

Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

January 7, 2019

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of January, 2019 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Scot Bauer, Max Birkel, Scott Steager, Greg Janak, and Anthony Whitmore.

Notice of the meeting was given in advance thereof, by Publication, a designated method for giving notice, as shown by the Proof of Publication attached to the minutes. Notice of this meeting was given to all members of the Board and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to all members of the board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Pledge of Allegiance was recited by all present.

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted in the meeting room.

Certificates of Election for David W. Mach, Scot Bauer, Scott Steager and Anthony Whitmore were presented for the board's review, and will be filed in the office of the County Clerk.

Election of Chairman for 2019

The County Clerk called for nominations for Chairman of the Butler County Board of Supervisors. Supervisor Birkel nominated Greg Janak, Supervisor Krafka nominated Dave Mach. Moved by Supervisor Janak to close the nominations, seconded by Supervisor Steager.

After a secret ballot was taken, the votes were tallied, and David Mach was declared the Chairman of the Board of Supervisors for 2019.

Election of Vice-Chairman for 2019

The County Clerk called for nominations for Vice-Chairman of the Butler County Board of Supervisors. Supervisor Krafka nominated Greg Janak, Supervisor Steager nominated Max Birkel. Moved by Supervisor Janak to close the nominations, seconded by Supervisor Krafka.

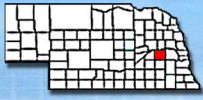
After a secret ballot was taken, the votes were tallied, and Greg Janak was declared the Vice-Chairman of the Board of Supervisors for 2019.

The Chairman declared the minutes from the previous meeting shall stand approved as presented.

Resolution 2019-01/County Depositories

Resolution 2019-01 was presented for the board's consideration. Moved by Krafka, seconded by Steager to approve and adopt Resolution 2019-01. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Whitmore, Bauer, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2019 – 01**



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WHEREAS, the Butler County Board of Supervisors, according to its records in the office of the Butler County Clerk, has designated eight (8) institutions to act as depositories for County Funds, and

WHEREAS, the institutions are as follows:

US Bank, N.A., David City, Nebraska
First National Bank of Omaha, David City Branch, David City, Nebraska
Cornerstone Bank, N.A., Rising City, Nebraska
First Nebraska Bank, Brainard, Nebraska
Bank of the Valley, David City Branch, David City, Nebraska
Nebraska Public Agency Investment Trust (NPAIT)
c/o Union Bank & Trust Co., Lincoln, Nebraska
Butler County Area Foundation-Nebraska Community Foundation
TD Ameritrade Institutional

and said above mentioned institutions have placed collateral security as required by law with the County Treasurer of Butler County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned institutions be so designated as County Depositories for the year 2019, so long as they comply with the laws of the State of Nebraska.

DATED this 7th day of January, 2019.

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Resolution 2019-02/Investment of Surplus Funds

Resolution 2019-2 was presented for the board's consideration. Moved by Janak, seconded by Birkel to approve and adopt Resolution 2019-02. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2019 – 02**

WHEREAS, it is in the best interest for the County of Butler, State of Nebraska that surplus funds be invested.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the elected or appointed Butler County Treasurer be empowered and instructed to invest surplus funds, as he/she deems suitable and in the best interest of the County. Said funds may be invested on a bid basis or by negotiations.

DATED this 7th day of January, 2019.

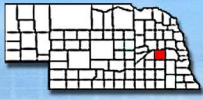
/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk



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Resolution 2019-03/Irrevocable Letter of Credit

Resolution 2019-03 was presented for the board's consideration. Moved by Steager, seconded by Janak to approve and adopt Resolution 2019-03. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Whitmore, Bauer, Krafka, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2019 – 03**

WHEREAS, at various times throughout the year, the Butler County Treasurer may receive monies and deposit same at Bank of the Valley, which sum may exceed the amounts allowed by Nebraska law, and

WHEREAS, in order to comply with Nebraska law and thereby secure deposits over and above the current FDIC insured amount, Federal Home Loan Bank of Topeka has established an Irrevocable Letter of Credit No. 53202, dated December 21, 2018, in the amount of \$3,000,000.00, for the account of Bank of the Valley, Bellwood, Nebraska.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned Irrevocable Letter of Credit in the amount of \$3,000,000.00, as security for deposits in said financial institution be approved.

