



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS

July 3, 2017

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3<sup>rd</sup> day of July, 2017 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, Max Birkel, Scott Steager, Gregory Janak, and David Potter.

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

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

### ***Nebraska Association of County Engineers, Highway Superintendents & Surveyors Conference***

Jim Rerucha, Highway Superintendent reported on the conference that he attended in June. The presentation that was made by the Nebraska Department of Roads was on policy changes that will affect the county road department.

### ***Ulysses Bridge #5605 Report***

The Highway Superintendent reported on the latest inspection that was conducted on bridge #5605. On arrival at the site, the barricades were off the road, and in the ditch. Further bridge deterioration was observed. Discussion followed on permanent closure, till the bridge is replaced.

Due to abuse of temporary road closure structures and increased bridge deterioration, Krafka moved to permanently close bridge #5605, seconded by Potter. Upon roll call vote the following voted aye: Krafka, Slama, Potter, Birkel, Janak, Steager, and Mach. The following voted nay: None. Motion carried.

### ***Engineer for Road/Bridge Projects***

Following discussion, it was the consensus of the board to have Mainelli Wagner & Associates, Inc., continue as engineer for road and bridge projects. The matter will be placed on the July 17, 2017 agenda for formal action to be taken.

### ***Discussion***

Supervisor Janak asked about replacement of the bridge on 39 Road, between V Road and W Road. The Highway Superintendent said that timing of the bridge replacement will have to be coordinated with Butler Public Power District, due to transmission lines in the area.

### ***Amendment to Butler County Driveway Policy***

An amendment to the Butler County Driveway Policy will be drafted and presented for the board's consideration at the next meeting.

### ***Butler County Health Care Center***



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Don Naiberk, Chief Executive Officer of the Butler County Health Care Center appeared before the board seeking approval for the proposed Therapy Remodel/Pediatric Therapy Addition project. Moved by Steager, seconded by Birkel to approve the project. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Potter, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

### **Resolution 2017-24**

Resolution 2017 – 24 was presented for the board’s consideration. Moved by Slama, seconded by Krafka to approve and adopt Resolution 2017 – 24 as presented. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS  
BUTLER COUNTY, NEBRASKA  
RESOLUTION NO. 2017 - 24**

WHEREAS, the Butler County Clerk has been notified by Bank of the Valley, Bellwood, Nebraska, that the following securities have been released and pledged for the Butler County Imprest Account:

Release of Collateral---		
CUSIP# 10624NCS1	Original Face/Par Value	\$500,000.00
Substitution Pledge of Collateral---		
CUSIP#23855TAF1	Original Face/Par Value	\$240,000.00
CUSIP#23855TAG9	Original Face/Par Value	\$245,000.00
Addition Pledge of Collateral---		
CUSIP#72778PCE1	Original Face/Par Value	\$200,000.00
CUSIP#821830BA3	Original Face/Par Value	\$ 25,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Clerk be hereby instructed to release and accept the pledged securities as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 3<sup>rd</sup> day of July, 2017.

/s/ David W. Mach  
David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

### **Amendment to Payment in Lieu of Medical Insurance Policy**

Resolution 2017-25 was presented for the board’s consideration. Moved by Slama, seconded by Krafka to approve and adopt Resolution 2017-25 as presented. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS  
BUTLER COUNTY, NEBRASKA  
RESOLUTION NO. 2017-25**

**MODIFICATION TO PAYMENT IN LIEU OF MEDICAL INSURANCE POLICY**

WHEREAS, the Butler County Board of Supervisors previously adopted a policy providing qualified employees and elected officials payment in lieu of health insurance; and

WHEREAS, certain changes in the law have been made since the implementation of that policy and these changes necessitate changes to the policy.



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NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the attached revised Payment in Lieu of Medical Insurance policy is hereby adopted and made applicable to Butler County, Nebraska eligible employees and officials, effective July 3, 2017.

Dated this 3<sup>rd</sup> day of July, 2017, at the Butler County Courthouse, David City, Nebraska.

Supervisor Kevin Slama moved and  
Supervisor Tony Krafka seconded the motion to approve and adopt the afore stated resolution.

FOR:

/s/ David W. Mach

/s/ Kevin Slama

/s/ Dave Potter

/s/ Tony Krafka

AGAINST: None

/s/ Scott Steager

/s/ Greg Janak

/s/ Max Birkel

ATTEST:

/s/ Vicki L. Truksa

County Clerk

Attachment-Payment in Lieu of Medical Insurance

Qualified employees who are eligible to receive individual health insurance coverage as an employee benefit may elect a cash payment of \$500 per month in lieu of their individual health and dental insurance coverage. To be eligible for this payment, the employee must be eligible for the individual health and dental coverage offered to a county employee and must sign a waiver of insurance declining the County's health insurance coverage with the County's health insurance provider. An employee may not opt in to the County's group plan until the next open enrollment period unless allowed by Group Plan regulations. The number of employees eligible for this benefit is contingent upon the County's group insurance plan participation requirements. If the number of employees requesting to opt out of the County's group insurance plan exceeds the maximum number of employees allowed by the group provider, the County reserves the right to limit the number of employees eligible for this benefit on a first requested basis. Butler County reserves its right to discontinue or reduce this benefit at any time.

