



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, June 25, 2019 at 9:00 A.M.

The Clay County Board of Supervisors met June 25, 2019 as per public notice given in the Clay County News on June 19, 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, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held June 18, 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 Pavelka and seconded by Johnson to approve the minutes of the meeting held June 18, 2019, as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Thomas Roemmich II, Highway Superintendent reported on the progress of culvert work, crack sealing and armor coating. When the sealing and coating are done the whole county will get new striping on the black top roads. The remainder of culverts and bridges that need to be replaced were discussed. Tom told the board he had advertised for help and has offered a position to one of the applicants.

Ted Griess, County Attorney presented a purchase agreement. He said he had looked it over and there is nothing to cause concern in it. After the chairman signs it, he will have the other party sign it and get the process going.

Motion by Johnson and seconded by Samuelson to authorize the chairman to sign the purchase agreement between Clay County and Seiler and Parker LLC to purchase the property at 202 West Fairfield Street Clay Center, NE (see document for complete legal description) for \$39,950.00. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

Ted presented the budget request for his office. Coroner costs will now be taken out of the General Misc. fund instead of his budget. Ted told the Board that with increased work from district court cases and having more deputies, he would like to increase his secretary's hours to 37.5 per week. He also asked to add data processing equipment to his budget.

Bruce Rumsey, Weed Superintendent introduced Paul Moyer Ag Inspection Specialist for the State of Nebraska Dept. of Agriculture. Paul told the board that his job is to oversee the Noxious Weed Program and evaluate those programs at the county level. He presented an evaluation report for 2018. Out of a possible score of 3400 points,



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Bruce received 3400. Very few counties receive a perfect score. Paul encouraged the board to keep supporting Bruce saying he does a great job.

Bruce presented his budget request which is less than last year.

Jeff Franklin, County Sheriff reported that he has received the title for the police car and it is now being prepared for use. The EM truck that was transferred to his department is cleaned, has a new battery and is ready to go.

Supervisor Johnson discussed with Sheriff Franklin the issue of deputies parking on the side of the road with their lights off at night for traffic enforcement. This presents huge liability exposure for the county. The County Attorney who was also present agreed that this would be a difficult case to defend if an accident should occur. The Board would like Sheriff Franklin to talk to the deputies and send a memo (with the Board receiving a copy) directing them to park farther off of the road and at least have their parking lights on.

Supervisor Fintel discussed with Jeff, deputy wages for those that have been with Clay County for years. He would like to see their wages increased in proportion to years of service as they are currently now not making much more than the new hires. Increases will be effective June 20th (beginning of next pay period).

At 10:30 AM the County Board held the hearing to amend the originally adopted budget of the Clay County Health Department Fund. The notice was published in the Clay County News on June 12, 2019.

Motion by Samuelson and seconded by Schmidt to open the hearing to amend the 2018-2019 budget for the Clay County Health Department Fund. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

Gene Ulmer, CPA, the county's budget preparer was present. No other persons appeared and there were no written or oral comments or objections filed with the County Board. The amended budget pages were given to the board for review and Gene explained the reasoning and process for this procedure. The Health Department's extra expenditures were due to increased vaccine costs. The additional \$1,853.74 will be paid from the necessary cash reserve of the Fund. No additional property taxes are being levied. The Health Department's amended total budget is \$178,734.74.

Motion by Schmidt and seconded by Bitterman to close the public hearing to amend the 2018-2019 Clay County Health Department Fund at 10:48 A.M. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

Motion by Shaw and seconded by Bitterman to amend the originally adopted budget of the Clay County Health Department Fund and approve an additional increase of \$1,853.74 budgeted to be spent, due to unanticipated vaccine purchases for the Fund. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.



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Gene also discussed the over spending of office budgets. The County Assessor's budget was overspent due to an unanticipated settlement agreement. The County Assessor's amended total budget is \$317,695.85. The County Attorney's budget shortfall was due to unexpected coroner costs. The County Attorney's amended total budget is \$129,405.22. No additional property taxes are being levied.

Motion by Shaw and seconded by Bitterman to adopt Resolution #19-10 transferring budget authority. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

RESOLUTION #19 - 10

WHEREAS, due to unforeseen circumstances, proposed expenditures exceed budget authority allocated for the County Assessor office function and the County Attorney office function in the General Fund Budget, and
WHEREAS, budget authority in the County Miscellaneous budget, also an office function of the General Fund Budget, is adequate to allow for a transfer to meet current fiscal year expenditures, and
NOW, THEREFORE, BE IT RESOLVED, that an additional Seventeen thousand seventy-eight dollars and eighty-five cents (\$17,078.85) of budget authority is hereby allocated to the County Assessor office function from the County Miscellaneous budget function and an additional Five thousand seven hundred forty-two dollars and twenty-two cents (\$5,742.22) of budget authority is hereby allocated to the County Attorney office function from the County Miscellaneous budget function.

Dated this 25th day of June 2019.

CLAY COUNTY BOARD OF SUPERVISORS

/s/ Scott Bitterman, Eric Samuelson, Jim Pavelka, Gerald Schmidt, L. Wayne Johnson, Dick Shaw and Ivan Fintel

ATTEST: /s/ Deb Karnatz, Clay County Clerk

Mike Carroll, Custodian presented his monthly report and budget request. He will try to get someone from Rassmussen's to attend the next board meeting to discuss the problems with the heating/cooling system. Mike told the board that the courtroom lighting will be updated and that the County Court and District Court offices would also like to be upgraded. Mike would like to get a new lawn blower/vacuum; the Board is ok with that. His budget as presented will not increase from last year. The Board discussed purchasing a new 4-wheeler for him. That amount will be added to his budget.

Dan Rutt, Director of Horizon Recovery told the board that they will be pushing education about the effects of marijuana. He also presented information on the programs offered and how they are funded. Carol Harrenstein, office manager presented information on the number of clients and a budget form showing expenses (2017 and 2018). The 2017 and 2018 unduplicated clients for Clay County were 25. If not for sponsorship money, there would have been an additional \$1,179.33 lost. By helping the 18 adults, 14 children's lives were affected. Sheryl Timko, Life Skills instructor explained what that program offers. A seminar has been created to use at



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assembly's in Jr/Sr high schools. They are asking for an increase this year of \$500.00. He thanked the board for their support.

A motion was made by Bitterman and seconded by Shaw to accept the budget request of Horizon Recovery in the amount of \$4000.00 but during discussion it was decided to increase that amount, so Bitterman and Shaw amended the motion to provide \$5000.00 of funding for fiscal year 2019-2020 to Horizon Recovery. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Mike Irons, Veterans Service Officer presented budget requests for his office and Veterans Aid Fund. He said he saw no need to increase his budget and the Veterans Aid Fund budget is adequate so no change there either. Mike reported that the outreach program is headed in the right direction. One event has been planned and he hopes that after the next committee meeting, they can get more events lined up.

Laurie Sheridan, Director Clay County Health Department presented the Director's report and the budget request for that department. The director's report listed nursing and aide visits, clinics and meeting information for April and May of the 4th quarter (June will be added at the end of the month). The grant for vaccines for children has been approved. A nurse has been hired to replace Ellie Clark who is retiring. She will start July 2nd and train with Ellie for a month. The budget request is an increase over last year due to rising costs of vaccines.

Denise Carroll was also present. Laurie and Denise discussed privacy concerns with the new office space. The Board said they would go through the new space with them to figure how their concerns can be addressed.

It was decided to leave the Courthouse parking lot as it is at this time.

A vehicle for the new EM will be decided on and purchased at a later time. He will use the pickup that was transferred to the Sheriff's office for now.

Transferring funds was discussed. It was decided to transfer money that is left in capital outlay in the general fund at this time. This could be used for any capital expenses that may come up.

Motion by Shaw and seconded by Bitterman to adopt Resolution #19-11 to transfer \$55,000.00 from the General Fund to the Miscellaneous Sinking Fund and authorize the chairman to sign. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

RESOLUTION #19-11

The Clay County Board of Supervisors has established a Miscellaneous Sinking Fund for the purpose of having a fund for the repair, replacement, improvement, purchase and construction of capital assets, including buildings and infrastructures.

WHEREAS, it is good fiscal policy to set aside amounts in a fund for future expenditures for such assets and infrastructure, and

WHEREAS, State budget laws allow such funds to be established,



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IT IS THEREFORE RESOLVED by the Clay County Board of Supervisors that \$55,000.00 be transferred from the General Fund to the Miscellaneous Sinking Fund (4600) to be set aside for future use for expenditures for replacing and improving capital assets (including buildings) infrastructure purchases, replacements and improvements, and to be governed by the laws of the State of Nebraska.

Dated: June 25, 2019

ATTEST: CLAY COUNTY BOARD OF SUPERVISORS
/s/ Deb Karnatz, Clay County Clerk By: /s/ Ivan Fintel, Chairman

Since there are now sufficient funds to pay back the Inheritance Fund for money that was borrowed from it last year, the Board decided to transfer those funds.

Motion by Pavelka and seconded by Samuelson to adopt Resolution #19-12 to pay back the money (\$15,279.31) to the Inheritance Tax Fund that was loaned to the General Fund in November and December of 2018. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

RESOLUTION # 19-12

The Clay County Board of Supervisors found that it was necessary for the proper operation of Clay County government that certain funds be transferred in order that they be available for general use,

WHEREAS Clay County Board of Supervisors resolved that \$279.31 be transferred from the Inheritance Tax Fund to the General Fund (Resolution #18-23; dated 11-27-2018) and that \$15,000.00 be transferred from the Inheritance Tax Fund to the General Fund (Resolution #18-25; dated 12-27-2018) as loans to be paid back when funds are available,

WHEREAS there are now sufficient funds in the General Fund to pay these loans back, THEREFORE, be it resolved by the Clay County Board of Supervisors that \$15279.31 be transferred from the General Fund to the Inheritance Tax Fund to pay back the loans received per Resolution #18-23 and Resolution #18-25.

Adopted this 25th day of June 2019

/s/Ivan Fintel, Chairman Clay County Board of Supervisors
ATTEST: /s/Deborah Karnatz, Clay County Clerk

Claims were distributed for review and discussion.

Motion by Bitterman and seconded by Pavelka to deny General Fund claim #68. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

Motion by Pavelka and seconded by Johnson to approve the remainder of the claims and authorize the County Clerk to pay from the appropriate funds. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.



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GENERAL FUND

Employees, Full Time Wage	104,444.42
A&L Electric, Plumbing & Heating, Service	205.63
AFLAC, Insurance	375.96
Holli Alley, Mileage, Supplies	299.02
Ameritas Life Ins., Retirement	15,539.37
Aspegren Repair, Repairs	1,175.79
Baird & Griess, Wireless, Copies	528.50
Barb Barnett, Mileage	67.40
Scott Bitterman, Mileage	101.50
Black Hills Energy, Utilities	174.10
Blue Cross Blue Shield, Ins.	42,375.64
BTS Communications, Service	197.00
Business World, Supplies	5.99
Carrot-Top Industries, Flags	105.31
Cash-Wa Distributing, Supplies	584.33
Clay County Clerk, Supplies	30.91
Clay County Court, Court Costs	695.00
Clay County News, Notices	742.98
Clay County Sheriff, Fees	139.81
Clay County Treasurer, Postage	566.65
Clerk of the Supreme Court, Court Costs	126.00
Cobblestone Hotel & Suites, Lodging	344.00
Colonial, Ins	679.30
Connecting Point, Labor, Internet	594.70
Cornerstone Bank, Withholdings	34,500.52
CPI, Fuel	2,669.01
Credit Management Services, Garnishments	470.78
Culligan's of Hastings Rent	11.00
DAS State Accounting, Service	512.00
Deputies, Phone allowance	140.00
Department of the Treasury, PCORI Fee	121.89
Dollar General, Supplies	91.75
Don' Lawn Service, Mowing, Cemetery mowing	3,120.00
Eakes, Supplies	809.37
Elite Court Reporting, Hearing	243.40
Embassy Suites, Lodging	238.00
Ivan Fintel, Mileage	104.40
First Concord Benefits Group, Sec. 125	1,341.73
Galls, Supplies	365.58
Geneva Family Dentistry, Service	206.00
George's 66, Fuel	56.96
Robin Gilbert, Mileage	53.36
gWorks, Support, Subscription	13,626.00
Hamilton County Sheriff, Fees	26.44



