

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, January 17, 2012 at 9:00 A.M.

The Clay County Board of Supervisors met January 17, 2012 as per public notice given in the Clay County News on January 11, 2012 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. Chairman Fintel presided with roll call showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Minutes of the meeting held December 27, 2011 were mailed 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, Ivan 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 December 27, 2011 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw and Nuss; abstain: Fintel. Motion carried.

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

Motion by Anderson and seconded by Johnson there being no further old business, to adjourn the business meeting for the year 2011, Sine Die. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

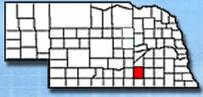
Motion by Johnson and seconded by Anderson to appoint Deb Karnatz to act as Temporary Chairman. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Ballots were spread for election of the Chairman of the County Board of Supervisors with the following results: Fintel, 4; Samuelson, 2; Nuss, 1. Motion by Nuss and seconded by Shaw that the informal ballot be made formal and declare Ivan Fintel Chairman for the year 2012. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson and Schmidt; abstain: Fintel. Motion carried.

Ballots were spread for election of the Vice-Chairman of the County Board of Supervisors with the following results: Nuss, 3; Samuelson, 2; Schmidt, 2. Motion by Anderson and seconded by Schmidt that the informal ballot be made formal and declare Todd Nuss Vice Chairman for the year 2012. On roll call, yea: Shaw, Samuelson, Anderson, Schmidt, Johnson and Fintel; abstain: Nuss. Motion carried.

Roll call was taken by the newly elected Chairman to commence business for the 2012 year showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Motion by Johnson and seconded by Nuss to keep the governing board appointments the same as 2011: Mid-Nebraska Individual Services, Inc., Eric Samuelson with Ivan Fintel as alternate; Midland Area Agency on Aging, Michael Anderson with Gerald



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Schmidt as alternate; Region III Mental Health, Alcoholism and Drug Abuse, Ivan Fintel with Todd Nuss as alternate; Trailblazer RC&D, Bruce Rumsey with Gary Johnson as alternate; County Board representative serving on the Clay County Health Governing Board, Dick Shaw with Todd Nuss as alternate; County Board members serving on the LEPC (Local Emergency Planning Committee), Todd Nuss & Gary Johnson; South Heartland District Health Board, Eric Samuelson with Gerald Schmidt as alternate. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Motion by Anderson and seconded by Shaw to re-appoint Thomas Roemmich II, as Highway Superintendent for the year 2012. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Thomas Roemmich II, Highway Superintendent, reported on a conversation he had with the Nebraska Dept. of Roads concerning Federal-aid projects. There is not going to be any projects for soft match and the Federal aid projects are more than likely not going to be done. This would affect 4 bridges and 2 overlay projects. Tom reported on bridge work and work that is being done on the shops. Due to invoicing errors, the county has a credit with NMC. Tom discussed with the board when to have the hearing for the 1 & 6 year road plan and advertising for gravel bids. Advertising for a public hearing for an easement for a water line was discussed.

Motion by Nuss and seconded by Johnson to advertise the public hearing for the 1 & 6 Year Road Plan to be held on February 14, 2012 at 9:15 A.M. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

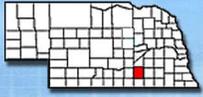
Motion by Shaw and seconded by Schmidt to advertise for gravel bids to supply gravel for the county roads for the year 2012; bids to be opened on Feb. 21, 2012 at 9:30 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Motion by Schmidt and seconded by Nuss to postpone making a decision of withdrawal of Clay County federal aid projects from the State plan until February 21, 2012. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Motion by Schmidt and seconded by Johnson to advertise for a public hearing for an easement request for a water line in Harvard Township to go across Road 322 between sections 15 and 22; hearing to be held January 31, 2012 at 9:45 A.M. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

The public hearing to discuss any water concerns in School Creek Township was opened at 9:30 A.M. The notice of hearing was published in the Clay County News. Tom Roemmich II, highway supt. was present also. No other persons were present; no written or oral comments or objections were received.

The public hearing was closed.



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An easement requested by Don Rein Griess to transfer water and electricity was discussed. Motion by Samuelson and seconded by Schmidt to approve the easement requested by Don Rein Griess for an electric and water line across Road 322 from the SW ¼ Sec. 16-T8N-R5W to NW ¼ Sec. 21-T8N-R5W for irrigating—agricultural use only. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

The board asked Tom to come back in the afternoon to continue discussion of projects.

Motion by Shaw and seconded by Johnson to appoint Barb Barnett to represent Clay County on the South Central Economic Development District board with Gerald Schmidt as alternate for the year 2012. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Motion by Nuss and seconded by Shaw to recess as the Board of Supervisors at 10:07 A.M. and enter into session as the Weed Control Board. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Motion by Anderson and seconded by Nuss to re-appoint Bruce Rumsey as the Weed Superintendent for 2012. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Copies of the Activity Report for 2011, the Noxious Weed Control Plan for 2012, Infestation Report, Board Report and Budget Report were passed out to the board for their review. Bruce went over the reports and answered questions.

