

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS PROCEEDINGS

Courthouse, Clay Center, Nebraska, December 13, 2011 at 9:00 A.M.

The Clay County Board of Supervisors met December 13, 2011 as per public notice given in the Clay County News on December 7, 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: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held November 29, 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 Schmidt and seconded by Shaw to approve the minutes of the meeting held November 29, 2011 with a correction showing that Johnson voted no on the motion to table the tractor bids. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

There was no public input at this time.

Thomas Roemmich II, Highway Superintendent reported that they had been working on snow removal and clearing trees. The heaters are being installed in both shops.

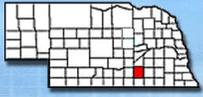
Two easements requested by Lyle Nunnenkamp were discussed.

Motion by Samuelson and seconded by Nuss to approve the easement requested by Lyle Nunnenkamp for Big 10 Farms LLC for an electrical line across Road U from the NE ¼ Sec. 30-T8N-R5W to NW ¼ Sec. 29-T8N-R5W for an electric line; agricultural use only. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Motion by Samuelson and seconded by Nuss to approve the easement requested by Lyle Nunnenkamp for Big 10 Farms LLC for an electrical line across Road 324 from the NE ¼ Sec. 11-T8N-R6W to SE ¼ Sec. 2-T8N-R6W for an electric line; agricultural use only. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

The tabled tractor bids were discussed. Oregon Trail Equip. LLC submitted a bid of \$63,500.00 for a 1997 John Deere model 8200, no warranty. Central Plains Equip., Inc. submitted a bid for \$65,000.00 for a 1997 John Deere model 8300, warranty of 90 day parts & labor on MFWD wheel seals only. Tom and a couple of board members looked at the tractor at Oregon Trail.

Motion by Johnson and seconded by Shaw to accept the bid from Oregon Trail Equip. LLC for a 1997 John Deere model 8200 in the amount of \$63,500.00. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.



Clay County Board Minutes



A check that has been outstanding for over two years was discussed. Several unsuccessful attempts have been made to contact the party in order to issue a duplicate.

Motion by Samuelson and seconded by Johnson to adopt resolution #11-21 to cancel outstanding warrant #09100199 and authorize the chairman to sign. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

RESOLUTION #11-21

WHEREAS, there remain outstanding warrants drawn on the COUNTY GENERAL FUND which warrants have been outstanding for more than two years, and WHEREAS, under the provisions of Sec. 77-2205, Revised Statutes of Nebraska, the County Treasurer shall not pay any warrant, unless registered, which is presented for payment more than two years after the date of issuance, NOW THEREFORE BE IT RESOLVED THAT the following warrant shall be cancelled from the COUNTY GENERAL FUND dated 10-01-2009 #09100199 in the amount of \$44.90 and the County Clerk is hereby instructed to make proper notation of such cancellation of the Warranty Register.

Dated this 13th day of December, 2012.

Attest: /s/ Deborah Karnatz Clay County Clerk

Clay County Board of Supervisors

/s/ Ivan Fintel, Chairman

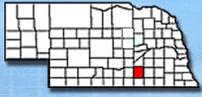
Repair of the boiler was discussed. A proposal for replacing a boiler for \$7,549.50 and a proposal for replacing the blower only for \$1,426.80 were discussed. The system is getting outdated and parts are hard to find so it was decided to replace the boiler.

Motion by Anderson and seconded by Schmidt to accept the estimate from Hixson Plumbing Heating & Air Conditioning Inc. in the amount of \$7,549.50 to replace a boiler unit at the courthouse. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

The need to repair the windows at the courthouse was discussed. The project would need to be done in the spring. This will be discussed at the next meeting.

Ron Sanchez, U.S. Fish & Wildlife reviewed the information that he had sent at the boards request. The board discussed wind energy development as a way to boost the economic base of the county with Mr. Sanchez. Mr. Sanchez told the board that that topic was not within his control or authority for any decision making. Fish and Wildlife's interest is to care for waterfowl areas. He stated that as with any project early communication is important as one thing invariably affects another. How data was collected and what it is used for was also discussed. In closing Mr. Sanchez told the board that the land protection plan had been presented to the regional director who approved it and sent it on to Washington where it is now waiting for additional signatures. The board asked Mr. Sanchez to come to their meeting on January 24, 2012 for further discussion.

Dennis Valentine and Pam Maynard, representing the Clay County Tourism Committee told the board that they had met, reviewed the requests and came up with recommendations for amounts that they feel are justifiable for the requests. The



Clay County Board Minutes



purpose of the committee is not to fund whole requests. They review the requests to make sure that they conform to the promotion and improvement guidelines. Initially the committee was going to take requests twice a year but have decided to only do it once a year because of the paperwork involved. The board thanked them for all the time and work they do.

Motion by Anderson and seconded by Schmidt to approve the Clay County Tourism Committee's recommendations concerning the request for funding. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

At the request of the Emergency Manager Coordinator, a resolution was presented to create Fund 2914 as a 911 Wireless Service Holding Fund. Motion by Nuss and seconded by Anderson to adopt Resolution #11-20 creating Fund 2914. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

RESOLUTION #11-20

A Resolution establishing and creating a separate fund 2914 for County 911 Wireless Service Holding Fund.

WHEREAS, the Public Service Commission has implemented Docket No. 911-019/PI-118 which is designed to establish a permanent funding mechanism for Wireless 911 Service,

WHEREAS, this process will require each County and or City with a Public Safety Answering Points (PSAP) to establish a new fund to account for the money coming from the state,

WHEREAS, Clay County does have a Public Safety Answering Point located at the Clay County Sheriff's office,

WHEREAS, the Clay County Supervisors find it necessary to set up and implement a new "911 Wireless Service Holding Fund",

WHEREAS, this fund must be kept separate from the regular 911 Fund due to the length of time it may take the County to accumulate money for the various equipment updates,

THEREFORE BE IT RESOLVED, effective January 1, 2012 the Clay County Board of Supervisors have created a separate fund entitled "911 Wireless Service Holding Fund" with the money coming from the State each month to be used to implement and update equipment related to the PSAP.

Dated this 13th day of December, 2012.

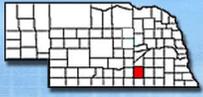
Clay County Board of Supervisors

Attest: /s/ Deborah Karnatz Clay County Clerk

/s/ Ivan Fintel, Chairman

The board discussed painting the fire sprinkler pipes. Correspondence that was received in July 2011 from Meininger Fire Protection Inc., the company who installed the sprinkler system, was reviewed. The board had requested the names of contractors who might be interested in bidding the job. The correspondence indicated that the company had contacted four different contractors as the board had requested. The only proposal received was from Meininger Fire Protection. It was decided that the window project would be done first. This will be discussed at a later time.

The fee reports were circulated for review. Motion by Shaw and seconded by Johnson to accept the fee reports for the following county officials for the month of November 2011: County Clerk, \$5,648.65, County Court \$11,237.82, Clerk of District Court, \$45,866.43, County Sheriff for the month of October \$3,127.53 and County Treasurer receipts #11110001 thru #11110068 in the amount of \$153,920.97. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.



Clay County Board Minutes



The board was reminded that the next meeting had been advertised to be held on Monday, December 19, 2011.

Loren Uden, Emergency Management Coordinator requested approval to use 911 landline fees to add GPS Locator to the 911 Center. Also present were Sheriff Jeff Franklin, Chief Deputy Dustin Friesen and Matt and Brad from Platte Valley Communications. Loren explained that it would soon be necessary to move in to the digital world. This move would allow for GPS locator for the 911 center. This equipment would fit with in the guidelines to use 911 land line funds for. The system would be approximately \$56,000.00. This would include a main repeater, connection and software, a second repeater, 26 mobile radios and 8 hand held radios. Deputy Friesen explained uses and benefits of the GPS locator for the dispatch center. The two representatives from Platte Valley discussed the capabilities of the system and what could be integrated in the future. The 911 committee has already discussed this and given their approval. The board asked how many other counties were using this system; no other counties at this time. The board also expressed concerns of the cost and were concerned about the depletion of 911 funds. Since this estimate was presented in July; a current estimate will be presented at the next meeting.

Barb Barnett submitted requests for re-appointment of board members for the two zoning boards.

Motion by Johnson and seconded by Samuelson to re-appoint Heather Jarchow, Don Felber and Dawn Caldwell to the Clay County Joint Planning and Zoning Commission for a three year term that will expire on December 31, 2014. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Motion by Anderson and seconded by Schmidt to re-appoint Scott Whitcomb and Lynn Lipovsky to the Board of Adjustment for a three year term that will expire on August 31, 2014. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Ted Griess, County Attorney reported that he was still working on the zoning information. He reported that there are a lot of tax foreclosures pending at this time. A listing will be provided to the board members and letters sent to cities and villages.

Motion by Nuss and seconded by Samuelson to adjourn this meeting at 11:50 A.M.; next meeting scheduled for December 19, 2011. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman