



# Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, April 28, 2020 at 9:00 A.M.

The Clay County Board of Supervisors met April 28, 2020, as per public notice given in the Clay County News on April 22, 2020. 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. Pursuant to "Executive Order No. 20-03 Coronavirus Public Meetings Requirement Limited Waiver", the County Board will be conducting their meetings by video-conference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media. The waiver shall apply to all public governing body meetings that occur effective March 17, 2020 through May 31, 2020." This meeting was held via WebEx. Instructions to join the meeting through audio and/or video were published in the advanced notice of this meeting. Chairman Fintel presided with roll call showing the following present Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held April 21, 2020 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 act is posted on the Clay County website on the Public Notice page.

Motion by Schmidt and seconded by Bitterman to approve the minutes of the meeting held April 21, 2020 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

There was no public input.

All information being discussed was emailed to the Board prior to the meeting and available to the public upon request.

Tom Roemmich, Highway Superintendent joined the meeting and reported on road, culvert and driveway work. Road D has been closed between Roads 322 and 323 because of broken stringers on a bridge. This will be replaced by a culvert once the pre-construction meeting takes place with Olsson's and Van Kirk's. Tom also talked to the Board about moving the large generator from the school to the courthouse. He would like it to be placed on the cement on the east side of the courthouse. This would be an easier and cheaper option than the original thought of putting it south of the maintenance building. There would be less cement work and wiring costs.

The Engineering study from the Highway Superintendent was discussed. The section of road in question is a dirt road that has not been maintained for many years. The road is overgrown with trees on the East end, overgrown with grass on the west end, is a dead-end road, and the road is impassable to the public. This section of road has mainly been used by the adjoining landowner for access to their property. The vacating of this section of road would not deny any landowners or tenants any access to their adjoining properties. The section of road would be split 50/50 and become property of the adjoining landowners upon vacating. Traffic counts were not taken during this study



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due to the road being impassable to the public. Tom recommended that the section of Road 310, starting at the Southwest Corner of the Southwest  $\frac{1}{4}$  of Section 15, T6N-R8W, thence 2,280 feet East to the UPRR Right-of-Way, located between Section 15, T6N-R8W, Glenvil Township, Clay County, Nebraska, and Section 22, T6N-R8W, Glenvil Township, Clay County Nebraska, be vacated. A Public hearing will need to be held before Board action can be taken.

Motion by Pavelka and seconded by Johnson to advertise for a Public Hearing to discuss vacating a portion of Road 310 between Sections 15 and 22 in Glenvil Township; hearing to be held May 26, 2020 at 9:15 A.M. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

An easement request from the City of Edgar for a water line was discussed. Motion by Bitterman and seconded by Pavelka to advertise for a public hearing for an easement request for a water line running from Fairfield to Edgar on the north side of the railroad tracks and parallel to the railroad tracks; hearing to be held May 19, 2019 at 9:15 A.M. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

Ted Griess, County Attorney joined the meeting and told the Board that there will be a need to have an executive session in May to discuss potential lawsuits.

Barb Barnett, Zoning Administrator was asked to join the meeting and update the Board on the plans of the Planning and Zoning board to meet concerning the solar project. Barb told them that she is looking at May 19<sup>th</sup>. She does not know yet whether it will be a face to face meeting or a Zoom meeting.

Jo Springer, Executive Director SASA Crisis Center sent information about the organization. SASA provides 24-hour crisis hotline; crisis counseling; court accompaniment; emergency financial assistance, including transportation, medical, clothing and childcare; emergency shelter; medical and legal advocacy; mental health therapy; support and education group for victims; batterer intervention program; community awareness and education. In 2019, SASA provided 184 advocacy sessions totaling 69 hours to 13 separate individuals. They work to ensure Clay County residents do not need to leave the county to receive necessary services. Funds are utilized for staff travel to and from Clay County, emergency financial assistance, and office occupancy costs. The information stated that SASA needs support now more than ever. Circumstances like the COVID 19 pandemic often intensify the actions of those who are prone to violence. With funding SASA will continue to provide intervention services, to help build a safer community, free of domestic and sexual violence. The budget request is the same as the past few years.

Motion by Schmidt and seconded by Shaw to accept the budget request of SASA in the amount of \$5000.00 for fiscal year 2020-2021. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

A filtration and air purifier system for two furnaces at the Sheriff's office was discussed. Motion by Johnson and seconded by Bitterman to accept the estimate from Cooney Refrigeration, LLC for two air purifiers, two filter systems, filters and filter racks for the



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Sheriff's office in the amount of \$1,872.00. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.

Yellow Van Cleaning & Restoration and Paul Davis of Central Nebraska submitted estimates for cleaning the jail. Both proposals were discussed. The submission from Yellow Van was for more in depth cleaning and sanitizing. They also would do prep and painting. Yellow Van's proposal was for \$7607.53 and the Paul Davis proposal was for \$10,622.18.

Motion by Shaw and seconded by Pavelka to accept the estimate from Yellow Van Cleaning & Restoration for cleaning, sanitizing and painting in the amount of \$7607.53. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Supervisor Johnson offered to contact Cooney Refrigeration, Yellow Van Cleaning & Restoration and Paul Davis of Central Nebraska and inform them of the Board's decision.

The changes to the Telecommuting Policy and Telecommuting Agreement were discussed. The request form was not changed. At this time, the ability to telecommute is very limited. Security concerns and availability of records to perform duties makes it unfeasible for most of the offices to work offsite.

Motion by Johnson and seconded by Pavelka to adopt the Telecommuting Policy, Telecommuting Agreement and Telecommuting Request and notify department heads that it is effective immediately. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Chairman Fintel reported that he had spoken with Ted Griess, the County Attorney and it was advised that the quarterly visit to the jail be postponed until after the restrictions caused by the corona virus have been lifted.

The Board reaffirmed that they would meet on May 19<sup>th</sup> and May 26<sup>th</sup> remotely.

Motion by Johnson and seconded by Schmidt to adjourn this meeting at 9:45 AM; next meeting scheduled for May 19, 2020. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman