

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, August 25, 2020 at 9:00 A.M.

The Clay County Board of Supervisors met August 25, 2020, as per public notice given in the Clay County News on August 12, 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, Shaw, Johnson and Fintel. Minutes of the meeting held August 18, 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.

All present stood for the Pledge of Allegiance.

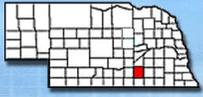
Motion by Bitterman and seconded by Pavelka to approve the minutes of the meeting held August 18, 2020 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

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

There were a number of people present for Public Input to discuss information on the solar project. Different concerns were voiced about the process. Since other agenda items needed to be heard, those in attendance were invited to stay to finish the conversation.

Thomas Roemmich II, Highway Superintendent reported on work on Road K, they are finishing up on driveways and will begin checking and cleaning box culverts. They had the pre-construction meeting for the bridge on Road F. If everything gets approved and back, they will get started the 1st of Oct. Van Kirk's will begin work on the box culverts in September. Tom explained the changes he made to his budget request; lowering it by over \$600,000.00.

An easement from Windstream asking to bury a fiber optic cable was received and discussed. Motion by Pavelka and seconded by Bitterman to approve the request from Windstream Nebraska, LLC to place a fiber optic cable starting at the northeast corner of the NE 1/4 Section 31 T6N-R8W thence west along the north side of the NE ¼ and NW ¼ of Section 31 T6N-R8W running along on the south side of Road 308 for 4,750 feet from Road B west to Road A; work order #7150924080000;OSP-21596. On roll call, yea: Pavelka, Schmidt, Shaw, Bitterman, Samuelson and Fintel; Johnson stepped out. Motion carried. (map on file in the Clerk's office)



Clay County Board Minutes



Ted Griess, County Attorney told the Board that there are changes that need to be made to the employee handbook. There will be a committee meeting, changes discussed, and recommendations made to the Board. The tax foreclosure sale is set for September. New ones will be filed at that time.

“Pursuant to State Statute Section 23-347. Within two calendar months after the close of each fiscal year, each county officer shall make, acknowledge under oath, and file with the county board of his or her county an inventory statement of all county personal property in the custody and possession of said officer.” The inventories that were received from the various offices were distributed. Inventories not received were: County Attorney, 911 and Emergency Management.

Motion by Shaw and seconded by Schmidt to approve the following inventories: Supervisor districts 1, 2, 3, 4, 5, 6 & 7; County owned property; Board of Supervisor’s Board Room, Clerk, Assessor, Treasurer, County Court, Clerk of District Court, Veteran Service Officer, Clay County Extension, Zoning, Custodian, Health Department, Weed Department, Sheriff’s Department and Highway Department and place on file in the County Clerk’s office. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

HVAC committee reported that they are still waiting to hear from a company. They also need to check with the County Attorney on warranties if someone new does the maintenance on the courthouse system.

Building Committee had no report.

A subcommittee of the Board of Supervisors reviewed the claims prior to this meeting. Because there has not been enough revenue collected to pay all the bills for the General Fund, it was decided to transfer funds from the Inheritance Tax Fund.

Motion by Johnson and seconded by Bitterman to adopt and authorize the chairman to sign Resolution #20-25 to transfer \$90,000.00 from the Inheritance Tax Fund to the General Fund as a loan to be paid back if/when funds are available. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

RESOLUTION # 20-25

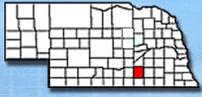
The Clay County Board of Supervisors find that it is necessary for the proper operation of Clay County government that certain funds be transferred in order that they be available for payment.

Whereby it is hereby resolved by the Clay County Board of Supervisors that \$90,000.00 be transferred from the Inheritance Tax Fund to the General Fund; to be paid back if/when funds are available.

Adopted this 25th day of August 2020.

ATTEST: Deborah Karnatz
Clay County Clerk

Ivan Fintel, Chairman
Clay County Board of Supervisors



Clay County Board Minutes



Motion by Schmidt and seconded by Pavelka to approve the claims that were presented 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. (attached)

Motion by Shaw and seconded by Johnson to open the public hearing at 9:45 A.M. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried. The purpose of which is to hear and act upon the recommendation from the Clay County Planning and Zoning Commission regarding a conditional use permit for a proposed medium concentrated animal feeding operation to be located in part of the S ½ SE ¼ of Sec. 25-T8N-R6W Clay County, Nebraska.

