



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, June 16, 2020 at 9:00 A.M.

The Clay County Board of Supervisors met June 16, 2020, as per public notice given in the Clay County News on June 10, 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. The meeting was held at the Activities Building at the Clay County Fairgrounds located at 705 N. Martin Ave., Clay Center, NE 68933. Chairman Fintel presided with roll call showing the following present Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held May 26, 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 available on the table by the entrance.

Motion by Pavelka and seconded by Schmidt to approve the minutes of the meeting held May 26, 2020 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

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

There was no Public Input.

Thomas Roemmich II, Highway Superintendent reported on road, culvert work and bridge replacements. Tom will contact the Railroad again to see what the status is with that project. He had a conference call with FEMA. The county had \$243,995.28 in qualifying expenses from the flooding last year. FEMA should be sending 75% of that total. The county should get 100% reimbursement for category Z which will be \$11,000.00. There are some other variables so there could be more funds coming. Tom will report that final figure to the Board when it is available.

The hearing concerning vacating a portion of Road 310 was held May 26th. State statute dictates that the Board shall act by Resolution at their next meeting. Motion by Pavelka and seconded by Shaw to adopt Resolution #20-18 vacating 2,280 feet of Road 310 in Section 15, T6N-R8W. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

An easement was presented and discussed. Motion by Johnson and seconded by Samuelson to approve the easement requested by South Central Public Power to install an electrical line across Road 319 from NE ¼ Sec. 1-T7N-R7W to SE ¼ Sec. 36-T8N-R7W for electric service to a home. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

The fee reports were emailed to the Board prior to this meeting. Motion by Shaw and seconded by Bitterman to accept the fee reports for the following county officials for the month of May 2020: County Clerk, \$6,273.75, County Court, \$4,518.00, Clerk of District



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Court, \$5,959.54, Sheriff, \$981.90 and County Treasurer receipts 20050001 thru 20050053 in the amount of \$248,282.17. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

A resolution and agreement with First Concord Benefits Group for the cash in lieu program were discussed. After discussion, it was decided not to make any changes.

Motion by Johnson and seconded by Shaw to adopt Resolution #20-19 offering a cash in lieu of group medical insurance to elected officials and full-time employees in the amount of \$450.00 per month. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.

Motion by Schmidt and seconded by Bitterman to authorize the chairman to sign the Administrative Agreement with First Concord Benefits Group to administer the cash in lieu of medical benefits program. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

RuAnn Root, Executive Director of CASA sent a letter, a report of the budgeted and actual expenses for the past year and the projected expenses for the next fiscal year. There are 6 trained volunteers from Clay County and at this time there are no children on a wait list. CASA helped provide financial resources to 11 children in Clay County totaling \$1,150.00. 4 youth from Clay County sought assistance from the Mary Land Living Center a homeless/transitional housing program for ages 16-21. They received housing, food, clothing, hygiene products and case management support totaling over \$11,810.00 in services. They provided 3 kids in Clay County with beds and bedding totaling \$1,200.00. The request is the same as in the past 16 years.

Motion by Shaw and seconded by Johnson to accept the budget request of CASA in the amount of \$16,396.00 for fiscal year 2020-2021. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Dan Rutt, Director of Revive Ministries Inc., Horizon Recovery and Counseling Center, The Unity Houses thanked the Board for their past support and introduced Ryleigh Schroeder who is in charge of the Life Skills Program and Community Educator. The organization does not receive any state or federal funds. They have been able to pay down their debt from over \$400,000 to under \$70,000. The number of clients and a budget form showing expenses (2018 and 2019) was included in the information. The 2019 unduplicated clients for Clay County were 30. Dan also spoke of the success of their programs and the three Unity Houses they have. He figured around \$750,000 was put back in the community through those that successfully completed the program and stayed in the area; living, working and shopping. Riley expanded on her role of bringing information in and working with Harvard and Sandy Creek Schools. Through the Life Skills program they work on college preparation, distracted driving, teamwork, alcohol and drug use. When the schools were asked what they needed they said programs/education on vaping. A new video on vaping has been purchased to use in the schools this fall. Dan asked for \$5000.00 to be budgeted again this year.



