

COUNTY BOARD OF SUPERVISORS MEETING MINUTES

The Clay County Board of Supervisors met at the Courthouse, Clay Center, Nebraska on September 10, 2024 at 9:00 A.M., as per public notice given in the Clay County News on September 4, 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: Scott Bitterman, Eric Samuelson, Jim Pavelka, Ivan Fintel, Richard Shaw and L. Wayne Johnson; absent: Glen Becker.

All present stood for the Pledge of Allegiance.

Minutes of the meeting held August 27, 2024 were provided to the board members prior to the meeting. Motion by Fintel and seconded by Pavelka to approve the minutes of the meeting held August 27, 2024. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Thomas Roemmich, II, Highway Superintendent presented his roads report as well as the mechanic's report for August.

The County Annual Certification of Program Compliance presented. Motion by Pavelka and seconded by Bitterman to approve the County Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2024 and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; Nay: None. Motion Carried.

Resolution #24-09 for the Signing of the County Annual Certification of Program Compliance 2024 was presented. Motion by Samuelson and seconded by Bitterman to adopt Resolution #24-09 for the Signing of the County Annual Certification of Program Compliance 2024. Upon roll call, the vote was as follows: Aye: Pavelka, Fintel, Shaw, Bitterman, Samuelson and Johnson; Nay: None. Motion Carried. (Resolution on file in the Clerk's office)

The Preliminary Engineering Agreement for Execution between Olsson and Clay County for 42996, BRO-7018(26), Deweese NW was presented. Motion by Pavelka and seconded by Fintel to approve the Preliminary Engineering Agreement for Execution and authorize the Chairman to sign the same and adopt Resolution #24-10. Upon roll call, the vote was as follows: Aye: Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson; Nay: None. Motion Carried. (Resolution on file in the Clerk's office)

The NEPA Agreement for execution between Olsson and Clay County for 42996, BRO-7018(26), Deweese NW was presented. Motion by Shaw and seconded by Bitterman to approve the NEPA Agreement for execution and authorize the Chairman to sign the same and adopt Resolution #24-11. Upon roll call, the vote was as follows: Aye: Shaw, Bitterman, Samuelson, Pavelka, Fintel and Johnson; Nay: None. Motion Carried. (Resolution on file in the Clerk's office)

Tom discussed the following easement requests of Black Hills Nebraska Gas, LLC to bury 2" HDPE as follows:

- #1: From NE ¼ NE ¼ of 5-7-5 crossing Road V to the NW ¼ NW ¼ of 4-7-5
- #2: From NE ¼ of 8-7-5 crossing Road V to the NW ¼ of 9-7-5
- #3: From SE ¼ SE ¼ of 11-8-7 crossing Road M to the SW ¼ SW ¼ of 12-8-7
- #4: From NE ¼ NW ¼ of 15-8-7 crossing Road KL to the NW ¼ NE ¼ of 15-8-7
- #5: From SE ¼ SE ¼ of 12-8-7 crossing Road 323 to the NE ¼ NE ¼ of 13-8-7
- #6: From SE ¼ SE ¼ of 32-8-5 crossing Road 319 to the NE ¼ NE ¼ of 5-7-5
- #7: From SE ¼ SE ¼ of 5-7-5 crossing Road 318 to the NE ¼ NE ¼ of 8-7-5
- #8: From NE ¼ of 17-7-5 crossing Road V to the NW ¼ of 16-7-5
- #9: From NE ¼ NE ¼ of 15-8-7 crossing Road L to the NW ¼ NW ¼ of 14-8-7 & from NW ¼ NW ¼ of 14-8-7 crossing Road 323 to the SW ¼ SW ¼ of 11-8-7
- #10: From SE ¼ SE ¼ of 13-8-7 crossing Road N to the SW ¼ SW ¼ of 18-8-6 & from SE ¼ SW ¼ of 18-8-6 crossing Road 322 to the NE ¼ NW ¼ of 19-8-6
- #11: In Road V ROW on the West Side approx. 175' running North/South approx. 1,660' South of Road 317
- #12: In Road 323 ROW on the North Side approx. 335' running East/West South of Parcel 000066300

Barb Barnett, Planning & Zoning Administrator, presented her quarterly report.

Brenda Hansen, County Treasurer, provided the Board with an update on the open position in her office.

Brad Slaughter, Managing Director with Northland Securities was present to discuss road bond options to the Board. Brad met recently with the finance committee and the County CPA to discuss budget impacts of the bond and LB34. Motion by Fintel and seconded by Pavelka to adopt Resolution #24-12 for the issuance of a bond for an asphalt road project. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion Carried. (Resolution on file in the Clerk's office)

Mike Boden with the Nebraska Association of County Officials (NACO) and Dan Schwartzkopf with Jones Insurance were present to discuss health insurance renewal options for Clay County employees. No action was taken.