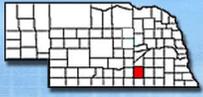
Zoning Administrator Barb Barnett explained the process and the Commission's recommendation. Barb also reported concerns expressed by the Village of Saronville about odor and truck traffic through the Village. Tyler Bailey introduced himself and explained that he was doing this as a way to return to the community and diversify the farming operation. Steve Martin from AFAN also spoke in support of the operation. He said the project will be located at a good site, meets county regulations and Tyler is working with a good company. Barb said besides the conditions that are outlined in Regulation #409.04.01.A-G, the plans would need approval by NDEQ according to their regulations. The Commission also recommended for the sake of the Village of Saronville, to keep this facility's truck traffic to a minimum within their village.

Motion by Shaw and second by Samuelson to close the public hearing at 9:57 AM. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Motion by Johnson and seconded by Bitterman to accept the recommendation of the Clay County Planning and Zoning Commission to approve the request from Tyler Bailey for a conditional use permit for a medium concentrated animal feeding operation per the conditions outlined on the recommendation. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

Wayne Williams, Interconnection Systems Inc. who has been in the generation business for over 40 years and has a solar development company spoke at the Boards request and explained the name plate tax, tax credits and depreciation. The Board asked about decommissioning plans, if an escrow account is needed for that purpose and if an escrow or some other guarantee is needed in case the project is sold to a public utility. He was also asked about weather, weeds and fire concerns. He said he hadn't had any hail damage with any of his projects. If tornado damage should occur, there is nothing toxic in the modules. He prefers the scorched earth policy for weed control which helps diminish or eliminate the possibility of fire. Water consumption was also discussed. Mr. Williams said he didn't think there should be a need to use the ground water.

Gene Ulmer, CPA, distributed and discussed budget notes updating the board on the tax requests, estimated receipts, valuations, interlocal agreements, Inheritance Tax fund and restricted funds. The overall county valuation has decreased over the last five



Clay County Board Minutes



years. Partly as a result of valuations decreasing and requirements increasing, the projected levy will show an increase from last year. Last year's levy was .2405 the projected levy is .2621. Gene explained about the necessary transfers from the Inheritance Tax Fund and answered questions.

Motion by Shaw and seconded by Johnson to approve an additional 1% increase in the Budget Restricted Funds Authority for the 2020-2021 County budget year. On roll call, yea: Schmidt, Johnson, Shaw, Bitterman, Samuelson, Pavelka and Fintel. Motion carried.

Motion by Pavelka and seconded by Bitterman to advertise the Notice of Budget and Budget Summary hearing for 2020-2021, the hearing to be held September 8, 2020 at 10:00 A.M. On roll call, yea: Johnson, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Fintel. Motion carried.

Motion by Bitterman and seconded by Schmidt to advertise the Notice of Special Hearing to set Final Tax request at a different amount than the prior year's tax request. Hearing to be held September 8, 2020 at 10:15 A.M. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Johnson and Fintel. Motion carried.

Gene was given three different percentages to use for wages. The proposed budget was prepared with a 3% increase for wages. The Board discussed this; the wage increase will take effect for the January first check (November and December hours worked).

Motion by Johnson and seconded by Shaw to give each department a 3% increase for wages for the department heads to disperse upon evaluation of the employees. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Johnson, Shaw and Fintel. Motion carried.

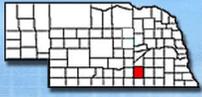
Bruce Rumsey, Weed Superintendent reported that 217 tons of tires were collected at the recycling event. The household hazardous waste collection will be August 28th from 4 to 6 pm at the Clay County Fairgrounds. Bruce asked Board members to help with this event also. He is doing right of way spraying and getting read to do fall spraying. Advertising for someone to replace him was discussed.

Motion by Pavelka and seconded by Bitterman to advertise for the position of Clay County Weed Superintendent. Applications will be accepted until October 13, 2020 or until the position is filled. On roll call, yea: Samuelson, Pavelka, Schmidt, Johnson, Shaw, Bitterman and Fintel. Motion carried.

Mike Carroll, Custodian did not meet with the Board.

Tim Lewis, Emergency Manager discussed the potential move of the dispatch center. Hastings, Fillmore, Nuckolls, and Hamilton counties are not interested or don't have the capability to have combined dispatch services.

Motion by Schmidt and seconded by Samuelson to adjourn this meeting at 12:48 PM; next meeting scheduled for September 8, 2020 and will be held at the Activities Building



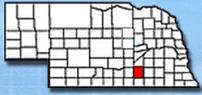
Clay County Board Minutes



at the Fairgrounds. On roll call, yea: Pavelka, Schmidt, Johnson, Shaw, Bitterman, Samuelson and Fintel. Motion carried.

