



# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, August 17, 2021 at 9:00 A.M.

The Clay County Board of Supervisors met August 17, 2021 as per public notice given in the Clay County News on August 11, 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. Vice Chairman James Pavelka presided with roll call showing the following present: Scott Bitterman, Eric Samuelson, Gerald Schmidt, Dick Shaw and James Pavelka, absent: Ivan Fintel and L. Wayne Johnson. Minutes of the meeting held July 27, 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.

Vice Chairman, James Pavelka 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 Shaw and seconded by Bitterman to approve the minutes of the meeting held July 27, 2021 as mailed. On roll call, yea: Samuelson, Schmidt, Shaw, Bitterman and Pavelka; absent: Fintel and Johnson. Motion carried.

Thomas Roemmich II, Highway Superintendent reported that they are still working on Road S; they have 1 mile left. Tom would like to replace the motor grader in Sutton this year.

Motion by Bitterman and seconded by Shaw to advertise for motor grader bids; bids to be opened September 21, 2021 at 9:15 A.M. On roll call, yea: Schmidt, Shaw, Bitterman Samuelson and Pavelka; absent: Fintel and Johnson. Motion carried.

Charlie Rudeen from Nebraska Machinery Company presented the documents for the skid steer lease. The lease is for 2021 skid steer with the same terms as last year.

Motion by Schmidt and seconded by Samuelson to authorize the vice chairman to sign the Sales Agreement, Repurchase Agreement and Governmental Equipment Lease-Purchase Agreement with NMC and Caterpillar Financial Services for lease of a 2021 262D3 skid steer for \$4,620.00 for one year. On roll call, yea: Shaw, Bitterman, Samuelson, Schmidt and Pavelka; absent: Fintel and Johnson. Motion carried.

Jeff Franklin, County Sheriff told the Board that he had gotten approval from Supervisor Johnson a couple of weeks ago to purchase a patrol car from state surplus. That purchase is covered in his budget. He purchased the vehicle for \$15,900.00. He believes there is \$12,000.00 worth of equipment in it. It is already being used by the department. Jeff reported on the challenges of transporting prisoners because of COVID. A report was also given on the activities at the Deweese Demo Derby. Jeff also answered questions from the Board.

Robin Gilbert, County Treasurer presented information on distress warrants returned by the sheriff unsatisfied and answered questions. She will talk to the County Attorney about striking some of the unpaid taxes.

Gene Ulmer, CPA, distributed and discussed spread sheets and budget notes updating the board on the tax requests, estimated receipts, valuations, interlocal agreements, Inheritance Tax fund and restricted funds. The necessary transfers from the Inheritance Tax Fund were discussed. Valuations have not been received from the Assessor's office so last year's valuations were used for estimation purposes. Gene will be on the agenda next week with some more concrete figures.



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Motion by Samuelson and seconded by Bitterman to approve an additional 1% increase in the Budget Restricted Funds Authority for the 2021-2022 County budget year. On roll call, yea: Bitterman, Samuelson, Schmidt, Shaw and Pavelka; absent: Fintel and Johnson. Motion carried.

Motion by Shaw and seconded by Schmidt to advertise the Notice of Budget and Budget Summary hearing for 2021-2022, the hearing to be held September 14, 2021 at 9:00 A.M. On roll call, yea: Samuelson, Schmidt, Shaw, Bitterman and Pavelka; absent: Fintel and Johnson. Motion carried.

Motion by Samuelson and seconded by Bitterman to advertise the Notice of Special Hearing to set Final Tax request at a different amount than the prior year's tax request. Hearing will commence immediately upon adjournment of the preceding budget hearing which will begin at 9:00 A.M. on September 14, 2021. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson and Pavelka; absent: Fintel and Johnson. Motion carried.

Armando Leal, Al's Old House Restoration discussed the repairs on the 3<sup>rd</sup> floor of the courthouse. He will be sending change orders to include the additional painting and repair work. One of the roof drains is still a problem and until that is fixed, the repairs and painting in that room will have to wait. He will take pictures of the roof drain and also damage in the Judges chamber and send to the board members. Mike Carroll, custodian will contact Ziemba Roofing to see if they are able to repair the problematic drain.

Kris Bousquet, Director of Livestock Development for the Alliance for the Future of Agriculture in Nebraska discussed A FAN (Alliance for the Future of Agriculture in Nebraska), livestock development and county zoning. Mr. Bousquet is also the executive director of the Nebraska State Dairy Association. A study of the Economic Impact of Dairy Processing Expansion in Nebraska, Livestock Friendly County Benefits and an overview of Odor Footprints and the Odor Footprint Tool were distributed. The organization is available at no cost to farmers to help integrate livestock into their operations. One opportunity is to significantly expand the dairy cattle industry by bringing in a cluster of dairies in conjunction with a type of dairy processor. He discussed modernizing Clay County's Zoning regulations saying this would make these processes easier. The Board and Zoning Administrator, Barb Barnett explained that the County's Zoning regulations are in place to protect producers, neighbors and the county, are already livestock friendly and do encourage growth. Mr. Bousquet compared Nebraska county zoning regulations to Iowa's state zoning regulations saying the county regulations were not hospitable. The board and zoning administrator disagreed.