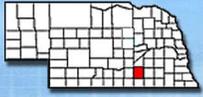
Motion by Schmidt and seconded by Samuelson to recess at 10:20 A.M. as the Weed Control Board; next meeting scheduled for 11:45 A.M. on January 24, 2012. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Motion by Johnson and seconded by Nuss to resume session at 10:21 A.M. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Motion by Shaw and seconded by Nuss to appoint Deb Karnatz as NIRMA contact person for 2012. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Designation of the broadcast media for Clay County was discussed. Motion by Johnson and seconded by Nuss to designate KHAS-KICS radio station and KHAS TV station as licensed broadcast media for 2012. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

An email from NACO Executive Director Larry Dix asking county boards to consider designating the county's website as an additional method of providing notice for meetings was discussed. It was noted that at some point in the future all county notices may be required to be posted on the website. Motion by Nuss and seconded by Shaw to designate the Clay County website as an additional method of publishing notice of



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meetings of the Board of Supervisors; other departments may use this method at their discretion. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried

Motion by Johnson and seconded by Samuelson that the following banks be depositors for the year 2012: Cornerstone Bank and First Bank & Trust, both of Clay Center; Cornerstone Bank and Astra Bank, both of Sutton, NE; Cornerstone Bank, Harvard, NE; Guide Rock State Bank (Edgar Branch) Edgar, NE; and Heritage Bank of Hastings, Hastings, NE. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Schmidt and Fintel; nay: Anderson. Motion carried.

The board signed the Annual Report of County Officers, Signatures and Seals as requested by the Secretary of State.

Barb Barnett, Zoning Administrator presented information on building permits and approximate values for 2011. Information on all four quarters of 2011, a summary of specific items and comparisons to the past six years were also presented. Barb also discussed interest in adding a zoning layer to the GIS program. The board told her to see if someone could come to talk to the department heads and the board to get an idea of what can be added and an approximate cost.

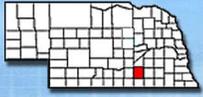
Carissa Uhrmacher, project director explained the break down of funds that are allocated for the nine counties and what those funds are used for. Paperwork for the Juvenile Services County Aid and Juvenile Services Enhancement grant funding through the Crime Commission was presented.

Motion by Samuelson and seconded by Nuss to authorize the chairman to sign the Memorandum of Understanding, budget summaries and the forms for the county aid and competitive enhancement grants; all for the Juvenile Services County Aid grant funding through the Nebraska Crime Commission. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Motion by Shaw and seconded by Nuss to approve the fee reports for the following county officials for the month of December 2011: County Clerk \$9,265.52; County Court \$8,151.60; Clerk of District Court \$18,537.24; and accept the County Treasurer receipts numbered from 11120001 through 11120048 in the amount of \$160,667.52; and the County Sheriff for the month of November 2011 \$10,698.02. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Janice Stratman, County Treasurer, presented the semi-annual statement. Motion by Anderson and seconded by Schmidt to accept the semi-annual statement from July 1, 2011 to December 31, 2011 as presented by the County Treasurer. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

A request from Jim Fitzgerald to have Loren Uden appointed to the LEPC was presented to the board. Motion by Johnson and seconded by Nuss to appoint Loren Uden to the Clay County LEPC. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.



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The Auto Fleet, Inland Marine, and Building & Contents Schedules received from NIRMA were reviewed. These were reviewed by the Clerk and Highway Supt. Corrections were made to the schedules.

Motion by Anderson and seconded by Samuelson to authorize the chairman to sign the Auto Fleet, Inland Marine, and Building & Contents Schedules as corrected. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Ted Griess, County Attorney, discussed the employee handbook revisions and a complaint that has been sent to NIRMA.

Motion by Nuss and seconded by Shaw to approve the revisions/changes to the Clay County Employee Handbook. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

A letter to Steve Guertin was presented for review and possible approval. Motion by Schmidt and seconded by Johnson to sign and send the letter to the Regional Director of the Mountain Prairie Region U.S. Fish & Wildlife Service concerning the draft Environmental Assessment and Land Protection Plan regarding the proposed expansion of the Rainwater Basin Wetland Management District. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

The board recessed for lunch. The afternoon was spent visiting with various department heads about the upcoming year. Projects and equipment were the main topics.

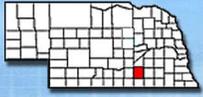
Shaw left at 2:10 P.M. and Anderson left at 3:40 P.M.

The custodian, Travis Songster, reported that while repairs were being done to replace the boiler, it was discovered that the coils in the third boiler are bad. If we get a period of cold weather, the two remaining boilers will not be able to keep up. The board decided that this needs to be taken care of as soon as possible. A call was made to see if the third boiler could be replaced while the current work is being done at the same price or cheaper.

Motion by Nuss and seconded by Samuelson to replace boiler unit #3. On roll call, yea: Nuss, Samuelson, Schmidt, Johnson and Fintel; absent: Shaw and Anderson. Motion carried.

The highway supt. returned to finish discussion of projects, equipment status and the cost of the wiring needed to hook up a generator to the Health Dept. The cost to have the work done to be able to use the back up generator at the fire dept. will be about \$1800.00. The board told Tom to go ahead and get the process started.

Motion by Nuss and seconded by Samuelson to adjourn this meeting at 4:32 P.M.; next meeting scheduled for January 24, 2012. On roll call, yea: Samuelson, Schmidt, Johnson, Nuss and Fintel; absent: Shaw and Anderson. Motion carried.



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Deb Karnatz, County Clerk

Ivan Fintel, Chairman