



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, May 25, 2021 at 9:00 A.M.

The Clay County Board of Supervisors met May 25, 2021 as per public notice given in the Clay County News on May 19, 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 May 18, 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 May 18, 2021 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

Thomas Roemmich II, Highway Superintendent reported on bridge and culvert work. He said that due to increased price of materials and not knowing what next year's budget will look like, he would like to put the purchase of an excavator on hold for now; the board agreed. The two bidders will be notified of this change in plans.

Three Interlocal agreements were presented. Motion by Fintel and seconded by Pavelka to authorize the chairman to sign the interlocal agreements with Adams and Fillmore counties and Marshall township. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

Two easements were presented for review and discussion.

Motion by Shaw and seconded by Bitterman to approve the easement requested by Clay Fisher to install an electrical line across Road 308 from SE ¼ Sec.30-T6N-R6W to NE ¼ Sec. 31-T6N-R6W to power a pivot. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Motion by Bitterman and seconded by Pavelka to approve the easement request from Black

Hills Nebraska Gas LLC to replace a natural gas pipeline crossing Road 318 from SE corner SE ¼ Sec 3-7-7 to NE corner NE ¼ Sec 10-7-7 AND crossing Road 316 from SW corner SW ¼ Sec 14-7-7 to NW corner NW ¼ Sec. 23-7-7 AND crossing Road 315 and Road L (diagonal) from SW corner SW ¼ Sec. 23-7-7 to NE corner NE ¼ Sec 27-7-7 AND crossing Road 314 from the SE corner SE ¼ Sec. 27-7-7 to NE corner NE ¼ Sec. 34-7-7. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried. (Legal description with maps on file in Clerk's office.)



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There will have to be a budget hearing to amend the budget. Motion by Pavelka and seconded by Fintel to advertise for a hearing to amend the budget on June 22, 2021 at 10:00 A.M. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.

Ted Griess, County Attorney discussed the Next Link agreement. There are concerns about the wording of the document. Ted and Chairman Johnson will work on this. Ted also encouraged the board members to go and look at the NAD roads before the June 15<sup>th</sup> meeting.

Tim Lewis, Emergency Manager discussed a water issue at the communications center, radios that are not working and issues with the equipment in the suburban used by the deputy emergency manager. Tim presented an MOU for South Central (PET) Region and a record of appointment.

Motion by Schmidt and seconded by Bitterman to authorize the chairman to sign the South Central (PET) Region Memorandum of Understanding. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel, Shaw and Johnson. Motion carried.

Motion by Fintel and seconded by Pavelka to authorize the chairman to sign the County Board Record of Appointment appointing Tim Lewis, Emergency Management Director and Haley Roemmich, Deputy Emergency Manager to the Emergency Management Regional group known as the South-Central Region to fulfill all duties as required by the regional group. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

Motion by Shaw and seconded by Samuelson to open the public hearing at 10:15 A.M. for the purpose of hearing and acting upon the recommendation from the Clay County Planning and Zoning Commission regarding a conditional use permit for Nextlink. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

Zoning Administrator Barb Barnett explained the process and the Commission's recommendation. The request is for a 120-foot mono pole tower. Said tower would be located on a parcel of land located at 2240 Road 308, Edgar, Nebraska; in the SW  $\frac{1}{4}$  of Section 27, T6N, R5W (Sheridan Township), zoned as agricultural. If this conditional use permit is approved, it would allow the self-supporting mono pole to be located on leased land owned by Parker and Pamela Spurling. The Clay County Joint Planning and Zoning Commissions recommendation was for approval with no conditions noted. Aaron Clark from Nextlink was present and answered questions.

Motion by Samuelson and second by Fintel to close the public hearing at 10:26 AM. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Motion by Schmidt and seconded by Shaw to accept the recommendation of the Clay County Planning and Zoning Commission and approve the request from Nextlink for a conditional use permit for a 120-foot mono pole tower to be located at SW  $\frac{1}{4}$  Section



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27, T6N, R5W. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried.

Jo Springer, Executive Director SASA Crisis Center sent information about the organization prior to the meeting. In April, SASA Crisis Center officially relaunched as enCourage Advocacy Center. They believe this new name and look better reflects their role in proactively creating a community free from violence, not just reactively responding to crises. The rebranding project also includes an overhauled website and increased outreach to rural areas. enCourage still provides all the core services while offering new programming and services to strengthen the community. This fall the Green Dot program will be launched. This program is backed by research showing it is effective in decreasing violence. Through this program, community influencers from across the service area will be trained in ways to create a safer community. The budget request is the same as the past few years.

Motion by Shaw and seconded by Bitterman to accept the budget request of SASA Crisis Center dba enCourage Advocacy Center in the amount of \$5000.00 for fiscal year 2021-2022. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.

Stefanie Creech, Executive Director of Area Substance & Alcohol Abuse Prevention and Kerry Block, Project Manager handed out information on 2020-2021 programming, changes and adaptations due to the pandemic. They offered program opportunities online throughout last year. They are looking forward to being back in the schools in the upcoming school year to provide services to the youth of Clay County. The request for this non-profit organization is \$5000.00 again.

Motion by Bitterman and seconded by Shaw to accept the budget request from ASAAP in the amount of \$5000.00 for fiscal year 2021-2022. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel, Shaw and Johnson. Motion carried.

Craig Griess and Matt Caldwell, members of the Clay County Fair board discussed plans to put up a new beef/hog barn where the current beef barn is. They have some funding and will apply for a grant. Fund raising was discussed. Chairman Johnson referred them to the highway superintendent. The county may be able to donate some dirt and also remove the old concrete.

The claims were distributed for review and discussion. Motion by Fintel and seconded by Bitterman to approve the claims that were presented and authorize the County Clerk to pay from the appropriate funds. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

## GENERAL FUND

Employees, Full Time Wage	\$126,582.60
Rachel Adam, Mileage	67.20
AFLAC, Insurance	605.47
Cassie Aksamit, Mileage	57.12
Paul Althouse, Mileage	54.24



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Mike Anderson, Service, Mileage	52.88
Nate Anderson, Mileage	54.24
ASAAP, Funding	5,000.00
Aspegren Repair, Supplies	903.94
Baird & Griess, Wireless, Copies	34.85
Barb Barnett, Mileage	25.93
Kreighton C Baxter, Phone	20.00
Bear Graphics, Inc., Supplies	296.45
Big G Ace, Supplies	34.36
Joseph Bixby, Service & Mileage	144.50
Black Hills Energy, Utilities	497.22
Blue Cross Blue Shield, Ins.	74,143.82
Bockstadter & Glen Law LLC, Service	345.39
Don C. Bottorf, Service,	95.00
Brite, Car computers & install	42,148.00
Casey Brown, Mileage	134.40
Business World, Supplies	89.90
Carpenter & Skalka Court Reporting, Deposition	80.75
Cash-Wa Distributing, Supplies	20.05
Central Nebraska Child Advocacy Center, Funding	5,500.00
Central Nebraska Collections LLC., Garnishment	361.20
City of Clay Center, Utilities, License	387.10
Clay County Clerk, Filings	40.00
Clay County Court, Claim cost	358.00
Clay County News, Advertising	369.27
Clay County Treasurer, Postage	2,452.65
Clearly, Phone	427.03
Colonial Life, Ins	497.03
Cooney Refrigeration, Repairs	7,365.87
Corner Market, Food	662.00
Cornerstone Bank, Withholdings & Retirement	63,471.22
CPI, Fuel	3,566.99
Culligan's of Hastings, Rent	11.00
DAS State Accounting, Service	539.52
Sarah Dasher, Cleaning	375.00
Diode, Door Repairs	287.50
Dollar General, Supplies	111.90
Don's Lawn Service, Mowing	1,320.00
Dutton-Lainson Co., Repair kit	124.47
Eakes, Supplies	5,608.35
Fillmore County Medical Center, Exam	129.00
Fillmore County Sheriff, Inmate boarding	2,210.00
First Concord Benefits Group, Sec. 125	3,766.08
Goding Law, Service	1,011.75
gWorks, Annual fee & Subscription	13,626.00



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Hall County Sheriff's Office, Service fees	27.44
Hamilton County Treasurer, VSO Contract	2,291.67
Brenda Hansen, Manuals	212.59
Dean Hansen, Service	150.00
Hometown Leasing, Lease	2,362.49
Langvardt Valley & James, Service	9.50
Law Enforcement Training Center, Training	216.00
Madison National Life, Ins.	65.76
Menards, Supplies	331.74
Mid Nebraska Individual Services Inc., Funding	1,636.00
MIPS, Service, Supplies	3,613.85
Murray Law, Service	2,340.50
NACO Planning & Zoning, Dues	40.00
Nationwide, 457 Plan	1,225.00
NE Assoc. of County Clerks, ROD & Election Comm., Workshop	125.00
Nebraska Assoc. of County Officials, Workshops	365.00
Nebraska County Attorneys Assoc., Sues	1,057.00
Nebraska.gov, Transcripts	4.00
Mariah Newmyer, Mileage	32.48
William Ouren, Admin. Services	75.00
Jim Pavelka, Mileage	118.72
Platte County District Court, Certified copies	2.50
Platte Valley Communications, Supplies	786.00
PrecisionIT, Backups, Service	2,659.62
Quality Sound & Communications Inc., Rental	294.00
Redfield Direct, LLC., Supplies	1,587.48
Region 3 Behavioral Health Services, Funding	8,181.50
SASA Crisis Center, Funding 20-21	5,000.00
Elaine Shuck, Mileage	45.40
Skalka & Baack Law Firm, Attorney fees	3,546.68
South Central Public Power Dist., Utilities	1,199.78
Stanard Appraisal Service Inc., Appraiser	20,975.00
Sullivan, Shoemaker, Attorney fees	2,600.00
Sutton Electric, Electrical hookup	2,314.76
Sutton Lumber, Supplies	91.83
Shawna Taylor, Mileage	64.41
University of Nebraska, Computer	1,489.39
Unite Private Network, LLC., Internet	1,606.00
US Bank, Supplies	173.54
US Cellular, Cell Phones	739.29
V & M Sales & Lawn Service, Weed control	515.00
Brandy VanDewalle, Mileage	53.76
Dr. Carroll Verhage, Service	110.00
Verizon Wireless, Cell Phones	40.03
Vision Service Plan (CT), Vision	480.60



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Walmart, Supplies	99.77
Windstream, Service	648.33
Woodward's, Garbage	377.50
Ziamba Roofing Company, Repairs	155.00

## ROAD FUND

Employees, Full Time Wage	\$55,613.41
Action Auto, Supplies	33.71
AFLAC, Insurance	1,013.60
Auca Chicago Lockbox, Supplies	782.49
Auto Glass Experts, LLC., Repairs	490.00
Beck's Farm Equipment Inc., Supplies	621.80
Black Hills Energy, Utilities	446.77
Blue Cross Blue Shield, Ins.	2,395.30
Card Services, Supplies	50.28
City of Clay Center, Utilities	119.75
City of Edgar, Utilities	52.00
City of Fairfield, Utilities	60.00
City of Harvard, Utilities	69.50
City of Sutton, Utilities	103.17
Clay County Treasurer, Title	15.00
Colonial Life, Ins	480.34
Cornerstone Bank, Withholdings & Retirement	28,550.03
CPI, Fuel	5,845.21
CW Rainforth Sales, Supplies	17.00
Deweese Sand & Gravel, Supplies	14,580.43
Dollar General, Supplies	57.74
Don's Lawn Service, Mowing	650.00
Eakes, Supplies	52.90
Filter Care of Nebraska, Service	196.70
First Concord Benefits Group, Sec. 125	190.00
Friesen Chevrolet, Inc., Parts, Repairs, Pickup	213.64
Friesen Ford, Repair	410.13
George Brothers Propane, Fuel	18,644.94
George's 66 Service, Fuel	187.54
Hamilton Telecommunication, Internet	86.26
Interstate Battery Center, Batteries	315.00
Island Supply Welding, Supplies	67.20
John Deere Financial, Parts, Supplies	1,632.38
Ken & Al's, Fuel	2,990.60
Kully Pipe & Steel Inc., Supplies	12.22
Lawson Products, Supplies	293.34
LCL Truck Equipment, Supplies	32,355.00
Madison National Life, Ins.	48.72
Mary Lanning Healthcare, Drug Testing	75.00



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Matt Friend Truck Equipment, Supplies	786.70
Menards, Supplies	41.40
MidWest Service & Sales, Supplies	55,291.31
MIPS, Service	201.51
Murphy Tractor & Equipment Co., Inc., Supplies	848.70
Nationwide, 457 Plan	250.00
Nebraska Truck Center, Parts	61.06
Nextlink, Internet	38.50
NMC Exchange, Parts	14,897.19
Nutrien Ag Solutions, Inc, Supplies	65.31
Olsson, Services	751.12
R & K Service, Fuel	2,017.80
South Central Public Power, Utilities	313.56
Southern Power Dist., Utilities	64.01
Superior Outdoor Power, Supplies	3,419.94
The Diamond Engineering Co., Bridge Replacement	145,531.55
Truck Center Companies, Parts & Labor	11,478.83
True Blue Diesel, Parts & Labor	3,744.93
Village of Trumbull, Utilities	85.60
Vision Service Plan (CT), Vision	216.42
Windstream, Service, Internet	561.81
Woodward's, Garbage	55.00

## ROD P M FUND

Bear Graphics, Inc., Supplies	\$530.09
MIPS, Service	452.15

## INHERITANCE TAX FUND

Van Kirk Sand & Gravel Inc., Box Culverts	\$255,547.29
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## HEALTH FUND

Employees, Full Time Wage	\$9,102.71
Aflac, Insurance	37.50
Leslie Anderson, Mileage	8.96
Blue Cross Blue Shield, Ins.	260.98
Denise Carroll, Supplies	26.51
Clay County News, Advertising	102.51
Colonial, Ins	41.63
Cornerstone Bank, Withholdings & Retirement	4,250.52
Culligan's of Hastings, Rent	36.00
Dash Medical Gloves, Supplies	161.80
Eakes, Supplies	141.04
First Concord Benefits Group, Sec. 125	233.33
GlaxoSmithKline Pharmaceuticals, Vaccines	377.90
Donna Jensen, Mileage	217.84



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K2 Scientific, Supplies	61.50
Sara Marshall, Mileage, Supplies	313.71
Nationwide, 457 Plan	100.00
PrecisionIT, Repairs	16.25
Vision Service Plan (CT), Vision	28.17

## 911 FUND

South Central Public Power District, Utilities	\$67.63
Windstream, Phone	382.41
Windstream Communications, LLC., Parts	1,762.94

## E911 FUND

Windstream, Phone	\$1,033.93
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## ROAD IMPROVEMENT BOND FUND

BOK Financial Corporate Trust, Bond Payment	\$497,402.50
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## WEED FUND

Employees, Full Time Wage	\$1,819.29
AFLAC, Insurance	52.78
Black Hills Energy, Utilities	41.77
Blue Cross Blue Shield, Ins.	250.46
Brian's Repair, Tires	386.00
Cornerstone Bank, Withholdings & Retirement	1,980.05
CPI, Fuel	108.92
Eakes, Supplies	38.08
First Concord Benefits Group, Sec. 125	50.00
Friesen Chevrolet, Tire repair	105.73
Nationwide, 457 Plan	270.00
Nextlink, Internet	28.50
NWCA, Conference	120.00
Greg Shuck, Supplies	11.98
South Central Public Power Dist., Utilities	60.22
Vision Service Plan (CT), Vision	21.00
Windstream, Phone	55.69

Motion by Pavelka and seconded by Schmidt to adjourn this meeting at 11:25 A.M.; next regular meeting scheduled for June 15, 2021. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman Samuelson and Johnson. Motion carried.

Deb Karnatz, Clay County Clerk

L. Wayne Johnson, Chairman