DATED this 7th day of January, 2019.

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

County Clerk Monthly Fee Report

The County Clerk fee report for the month of December, 2018 was accepted and placed on file. The fee report for the calendar year of 2018 was presented for the board's review.

Certification of County Highway Superintendent

The Certification of County Highway Superintendent for the period of August 20, 2018 through November 18, 2018, stating that the County Board was acting in this capacity, was presented for the board's consideration. Moved by Janak, seconded by Steager to approve and authorize the Chairman to sign. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Bauer, Whitmore, Birkel, and Mach. The following voted nay: None. Motion carried.

Road Department

Set Date and Time to Accept Bids

Moved by Krafka, seconded by Steager to set the date of February 4, 2019 at 9:15 a.m. to accept sealed bids for the purchase of a belly-dump trailer. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Whitmore, Bauer, and Mach. The following voted nay: None. Motion carried.

Dwight-Brainard Highway Overlay Project

Jim McDonald, Highway Superintendent presented the engineer's estimate for the project. The project encompasses approximately 8 miles of mill and 3" asphaltic concrete overlay, with an estimated cost of \$1,382,743.40. Following discussion, it was the consensus of the board to have Matt Manning, Mainelli Wagner & Associates, at the next meeting to discuss the bidding process for the project.

Set Date and Time for One & Six Year Road Plan Public Hearing



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Moved by Steager, seconded by Krafka to set the date of February 4, 2019 at 9:30 a.m. to hold the One & Six Year Road Plan Public Hearing. Upon roll call vote the following voted aye: Steager, Krafka, Bauer, Whitmore, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Employee Hiring

The Highway Superintendent informed the board that Brian Glock had terminated his employment with the County as of December 28, 2018. At this time, there is a need to fill the motorgrader operator position that he held. Following discussion, it was the consensus of the board that the Road Department advertise for the position.

Purchase of Eradicator

Discussion was held pertaining to the purchase of an eradicator. Due to the estimated price of the eradicator, informal bids or sealed bids are not required.

Four Corners Health Department

Laura McDougall, Executive Director of Four Corners Health Department appeared before the board to give an update on programs of the department. The Executive Director relayed information on the influenza outbreaks, radon kit availability, oral health screenings for children and older adults, number of confirmed West Nile cases in the district, and the LOSS/Local Outreach to Suicide Survivors program.

Nebraska Extension/2018 Annual Report

Katie Pleskac, Unit Leader presented the Butler County Extension Annual Reports, which were accepted and placed on file.

At 10:25 a.m., Chairman Mach announced that the Board would take a short recess.

At 10:30 a.m., Chairman Mach announced that the Board would reconvene.

Moved by Steager, seconded by Janak to enter Board of Equalization at 10:30 a.m. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Whitmore, Bauer, Krafka, and Mach. The following voted nay: None. Motion carried.

County Expenditures Report

A report of county expenditures for the period of July 1, 2018 through December 31, 2018 was presented for the board's review. The report was accepted and placed on file.

County Treasurer's Statement/July 1, 2018 – December 31, 2018

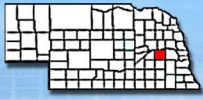
The County Treasurer's Statement for the period of July 1, 2018 through December 31, 2018 was presented for the board's review. The statement was accepted and placed on file.

Consultant Proposal

A proposal to review the application for expansion of the Butler County landfill and evaluate that application in accordance with the criteria set forth in Nebraska Revised Statutes Section 13-1703, was submitted by Z2 Safety Solutions. Moved by Whitmore, seconded by Krafka to hire Z2 Safety Solutions, terms as set forth in the December 24, 2018 proposal. Upon roll call vote the following voted aye: Whitmore, Bauer, Krafka, Steager, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Set Date, Time and Location for Public Hearing/Butler County Landfill Siting Approval Application

The Butler County Board of Supervisors is required to hold a Public Hearing to seek input regarding the Local Siting Approval Application for expansion of the Butler County Landfill filed on behalf of the Butler County Landfill, Inc. Moved



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by Janak, seconded by Steager to set the public hearing date of January 30, 2019 at 4:00 p.m., until such time as the hearing is concluded or adjourned, and if adjourned continuing on February 6, 2019 at 4:00 p.m. at the David City Auditorium. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Bauer, Whitmore, Birkel, and Mach. The following voted nay: None. Motion carried.

