

COUNTY BOARD OF SUPERVISORS MEETING MINUTES

The Clay County Board of Supervisors met at the Courthouse, Clay Center, Nebraska on January 16, 2024 at 9:00 A.M., as per public notice given in the Clay County News on January 10, 2024 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. 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 and presided with roll call showing the following present: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson.

All present stood for the Pledge of Allegiance.

Minutes of the meeting held December 26, 2023 were provided to the board members prior to the meeting. Motion by Fintel and seconded by Bitterman to approve the minutes of the meeting held December 26, 2023. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The Chairman asked if there was any other old business; there was none.

Motion by Fintel and seconded by Shaw there being no further old business, to adjourn the business meeting for the year 2023, Sine Die. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Bitterman to appoint Cassie Aksamit to act as Temporary Chairman. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The first order of business was the election of the Chairman for 2024. Shaw nominated Johnson and Pavelka seconded the nomination. With no other nominations, Fintel made a motion and Becker seconded to elect L. Wayne Johnson as Chairman for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The next order of business was the election of the Vice-Chairman for 2024. Johnson nominated James Pavelka. With no other nominations, Johnson made a motion and Bitterman seconded to elect James Pavelka as the Vice-Chairman for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The County Clerk, as acting temporary Chairman, announced that L. Wayne Johnson has been elected as Chairman of the Clay County Board of Supervisors and turned the meeting over to the Chairman.

Roll call was taken by Johnson to commence business for the 2024 year showing the following present: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson. Motion carried.

The Board reviewed the various governing boards that they are currently serving on.

Motion by Pavelka and seconded by Samuelson to have the governing board appointments be: Eric Samuelson to serve on the Mid-Nebraska Individual Services, Inc. board with Scott Bitterman as alternate; Scott Bitterman to serve on the Midland Area Agency on Aging board with Eric Samuelson as alternate; Ivan Fintel to serve on the Region 3 Behavioral Services board with Jim Pavelka as alternate; Glen Becker to serve as alternate on the Clay County Health Board (Dick Shaw is currently the representative serving a 3 year term); Dick Shaw to serve on the South Heartland District Health board with Scott Bitterman as alternate; Glen Becker and Jim Pavelka to serve on the LEPC committee; and Jim Pavelka and Glen Becker to serve on the Clay County 9-1-1 committee. L. Wayne Johnson will serve as a backup alternate to all governing boards if necessary. Upon roll call, the vote was as follows: Aye:

Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Greg Shuck said he would be the representative on the RC&D board. Motion by Fintel and seconded by Bitterman to appoint Greg Shuck to serve on the Trailblazer RC & D board with Eric Samuelson as alternate for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Fintel to appoint Cassie Aksamit as the NIRMA contact person for Clay County with L. Wayne Johnson as alternate for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Bitterman and seconded by Becker to appoint Haley Malone as the Clay County Emergency Manager for the year 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Fintel and seconded by Pavelka to appoint Haley Malone, Emergency Manager to participate in the South Central Planning Exercise Training (SCPET) for the year 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Pavelka to appoint Thomas D. Roemmich, II as the Clay County Highway Superintendent for the year 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Becker and seconded by Samuelson to appoint Barb Barnett as the Clay County Zoning Administrator for the year 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Bitterman and seconded by Becker to designate the Clay County News as the County's official newspaper for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Fintel and seconded by Pavelka to designate the Clay County website as an additional method of publishing notice of meetings of the Board of Supervisors/Board of Equalization for the year 2024; other departments may use this method at their discretion. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Designation of the broadcast media for Clay County was discussed. Motion by Fintel and seconded by Bitterman to designate KHAS radio station and KSNBC Nebraska TV station as licensed broadcast media for 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The Treasurer submitted a list of banks that are available to hold the deposits and CD's for Clay County. Motion by Pavelka and seconded by Becker that the following banks be named as holding agencies for county funds for the year 2024: Cornerstone Bank branches in Clay Center, Edgar, Harvard, Glenvil, Sutton and York; Waypoint Bank in Clay Center; Pinnacle Bank in Fairfield; and NPAIT (Nebraska Public Agency Investment Trust affiliated with NACO). Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Thomas Roemmich II, Highway Superintendent provided a report on the roads and requested permission to advertise for the 1 & 6 Year Road Plan, gravel bids and on-call engineering services for 2024.

