

COUNTY BOARD OF SUPERVISORS MEETING MINUTES

The Clay County Board of Supervisors met at the Courthouse, Clay Center, Nebraska on August 18, 2026 at 9:00 A.M., as per public notice given in the Clay County News on August 12, 2026 a copy of the proof of publication being on file in the County Clerk's Office. Availability of the agenda was communicated in advance notice of the meeting. All the proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

All present stood for the Pledge of Allegiance.

Chairman L. Wayne Johnson stated that the open meetings act was posted on the West wall and presided with roll call showing the following present: Scott Bitterman, Eric Samuelson, Glen Becker, James Pavelka, Jesse Mohnike, Richard Shaw and L. Wayne Johnson.

Minutes of the meeting held August 11, 2026 were provided to the board members prior to the meeting. Motion by Mohnike and seconded by Pavelka to approve the minutes of the meeting held August 11, 2026. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

There was no public input.

Thomas Roemmich, II, Highway Superintendent presented the roads report. Tom presented a Resolution to place weight limits on the asphalt roads around Edgar. Motion by Bitterman and seconded by Shaw to adopt Resolution #2026-08 for posting weight limits effective immediately and for a term of no more than 90 days. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Robin Gilbert, County Treasurer, presented information on distress warrants that could qualify for cancellation of the delinquent personal property taxes.

Motion by Pavelka and seconded by Shaw to adopt Resolution #2026-09 Directing the Cancellation of Delinquent Personal Property Taxes of Clay County Tax ID 4053 for Tax Year 2023 in the amount of \$43.60 as presented by the County Treasurer. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Motion by Samuelson and seconded by Bitterman to adopt Resolution #2026-10 Directing the Cancellation of Delinquent Personal Property Taxes of Clay County Tax ID 7896 for Tax Years 2020, 2021, 2022 and 2023 in the amount of \$360.06 as presented by the County Treasurer. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Motion by Becker and seconded by Bitterman to adopt Resolution #2026-11 Directing the Cancellation of Delinquent Personal Property Taxes of Clay County Tax ID 2916

for Tax Years 2020 and 2021 in the amount of \$1.48 as presented by the County Treasurer. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Motion by Bitterman and seconded by Mohnike to adopt Resolution #2026-12 Directing the Cancellation of Delinquent Personal Property Taxes of Clay County Tax ID 901900 for Tax Year 2020 in the amount of \$54.56 as presented by the County Treasurer. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

The 2024-2025 annual audit of the E911 Fund (2913) noted that expenditures in the amount of \$141.94 are owed back to the E911 Fund (2913). Haley Malone, Emergency Manager, has requested that the monies be moved from the General Fund (0100) department 653. Robin Gilbert, County Treasurer presented a Resolution for direction to move said monies. Motion by Mohnike and seconded by Pavelka to adopt Resolution #2026-13 as recommended by the County Treasurer, giving the Treasurer direction to move the monies as stated. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Jennifer Fleischer, County Attorney, presented her monthly report and a proposed Resolution to authorize Clay County to reimburse the Clay County Court Bailiff for meals on Court days. Motion by Becker and seconded by Bitterman to adopt Resolution #2026-14 as recommended by the County Attorney. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Jeff Franklin, County Sheriff, presented his monthly update.

Haley Malone, Emergency Manager, presented her monthly update.

Members of the Board discussed the conversations they have had with Township board members and members of the public regarding Township organization in Clay County and possible discontinuance of Township organization. A motion was made by Shaw and seconded by Samuelson to adopt Resolution #2026-15 to submit the question of Discontinuance of Township Organization to the voters of Clay County on the November 3, 2026 General Election Ballot. Upon roll call, the vote was as follows: Aye: Samuelson, Becker, Pavelka, Shaw, Johnson; Nay: Bitterman and Mohnike. Motion carried. *(Resolution is on file in the Clerk's office)*

RESOLUTION #2026-15

TO SUBMIT THE QUESTION OF DISCONTINUANCE OF TOWNSHIP
ORGANIZATION TO THE VOTERS AND THE CREATION OF BALLOT
LANGUAGE TO BE USED AT THE 2026 GENERAL ELECTION

The Clay County Board of Supervisors does hereby consider the discontinuance of a Township Organization form of government for Clay County; thus, the discontinuance would merely eliminate the requirement of Township Boards and a County Board of Supervisors in Clay County and move to a County Board of Commissioners form of government. The Clay County Board of Supervisors, which consists of a seven-member board,

would convert to be known as and operate as the Clay County Board of Commissioners.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF CLAY COUNTY, NEBRASKA THAT:

WHEREAS, the Clay County Board of Supervisors has seen an increase in vacancies across the Township Boards during election years and noticed a lack of full member appointments on Township Boards; and

WHEREAS, the Clay County Board of Supervisors has in the past had to actively recruit persons to be appointed to fulfill said vacancies even if just for the dire need to adopt their next fiscal year budget; and

WHEREAS, discontinuance of township organization could streamline the efficiency in the provision of road maintenance services to the citizens of Clay County; and

WHEREAS, discontinuance of township organization would avoid duplication ultimately save in the expenditure of tax dollars in the provision of road maintenance services by levels of government and to the citizens of Clay County;

