



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, April 12, 2022 at 9:00 A.M.

The Clay County Board of Supervisors met April 12, 2022 as per public notice given in the Clay County News on April 6, 2022 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: Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson; absent: Shaw. Minutes of the meeting held March 29, 2022 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.

There was no Public Input.

Motion by Fintel and seconded by Bitterman to approve the minutes of the meeting held March 29, 2022 as mailed. On roll call, yea: Samuelson, Pavelka, Schmidt, Fintel, Bitterman and Johnson; absent: Shaw. Motion carried.

Thomas Roemmich II, Highway Superintendent: The guys are working on dirt roads now and starting on getting gravel down on roads. Culverts will be available next week so they will get going with those soon.

An easement request from Black Hills Energy was received for a natural gas pipeline from Section 10, Township 5 North, Range 6 West to Section 11, Township 5 North, Range 6 West approximately 200 feet more or less North of the intersection of Road 305 & Road R.

Motion by Pavelka and seconded by Fintel to approve the easement request from Black Hills Energy for a natural gas pipeline from Section 10, Township 5 North, Range 6 West to Section 11, Township 5 North, Range 6 West approximately 200 feet more or less North of the intersection of Road 305 & Road R. On roll call, yea: Pavelka, Schmidt, Fintel, Bitterman, Samuelson and Johnson; absent: Shaw. Motion carried.

Chairman Johnson shared with the Board his conversation with NIRMA associate Brandy Johnson regarding the proposed Contract from Marvin Planning Consultants (MPC) for updating the County Comprehensive Plan. Chairman Johnson will be reaching out to Keith Marvin of MPC to discuss further.

The present Board members along with Cassie Aksamit will do the jail visit today.

Barb Barnett, Planning and Zoning: The report for the 1st Quarter was presented to the Board along with a comparison of previous years. Discussion was had on a cancelled permit request. This evening the Planning & Zoning Committee will have a hearing regarding a Conservation Easement Application, which will be followed with a public hearing during the April 26th Board of Supervisors Meeting.

John Lyons, Clay County Attorney, was present and provided that if he could get the detailed information regarding the Conservation Easement Application, along with the report of tonight's



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Planning & Zoning hearing from Barb, he would review and advise the Board of Supervisors accordingly.

The Fee Reports were sent to the Board prior to the meeting.

Motion by Schmidt and seconded by Fintel to approve the fee reports for the following county officials for the month of March 2022: County Clerk \$26,634.38; County Court \$4,194.07; Clerk of District Court \$26,462.70; Sheriff's fees \$1,448.27 and County Treasurer receipts numbered 22020062 through 22030106 in the amount of \$1,779,400.27. On roll call, yea: Schmidt, Fintel, Bitterman, Samuelson, Pavelka and Johnson; absent: Shaw. Motion carried.

Tim Lewis, Emergency Manager, along with Aaron Clark, NextLink Representative were present for questions from the Board regarding the proposed NextLink Contract. In discussion it was determined that NextLink had not gotten proper studies done to assure the tower could handle the equipment that NextLink has been placing on said tower, that NextLink has failed to present a satisfactory Contract to the County ever since they took over the internet service from DataCC. A motion was made to remove NextLink from the tower immediately. John Lyons advised Mr. Clark that NextLink is to provide their liability insurance to the County prior to removal of their equipment.

Motion by Fintel and seconded by Samuelson to remove NextLink equipment from the tower immediately and cease further action for a Contract. On roll call, yea: Fintel, Bitterman, Samuelson, Pavelka, Schmidt and Johnson; absent: Shaw. Motion carried.

Motion by Samuelson and seconded by Pavelka to adjourn this meeting at 10:15 A.M.; next regular meeting scheduled for April 19, 2022. On roll call, yea: Bitterman, Samuelson, Pavelka, Schmidt, Fintel and Johnson; absent: Shaw. Motion carried.

Cassie Aksamit, Board Secretary

L. Wayne Johnson, Chairman