

Clay County Board Minutes



COUNTY BOARD OF SUPERVISORS

Courthouse, Clay Center, Nebraska, March 17, 2015 at 9:00 A.M.

The Clay County Board of Supervisors met March 17, 2015 as per public notice given in the Clay County News on March 11, 2015 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 Nuss presided with roll call showing the following present: Fintel, Anderson, Schmidt, Johnson, Shaw and Nuss; absent: Samuelson. Minutes of the meeting held February 24, 2015 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, Todd Nuss stated that the open meeting law poster is posted on the west wall in the back of the room.

Motion by Fintel and seconded by Schmidt to approve the minutes of the meeting held February 24, 2015 as mailed. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Fintel and Nuss; absent: Samuelson. Motion carried.

There was no Public Input.

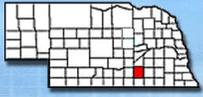
Water meters for the Marshall Township farm were discussed. Meters will be required in the Little Blue NRD either now or in the near future so it was decided to tell the renter to move forward with the two meters and check valves.

Thomas Roemmich II, Highway Superintendent reported that they were hauling concrete, work on the bridge by Mau's has begun and will hopefully be done before planting season. Dirt and culvert work was discussed. The gravel contracts were presented as well as easements for discussion.

Motion by Fintel and seconded by Johnson to authorize the Chairman to sign the Contract Agreements between Mid-Nebraska Aggregate Inc. and Clay County; and also Deweese Sand & Gravel Inc. and Clay County. On roll call, yea: Schmidt, Johnson, Shaw, Fintel, Anderson and Nuss; absent: Samuelson. Motion carried.

Motion by Shaw and seconded by Johnson to approve the easement requested by Rick Hoffman for an electric line across Road 302 from the SW ¼ Sec. 29 T5N-R5W to the NW ¼ Sec. 32 T5N-R5W to supply power for irrigation - agricultural use only. On roll call, yea: Johnson, Shaw, Fintel, Anderson, Schmidt and Nuss; absent: Samuelson. Motion carried.

Motion by Shaw and seconded by Anderson to approve the easement requested by Dale Shuck for Lazy T Milliron for an electric line across Road 302 from the SE ¼ Sec. 30 T5N-R5W to the NE ¼ Sec. 31 T5N-R5W to supply power for irrigation - agricultural use only. On roll call, yea: Shaw, Fintel, Anderson, Schmidt, Johnson and Nuss; absent: Samuelson. Motion carried.



Clay County Board Minutes



It was determined that per county policy that the easement request for a water line from Norma Carlson, a public hearing would need to be held. Motion by Fintel and seconded by Schmidt to advertise for a public hearing for an easement request for a water line in Sutton Township to go across Road 318 between sections 7 and 5; hearing to be held March 31, 2015 at 9:15 A.M. On roll call, yea: Fintel, Anderson, Schmidt, Johnson, Shaw and Nuss; absent: Samuelson. Motion carried.

At 9:20 A.M. the bids for a motor grader were opened. Representatives from Murphy Tractor and Equipment Co., NMC, Inc. and Highway Superintendent Tom Roemmich II were also present. Bids were received for:

2015 John Deere 770G for \$232,000.00 and offered trade in value of \$60,000.00 for a 2001 Caterpillar 140H for a purchase price of \$172,000.00.

2015 John Deere 770G for \$247,500.00 and offered trade in value of \$60,000.00 for a 2001 Caterpillar 140H for a purchase price of \$187,500.00 .

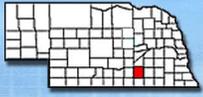
2015 Caterpillar 140M3 for \$259,955.00 and offered trade in value of \$68,300.00 for a 2001 Caterpillar 140H for a purchase price of \$191,655.00.

Each representative was given an opportunity to speak and answer questions. The board made their decision after discussing the options with the Highway Superintendent.

Motion by Shaw and seconded by Johnson to accept the bid for the 2015 John Deere 770G motor grader with the 2001 Caterpillar Model 140H as trade in from Murphy Tractor and Equipment Co. in the amount of \$172,000.00. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Fintel and Nuss; absent: Samuelson. Motion carried.

Ted Griess, County Attorney reported on the findings from the TERC hearing on the Glenvil property. The valuation was adjusted about \$3,000.00. Ted told the board that they have 30 days to appeal but it is his recommendation not too; it wouldn't be worth the time or money. Ted also discussed a grant opportunity to help with Juvenile issues. The board told him to go ahead and move forward to see if this is a viable option.

Upon the request of the Highway Supt., an issue concerning easements on township roads was discussed. The County Policy of making a request, getting a permit and sign and boring across roads, or in the case of water transfer, have a hearing as well is being questioned/challenged. A member of a Township board feels that the Townships should have the say over Township roads. Tom explained that his concern with the Townships taking on this responsibility have to do with liability and knowledge of where this is taking place. Tom's thoughts are that if the Township is allowed to make those decisions and trench instead of bore across a road and not have to get a permit or put up a sign, then they should have the liability for improper closure and any injury liability if an accident should occur. They should also have to assume the liability if a water, gas, telephone line, etc. is damaged during maintenance when there is no record of the location or signage to alert the motor patrol operators. The board's thoughts were that if the Township takes this on, they should still have to comply with County policies, have board meetings to make those decisions and at the least alert the County of work being done. It was questioned whether the Townships would be covered under the County's liability insurance; this will be looked into. It was decided that Ted and Tom would work



Clay County Board Minutes



on a letter to inform the Townships of the situation and concerns and draft an expansion to the Interlocal Agreements turning the responsibility (and liability) over to the County for any easement related decisions. The Townships in turn would have the option to either turn over the responsibility (signing the agreement) or assume it.

Jim Morgan, South Heartland District Health reported on the results of the Radon re-testing in the courthouse.

Mike Carroll, Custodian reported on prices for used pickups. The board decided to just keep watching for a good used one. Mike also discussed the roof drains and drainage problems. He will get more answers and prices for drainage directly from the courthouse. The sinks and fixtures for the lower level restrooms were discussed.

The board discussed the base reallocation for the Leicester Township farm. Form CCC-858 from the FSA office was presented for signing. Motion by Fintel and seconded by Schmidt to authorize the chairman to sign the Base Reallocation and Yield Update Decision for Agriculture Risk Coverage (ARC) and Price Loss Coverage (PLC) Programs for the county farm located in Leicester Township. On roll call, yea: Schmidt, Johnson, Shaw, Fintel, Anderson and Nuss; absent: Samuelson. Motion carried.

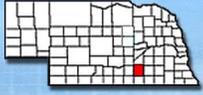
Vickie Schoenholz submitted a letter informing the board that Kevin Schoenholz is selling out his business and she is interested in doing the courthouse lawn spraying this year. Vicki had been associated with Andersen Lawn Spraying for 10 years and had started her own lawn care business last year. The accompanying bid was the same amount that was submitted last year by Schoenholz Family Lawn Care.

Motion by Anderson and seconded by Shaw to accept the bid from V & M Lawn Spraying for spraying the courthouse yard in 2015; 3 applications at \$463.60 each. On roll call, yea: Johnson, Shaw, Fintel, Anderson, Schmidt and Nuss; absent: Samuelson. Motion carried.

The fee reports were circulated for review. Motion by Anderson and seconded by Fintel to accept the fee reports for the following county officials for the month of February 2015: County Clerk, \$5518.20, County Court \$11,000.66, Clerk of District Court, \$4,991.95, County Treasurer receipts #15010054 thru #15010057 and #15020001 thru #15020058 in the amount of \$1,075,300.76. County Sheriff for the month of January 2015 \$1,942.12. On roll call, yea: Shaw, Fintel, Anderson, Schmidt, Johnson and Nuss; absent: Samuelson. Motion carried.

The proposal from Mid-Continental Restoration Co., Inc. was discussed. It was decided to accept the entire scope of work.

Motion by Anderson and seconded by Johnson to accept the Base Bid of \$43,209.00, Alternate bid #1: Caulking Windows and Doors for \$3,187.00, Alternate bid #2: Paint Wood, all elevations for \$2,745.00 and Alternate bid #3: Steps and Landing on North, South and West Elevations for \$4,422.00. On roll call, yea: Fintel, Anderson, Schmidt, Johnson, Shaw and Nuss; absent: Samuelson. Motion carried.



Clay County Board Minutes



Motion by Anderson and seconded by Shaw to adjourn this meeting at 11:27 A.M.; next meeting scheduled for March 24, 2015. On roll call, yea: Anderson, Schmidt, Johnson, Shaw, Fintel and Nuss; absent: Samuelson. Motion carried.

Deb Karnatz, County Clerk

Todd Nuss, Chairman