County Senior Services Director explained the congregate meal and home deliver programs offered in Clay County. Transportation, care giving, lawn mowing, housekeeping and help with errands are also available. Volunteers are always needed.

Mark Bailey has been working on the LEOP plan for Clay County. A resolution for the Boards approval was received. Motion by Johnson and seconded by Samuelson to adopt Resolution #19-08 to approve the Clay County Local Emergency Operations plan. On roll call, yea: Samuelson, Pavelka, Johnson, Shaw, Bitterman and Fintel; absent: Schmidt. Motion carried.

The end of the year reports will be reviewed to see if any budgets will be overspent. The Clerk asked for the Board to allow her to advertise for a hearing if needed. This will be discussed with Gene Ulmer, CPA the county's budget preparer prior to advertising. Motion by Pavelka and seconded by Shaw to allow the County Clerk to advertise for a public hearing to amend the budget if needed; hearing to be held in June. On roll call, yea: Pavelka, Johnson, Shaw, Bitterman, Samuelson and Fintel; absent: Schmidt. Motion carried.

Motion by Samuelson and seconded by Pavelka to adjourn this meeting at 11:20 A.M.; next regular meeting scheduled for June 11, 2019. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel; absent: Schmidt. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman