

# Clay County Board Minutes



## COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, January 15, 2013 at 9:00 A.M.

The Clay County Board of Supervisors met January 15, 2013 as per public notice given in the Clay County News on January 9, 2013 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 21, 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 Anderson and seconded by Schmidt to approve the minutes of the meeting held December 21, 2012 as mailed. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

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

Motion by Shaw and seconded by Johnson there being no further old business, to adjourn the business meeting for the year 2012, Sine Die. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

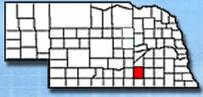
Motion by Nuss and seconded by Anderson to appoint Deb Karnatz to act as Temporary Chairman. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Ballots were spread for election of the Chairman of the County Board of Supervisors with the following results: Fintel, 4; Nuss, 2; Schmidt, 1. Motion by Nuss and seconded by Shaw that the informal ballot be made formal and declare Ivan Fintel Chairman for the year 2013. 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, 5; Samuelson, 1; Schmidt, 1. Motion by Shaw and seconded by Samuelson that the informal ballot be made formal and declare Todd Nuss Vice Chairman for the year 2013. 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 2013 year showing the following present: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

The semi-annual statement from the County Treasurer was reviewed. Motion by Anderson and seconded by Samuelson to accept the semi-annual statement from July



# Clay County Board Minutes



1, 2012 to December 31, 2012 as presented by the County Treasurer. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Motion by Samuelson and seconded by Schmidt to re-appoint Thomas Roemmich II, as Highway Superintendent for the year 2013. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Thomas Roemmich II, Highway Superintendent, reported that they had been busy with snow removal and were servicing equipment, burning trees and working in the shop. The truck that was wrecked was declared a total loss. It has been bought back in order to use the parts on other trucks. They will begin maintaining roads again at the end of the week, weather permitting. Tom discussed when to have the hearing for the 1 & 6 year road plan and advertising for gravel bids.

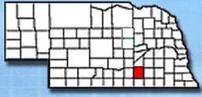
Motion by Nuss and seconded by Schmidt to advertise the public hearing for the 1 & 6 Year Road Plan to be held on February 12, 2013 at 9:15 A.M. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Motion by Johnson and seconded by Shaw to advertise for gravel bids to supply gravel for the county roads for the year 2013; bids to be opened on Feb. 19, 2013 at 9:30 A.M. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Johnson. Motion carried.

Motion by Johnson and seconded by Nuss to keep the governing board appointments the same as 2012: Mid-Nebraska Individual Services, Inc., Eric Samuelson with Ivan Fintel as alternate; Midland Area Agency on Aging, Michael Anderson with Gerald 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 serving a 3 year term (1-11 to 1-14) 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 member representing the County Board, Eric Samuelson with Gerald Schmidt as alternate. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

A letter was received from the executive director of the South Heartland District Health Department indicating that Merrill Duntz is willing to serve as the public spirited member on that board for another three year term. Motion by Anderson and seconded by Johnson to appoint Merrill Duntz as the public spirited member on the South Heartland District Health board; to serve a 3 year term beginning in March, 2013. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Motion by Nuss and seconded by Schmidt to appoint Deb Karnatz as NIRMA contact person for 2013. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.



# Clay County Board Minutes



Designation of the broadcast media for Clay County was discussed. Motion by Anderson and seconded by Johnson to designate KHAS-KICS radio station and KHAS TV station as licensed broadcast media for 2013. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Motion by Schmidt and seconded by Samuelson to designate the Clay County News as the county's official newspaper for 2013. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel; nay: Anderson. Motion carried.

An email from NACO asking county boards to consider designating the county's website as an additional method of providing notice for meetings was discussed. Clay County made this designation last year.

Motion by Nuss and seconded by Shaw to designate the Clay County website as an additional method of publishing notice of meetings of the Board of Supervisors; other departments may use this method at their discretion. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried

The Treasurer submitted a list of banks to be named as depositors for Clay County. Motion by Anderson and seconded by Johnson that the following banks be depositors for the year 2013: 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 Pinnacle Bank (formerly Hastings State Bank) of Fairfield, NE. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

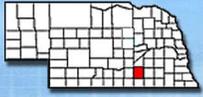
Motion by Shaw and seconded by Johnson to recess as the Board of Supervisors at 10:14 A.M. and enter into session as the Weed Control Board. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Motion by Anderson and seconded by Shaw to re-appoint Bruce Rumsey as the Weed Superintendent for 2013. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

Copies of the Activity Report for 2012, the Noxious Weed Control Plan for 2013, Infestation Report, Budget Report and the Nebraska Invasive Plant Watch List were passed out to the board for their review. Bruce went over the reports and answered questions.