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Motion by Shaw and seconded by Johnson to budget \$5500.00 for Horizon Recovery for fiscal year 2020-2021. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

A Letter of Agreement was received from Region 3 Behavioral Services. The agreement is effective for two years. Motion by Pavelka and seconded by Bitterman to direct the Chairman of the Board and the County Attorney to sign the Letter of Agreement between the Regional Governing Board and Clay County for Region 3 Behavioral Health Services. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

A letter was received from Region 3 Behavioral Health Services presenting the FY 2020/2021 County Match Request. That governing board approved a change in the amount allocated to each county based on the most recent U.S. Census Bureau's population estimates. This resulted in an increase of \$18.27 for Clay County.

Motion by Schmidt and seconded by Shaw to accept the budget request of Region 3 Behavioral Health Services in the amount of \$16,362.99 for fiscal year 2020-2021. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

The Emergency Manager sent the portion of the Local Emergency Operations Plan that the county board needs to sign.

Motion by Johnson and seconded by Pavelka to have the board members sign the resolution for the approval of the 2019 Clay County Local Emergency Operations Plan as presented by the Clay County Emergency Manager. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.

NIRMA sent the renewal billing statement for the next fiscal year. Clay County's contribution will decrease by .070% from last year. There is an opportunity to change deductibles but the board decided there was no need to do so at this time.

Three members of the Lodging Tax committee's terms are about to expire. A letter asking that those three members be considered for reappointment was received.

Motion by Samuelson and seconded by to Schmidt to reappoint Pam Maynard, Rita Engel and Mike Anderson to another four-year term running from June 2020 through May 2024. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Joe Hyland's term on the Veterans Service committee will expire on June 30, 2020. A request was received from L. Wayne Johnson, Chairman of the Clay County Veteran Service Committee. Mr. Johnson had spoken with the Veterans Service Officer, Mike Irons and both requested that Mr. Hyland be reappointed.

Motion by Johnson and seconded by Shaw to reappoint Mr. Joe Hyland to the Veteran Service committee for another five-year term; term ending on June 30, 2025. On roll



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call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Deb Karnatz, County Clerk gave a recap of the Primary Election. This being the first time since the county was designated as all mail for election purposes, it was felt that it went very well. Most of the comments received were positive. Since taking office, this is the largest voter turnout for a primary election at over 60%. The cost of the election was over \$3000.00 less than the primary in 2018 and the cost per voter was over \$5.00 less than the primary in 2018.

Barb Barnett, Zoning Administrator was unable to meet with the Board but had prepared information on the status of the Planning and Zoning Commissions progress pertaining to the solar regulations. A six-person sub-committee has been created to explore possible solar regulations for the county. They met on June 15th. They will continue to meet until they are ready to take their findings to the full Planning and Zoning Commission for their review. Supervisor Shaw asked if there was any kind of timeline to have the regulations in place, or if they could ask for a time frame. Chairman Fintel said that there wasn't a timeline as the committee needed time to do their due diligence but after talking to the Zoning Administrator believed that they were moving forward. Supervisor Johnson said there are things he would like to see in the regulations. The Board will have the opportunity to request changes and/or make recommendations when it comes before them for approval.

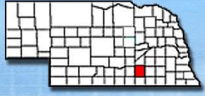
Two estimates for electrical work for the generator moves at the Courthouse and the Sheriff's department were received. Tim Lewis, Emergency Manager and Tom Roemmich, Highway Supt. were present for this discussion. Because of the high cost, the Board discussed other options. The likely hood of Clay Center being without power for any length of time is unlikely – barring a widespread disaster. Selling the generator was suggested. Tom and Tim will make some contacts to see if there is any interest in purchasing it.

Ted Griess, County Attorney reported that the tax sale will be held July 21st at 1:00 PM at the Activities Building at the Fairgrounds. There was discussion on damage to county roads and if there was a way to hold those responsible for the damage accountable. Ted will do some checking.

The easement to cross county roads for the water transfer from Fairfield to Edgar was discussed.

Motion by Shaw and seconded by Samuelson to approve the easement for the City of Edgar to cross county roads L, M, 305, O, P,Q, and 302 for a water line running from Fairfield to Edgar on the north side of the railroad tracks and parallel to the railroad tracks. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried. (complete legal description and map on file with the easement in the Clerk's office.)

Re-opening of county offices began on the 15th with some restrictions. Some offices are requiring appointments in order to comply with social distancing guidelines. If no



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appointment is made ahead of time, a call can be made to the desired office to see if there is an opening, how long of a wait there may be or to schedule an appointment.

The Activities Building at the Fairgrounds has been reserved for Board of Supervisor/Equalization meetings through July 2020.

Motion by Shaw and seconded by Pavelka to adjourn this meeting at 11:16 AM; next meeting scheduled for June 23, 2020. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman