



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, April 13, 2021 at 9:00 A.M.

The Clay County Board of Supervisors met April 13, 2021 as per public notice given in the Clay County News on April 7, 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, Eric Samuelson, James Pavelka, Gerald Schmidt, Dick Shaw, Ivan Fintel and L. Wayne Johnson. Minutes of the meeting held March 30, 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 March 30, 2021 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw and Bitterman; abstain: Johnson. Motion carried.

Thomas Roemmich II, Highway Superintendent reported that the work on the bridge on Road F is done. Box culverts are done and they have begun working on driveways and culverts. A portion of Road G runs into a lagoon and is mostly underwater. He cannot find where this was ever closed so would like to start an engineering study.

Motion by Fintel and seconded by Bitterman to start the engineering study for closing Road G between sections 1 & 2 T7N-R8W from the north section line, south for 1600 feet to the south edge of the BNSF ROW line. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

Doug Huffaker (Wilson Case Inc.) was not able to attend the meeting. Chad Williamson did speak with the Board about maintaining a portion of Road 3168. Road access into their business is in poor condition. Road maintenance in the NAD area has been discussed many times over the years. There has been difference of opinions as to whether the roads are private or public property. At present neither Clay County nor Adams County maintain roads in that area. Chad asked if there was something that they and the Board could work on to improve the situation. The County Attorney was present at this time and asked if this could be discussed next week so that he has time to research the records and look at the property.

The bids for an excavator were opened at 9:30 A.M. Jake Ryba from Murphy Tractor and Equipment Co. and Tyler McNitt from NMC Cat were also present. The bids that were received were: for a John Deere 2021 Hydraulic Excavator Model: 135G; outright price \$262,150.00, lease \$37,668.29 and for a Caterpillar 2021 Hydraulic Excavator Model: 313 Next Gen; outright price \$242,350.00, lease \$40,525.00. Both representatives were given the opportunity to speak and answer questions. After discussion, it was decided that more time was needed to review the bids.

Motion by Bitterman and seconded by Schmidt to table the bids for the excavator until April 20, 2021 at 9:10 A.M. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Ted Griess, County Attorney had prepared a resolution pertaining to the 30 x 30 Program for the Board to look at. Changes were discussed. This will be on the agenda next week for board



# Clay County Board Minutes



action. The National Heritage Area was also discussed. Action on that will also be taken next week. The County Burial agreement was discussed. Ted feels the agreement itself is ok. The amount the county pays for a burial was discussed.

Motion by Schmidt and seconded by Fintel to increase the amount paid by the county for a county burial to \$2000.00. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried.

Greg Shuck, Weed Superintendent presented his monthly report. Most of the Road Dept. lots have been sprayed. Greg will attend the new superintendents training tomorrow. Greg discussed the costs associated with attending the North America Invasive Species Management Association conference. It was decided to wait until an agenda can be reviewed before deciding on attending the conference.

Michael Sindelar, Extension Educator updated the Board on the hiring process to replace Deanna Peshek who is retiring. The position was advertised, interviews were held, an offer was made and accepted. Deanna Peshek was also present. Chairman Johnson expressed the Board's appreciation for all the years Deanna has served the county and the public. Deanna said she has enjoyed her time here and the county has been a great place to work.

Motion by Fintel and seconded by Bitterman to approve the hiring of Teri Pollet as the office manager for the Clay County Extension office as of May 1, 2021. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.

The Fee Reports had been emailed to the Board prior to the meeting. Motion by Fintel and seconded by Pavelka to approve the fee reports for the following county officials for the month of March 2021: County Clerk \$37,112.45; County Court \$9,498.52; Clerk of District Court \$37,942.50 and County Treasurer receipts numbered 21030001 through 21030132 in the amount of \$1,882,993.66. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel, Shaw and Johnson. Motion carried.

Laurie Sheridan, Director Clay County Health Department reported (via email) that it had been discovered that the bank had that department listed as a 501C back in 1990. The health department as a county department is not a non-profit agency. The bank is requiring board action in order to change that status. The email also stated that her last day as health department director will be April 15, 2021. She will be available to come with the new director to the Board of Supervisors meeting on April 20, 2021.

Motion by Pavelka and seconded by Shaw to cancel the 501C status of the Clay County Health Department and notify Cornerstone Bank of this change. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

Motion by Shaw and seconded by Bitterman to appoint Donna Jensen as the Director of the Clay County Health Department beginning on April 16, 2021. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

The additional information that the County Attorney had requested to be added to the contract with Armando Leal, Al's Old House Repairs LLC has been received. A certificate of insurance was emailed to the County Clerk; the original will be delivered. The County Clerk has also requested that a W-9 and a signed e-verify amendment be submitted.

Motion by Pavelka and seconded by Bitterman to authorize the chairman to sign the Independent Contractor Agreement between Clay County Nebraska and Al's Old House



# Clay County Board Minutes



Repairs LLC. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Advertising for bids for the repair and/or replacement of the courthouse roof was discussed. Chairman Johnson is going to make some calls and have someone look at it to see what needs to be done.

An email from the State Auditors office advising a fund should be established for the COVID American Rescue Plan. The fund number and the revenue code to use were provided from that office.

Motion by Fintel and seconded by Samuelson to adopt and authorize the chairman to sign Resolution #21-11 to establish a special reserve fund to reflect both the receipt and disbursement of the American Rescue Plan Act money received from the Federal government. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried.

## RESOLUTION #21-11

A Resolution establishing and creating a special reserve fund for American Rescue Plan funds.

WHEREAS, the President of the United States of America signed into law the American Rescue Plan Act (ARPA),

WHEREAS, this Act will impact various functions of local government,

WHEREAS, the money being received from the Federal government will have stipulations on how it can be spent,

WHEREAS, it is required that the money be held in a special reserve fund,

WHEREAS, this fund should be created by the governing body of the County,

THEREFORE BE IT RESOLVED, that the Clay County Board of Supervisors have created a special reserve fund entitled "COVID American Rescue Plan" that will reflect both the receipt and disbursement of the ARPA funds.

Dated this 13<sup>th</sup> day of April, 2021.

ATTEST: Deb Karnatz, Clay County Clerk

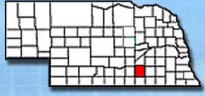
L. Wayne Johnson, Chairman Clay County Board of Supervisors

Brandy VanDeWalle, Extension Educator's March 2021 Narrative Report was emailed to the Board prior to the meeting.

The Board did not visit the Jail.

Chairman presented a proclamation from the Governor's office proclaiming April 11-17, 2021 as National Public Safety Telecommunicators Week.

Motion by Pavelka and seconded by Bitterman that Clay County supports the Proclamation put forth by the Governors office for National Public Safety Telecommunicators Week. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.



# Clay County Board Minutes



Motion by Fintel and seconded by Samuelson to adjourn this meeting at 10:55 A.M.; next regular meeting scheduled for April 20, 2021. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel, Shaw and Johnson. Motion carried.

Deb Karnatz, Clay County Clerk

L. Wayne Johnson, Chairman