GENERAL FUND

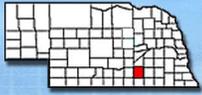
Employees, Full Time Wage	\$112,700.68
A & L Electric, Repairs	1,727.15
Action Auto, Supplies	212.23
Adams County Sheriff, Service fees	6.50
AFLAC, Insurance	605.47
Holly Alley, Supplies	83.99
American Security Cabinets, Drop box	2,084.00
Aspegren Repair, Supplies	116.65
Aurora Coop, Tire repair	23.00
Axon Enterprises, Supplies	165.70
Baird & Griess, Wireless	24.25
Barb Barnett, Mileage	57.96
Black Hills Energy, Utilities	218.88
Blue Cross Blue Shield, Ins.	66,779.10
Bob Barker Company, Inc., Supplies	350.32
Don Bottorf, Service	142.50
Brown's Thrift Store, Supplies	15.96
Bryan Health, Prisoner medical	45,466.36
Bryan Medical Center West, Prisoner medical	739.00
Business World Products Inc., Supplies	12.50
Cash-Wa, Supplies	423.02
CEI Security & Sounds, Equipment	262.00
City of Clay Center, Utilities	371.51
Clay Center Dental Clinic, Prisoner medical	126.00
Clay County News, Advertising	1,862.51
Clay County Sheriff, Service fees	118.09
Clay County Treasurer, Postage, Title	351.00
Clearly, Phone	386.96
Clerk of the District Court, Filing fees	252.00
Colonial Life, Ins	497.03
Computer Hardware, Service	49.00
Corner Market, Supplies	1,470.07
Cornerstone Bank, Withholdings	57,691.61
CPI, Fuel	2,573.74
Culligan's of Hastings, Rent	11.00
DAS State Accounting, Service	512.00
Sarah Dasher, Cleaning	375.00
Deputies, Phone allowance	120.00
Diode, repairs	122.55
Dollar General, Supplies	83.60
Don's Lawn Service, Mowing	795.00
Eakes, Supplies	1,186.10



Clay County Board Minutes



ES&S, Election Supplies	375.22
First Concord Benefits Group, Sec. 125	3,003.08
Friesen Chevrolet, Inc., Tire repairs	253.65
Cliff Gallant, Supplies & Repairs	150.00
Galls, Supplies	359.37
George Bros., UPS Package	13.87
General Collection Company, Garnishment	77.05
Hamilton County Treasurer, VSO Contract	2,291.67
Hastings Tribune, Help Wanted ad	473.60
Natalie A Holman, Supplies	19.36
Hometown Leasing, Lease	1,973.99
Integrated Security Solutions, Inspection, Repairs	249.63
Taylor Jacobs, Fuel	16.29
Johnson County Sheriff, Service fees	23.42
Tim Lewis, Postage	55.00
Madison National Life, Ins.	113.54
Medics at Home, Transport prisoner	823.10
Memorial Community Health, Office visit	3,078.92
Menards, Supplies	448.66
Mid-Nebraska Ind. Services, 1st Qtr Funding	1,635.50
Midwest Card% ID Solutions, Supplies	592.35
MIPS, Service	3,322.63
Nationwide, 457 Plan	1,225.00
Office Depot, Supplies	265.04
William Ouren, Service	75.00
Physicians Laboratory PC, Autopsy	2,050.00
Platte Valley Communications	1,092.60
PrecisionIT, Internet, Supplies	2,097.25
Quality Sound & Communications, Inc. Service	147.00
Rasmussen Mechanical Services, Service	484.00
Mike Sindelar, Mileage	153.53
Skalka & Baack Law Firm, Attorney fees	2,289.45
South Central Public Power District, Utilities	2,816.94
Stericycle, Shredding	246.18
Sullivan, Shoemaker, Attorney fees	2,600.00
Sunset Law Enforcement, Supplies	320.00
Superior Outdoor Power, Parts & Labor	324.83
Sutton Lumber, Supplies	10.99
Sutton Memorial Chapel, Tranfer, Supplies	585.00
Sutton Pharmacy, Prescriptions	29.08
Unite Private Network, LLC., Internet	1,210.00
US Bank, Supplies	444.20
US Cellular, Cell Phones	253.21
Verizon Wireless, Cell Phones	87.32
Vision Service Plan (CT), Vision	466.77



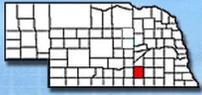
Clay County Board Minutes



Walmart, TV	89.00
Windstream, Service	623.70
Woods Aitken LLP, Attorney Fees	8,879.42
Woodward's, Garbage	482.00

ROAD FUND

Employees, Full Time Wage	\$58,664.21
Action Auto, Supplies	97.34
AFLAC, Insurance	1,066.38
Auca Chicago Lockbox, Supplies	1,076.98
Beck's Farm Equipment, Supplies	1,434.76
Black Hills Energy, Utilities	222.51
Blue Cross Blue Shield, Ins.	1,883.86
Card Services(Orschelns), Supplies	127.50
City of Clay Center, Utilities	123.92
City of Edgar, Utilities	52.00
City of Fairfield, Utilities	60.00
City of Harvard, Utilities	68.00
City of Sutton, Utilities	120.20
Colonial Life, Ins	480.34
Cornerstone Bank, Withholdings	30,170.54
CPI, Fuel	2,897.99
Cornhusker Cleaning Systems, Supplies	515.64
DataCC, Internet	38.50
Deweese Sand & Gravel, Gravel	88,106.39
Dollar General, Supplies	31.35
Don's Lawn Service, Mowing	450.00
Eakes, Supplies	324.73
Fastenal Company, Supplies	302.71
Fairfield N/S Coop Fertilizer, Supplies	9.00
First Concord Benefits Group, Sec. 125	240.00
Filter Care of Nebraska, Service	291.25
Friesen Chevrolet, Inc., Service	172.24
Friesen Ford, Service	1,653.42
George Brothers Propane, Fuel	9,312.76
George's 66 Service, Fuel	136.18
Hamilton Telecommunication, Internet	85.61
Interstate Battery Center, Supplies	420.00
Island Supply Welding, Supplies	81.58
John Deere Financial, Parts & Labor	2,577.30
Ken & Al's, Fuel	1,591.30
Kully Pipe & Steel Supply Inc., Supplies	193.19
Madison National Life, Ins.	47.32
Mary Lanning Healthcare, Drug testing	125.00
Medical Enterprises, Drug testing	140.00



Clay County Board Minutes



Menards, Supplies	128.34
Mid-Nebraska Aggregate Inc., Gravel	8,600.21
MIPS, Service	768.34
Heather Moore, Supplies	37.00
Murphy Tractor & Equipment Co Inc, Parts	3,707.51
Nationwide, 457 Plan	250.00
NAPA Auto Parts,	28.66
Nebraska Peterbilt, Parts	52.64
NEIA Fasteners & National Fasteners, Supplies	180.81
Newman Traffic Signs, Supplies	1,367.89
NMC Exchange, Parts & Labor	9,208.55
Olsson, Surveying	36,708.65
R & K Service, Fuel	1,502.02
Raynor Garage Doors, Door	3,994.00
South Central Public Power, Utilities	432.72
Southern Power Dist., Utilities	91.37
Sutton Auto Supply, Supplies	23.78
Sutton Lumber, Supplies	453.86
Todd's Feed Supply & Trailers Sales, Supplies	744.22
Trausch Dynamics, Supplies	368.93
True Blue Diesel, Parts & Labor	1,832.08
Village of Trumbull, Utilities	83.50
Vision Service Plan (CT), Vision	227.50
Windstream, Service, Internet	539.82
Woodward's, Garbage	47.50

VISITORS IMPROVEMENT FUND

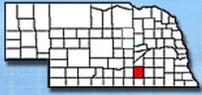
Girl Scouts, %Kristen Rohrer, Grant	3,000.00
-------------------------------------	----------

ROD P M FUND

MIPS, Service	452.15
---------------	--------

HEALTH FUND

Employees, Full Time Wage	\$9,060.06
Aflac, Insurance	37.50
Leslie Anderson, Mileage	23.00
Blue Cross Blue Shield, Ins.	400.00
Colonial, Ins	41.63
Cornerstone Bank, Withholdings	4,598.21
Culligan's of Hastings, Rent	35.00
Eakes, Supplies	192.10
First Concord Benefits Group, Sec. 125	233.33
GlaxoSmithKline Pharmaceuticals, Vaccines	1,512.60
Sara Marshall, Mileage	812.48
Shared Service Systems, Nursing Supplies	56.65



Clay County Board Minutes



Laurie Sheridan, Mileage 184.00

911 FUND

Black Hills Energy, Utilities	30.95
DataCC, Internet	68.50
Platte Valley Communications, Services	483.50
South Central Public Power District, Utilities	122.49
Windstream, Phone	522.23

E911 FUND

Windstream, Phone	\$889.19
-------------------	----------

WEED FUND

Employees, Full Time Wage	\$3,490.63
AFLAC, Insurance	38.48
Beck's Farm Equipment, Supplies	5.30
Black Hills Energy, Utilities	30.95
CPI, Fuel	291.64
Cornerstone Bank, Withholdings	2,267.25
DataCC, Internet	28.50
Nationwide, 457 Plan	425.00
Ramada Inn - Kearney, Lodging	78.00
South Central Public Power Dist., Utilities	42.92
Superior Outdoor Power, Repair	94.17
Windstream, Phone	55.28

Deb Karnatz, County Clerk

Ivan Fintel, Chairman