

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, March 29, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met March 29, 2011 as per public notice given in the Clay County News on March 23, 2011 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 and on the county website. Chairman Fintel presided with roll call showing the following present: Samuelson, Anderson, Johnson, Shaw, Schmidt and Fintel; absent: Nuss. Minutes of the meeting held March 22, 2011 were sent 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, Fintel stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Shaw and seconded by Schmidt to approve the minutes of the meeting held March 22, 2011 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel; absent: Nuss. Motion carried.

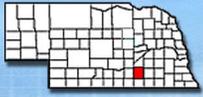
At 9:02 A.M., the board chairman announced that since there was no one present for public input that the Highway Supt. should proceed.

Nuss entered the meeting at 9:03

Thomas Roemmich II, Highway Superintendent reported on bridge work; they hope to begin work on driveways next week and the building by Glenvil has been cleaned out. The Fairfield City Council has inquired about the county's plans for the county owned lot in Fairfield. The board will talk to Ted about it. The board asked Tom if the county had ever maintained streets in Ong. Tom said years and years ago they had but there were issues with cars parked on streets, trees overgrown and sewer man hole covers so they had discontinued doing it. Feeling was that the villages should take care of their own streets. The interlocal agreements with the townships were discussed. The rates charged the townships were increased in 2008, prior to that it had been about 15 years since the rates were increased. Tom reported on the expenses related to caring for township roads. The board will discuss this again at a future time.

An easement requested by Dan Shaw was discussed. Motion by Shaw and seconded by Johnson to approve the easement requested by Dan Shaw for an electrical line across Road Q from the NE ¼ Sec. 16-T5N-R6W to NW ¼ Sec. 15-T5N-R6W to be used for agricultural use to supply electricity to a grain storage facility. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

An easement request from Lyle Nunnenkamp to replace an existing water line was discussed. The existing line that is leaking will be removed and a new line installed. Motion by Nuss and seconded by Samuelson to approve the easement requested by Lyle Nunnenkamp to replace an existing water line across Road 318 from the SE ¼ Sec. 2-T7N-R6W to NE ¼ Sec. 11-T7N-R6W for irrigation -- agricultural purpose only.



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On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel.
Motion carried.

A letter from the Eldorado Township board requesting closure of a portion of a township road was discussed. Motion by Nuss and seconded by Shaw to start an engineering study for road closure for the north .2 of a mile of road lying between Sections 2 & 3 T8N-R6W in Eldorado township. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

The highway superintendent's road work report was distributed and reviewed. Motion by Schmidt and seconded by Shaw to approve the Highway Superintendent's road work report for the month of March 2011. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

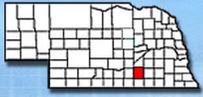
Tina Nelson had come for public input at 9:05 A.M. but the board had already started discussion with the Highway Supt. Tina told the board she thought they should be recording all meetings for their protection as well as those that come to speak with them. She also encouraged them to listen to the recording to determine if something could be done to make the recordings easier to transcribe; this request coming from the perspective of having to transcribe portions of protest hearings and the difficulty in doing this with all the background noise.

Gene Ulmer, the county's budget preparer answered questions from the board. Interlocal agreements, sinking funds, combining funds, state aid, restricted funds, the lid and what to do with CD's were all discussed. Gene will try to put together a preliminary budget by the middle of May for some of the board members to review with the state auditor's office.

Jeff Franklin, County Sheriff reported that the new car was at Friesen's. An officer has accepted an offer of employment; it has not been determined when he will start. Jeff reported that there had been several accidents this morning due to slick roads. Jeff was asked if anyone had talked to him about the possibility of the board hiring a temporary emergency manager and if he would be opposed to that. Jeff said a couple of the board members had talked to him and he would not be opposed to the hiring of a temporary emergency manager. The board invited him to stay for the discussion with Loren Uden.

Loren Uden presented a proposal from HSPET Consultants for Weather Operation Assistance. The proposal was presented in two forms. The first proposal is for a full-time consultant with a monthly fee; the second proposal being as needed with an hourly fee. Both proposals were discussed. Mr. Uden was asked if he would consider a month to month agreement at the rate of proposal one. He responded that he could work on a month to month basis as long as it was understood the agreement would be for the entire month and not a part of any month. After discussion, the board made their decision to hire Mr. Uden as a contract employee.

Motion by Shaw and seconded by Johnson to hire Loren Uden as temporary emergency manager according to proposal one on a month to month basis beginning April 4, 2011.



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On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel.
Motion carried.

Travis Songster, Custodian reported that he had found 3 filing cabinets and had ordered storage boxes from Eakes for use in an office for an emergency manager. The board directed Travis to talk to the sheriff to see where these should be placed as the emergency manager would be, at least temporarily, sharing office space with a deputy. Travis reported on sidewalks that need to be repaired and the recycling of the bulbs and ballast from the lighting upgrade. Travis told the board that there is a need for a steam cleaner to clean upholstery and carpet. The board said to get price comparisons and report back.

Ted Griess, County Attorney reported that the deeds for the buildings that were sold have been prepared; a plea agreement on the bank robbery case had been made so there will be no jury trial. Ted reported that the court case numbers are down significantly probably due to staffing at the Sheriff's office. A vacation petition to vacate a portion of Center and Railroad streets in Eldorado has been received and filed. The time and date of the public hearing concerning this is being advertised; the hearing will be held on April 19, 2011 at 11:30 A.M. Ted had been present earlier during the budget discussions with Gene Ulmer. Discussion continued with the county Treasurer who was also present earlier.

The need to amend Resolution #10-17 was discussed. Motion by Anderson and seconded by Schmidt to amend Resolution #10-17 by adding the wording "as a loan to be paid back when funds are available". On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

After reviewing receipts and expenditures for the month, the board decided it was necessary to transfer funds in order to meet the expenditures.

Motion by Schmidt and seconded by Anderson to adopt Resolution #11-03 to transfer \$11,000.00 from the Inheritance Tax Fund to the General Fund as a loan to be paid back when funds are available. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

RESOLUTION # 11-03

The Clay County Board of Supervisors find that it is necessary for the proper operation of Clay County government that certain funds be transferred in order that they be available for general use.

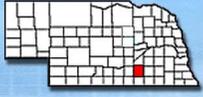
Whereby, it is hereby resolved by the Clay County Board of Supervisors that \$11,000.00 be transferred from the Inheritance Tax Fund to the General Fund as a loan to be paid back when funds are available.

Adopted this 29th day of March, 2011

ATTEST: /s/ Deborah Karnatz
Clay County Clerk

/s/ Ivan Fintel
Chairman Clay County Board of Supervisors

No report from the EM committee.



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Motion by Anderson and seconded by Johnson to adjourn this meeting at 12:23 P.M.; next meeting scheduled for April 12, 2011. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman