



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, June 29, 2021 at 9:00 A.M.

The Clay County Board of Supervisors met June 29, 2021 as per public notice given in the Clay County News on June 23, 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, Ivan Fintel, Dick Shaw and L. Wayne Johnson. Minutes of the meeting held June 22, 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 Pavelka and seconded by Bitterman to approve the minutes of the meeting held June 22, 2021 as mailed. On roll call, yea: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; abstain: Schmidt. Motion carried.

Thomas Roemmich II, Highway Superintendent reported that work has started on Road S. They are putting two culverts in by Trumbull on Road 320; the road will be closed for a couple of days.

An easement for an existing water line was discussed. The Board wants to talk to legal counsel before making a decision. Discussion is tabled until July 13, 2021.

The preliminary budget for the road department was submitted and discussed. The request is less than last year.

Jennifer Fleischer, Deputy County Attorney discussed her duties as the deputy county attorney. She is willing to step in and take care of the cases, etc. that are pending until the board appoints an interim county attorney.

Greg Shuck, Weed Superintendent reported that he had been spraying right of ways; pastures and inspecting properties. He has sent inspection reports to individuals with musk thistles on their property. He also attended the RC&D meeting. The preliminary budget for the weed department was submitted and discussed. Greg said he had adjusted line items to cover the expense of attending the North America Invasive Species Management Association conference if the board approved his attending. Consensus of the Board was that he could attend the conference. The budget request is for \$150.00 more than last year.

Since a probationary period has been completed, the Board discussed wages for the weed superintendent. Motion by Schmidt and seconded by Pavelka to raise the weed superintendent's hourly wage to \$22.25 per hour retroactively to June 18, 2021. On roll



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

Motion by Fintel and seconded by Pavelka to open the hearing to amend the 2020-2021 budget for the Clay County General Fund at 10:00 A.M. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

The notice was published in the Clay County News on June 23, 2021. No other persons appeared and there were no written or oral comments or objections filed with the County Board. Last week Gene Ulmer, CPA explained the reasoning and process for this procedure.

Motion by Schmidt and seconded by Samuelson to close the public hearing to amend the 2020-2021 Clay County General Fund at 10:11 A.M. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Motion by Bitterman and seconded by Schmidt to amend the originally adopted budget of the Clay County General Fund and approve an additional increase to the Communications Center, Jail, County Board and Agriculture Extension budgets and to decrease the General Fund Cash Reserve, County Clerk, County Treasurer, County Assessor, Election Commissioner, Zoning, Clerk of the District Court, County Court, Buildings and Grounds, County Sheriff, County Attorney, Emergency Management, Veterans Service and County Miscellaneous budgets due to unanticipated expenditures for the Fund. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried.

Motion by Fintel and seconded by Pavelka to adopt Resolution #21-16 transferring budget authority and authorize the chairman to sign. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.

## RESOLUTION #21 - 16

WHEREAS, due to unforeseen circumstances, proposed expenditures exceed budget authority allocated for the Clay County Board of Supervisors office function, Agriculture Extension office function, Communication Center office function, and the County Jail office function in the General Fund Budget, and

WHEREAS, the 2020-2021 budget was amended at a hearing held June 29, 2021 increasing the budget authority of the General Fund and decreasing the necessary cash reserve of the General Fund, and

WHEREAS, budget authority of the County Clerk budget, County Treasurer budget, County Assessor budget, Election Commissioner budget, Zoning budget, Clerk of the District Court budget, County Court budget, Buildings and Grounds budget, County Sheriff budget, County Attorney budget, Emergency Management budget, Veterans Service Officer budget and the Miscellaneous budget, also office functions of the General Fund Budget, are adequate to allow for a transfer to meet current fiscal year expenditures,

NOW, THEREFORE, BE IT RESOLVED, that an additional One hundred twenty thousand eight hundred twenty-six dollars and five cents (\$120,826.05) of budget authority is hereby allocated to the Communications Center office function from the Necessary Cash Reserve,



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And an additional Eighty-nine thousand six hundred seventy-three dollars and ninety-nine cents (\$89,673.99) of budget authority is hereby allocated to the Jail office function from the Necessary Cash Reserve, County Clerk, County Treasurer, County Assessor, Election Commissioner, Zoning, Clerk of the District Court, County Court, Buildings and Grounds, County Sheriff, County Attorney, Emergency Management, Veterans Service and County Miscellaneous budget functions,

And additional four thousand four hundred twenty-eight dollars and fifty-six cents (\$4,428.56) of budget authority is hereby allocated to the County Board office function from the County Clerk office function,

And an additional two thousand two hundred thirty-seven dollars and eighty-four cents (\$2,237.84) of budget authority is hereby allocated to the Agricultural Extension office function from the County Clerk budget function.

Dated this 29th day of June 2021.

ATTEST: Deborah Karnatz  
Clay County Clerk

L. Wayne Johnson  
Chairman Clay County Board of Supervisors

Mike Irons, Veterans Service Officer presented the preliminary budget request for the Veterans Service Office and the Veterans Aid budgets. The Veterans Service budget was reduced and since there is money in the checking account for Veterans Aid there is no request for that budget this year.

Mike Carroll, Custodian presented the Buildings and Grounds preliminary budget request. It is the same as the previous year. The barrier at the handicapped parking space was discussed. Mike will look into replacing it with a rubber barrier. Earl May is scheduled to start on the terrace the first week in July.

Joni Bitterman, Clerk of the District Court presented the preliminary budget request for her office. It is the same as the previous year.

The engagement letter from Dana F. Cole & Company was discussed.

Motion by Fintel and seconded by Bitterman to authorize the chairman to sign the engagement letter with Dana F. Cole & Company for preparation of the County's budget documents. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

There are now sufficient funds to pay back the Inheritance Tax Fund from the Weed Fund. Motion by Pavelka and seconded by Schmidt to adopt Resolution #21-17 to pay back the \$2,300.00 to the Inheritance Tax Fund that was loaned to the Weed Fund in November of 2020. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

## RESOLUTION # 21-17

The Clay County Board of Supervisors found that it was necessary for the proper operation of Clay County government that certain funds be transferred in order that they be available for general use.

Whereas Clay County Board of Supervisors resolved that \$2,300.00 be transferred from the Inheritance Tax Fund to the Weed Fund as a loan to be paid back when funds are available.



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Whereas there is now sufficient funds in the Weed Fund to pay this loan back.

Therefore, be it resolved by the Clay County Board of Supervisors that \$2,300.00 be transferred from the Weed Fund to the Inheritance Tax Fund to pay back the loan received per Resolution #20-43 dated November 24, 2020.

Adopted this 29<sup>th</sup> day of June 2021.

L. Wayne Johnson, Chairman Clay County Board of Supervisors

ATTEST: Deborah Karnatz, Clay County Clerk

The Emergency Manager requested money be moved from the E911 Fund to the E911 holding fund. Motion by Fintel and seconded by Shaw to adopt Resolution 21-18 transferring \$60,000.00 from the E911 Fund to the E911 Holding Fund and authorize the chairman to sign. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

## RESOLUTION #21-18

WHEREAS a Resolution establishing and creating a separate fund 2914 for County 911 Wireless Service Holding Fund was adopted December 13<sup>th</sup>, 2011, for the purpose of creating a separate fund to hold money accumulated for various equipment and software updates,

WHEREAS, the money collected for this purpose has been held in the E911 Wireless Fund (2913),

WHEREAS, it is the desire of Clay County to have these funds transferred to the County 911 Wireless Service Holding Fund (2914) for tracking purposes,

THEREFORE BE IT RESOLVED, by the Clay County Board of Supervisors that \$60,000.0 be transferred from the E911 Wireless Fund (2913) to the County 911 Wireless Service Holding Fund (2914)

The \$60,000.00 represents the E-911 Allocation balance in the fund as of June 1, 2021, after all qualifying allocation expenses had been charged to this account for the 2020-2021 fiscal year.

Dated this 29<sup>th</sup> day of June 2021.

L. Wayne Johnson, Chairman, Clay County Board of Supervisors

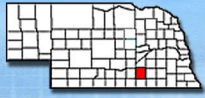
Attest: Deb Karnatz, Clay County Clerk

Robin Gilbert, County Treasurer presented the preliminary budget request for her office.

Robin Gilbert presented information on Tax Sales Certificates and parcels of real estate that were not sold at the public tax sale in March 2021. Robin requested that the board approve a list of parcels of real estate in Clay County on which taxes are delinquent and were not sold for want of bidders at the last annual public tax sale.

Motion by Shaw and seconded by Fintel to approve the tax sale certificates numbered 21-01 through 21-66. On roll call, yea: Fintel, Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson. Motion carried.

Robin also presented information of Tax Sale Certificates which were issued on delinquent taxes. These taxes were unpaid as of June 29, 2021. The Treasurer's office is requesting that the Board of Supervisors instruct the county attorney to start foreclosure proceedings on the properties.



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Motion by Bitterman and seconded by Samuelson to direct the County Attorney to start foreclosure proceedings on 2018 County tax sales numbered #18-5, #18-25, #18-26, #18-27, #18-28, #18-29, #18-35, #18-37, #18-38, #18-40, #18-59 and #18-60. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson. Motion carried.

A resolution for a new pledge was presented also.

Motion by Fintel and seconded by Bitterman to adopt Resolution #21-19 for security pledge CUSIP #3133EMBH4 for \$500,000.00 and CUSIP #3130ALEQ3 for \$1,000,000.00 through Waypoint Bank, Clay Center, NE acting as a depositor for Clay County and authorize the chairman to sign. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel, Shaw and Johnson. Motion carried. (Resolution on file in Clerk's office.)

Tim Lewis, Emergency Manager presented the preliminary budget request for the Emergency Management office, Communications Center, 911, E911 and 911 Holding. There was no update on digital reception, Comm Plan Phase II. Tim did discuss the claim that was tabled last week. He will get information from other entities on how this is handled. The County Clerk will also contact a couple of other counties.

Two statements of work for Clay County from gworks were reviewed.

Motion by Shaw and seconded by Fintel to authorize the chairman to sign the Standard Assessor GIS Data Maintenance & Support statement of work between gworks and Clay County Nebraska. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Shaw, Bitterman and Johnson. Motion carried.

Motion by Pavelka and seconded by Bitterman to authorize the chairman to sign the GIS Data Remediation statement of work between gworks and Clay County Nebraska. On roll call, yea: Pavelka, Schmidt, Fintel, Shaw, Bitterman, Samuelson and Johnson. Motion carried.

The estimate for work to be done on the Services Building has not been received.

Information from NIRMA regarding a claim that they now deem uncollectible was discussed. The consensus was that it is uncollectible and decided not to pursue it any further either. Clay County will receive a check for the amount that has been recovered so far.

Motion by Schmidt and seconded by Samuelson to adjourn this meeting at 11:52 A.M.; next regular meeting scheduled for July 13, 2021. On roll call, yea: Schmidt, Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson. Motion carried.

Deb Karnatz, Clay County Clerk

L. Wayne Johnson, Chairman



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