



Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, May 31, 2022 at 9:00 A.M.

The Clay County Board of Supervisors met May 31, 2022 as per public notice given in the Clay County News on May 25, 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. Vice-Chairman James Pavelka presided with roll call showing the following present: Scott Bitterman, Eric Samuelson, Gerald Schmidt, Dick Shaw and James Pavelka; absent: L. Wayne Johnson and Ivan Fintel. Minutes of the meeting held May 24, 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.

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 Bitterman and seconded by Schmidt to approve the minutes of the meeting held May 24, 2022 as mailed. On roll call, yea: Bitterman, Samuelson, Schmidt, Shaw and Pavelka; absent: Johnson and Fintel. Motion carried.

A claim was presented for review and discussion. Motion by Samuelson and seconded by Schmidt to approve the claim that was presented and authorize the County Clerk to pay from the appropriate fund. On roll call, yea: Shaw, Bitterman, Samuelson, Schmidt and Pavelka; absent: Johnson and Fintel. Motion carried.

GENERAL FUND

BOK Financial Corporate Trust, Bond Fees	\$494,282.50
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Wayne Bena, Deputy Secretary of State and Elections Commissioner asked the Board for time to recognize and present Deb Karnatz with a Citation from the Secretary of State to acknowledge her years of service as the Clay County Election Commissioner upon her resignation.

Deb Karnatz, County Clerk, provided the Board with some financial history regarding the budget requesters that have been presenting their requests to the Board of the last few weeks to use as a source of guidance in their decisions on the budget requests.

Thomas Roemmich II, Highway Superintendent reported that the past days of rain delayed some road work but the guys are back on the Sutton road today; Tom has part-time summer help starting in the upcoming weeks; Tom met with the Director out at the MARC regarding the application for funding assistance for the asphalt roads that surround the MARC – the Director completed an application for funding assistance and submitted it the same day – the decision on these funding applications should be made sometime near October.

Three easement requests from Black Hills Nebraska Gas LLC were received and reviewed. Motion by Bitterman and seconded by Samuelson to approve the easement request from Black Hills Nebraska Gas LLC that was received for a natural gas pipeline undercrossing Road 318 from SW1/4 of 1-7-6 to NW1/4 of 12-7-6. On roll call, yea: Bitterman, Samuelson, Schmidt, Shaw and Pavelka; absent: Johnson and Fintel. Motion carried. Motion by Bitterman and seconded by Shaw to approve the easement request from Black Hills Nebraska Gas LLC that was received for a natural gas pipeline undercrossing Road 318 from NE1/4NW1/4 of 11-7-6 to SE1/4SW1/4 of 2-7-6. On roll call, yea: Samuelson, Schmidt, Shaw, Bitterman and Pavelka; absent: Johnson and Fintel. Motion carried. Motion by Bitterman and seconded by Shaw to



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approve the easement request from Black Hills Nebraska Gas LLC that was received for a natural gas pipeline undercrossing Road S from SE1/4 of 2-7-6 to SW1/4 of 1-7-6. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson and Pavelka; absent: Johnson and Fintel. Motion carried.

Casey Muzic with Midland Area Agency on Aging (Midland AAA) met with the Board to present their annual report and budget request. Casey also informed the Board that Rachel Devlin is the new nutritionist for our area. The 2022-2023 Budget Request presented was for \$12,598.00 which has not changed from last year.

Motion by Bitterman and seconded by Shaw to approve the budget request for 2022-2023 from Midland Area Agency on Aging in the amount of \$12,598.00. On roll call, yea: Shaw, Bitterman, Samuelson, Schmidt and Pavelka; absent: Johnson and Fintel. Motion carried.

The Board discussed the situation with the Blue Cross Blue Shield rates and would like to continue discussion after Mike Boden meets with the Board.

RuAnn Root with CASA of South Central Nebraska (CASA) met with the Board to present their annual report and budget request. RuAnn was happy to share with the Board that the newly utilized Maryland Living Center (MLC) has been a very useful resource for our participants of the program. The 2022-2023 Budget Request presented was for \$16,396.00 which has not changed in 18 years!

Motion by Bitterman and seconded by Shaw to approve the Budget Request for 2022-2023 from CASA of South Central Nebraska in the amount of \$16,396.00. On roll call, yea: Bitterman, Samuelson, Schmidt, Shaw and Pavelka; absent: Johnson and Fintel. Motion carried.

John Lyons, County Attorney, met with the Board to bring them up to speed with his lawsuit involving York County. John reported that the Federal Court ruling was not in John's favor and ordered that the injunction be removed. Also this morning John was notified by York County that upon this ruling of the Federal Court he was immediately terminated from employment as their County Attorney. The Deputy County Attorney, Joseph Selde, also notified John of his immediate resignation. John will put together a Resolution to present to the Board at the next meeting to modify the Contract with Clay County to have John acting solely as the Clay County Attorney until there is a County Attorney elected in the fall.

Mike Boden, Nebraska Association of County Officials (NACO) Benefit Services Representative met with the Board to review and discuss the health care benefit plan options from NACO. Mike advised the Board that this year because of the proposed increase in rates, NACO brought in an Actuary to assist with review of the rates of Blue Cross Blue Shield, and from them they were able to negotiate the rates and bring them down from approximately 32% to 17% in rate increases. There are currently about 5,000 NACO members in the BCBS pool, which consists of around 58 Nebraska counties and 12 additional entities. The pool size is used to assist members with rate negotiations. The upcoming rates and deductions were discussed, and Mike is going to explore additional insurance providers to look at additional rate options for Clay County. The option for the County to leave the NACO plan will be available even if the County signs the Sub-Group Application to enroll for the upcoming year, meaning that the County can still explore additional rate options and could drop out at any time. Mike also advised the Board that if the County decides to leave the BCBS pool, they would be subject to a two-year waiting period to try to get back into the pool. Mike will hope to have additional rate options available to present to the Board at the next meeting.

Motion by Shaw and seconded by Samuelson to authorize the Clerk to sign the BCBS Sub-Group Application for the 2022 rates to continue with the current rate plan. On roll call, yea:



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Samuelson, Schmidt, Shaw, Bitterman and Pavelka; absent: Johnson and Fintel. Motion carried.

Pavelka reminded the Board that the Electronics Recycling is this Friday from 1pm-5pm.

The Board will readdress the previous budget requests that were tabled at the next meeting.

Motion by Schmidt and seconded by Samuelson to adjourn this meeting at 11:13 A.M.; next regular meeting scheduled for June 14, 2022. On roll call, yea: Schmidt, Shaw, Bitterman, Samuelson and Pavelka; absent: Johnson and Fintel. Motion carried.

Cassie Aksamit, County Board Secretary

James Pavelka, Vice-Chairman