Special Meeting Dates

Moved by Steager, seconded by Whitmore to set January 30, 2019 at 4:00 p.m., and if needed, February 6, 2019 at 4:00 p.m., at the David City Auditorium as Special Meeting dates for the purpose of conducting the landfill siting application public hearing. Upon roll call vote the following voted aye: Steager, Krafka, Bauer, Whitmore, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Butler County Noxious Weed Superintendent Annual State Reports

Max Birkel, Noxious Weed Control Superintendent presented and reviewed with the board the following reports:

1. Noxious Weed Control Plan for the year 2019
2. Activity Report
3. Budget Report
4. Weed Control Authority Board Roster
5. Noxious Weed Infestation Report
6. Nebraska Invasive Plant Watch List Infestation Report

Moved by Krafka, seconded by Bauer to approve the reports and authorize the Chairman to sign. Upon roll call vote the following voted aye: Krafka, Bauer, Whitmore, Janak, Steager, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

Quarterly Jail Inspection

The quarterly jail inspection was conducted from 11:40 a.m. through 11:55 a.m.

Engagement Letter/Nebraska Auditor of Public Accounts

Moved by Janak, seconded by Birkel to authorize the Chairman to sign the Engagement Letter with the Nebraska Auditor of Public Accounts. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

Emergency Manager/911 Coordinator Position

Discussion was held regarding the Emergency Manager/911 Coordinator position. Currently, the position is a part-time position. Options discussed were keeping the position part-time, changing the position to full-time-utilizing EMPG grant funds, or separate the Emergency Manager and 911 Coordinator positions.

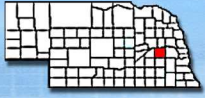
It was the consensus of the board to keep the Emergency Manager/911 Coordinator combined position, but make it a full-time position. Moved by Whitmore, seconded by Krafka to advertise the dual position, with a salary range of \$40,000.00-\$50,000.00. Upon roll call vote the following voted aye: Whitmore, Bauer, Krafka, Janak, Birkel, and Mach. The following voted nay: None. Abstaining: Steager. Motion carried.

Approval of Public Official Bond and Oath

The Official Bond and Oath for Alex R. Hays, Linwood Township Board Treasurer was presented for the board's approval. Moved by Steager, seconded by Bauer to approve the bond and oath as presented. Upon roll call vote the following voted aye: Steager, Krafka, Bauer, Whitmore, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Purchase of Public Safety Software

Discussion was held pertaining to the purchase of public safety software. The Butler County Sheriff's Office, Butler County E-911 and Butler County Detention intend to purchase public safety software as an integrated purchase with Seward County, Saline County, and York County. A Letter of Intent has been drafted and will be sent to Seward County.



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Review of General Assistance Guidelines

Every two years (during odd numbered years) the County Board is required, by statute, to review the guidelines for General Assistance. The County General Assistance is administered by the Butler County Health Care Center. The County Attorney will inquire if there are any changes to be considered.

Committee Reports

The Landfill Committee met to review and discuss the proposed host fee agreement.

Correspondence

Correspondence for the Board was received from the following:

1. Linwood Rural Fire Protection Board-concerns about the lack of adequate communication capabilities in the fire district
2. Polk County Planning & Zoning-public hearing notice for a conditional use permit
3. State of Nebraska, DHHS-announcing incentive payment for Child Support Enforcement

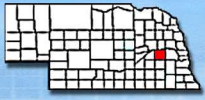
Discussion

A report showing the employees who have submitted their signed Employee Handbook Receipts was presented for the board's review.

There being no further business to come before the board, the Chairman adjourned the meeting at 1:35 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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