The Glenvil Fire District preliminary levy request was presented and discussed. The levy request was: General \$8,100.00 Sinking \$2,500.00 Bond \$35,000.00. Motion by Pavelka and seconded by Bitterman to approve the preliminary request for levy allocation from the Glenvil Fire District as presented. Upon roll call, the vote was as follows: Aye: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; Nay: None. Motion carried.

Motion by Samuelson and seconded by Bitterman to approve the inventory of the Extension office and place on file in the County Clerk's office. Upon roll call, the vote was as follows: Aye: Pavelka, Fintel, Shaw, Bitterman, Samuelson and Johnson; Nay: None. Motion carried.

The Fee Reports were sent to the Board prior to the meeting. Motion by Fintel and seconded by Shaw to approve the fee reports for the following county officials for the month of August 2024: County Clerk \$10,711.25; County Court \$7,707.39; Clerk of District Court \$43,621.34; County Health Department \$2,928.37 and County Treasurer receipts numbered 24080001 through 24080047 in the amount of \$695,859.87. Upon roll call, the vote was as follows: Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson; Nay: None. Motion carried. A note will be placed in the records that the August Fee Reports were not received by the Clay County Sheriff.

A Letter of Engagement was provided by Dana F. Cole & Co, LLP for budget services for Clay County for Fiscal Year July 1, 2024-June 30, 2025. Motion by Bitterman and seconded by Fintel to approve the Letter of Engagement between Dana F. Cole & Company, LLP and Clay County for budget services for July 1, 2024-June 30, 2025 which is not to exceed \$8,400.00 and authorize the Chairman to sign the same. On roll call, yea: Shaw, Bitterman, Samuelson, Pavelka, Fintel and Johnson; Nay: None. Motion carried.

Motion by Fintel and seconded by Shaw to appoint the County Clerk as the budget making authority for the 2024-2025 Fiscal Year. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion Carried.

A request to have access to the Cornerstone Bank account of the Health Department was made for the purposes of receipting fees and then transferring collected fees to the Clay County Treasurer. Motion by Shaw and seconded by Bitterman to authorize Sara Mertens, as Director, and Alicia Schutte, as Office Manager to have access to the Cornerstone Bank account for the Health Department. Upon roll call, the vote was as follows: Aye: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; Nay: None. Motion Carried.

A request was made to appoint Janice Sherman of Glenvil, Nebraska, as the Board of Health Representative as a replacement to Alyce Sherman. Motion by Pavelka and seconded by Bitterman to appoint Janice Sherman to replace Alyce Sherman as the Board of Health Representative. Upon roll call, the vote was as follows: Aye: Pavelka, Fintel, Shaw, Bitterman, Samuelson and Johnson; Nay: None. Motion Carried.

Motion by Fintel and seconded by Bitterman to approve Easement request #1 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Samuelson to approve Easement request #2 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Shaw, Bitterman, Samuelson, Pavelka, Fintel and Johnson; Nay: None. Motion carried.

Motion by Samuelson and seconded by Shaw to approve Easement request #3 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Bitterman and seconded by Fintel to approve Easement request #4 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Pavelka to approve Easement request #5 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Pavelka, Fintel, Shaw, Bitterman, Samuelson and Johnson; Nay: None. Motion carried.

Motion by Samuelson and seconded by Bitterman to approve Easement request #6 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Fintel to approve Easement request #7 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Shaw, Bitterman, Samuelson, Pavelka, Fintel and Johnson; Nay: None. Motion carried.

Motion by Samuelson and seconded by Fintel to approve Easement request #8 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Bitterman to approve Easement request #9 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Samuelson, Pavelka, Fintel, Shaw, Bitterman and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Bitterman to approve Easement request #10 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Pavelka, Fintel, Shaw, Bitterman, Samuelson and Johnson; Nay: None. Motion carried.

Motion by Shaw and seconded by Samuelson to approve Easement request #11 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Fintel, Shaw, Bitterman, Samuelson, Pavelka and Johnson; Nay: None. Motion carried.

Motion by Pavelka and seconded by Fintel to approve Easement request #12 from Black Hills Nebraska Gas, LLC as presented and authorize the Chairman to sign the same. Upon roll call, the vote was as follows: Aye: Shaw, Bitterman, Samuelson, Pavelka, Fintel and Johnson; Nay: None. Motion carried.

Motion by Bitterman and seconded by Shaw to adjourn this meeting at 12:05 P.M. Next regular meeting scheduled for September 17, 2024. On roll call, Aye: Bitterman, Samuelson, Pavelka, Fintel, Shaw and Johnson; Nay: None. Motion carried.

Cassie Aksamit, Clay County Clerk

L. Wayne Johnson, Board Chairman