Bruce discussed advertising for a pickup and spray equipment. He explained that there are no companies that will do the whole package. He is checking on the spray equipment and a flat bed. Bruce has looked at Hall and Hamilton counties spray equipment. It was decided to advertise for bids for only a pickup at this time. Motion by Anderson and seconded by Johnson to advertise for a pickup for the Clay County Weed department; bids to be opened February 12, 2013 at 10:30 A.M. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Motion by Samuelson and seconded by Nuss to recess at 10:40 A.M. as the Weed Control Board and resume session as the Board of Supervisors; next meeting



# Clay County Board Minutes



scheduled for 11:45 A.M. on January 22, 2013. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Michele Bever, Executive Director of South Heartland District Health Department presented that department's annual report. Michele told the board that they appreciated Supervisor Samuelson's representation on their board and that Bob Rose and Merrill Duntz were also appreciated for their participation as the public spirited members from Clay County. Michele explained the community assessments, focus groups and surveys that were instrumental in choosing five health priorities (Obesity, Cancer, Mental Health, Substance Abuse, and Access to Care). Michele discussed some of the programs from last year and told the board about the mini grants that are available.

Barb Barnett, Zoning Administrator presented information on building permits and approximate values for the fourth quarter of 2012. Information on all four quarters of 2012, a summary of specific items for the past five years and comparisons to the past seven years were also presented. Barb reported that her board would be having a public hearing on the zoning amendments on February 19, 2013. The board asked Barb if she would be willing to serve on the South Central Economic Development board again.

Motion by Shaw and seconded by Nuss to appoint Barb Barnett to represent Clay County on the South Central Economic Development District board with Gerald Schmidt as alternate for the year 2013. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

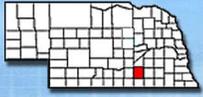
The board asked Sharon Lavene, Deputy County Treasurer if she would be willing to accept the Treasurer's position that will be open at the end of June. She said she would and thanked the board for their confidence in her.

Motion by Anderson and seconded by Johnson to appoint Sharon Lavene as the Clay County Treasurer effective July 1, 2013 to fill out the unexpired term of Janice Stratman. On roll call, yea: Shaw, Nuss, Samuelson, Anderson, Schmidt, Johnson and Fintel. Motion carried.

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

Motion by Nuss and seconded by Shaw to approve the fee reports for the following county officials for the month of December 2012: County Clerk \$58,908.70; County Court \$8,348.92; Clerk of District Court \$53,627.96; and accept the County Treasurer receipts numbered from 12120001 through 12120066 in the amount of \$177,355.15. On roll call, yea: Nuss, Samuelson, Anderson, Schmidt, Johnson, Shaw and Fintel. Motion carried.

Landscaping around the Sheriff and Jail offices was discussed. The board discussed what fund the money would come out of to pay for this; no decision was made.



# Clay County Board Minutes



Motion by Anderson and seconded by Nuss to hire All Around Lawn & Landscaping to landscape around the Sheriff and Jail offices. On roll call, yea: Samuelson, Anderson, Schmidt, Johnson, Shaw, Nuss and Fintel. Motion carried.

NIRMA had contacted the County Clerk concerning claims that were turned in for damages associated with a lightning strike in 2010. NIRMA had spoken to Brad at Platte Valley and Loren Uden, Clay County Emergency Manager Coordinator. Because there is no definite proof and no one can say for sure the damages were a result of lightning, NIRMA is offering to reimburse the county for 50% of the cost.

Motion by Nuss and seconded by Johnson to accept NIRMA's offer of 50% reimbursement to Clay County for repair costs to 911 equipment. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Nuss, Samuelson and Fintel. Motion carried.

Obtaining a trailer to haul the Gator was discussed. Motion by Nuss and seconded by Shaw to purchase a trailer to haul the John Deere Gator. On roll call, yea: Schmidt, Johnson, Shaw, Nuss, Samuelson, Anderson and Fintel. Motion carried.

Ted Griess, County Attorney, presented the lease for the county owned ground in Marshall township. The board wanted Ted to add the requirement of presenting a soil sample to the board once a year.

An amendment to the Employee Handbook concerning the personal use of county vehicles was presented to the board. The proposal was to not allow personal use of county vehicles. The board wanted the amendment changed to allow for personal use of county vehicles (driving back and forth to work); provided a log is kept and that usage is taxed as a fringe benefit. Ted will make the revisions and present it to the board at the next meeting. All county owned vehicles will have signage to identify them as such.

An agreement for the use and storage of a skid steer between Mike Anderson and the county was discussed. Ted will draw something up.

Clay County is hosting the NACO Central District meeting in March. The board discussed the duties they would assume at the meeting. The board also discussed getting donations from their various districts for door prizes.

The correspondence from Center Point Energy regarding an offer for custom natural gas quotes for early sign up was not discussed.

Motion by Anderson and seconded by Nuss to adjourn this meeting at 12:33 P.M.; next meeting scheduled for January 22, 2013. On roll call, yea: Johnson, Shaw, Nuss, Samuelson, Anderson, Schmidt and Fintel. Motion carried.

Deb Karnatz, County Clerk

Ivan Fintel, Chairman