Tim Lewis, Emergency Manager presented 3 estimates for a generator for the 911 center. Quotes were received from Midwest Engine Services for (50KW) \$23,654.00; Generac Industrial for (50 KW) \$17,099.00 and Generators For Sale for (48KW) \$18,574.33. Each quote was discussed. Generac and Generators For Sale did not include everything the Midwest proposal had. More information is needed so this will be discussed again next week.

Storm damage that occurred in July was discussed. A disaster declaration was prepared by the Emergency Manager and the chairman signed it on August 11, 2021. The disaster declaration was needed to qualify for aid from the July 9, 2021 windstorm. South Central Public Power and Sutton had damage from that storm.

Sandy Benson, Nebraska Forest Service had sent information to the board prior to this meeting. Sandy is a fuels management specialist with the Nebraska Forest Service (NFS). She works



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with communities and landowners in wildfire preparation efforts throughout the state. The NFS is developing Community Wildfire Protection Plans (CWPPs) statewide to help obtain funding for wildfire mitigation, maximize safety, bolster communications between local and state resources, and help communities understand the evolving role fire plays in Nebraska's landscape. Clay County is invited to designate an individual to participate on the steering committee to help identify local issues important to our citizens. After discussion, the consensus was not to designate anyone.

The Fee Reports had been emailed to the Board prior to the meeting. Motion by Shaw and seconded by Bitterman to approve the fee reports for the following county officials for the month of July 2021: County Clerk \$22,124.50; County Court \$9,401.64; Clerk of District Court \$30,929.24; County Sheriff \$1,249.68 and County Treasurer receipts numbered 21070001 through 21070050 in the amount of \$235,473.04. On roll call, yea: Shaw, Bitterman, Samuelson, Schmidt and Pavelka; absent: Fintel and Johnson. Motion carried.

The County Attorney preliminary budget request was sent to the board prior to the meeting.

The Extension office has submitted a list of items to be declared as surplus. Motion by Samuelson and seconded by Bitterman to declare four Dell computers, an IPAD, a portable overhead projector, a laser pointer, a wireless mouse and a Panasonic microwave from the Extension office as surplus. On roll call, yea: Bitterman, Samuelson, Schmidt, Shaw and Pavelka; absent: Fintel and Johnson. Motion carried.

A request for an appointment to the Clay County Health Board to fill the vacancy that occurred when Wyoma DeVries' term expired July 1<sup>st</sup> has been received from the Clay County Health Department. Motion by Samuelson and seconded by Schmidt to appoint Alyce Sherman to the Clay County Health Board for a three-year term beginning August 17, 2021. On roll call, yea: Samuelson, Schmidt, Shaw, Bitterman and Pavelka; absent: Fintel and Johnson. Motion carried.

The requests from the townships, fire districts and Ag society for preliminary levy requests were presented and discussed. The levy requests were: **Fire Districts:** Clay Center Rural General \$29,580.00, Sinking \$17,405.00; Edgar Rural General \$44,000.00 Sinking \$19,000.00; Fairfield Rural General \$38,360.00 Sinking \$18,190.00; Harvard Rural General \$36,949.50; Sutton Rural General \$64,344.92; Trumbull Rural General \$33,050.00 Sinking \$21,500.00; Bond \$33,682.50. **Townships:** Edgar \$11,137.00; Eldorado \$6,270.00; Fairfield \$6,018.00; Glenvil \$10,757.58; Harvard \$8,867.88; Inland \$7,574.65; Leicester \$8,500.00; Lewis \$9,501.30; Logan \$9,858.78; Lone Tree \$3,238.89; Lynn \$5,314.56; Marshall \$7,087.46; School Creek \$8,408.00; Sheridan \$9,268.00; Spring Ranch \$12,916.49; Sutton \$12,246.12. **Clay County Ag Society** \$179,746.70.

Motion by Bitterman and seconded by Shaw to approve the preliminary requests for levy allocation from the Fire Districts, Townships and the Clay County Agricultural Society. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson and Pavelka; absent: Fintel and Johnson. Motion carried.

There were no estimates to be discussed for repair of the Services building.

A different master agreement for Capital Business Systems, Inc. for a copier in the county attorney secretary's office was discussed. This will be placed on next week's agenda.

Motion by Bitterman and seconded by Samuelson to adjourn this meeting at 12:04 P.M.; next regular meeting scheduled for August 24, 2021. On roll call, yea: Shaw, Bitterman, Samuelson, Schmidt and Pavelka; absent: Fintel and Johnson. Motion carried.



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Deb Karnatz, Clay County Clerk

James Pavelka, Vice Chairman