



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, March 16, 2021 at 9:00 A.M.

The Clay County Board of Supervisors met March 16, 2021 as per public notice given in the Clay County News on March 10, 2021 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 L. Wayne Johnson presided with roll call showing the following present: Scott Bitterman, James Pavelka, Gerald Schmidt, Dick Shaw, Ivan Fintel and L. Wayne Johnson; absent: Eric Samuelson. Minutes of the meeting held February 23, 2021 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, L. Wayne Johnson stated that the open meeting law poster is posted on the west wall in the back of the room. All present stood for the Pledge of Allegiance.

Motion by Bitterman and seconded by Fintel to approve the minutes of the meeting held February 23, 2021 as mailed. On roll call, yea: Pavelka, Schmidt, Shaw, Fintel, Bitterman and Johnson; absent: Samuelson. Motion carried.

Tim Lewis, Emergency Manager was present for Public Input. He reported that the generator that is up at the old school will not work at the 911 Center or the Health Department. The buildings are older and have Phase 1 electrical systems while the generator is a Phase 3. The generator has been declared surplus, so it was the consensus of the Board to try and sell it.

Thomas Roemmich II, Highway Superintendent reported on some road closures due to the recent rains. A confirmation has been received that money from the flood damage in 2019 from FEMA will be \$199,566.85 and \$66,522.28 is expected from the state. All the box culverts except one are done although not all the roads are open yet. Tom also reported he will be advertising for help.

Interlocal Agreements between Clay County and the townships and adjoining counties were presented and discussed. Motion by Pavelka and seconded by Fintel to authorize the chairman to sign the Interlocal Agreements as presented by the Highway Superintendent. On roll call, yea: Schmidt, Shaw, Fintel, Bitterman, Pavelka and Johnson; absent: Samuelson. Motion carried.

Advertising for an excavator was also discussed. Motion by Shaw and seconded by Bitterman to advertise for bids for a trac type excavator; bids to be opened on April 13, 2021 at 9:15 A.M. On roll call, yea: Shaw, Fintel, Bitterman, Pavelka, Schmidt and Johnson; absent: Samuelson. Motion carried.

The gravel contracts have been returned and are ready for signatures.

Motion by Pavelka and seconded by Schmidt to authorize the Chairman to sign the Contract Agreement between Hooker Bros. Sand & Gravel Inc. and Clay County. On roll call, yea: Fintel, Bitterman, Pavelka, Schmidt, Shaw and Johnson; absent: Samuelson. Motion carried.

Motion by Fintel and seconded by Bitterman to authorize the Chairman to sign the Contract Agreement between Mid-Nebraska Aggregate Inc. and Clay County. On roll call, yea: Bitterman, Pavelka, Schmidt, Shaw, Fintel and Johnson; absent: Samuelson. Motion carried.



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Motion by Pavelka and seconded by Bitterman to authorize the Chairman to sign the Contract Agreement between Deweese Sand & Gravel Inc. and Clay County. On roll call, yea: Pavelka, Schmidt, Shaw, Fintel, Bitterman and Johnson; absent: Samuelson. Motion carried.

Two easements from Windstream asking to bury a fiber optic cable were sent to the Board prior to the meeting.

Motion by Shaw and seconded by Fintel to approve the request from Windstream Nebraska, LLC to construct a buried copper cable/line in NE ¼ Section 30, T5N-R7W; work order #71501009300367; OSP-25593. On roll call, yea: Schmidt, Shaw, Fintel, Bitterman, Pavelka and Johnson; absent: Samuelson. Motion carried. (map on file in the Clerk's office)

Motion by Schmidt and seconded by Pavelka to approve the request from Windstream Nebraska, LLC to construct a buried copper cable/line in SE ¼ Section 4, T7N-R8W; work order #71501008000031; OSP-25540. On roll call, yea: Shaw, Fintel, Bitterman, Pavelka, Schmidt and Johnson; absent: Samuelson. Motion carried. (map on file in the Clerk's office)

Ted Griess, County Attorney reported he had spoken with Dylan Ikkala, development manager for APEX concerning the bond that the county is requiring for decommissioning of the solar project. Mr. Ikkala had also spoken to Chairman Johnson and Supervisor Shaw about this issue. Everyone told Mr. Ikkala he would need to come before the Board to discuss this.

The agreement with the Railroad has not been returned yet.

Other items were taken care of until it was time to open the bids.

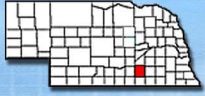
The Fee Reports had been emailed to the Board prior to the meeting. Motion by Schmidt and seconded by Bitterman to approve the fee reports for the following county officials for the month of February 2021: County Clerk \$27,577.75; County Court \$7,239.81; Clerk of District Court \$13,435.62, County Treasurer receipts numbered 21020001 through 21020069 in the amount of \$1,521,632.74, County Sheriff for January \$2,348.56 and for February \$4,541.92. On roll call, yea: Fintel, Bitterman, Pavelka, Schmidt, Shaw and Johnson; absent: Samuelson. Motion carried.

The Consolidated Appropriations Act 2021 as it relates to the flexible spending and dependent care accounts was discussed. The County could increase the amount of carryover to unlimited for the flexible spending accounts and add the carryover to dependent care for the current plan ending June 30, 2021. The consensus of the Board was to fill out the questionnaire allowing for an amendment to the plan in the future if warranted.

The Nationwide restatement questionnaire pertaining to the 457(b) deferred compensation plan was sent to the Board prior to the meeting. The County Clerk asked if they were ok with the elections that were made. Consensus was that the questionnaire be sent as submitted by the County Clerk.

The annual report from the Clay County Extension office and the Narrative Report from Holli Alley, Clay County 4-H Associate were emailed/distributed to the Board.

At 10:30 AM the bids for the courthouse repair/restoration project were opened with the following present: Armando Leal, Al's Old House Repairs; Richard Fiese, Done Right Masonry LLC and Ben Pape, McGill Restoration. A bid was also received from Mid-Continental Restoration Co., Inc. but no representative was present. All of the bids were reviewed. There were three bids submitted for the exterior work and one bid for the interior work. The Board



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decided the building committee should meet and go over the bids before making a decision on the exterior work.

Motion by Bitterman and seconded by Shaw to accept the bid for interior work for the courthouse from Armando Leal, Al's Old House Repairs in the amount of \$24,500.00. On roll call, yea: Bitterman, Pavelka, Schmidt, Shaw, Fintel and Johnson; absent: Samuelson. Motion carried.

Motion by Fintel and seconded by Schmidt to table the bids for the exterior work on the courthouse until March 23, 2021 at 10:15 A.M. On roll call, yea: Pavelka, Schmidt, Shaw, Fintel, Bitterman and Johnson; absent: Samuelson. Motion carried.

Motion by Bitterman and seconded by Fintel to adjourn this meeting at 10:55 A.M.; next regular meeting scheduled for March 23, 2021. On roll call, yea: Schmidt, Shaw, Fintel, Bitterman, Pavelka and Johnson; absent: Samuelson. Motion carried.

Deb Karnatz, Clay County Clerk

L. Wayne Johnson, Chairman