An Agreement Amendment #1 for the County Road W Railroad Bridge Project from Olsson Associates was presented. Motion by Pavelka and seconded by Shaw to authorize the Chairman to sign the Agreement Amendment #1 with Olsson Associates for the County Road W Railroad Bridge Project. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Fintel and seconded by Bitterman to advertise the public hearing for the 1 & 6 Year Road Plan to be held on February 13, 2024 at 9:15 A.M. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Pavelka to advertise for gravel bids to supply gravel for the county roads for the year 2024; bids to be opened on February 27, 2024 at 9:15 A.M. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Becker and seconded by Fintel to advertise for bids for on-call engineering services for 2024; bids to be opened on February 27, 2024 at 9:30 A.M. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Robin Gilbert, Clay County Treasurer presented a revised claim for School Creek Township for payment.

School Creek Township Claim

Dana F. Cole, Co, 2023-2024 Budget Preparation \$975.00

Motion by Bitterman and seconded by Becker to approve the School Creek Township claim due to the Dana F. Cole, Co in the amount of \$975.00 as presented and authorize the Treasurer to pay the claim from the appropriate funds. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Robin discussed with the Board the need to close the Cornerstone Bank Account of School Creek Township, per the advisement of the State Auditor, and transfer the account balance to the Clay County General Fund for the School Creek Township. Cornerstone Bank is requesting that the Clay County Board, who is the acting Board for the School Creek Township due to the termination of the Township, adopt a Resolution to remove Linda I Nuss and Michael Nuss from the Cornerstone Bank Account of School Creek Township and add the Clay County Treasurer as signer on the account. Motion by Bitterman and seconded by Samuelson to adopt Resolution #24-01 instructing the removal of Linda I Nuss and Michael Nuss from the Cornerstone Bank Account of School Creek Township and the adding of the Clay County Treasurer as a signer on the Cornerstone Bank Account of School Creek Township. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Haley Malone, Clay County Emergency Manager had provided the Clerk with a County Disaster Declaration for the recovery of the recent winter storm. The Clerk read the Declaration to the Board. Motion by Bitterman and seconded by Samuelson to authorize the Chairman and the Clerk to sign the County Disaster Declaration. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The Fee Reports were sent to the Board prior to the meeting. Motion by Fintel and seconded by Pavelka to approve the fee reports for the following county officials for the month of December 2023: County Clerk \$24,786.10; County Court \$11,572.99; Clerk of District Court \$23,451.56; Sheriff's fees \$17,802.98; County Health Department \$10,112.14 and County Treasurer receipts numbered 23120001 through 23120057 in the amount of \$267,881.50. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Jeff Franklin, Clay County Sheriff, presented his monthly report along with a list of vehicles he would like to request for surplus: 2016 Silver Chevrolet Impala, 2016 White

Chevrolet Impala and 2017 Blue Ford Explorer. Motion by Shaw and seconded by Bitterman to approve the list of vehicles for surplus as presented by the Sheriff. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Shaw to enter executive session at 10:30 A.M. for personnel discussion. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Becker to go out of executive session at 11:11 A.M. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Fintel to enter executive session at 11:14 A.M. for personnel discussion. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Fintel and seconded by Shaw to go out of executive session at 12:56 P.M. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

The Board of Supervisors will begin evaluating the operations and finances of all Clay County Departments at upcoming meetings.

Motion by Pavelka and seconded by Becker to adjourn this meeting at 1:10 P.M.; next regular meeting scheduled for January 23, 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Cassie Aksamit, County Clerk

L. Wayne Johnson, Chairman