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Hamilton County Treasurer, VSO Agreement	2,291.67
Harvard Foodmart, Supplies	1,181.92
Holiday Inn, Lodging	1,189.60
Hometown Leasing, Lease	1,973.99
Joni Hoy, Mileage, Registration	133.40
L. Wayne Johnson, Mileage, Meals, Lodging	328.47
Deb Karnatz, Mileage	99.76
Sarah Krause, Cleaning	500.00
Langvardt, Valle & James, PC LLO, Service	1,738.50
Larry's Pest Control, Service	90.00
Lee Enterprises, Lincoln Journal Star, Advertising	972.00
Kelly Lovgren, Supplies	27.25
Madison National Life, Ins.	108.72
Menards, Supplies	112.70
MIPS, Service	2,760.85
Nationwide, 457 Plan	1,125.00
NE Association of County Officials, Dues	2,023.03
Nebraska Dept. Of Revenue, Levy	744.99
NE Health & Human Services, Service	93.00
NIRMA, Membership	95,646.00
Office Depot, Supplies	213.54
Omaha World Herald, Advertising	1,166.88
Jim Pavelka, Mileage	93.96
Deanna Peshek, Mileage, Supplies	133.07
Platte Valley Communications of Hastings, Supplies	9.50
Printing MD, Advertising	8.50
Rasmussen Mechanical Service, Service, Maintenance Agreement	3,523.80
Sequoia Consulting Group, Service	580.97
Mike Sindelar, Mileage	116.58
Sirchie Command Every Scene, Supplies	57.70
Skalka& Baack Law Firm, Service	1,655.65
Joni Skalka, Mileage, Meal	128.52
Smith Lawn Care, Service	385.00
Smith Trenching, Service	8,316.00
South Central NE USD #5, Utilities	87.93
South Central Public Power, Utilities	1,311.09
Sullivan, Shoemaker, Service	2,600.00
Sutton Electric, Service	2,277.93
Sutton Lumber, Supplies	28.82
Sutton Memorial Chapel, Transfer & Mileage	835.00
Sutton Pharmacy, Supplies	25.51
Unite Private Networks LLC, Internet	1,198.39
US Bank, Supplies	377.85
US Cellular, Cell Phones	226.74
US Postal Service, Rent	242.00



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Brandy VanDeWalle, Mileage	55.68
Verizon Wireless, Cell Phones	155.88
Vision Service Plan (CT), Vision	303.66
Walmart, Supplies	273.28
Watch Guard, Camera	910.00
Windstream, Service	1,466.69
Woodward's, Garbage	205.00

ROAD FUND

Employees, Full Time Wage	58,828.89
Action Auto, Supplies	636.89
AFLAC, Insurance	896.74
Ameritas Life Ins., Retirement	8,238.84
Arnold Motors Supply, Supplies	105.00
ARTeCK Enterprises LLC., Supplies	11.21
Aspegren Repair, Parts & Labor, Towing	1,509.07
Auca Chicago Lockbox, Supplies	494.54
Beck's Farm Equipment, Supplies	573.78
Black Hills Energy, Utilities	290.14
Blue Cross Blue Shield, Ins.	172.42
Carey's Pest Control, Inc., Service	60.00
City of Edgar, Utilities	52.00
City of Fairfield, Utilities	60.00
City of Harvard, Utilities	54.50
City of Sutton, Utilities	96.57
Clay County News, Notices	13.61
Clay County Treasurer, Title	10.00
Colonial Life, Ins	525.17
Connecting Point, Internet	38.50
Consolidated Concrete Co., Concrete	3,267.11
Cornerstone Bank, Withholdings	19,687.38
CPI, Fuel	7,484.69
CW Rainforth Sales, Supplies	255.00
Deweese Sand & Gravel, Gravel	40,878.55
Dollar General, Supplies	65.05
Don's Lawn Service, Mowing	400.00
Eakes, Supplies	73.36
Equipment Blades Inc., Supplies	4,382.52
Fastenal Company, Supplies	835.33
Filter Care of NE., Supplies	114.35
First Concord Benefits Group, Sec. 125	300.00
Friesen Chevrolet Inc., Tires	565.81
Friesen Ford, Repairs	125.41
George Brothers Propane, Fuel	10,464.32
George's 66 Service, Fuel	504.10



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GIS Workshop, Simple Signs	420.00
Hamilton Telecommunication, Internet	84.86
Harvard Foodmart, Supplies	474.69
Hatten Electric Service, Service	63.11
Interstate Battery Center, Batteries	532.80
Island Supply Welding Co., Supplies	130.68
John Deere Financial, Parts	563.49
Ken & Al's, Fuel, Supplies	1,030.33
Kully Pipe & Steel Supply Co., Supplies	273.84
LCL Truck Equipment, Supplies	65.00
Madison National Life, Ins.	45.91
Menards, Supplies	247.33
Mid-Nebraska Aggregate Inc., Gravel	41,855.55
Midwest Coating Company, Armor Coating	225,000.00
Midwest Service & Sales, Supplies	24,505.03
MIPS, Service	128.08
Murphy Tractor & Equipment Co., Parts	6,624.31
NAPA Auto Parts, Supplies	145.65
Nationwide, 457 Plan	250.00
Nebraska Peterbilt, Parts	549.87
Newman Traffic Signs, Signs	5,871.80
NMC Exchange, Service	6,949.67
Nutrien Ag Solutions Inc., Fuel	169.96
Patchmaster Central Inc. Service	11,373.00
Petro Plus Inc., Supplies	722.30
R & K Service, Fuel	52.89
South Central Public Power, Utilities	290.39
Southern Power Dist., Utilities	54.54
Superior Outdoor Power, Supplies	43.98
Sutton Lumber, Supplies	615.74
Todd's Fee Supply & Trailer Sales, Supplies	283.50
True Blue Diesel, Parts & Labor	1,547.00
Van Kirk Sand & Gravel Inc., Supplies	17,728.76
Village of Trumbull, Utilities	82.00
Vision Service Plan (CT), Vision	213.11
Windstream, Service, Internet	536.00
Woodward's, Garbage	47.50

ROAD BUYBACK FUND

Midwest Coatings Company Inc., Armor Coating	394,200.00
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COUNTY EQUIPMENT SINKING FUND

Connecting Point, Equipment	15,360.54
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VISITORS PROMOTION FUND



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Edgar Community Club, Edgar Fest 400.00

ROD P M FUND

MIPS, Service 431.53

DRUG LAW ENFORCEMENT FUND

Rural Apprehension Program, Dues 12,832.00

HEALTH FUND

Employees, Full Time Wage 8,174.49
Aflac, Insurance 37.50
Ameritas Life Ins Co., Retirement 1,178.61
Dixie Burgmaier, Mileage 34.80
Denise Carroll, Supplies 25.67
Eleanor Clark, Mileage 447.76
Clay County News, Notices 173.75
Colonial, Ins 111.86
Cornerstone Bank, Withholdings 3,006.91
Culligan's of Hastings Rent 35.00
Wyoma DeVries, Mileage 11.60
First Concord Benefits Group, Sec. 125 233.34
Kelli Griess, Mileage 17.40
Hastings Tribune, Ad 223.85
Jola Publications, Supplies 35.00
Laurie Sheridan, Mileage 250.56
US Post Office, Postage 90.00
Vision Service Plan (CT), Vision 8.34
Windstream, Phone 153.86

911 FUND

Black Hills Energy, Utilities 34.15
Connecting Point, Internet 68.50
South Central Public Power Dist., Utilities 71.56
Windstream, Phone 511.97

E911 FUND

Windstream, Phone 756.34

WEED FUND

Employees, Full Time Wage 3,134.56
AFLAC, Insurance 38.48
Ameritas Life Ins Co., Retirement 544.70
Beck's Farm Equipment, Supplies 38.26
Black Hills Energy, Utilities 31.91
Connecting Point, Internet 28.50
CPI, Fuel 422.37



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Cornerstone Bank, Withholdings	1,453.37
Friesen Chevrolet Inc., Repairs	39.95
Nationwide, 457 Plan	365.00
Bruce Rumsey, Postage, Supplies	136.54
South Central Public Power Dist., Utilities	57.74
Windstream, Phone	59.37

Motion by Samuelson and seconded by Shaw to adjourn this meeting at 1:02 P.M.; next regular meeting scheduled for July 16, 2019. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman