

# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

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

The Clay County Board of Supervisors met July 13, 2021 as per public notice given in the Clay County News on July 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 and L. Wayne Johnson; absent: Ivan Fintel. Minutes of the meeting held June 29, 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 Shaw to approve the minutes of the meeting held June 29, 2021 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Shaw, Bitterman and Johnson; absent: Fintel. Motion carried.

Julie Bergen, Clerk Magistrate presented the preliminary budget for the County Court.

Thomas Roemmich II, Highway Superintendent reported on work they are doing on Road S. That departments internet has not been working good since Nextlink took over. He will check into Windstream for that service. CAT and John Deere were both contacted to see how far out delivery of a motor grader would be; CAT would be 30 days and John Deere 90 days. When to advertise for bids will be decided after the budget projections are received. Tom discussed the challenges he is having in getting gravel from Deweese.

Motion by Bitterman and seconded by Samuelson to open the public hearing at 9:10 A.M. for the purpose of vacating part of 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, Shaw, Bitterman, Samuelson and Johnson; absent: Fintel. Motion carried.

Thomas Roemmich II, Highway Superintendent was present for the hearing along with Rueben Wehnes. Mr. Wehnes expressed concerns with having the crossing closed; primarily with no access for fire or other emergency equipment. Tom will contact the Railroad with these concerns.

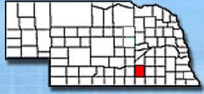
Motion by Samuelson and seconded by Pavelka to close the public hearing at 9:17 A.M. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson, Pavelka and Johnson; absent: Fintel. Motion carried.

This will be discussed again next week in order to contact the Railroad.

Per statute 39-1725, the resolution to act on the vacation will be put on the agenda for the next meeting; July 20, 2021; depending on what is found out with the Railroad.

No action was taken on the Leininger easement; this will be placed on the agenda again.

Two easements for Black Hills Nebraska Gas, LLC were presented and discussed.



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Motion by Bitterman and seconded by Pavelka to approve the easement requested by Black Hills Nebraska Gas, LLC for a natural gas pipeline Sec. 16-T6N-R6W NE ¼ along Road Q. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt, and Johnson; absent: Fintel. Motion carried. (full description and map on file in County Clerk's office.)

Motion by Samuelson and seconded by Schmidt to approve the easement requested by Black Hills Nebraska Gas, LLC for a natural gas pipeline crossing Road L in Sections 22 and 23 of T7N-R7W; Road 315 in Sections 22 & 27 of T7N-R7W and the ROW on the west side of Road L from the NE corner to the SE corner of Section 22 T7N-R7W. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Shaw and Johnson; absent: Fintel. Motion carried. (full description and map on file in County Clerk's office.)

An easement request from Viaero Fiber Networks was presented and discussed. Motion by Samuelson and seconded by Schmidt to approve the easement requested by Viaero Fiber Networks for placement of fiber optic facilities from Road A on Road 318 to Road M then south to Road 314 then east to Highway 14. On roll call, yea: Samuelson, Pavelka, Schmidt, Shaw, Bitterman and Johnson; absent: Fintel. Motion carried. (full description and map on file in County Clerk's office.)

Jennifer Fleischer, Deputy County Attorney did not have anything to report but asked if there was anything she could report to the courts and other attorneys. The Chairman told her they were discussing this later today and do have a contract they will discuss if the rest of the Board wants to move forward.

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 June 2021: County Clerk \$18,503.00; County Court \$8,217.20; Clerk of District Court \$13,754.20; Sheriff \$1,803.36 and County Treasurer receipts numbered 21060001 through 21060047 in the amount of \$1,844,575.63. On roll call, yea: Pavelka, Schmidt, Shaw, Bitterman, Samuelson and Johnson; absent: Fintel. Motion carried.

The Nextlink agreement was not discussed.

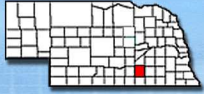
The Chairman reported that he is still waiting on estimates for repairs at the Services Building.

Jeff Franklin, County Sheriff presented the Sheriff and Jail preliminary budgets.

Jeff also discussed concerns with the employee handbook and safety manual and the reasons some of the officers do not want to sign the acknowledgement pages. The Chairman will contact NIRMA to see if there is a policy that would alleviate those concerns.

Donna Jensen, Director of the Clay County Health Department presented the directors report for the April through June 2021 quarter; the departments preliminary budget request and a recommendation for an appointment to the Clay County Health Board. The COVID vaccine is still available for either appointments or walk ins. Grant money has been built into the budget that may help with some upgrades. She would like to digitalize the records as well.

Jolene Hakanson has agreed to serve another term on the Health Board. Motion by Shaw and seconded by Pavelka to reappoint Jolene Hakanson to the Clay County



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Health Board for a three-year term beginning August 28, 2021 and ending August 28, 2024. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson, Pavelka and Johnson; absent: Fintel. Motion carried.

Robin Gilbert, County Treasurer presented the semi-annual statement. Motion by Bitterman and seconded by Pavelka to accept the semi-annual statement from January 1, 2021 to June 30, 2021 as presented by the County Treasurer. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Schmidt and Johnson; absent: Fintel. Motion carried.

The Board worked on their preliminary budget request.

Preliminary budget requests for: General Fund/Misc., Register of Deeds Preservation & Maintenance Fund, Visitor Promotion, Visitor Improvements, Drug Law Enforcement – CO, Federal Drug Law Enforcement, Inheritance Tax, Misc. Sinking, Road Buyback, Road Imp Bond, County Equipment Sinking and a correction to the County Clerk's budget were submitted and discussed.

Chairman Johnson reported on the meeting that he and Supervisors Pavelka and Fintel had with John Lyons regarding the County Attorney position. A contract was distributed and discussed. Consensus was to contact Mr. Lyons and put this on the agenda for next week.

The audit report for 2019-2020 has been received and is available in the County Clerk's office.

Motion by Pavelka and seconded by Shaw to adjourn this meeting at 11:07 A.M.; next regular meeting scheduled for July 20, 2021. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Shaw and Johnson; absent: Fintel. Motion carried.

Deb Karnatz, Clay County Clerk

L. Wayne Johnson, Chairman