Policy Amended: 07/03/17

Effective Date: 07/03/17

## ***Request for Local Governing Body Approval for Special Designated License***

Requests for Local Governing Body Approval for a Special Designated Liquor License to be used for an event to be held on July 20, 2017 at the Butler County Fairgrounds were submitted by the following licensees:

1. Prairie Creek Vineyards, LLC
2. Miretta Vineyards & Winery Inc., dba Miletta Vista Winery
3. Superior Estates Winery
4. Prairie Pride Brewing Company, LLC
5. Half Full, Inc.
6. Hain Wiemer LLC dba Red Path Gallery & Tasting Room

Moved by Birkel, seconded by Potter to approve the requests as presented. Upon roll call vote the following voted aye: Birkel, Potter, Slama, Krafka, Steager, Janak, and Mach. The following voted nay: None. Motion carried.



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## ***Appointments/Reappointments to Butler County Senior Services Advisory Board***

Discussion was held pertaining to the appointments/reappointments to members on the Butler County Senior Services Advisory Board. Two members have terms that will be expiring on July 30, 2017. The matter will be placed on the agenda for the meeting to be held on July 17, 2017.

Moved by Steager, seconded by Krafka to enter Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Steager, Krafka, Slama, Potter, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

## ***Agreement for Emergency Protective Custody Services***

An agreement between Butler County and Region V Systems for Emergency Protective Custody services for residents of Butler County was presented for the board's consideration. Moved by Janak, seconded by Slama to approve the agreement as presented. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

## ***Veterans Aid Fund Annual Report***

The Veterans Aid Fund annual report, for the period July 1, 2016 through June 30, 2017 was accepted and placed on file.

## ***Butler County Veterans Service Committee Account***

The checking account that is entitled Butler County Veterans Service Committee has earned interest during the 2016-2017 fiscal year. Moved by Krafka, seconded by Steager that the interest earned on the Butler County Veterans Service Committee checking account will be remitted to the County Treasurer on an annual basis, to be credited to the Butler County Veterans Aid Fund. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

## ***Veterans Service Committee***

Don Prochaska, Chairman of the Veterans Service Committee appeared before the board to discuss the 2017-2018 budget for the Veterans Service Office. The budget increase is due to added expenses with training a new Veterans Service Officer.

## ***Discussion***

Supervisor Janak informed the board that he had been contacted by Senator Bruce Bostelman. Senator Bostelman had been contacted by Bill Veach, who voiced concern about the dust coming from the roads around the Butler County Landfill.

## ***Agreement for Rural Transit Service Funding***

An agreement between the State of Nebraska, Department of Roads and the Butler County Rural Service was presented for the board's consideration. The agreement is for the purpose of providing partial funding of the Butler County Public Transportation System. Moved by Janak, seconded by Potter to authorize the Chairman to sign the agreement. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

## ***Quarterly Jail Inspection***

The quarterly jail inspection from conducted from 10:47 a.m. until 11:00 a.m.

## ***Juvenile Detention Contract***

Andy Yost, Detention Center Administrator informed the board that he had contacted Northeast Nebraska Juvenile Services Center at Madison, asking if they would contract with Butler County for juvenile services. The center does not contract for services, but will take juvenile offenders if the need arises.

## ***Correspondence***



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Correspondence was received from the Nebraska Association of County Officials. NACO is surveying whether county officials would be interested in some informational workshops about the proposed Lincoln Premium Poultry/Costco Project. It was the consensus of the board to respond to the survey indicating that the board would like to be included in the informational workshops.

## ***Discussion***

Supervisor Birkel informed the board that he had been contacted by Mark Chermok of Chermok Funeral Home who was questioning the procedure followed on a body that is held for autopsy. The County Attorney explained the procedure. That information will be relayed by Supervisor Birkel to Mr. Chermok.

Max Birkel, Noxious Weed Control Superintendent informed the board that he had sent notices to landowners that have an upland phragmites infestation. He has received replies from many of the landowners, some requesting that the county spray the areas. He further explained that as for the control of musk thistles, there are areas that will be forced control.

Scott Steager, Emergency Manager told the board that due to the damage sustained from the June 13 and June 14, 2017 windstorm, Butler County and the City of David City filed Disaster Declarations with the Nebraska Emergency Management Association.

There being no further business to come before the board, the Chairman adjourned the meeting at 11:45 a.m. The next meeting will be held on July 17, 2017 at 9:00 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



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