THEREFORE, the Clay County Board of Supervisors hereby enacts the following:

1. Pursuant to Neb. Rev. Stat. § 23-293 (2), the Clay County Board of Supervisors hereby submits the question of discontinuance of township organization to the registered voters of Clay County at the 2026 General Election.
2. Pursuant to Neb. Rev. Stat. § 23-293 (3), the Clay County Board of Supervisors hereby declares that if the question of discontinuance of township organization is passed by the voters of Clay County, the resulting Board of Commissioners shall have seven (7) members.
3. Pursuant to Neb. Rev. Stat. § 23-294 (2), the questions on the ballot shall be respectively: FOR discontinuance of township organization and creation of a seven-member County Board of Commissioners; or AGAINST changing to a Commissioner form of county government.

THEREFORE, the Clay County Board of Supervisors hereby enacts the following:

The ballot language shall state as follows, and the Clay County Clerk is hereby directed to place the question on the ballot at the 2026 General Election in such manner:

THE CLAY COUNTY BOARD OF SUPERVISORS, BY RESOLUTION, HAS REFERRED
THE FOLLOWING QUESTION TO THE VOTERS OF CLAY COUNTY:

A vote "FOR" this question means that the present township organization would cease in Clay County and the present seven member Clay County Board of Supervisors would become the Clay County Board of Commissioners comprised of the seven members in the seven districts which now exist, effective upon the expiration of the supervisors' terms of office in January of the third calendar year following this election.

A vote "AGAINST" this question means that the current Clay County Board of Supervisors and the existing township organization would continue to exist.

THE QUESTION PUT BEFORE THE VOTERS IS AS FOLLOWS:

Shall the form of township organization in Clay County be discontinued, resulting in the elimination of township boards and the reorganization from the now existing seven-member Board of Supervisors to a seven-member Board of County Commissioners, effective upon the expiration of the supervisors' terms of office in January of the third calendar year following this election?

[] FOR discontinuance of township organization and creation of a seven-member board of county commissioners.

[] AGAINST changing to a commissioner form of county government.

ADOPTED this 18th day of August, 2026, at Clay Center, Nebraska, by the Clay County Board of Supervisors.

s/s L Wayne Johnson, Chairman

ATTESTED by: s/s Cassie Aksamit, County Clerk

Cassie Aksamit, County Clerk, provided the Board with a Report of Committee regarding the Appointment of a Clay County Public Defender. Dave Higbea, member of the Clay County Policy Board was present to provide the Board of Supervisors with an overview of the process and determination for the recommendation for appointment. Motion by Becker and seconded by Shaw to appoint Kalkwarf and Smith Law Offices, LLC to serve as the Clay County Public Defender. The contract will be drawn up and kept on file in the Clerk's office upon full execution. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Surplus requests from the following departments were provided to the Board prior to the meeting. There were no questions regarding the requests.

County Attorney		Health Department
Lenovo Thinkcentre MJOGHNYR 2022		Desk Model Baumanometer (2)
Canon Imagerunner ULO8429 2021		4 drawer file cabinet
HP Elite Desk MXL2104CXR 2023		Apple Pencil
		Hamilton Beach Flex Brew
		Microsoft Office 10 Software
Emergency Management		Seagate 80GB External Harddrive
Lenovo Power Supply		Sony Monitor – SDM S94 SN:3580079
Lenovo 32 GB Memory		Acer Monitor – AL1706A SN:ETL460C3637230322D4045
Lenovo Server		NOC Monitor – 185LM00013 SN:DPUC4HAO13444
Microsoft Server standard core		Dell Monitor – S1709WC SN:??
Sonic Wall – Firewall		Lenovo ThinkCentre Harddrives: D4U SN:MJPXWVN; 002045

		SN:MJ00BA54; 000445 SN:MJ08DL8Y
Sonic Wall Software SMA		Dell D145 Tag:3MQZSD2
Sonic Wall – SMA 200 24X7 3yr		Windstream T3200 SN:GTDA7132401380
Men's Mailsail Jacket		Memorex DVD 3202 3298 SN:6531010931
9 meter Blue Sky Mast		Lenovo Keyboards: SN:CQ034HR0T; SK-8825(L) SN:02200630; SK- 8825(L) SN:02196993; SN:07147039
Salamander ID Mobile Kit		Microsoft Keyboard X938881-001 SN:0923401093824
Department Vest - Black		Dell Speakers: A225; AX210
		Acer Speakers: M111813
County Treasurer		Clickfree Automatic Backups MP1129DG
View Sonic Monitor #VS16162 SN:UD2161440107		
Wooden Printer table (homemade)		
Granada Multi-Tilt SPR Chair GLO3212S111		
Black & Gray Bond Leather Chair (qty3)		

Motion by Becker and seconded by Mohnike to approve the surplus request as presented. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Motion by Mohnike and seconded by Pavelka to adjourn this meeting at 10:30 a.m. Upon roll call, the vote was as follows: Aye: Bitterman, Samuelson, Becker, Pavelka, Mohnike, Shaw and Johnson; Nay: None. Motion carried.

Cassie Aksamit, County Clerk

L. Wayne Johnson, Chairman