

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, November 13, 2012 at 9:00 A.M.

The Clay County Board of Supervisors met November 13, 2012 as per public notice given in the Clay County News on November 7, 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 October 23, 2012 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 October 23, 2012 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

There was no public input.

Thomas Roemmich II, Highway Superintendent reported that the project on Road 302 & B is done. The project with Nuckolls County should be done this week and then they will start on a culvert in that area. The Harvard project should get started this week. Tom reported that he had found and purchased two pickups; one will go to Harvard and one to Saronville. Tom also told the board that they needed to think about what to do with the Scraper. It needs some repairs and parts are hard to find. Consensus was to have Murphy Tractor come and look at it and see what can be done.

Two easement requests for electric lines were discussed.

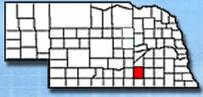
Motion by Samuelson and seconded by Schmidt to approve the easement requested by Tim Yost for an electric line across Road 320 from the SE ¼ Sec. 28-T8N-R7W to NE ¼ Sec. 33-T8N-R7W for an electric irrigation well — agricultural use only. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Motion by Samuelson and seconded by Anderson to approve the easement requested by Doug Ablott for an electric line across Road E from the SW ¼ Sec. 2-T7N-R8W to SE ¼ Sec. 3-T7N-R8W for an irrigation well — agricultural use only. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Advertising for the county owned farm in Marshall township was discussed. It was decided to advertise for two weeks and keep the lease terms the same as last time.

Motion by Johnson and seconded by Anderson to advertise in the Clay County News and Hastings Tribune for bids to rent the E ½ Section 5, Township 6, Range 6; bids to be opened December 11, 2012 at 9:45 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Donnie Batterman, Don's Lawn Service visited with the board about mowing etc. at the courthouse, Sheriff's department and Road department properties as well as care of a cemetery. The rates would be the same as this year. Fuel prices have gone up and down but over the course of the year have pretty much evened out so there will be no increase for fuel for



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next year. The board asked that the cemetery be mowed at least 3 times over the course of the season (for Memorial Day, 4th of July and Old Trusty Days).

Motion by Anderson and seconded by Schmidt to continue with Don's Lawn Service for next year (2013) for county properties; rates are to remain the same. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

Since nothing was scheduled, the misc. items were taken care of at this time.

The alternate for voting purposes for the NACO convention was discussed. The chairman is planning to attend the convention but if for some reason he is unable an alternate must be named in order for Clay County to be able to cast any votes.

Motion by Samuelson and seconded by Nuss to appoint Gerald Schmidt as the alternate, for voting purposes at the NACO convention in December 2012. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

The letter from Butch Hassler concerning designation of Livestock Friendly was discussed. After reviewing the zoning regulations, it was decided that the designation would not be in the best interest of the county.

Motion by Schmidt and seconded by Shaw to send a letter to Butch Hassler stating the county's position on his request for Livestock Friendly designation for the county. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

A request to have a giving tree placed in the courthouse was discussed. Consensus was to allow this as it has been done in the past.

The chairman signed the interlocal agreement with Harvard Township.

The fee reports were circulated for review. Motion by Johnson and seconded by Nuss to accept the fee reports for the following county officials for the month of October 2012: County Clerk, \$3,678.70, County Court \$12,187.66, Clerk of District Court, \$27,844.73, County Treasurer receipts #12100001 thru #12100064 in the amount of \$250,841.08 and the County Sheriff's fee report for September 2012 \$3,891.69 On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

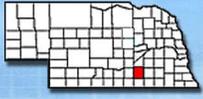
The Board had openings on the agenda and decided to move up the board of equalization time. The agenda states that the scheduled times are tentative and the Board reserves the right to alter the scheduled times for the convenience of the Board and Public within the bounds of the law.

Motion by Nuss and seconded by Johnson to recess as the Board of Supervisors at 10:00 A.M. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Motion by Johnson and seconded by Nuss to resume session as the Board of Supervisors at 10:11 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

The board asked the County Attorney to come in early if his scheduled allowed.

Ted Griess, County Attorney and Janice Stratman, County Treasurer talked to the board about the purchasing from Federal Surplus for other entities. Janice had spoken to the state auditor's



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office and received information regarding setting up another Fund for this purpose. She was also told that the purchases should go through the claims process. When the county's auditor was asked about this, he said to set up as a line item on the semi annual balance sheet and to not run it through the claims process. Also, if a new fund is to be created, the budget would need to be amended. There was also discussion on who would monitor to make sure no purchases were made for personal use. After discussion, it was decided not to make these purchases for other entities.

Motion by Anderson and seconded by Nuss to rescind the motion made on October 23, 2012 to allow for other entities to purchase from Federal Surplus through Clay County. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

The recent IRS compliance check was discussed. Information received during a recent IRS compliance check was discussed. The way meals are reimbursed as well as policies for using county owned vehicles and purchases of clothing were discussed. Ted said the difficult part of compliance will be how to deal with the people who have gotten use to the benefits that haven't cost them anything in the past. Ted was asked if we (the county) have to comply? Ted's response was that the IRS check was not an audit but an audit could have been opened if they had chosen to do so. Essentially they gave us a break and won't penalize us for the past but will not be so forgiving in the future. The meal and clothing reimbursement changes will be communicated to all department heads and will go into effect immediately. The vehicle use will be discussed at the next meeting. The County Attorney and County Clerk will try to get information as to how this should be figured.

Janis Johnson, Director Clay County Health Department presented her quarterly report. Janis told the board that her department had a really good working relationship with Mary Lanning Health Care. Flu vaccinations and the Health Fair were also discussed. There were only 39 attendees for the Health Fair. Janis reported that they had received notification from Midland Area Agency on Aging regarding the discontinuance of the congregate meals in Harvard because of budgetary reasons. The board asked Janis if the budget cuts would affect any other programs. At this time, the foot clinics are funded from a different budgetary source so should not be affected. A copy of a letter from the Nebraska Department of Health and Human Services concerning the vaccine for children program was distributed and discussed. The Health Care Reform Act affects the criteria the Health Department must follow for children's vaccinations.

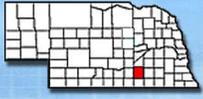
The letter from NIRMA reporting on the recent appraisals of the Maintenance building, the building bought for the county road department and the motor patrol building that was built in Edgar was given to the board.

A letter from the State of Nebraska Emergency Management Agency concerning an on site monitoring visit and equipment inventory survey was passed around.

An email from South Central Economic Development District was distributed. The email reported that South Central Public Power District made a payment to SCEDD in support of Clay, Nuckolls and Webster counties.

The information concerning the recent refuge revenue share payment for Clay County from the US Fish and Wildlife Service was received from Mr. Ronnie Sanchez, project leader. The amount received was \$17,590.00.

A letter from Perennial Public Power District regarding the updating of their existing Hazard Mitigation Plan was passed around. It is a FEMA requirement that Clay County be informed about the PPPD's planning effort.



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The minutes from the Upper Big Blue Natural Resources District from their October 18, 2012 meeting were received and distributed.

A letter of resignation was received from Gregory D. Schuck resigning from the Harvard Township board.

Motion by Shaw and seconded by Johnson to adjourn this meeting at 11:33 A.M.; next meeting scheduled for November 20, 2012. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Deborah Karnatz, County Clerk

Ivan Fintel, Chairman