



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

September 4, 2018

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of September, 2018 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, Scott Steager, Max Birkel, Greg 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 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.

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

Road Department

Tom Kobus, Interim Department Head for the Road Department discussed with the board several road projects that have recently been completed or are in progress.

Mr. Kobus was contacted by a representative from Lower Platte North NRD with concerns about a washed out area along the water line that extends from David City to Bruno. The NRD's General Manager will be in contact with Mr. Kobus to discuss the matter.

Nebraska Department of Transportation Agreement

An agreement between Butler County and the State of Nebraska, Department of Transportation regarding road closures in Alexis Township (42 Road and 43 Road) during US Highway 81 repair work was presented for the board's consideration. Moved by Krafka, seconded by Steager to approve the agreement as presented. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

Resolution 2018-25/Execution of an Agreement

Resolution 2018-25 was presented for the board's consideration. Moved by Slama, seconded by Janak to approve and adopt Resolution 2018-25 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.



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A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. NH-81-2(147)

Be It Resolved by the Board of Supervisors of Butler County, Nebraska, that:

1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. NH-81-2(147) for the purpose of highway improvements on U.S. Highway 81.
2. The Chairman of the Board of Supervisors of Butler County, Nebraska is hereby authorized and directed to execute said agreement on behalf of Butler County, and the Butler County Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit "C", and a copy attached to each original agreement.

Passed and approved this 4th day of September, 2018.

/s/ David W. Mach

David W. Mach, Chairman

Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, Butler County Clerk

Utility Permit Requests/Black Hills Energy

Black Hills/Nebraska Gas Utility, LLC submitted Permits to Construct Utilities on County Right-of-Way for the following:

1. Natural gas line occupying the west side ROW of County Road G, in Section 13, Township 14 North, Range 1 East
2. Natural gas line crossing the ROW of County Road I, between Section 16 and Section 17, Township 14 North, Range 2 East
3. Natural gas line occupying ROW along the east and west side of County Road I, between Section 16 and Section 17, Township 14 North, Range 2 East

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

Utility Permit Request/Windstream

Windstream proposes to place 345' of BFCR12X22 along Road 39, at the intersection with W Road. Moved by Janak, seconded by Potter to approve the utility permit request as presented, subject to township approval. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

Road Maintenance/36 Road & X Road

Supervisor Janak had received an inquiry about the possibility of additional maintenance being done to the minimum maintenance road at 36 Road and X Road. Tom Kobus will check the area.

Discussion/Road Department Equipment Purchases

Tom Kobus discussed with the board equipment purchases for the Road Department.

It was the consensus of the board to take bids for a new semi-tractor and belly dump trailer. At the next meeting of the Board of Supervisors a date and time will be set to accept the bids.



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The board authorized the purchase of a CAT D7G Dozer that is Federal Surplus Property.

Discussion/Road Projects

Supervisor Potter asked about road work needed at the 25 Road and U Road intersection. The County is waiting for the engineer to complete the plans.

Credit Card Agreement with Nebraska Interactive

Karey Adamy, County Treasurer presented a Credit Card Agreement with Nebraska Interactive for the board's consideration. Moved by Birkel, seconded by Steager to approve the agreement and authorize the Chairman to sign. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.

Detention Center/Purchase of Dishwasher

Andy Yost, Detention Center Administrator appeared before the board to discuss the need to repair or replace the dishwasher in the kitchen of the Detention Center. He received a quote in the amount of \$6,647.00 for a Hobart dishwasher, and \$720.00 for an ion filter system for the unit from TriMark/Hockenbergs. Moved by Birkel, seconded by Potter to approve the purchase of the dishwasher without the filter. Upon roll call vote the following voted aye: Birkel, Potter, Slama, Krafka, Steager, Janak, and Mach. The following voted nay: None.

At 10:15 a.m., Chairman Mach announced that the board would take a short recess.

At 10:20 a.m., Chairman Mach announced that the board would reconvene.

Avenue of Flags

Jim Daro appeared before the board to discuss the Avenue of Flags. With the downtown improvement project and the courthouse parking lot renovation, the sidewalks will increase in width, taking away area that was used to display flags. It was suggested that the east side of the courthouse be used to display flags.

Replacement Culvert/Garrison

Jim Daro discussed with the board the need to replace a culvert at 30 Road and KL Road. Since the County has a Driveway Culvert Policy, the board suggested that he contact Jim Novacek at the Road Department to get further information.

Moved by Slama, seconded by Steager to enter Board of Equalization. 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 EQUALIZATION (SEE SEPARATE MINUTES)

Approval of Annual Inventories of County Personal Property

The Annual Inventory of County Personal Property was submitted by the following:

Emergency Management	County Assessor
Road Department	Detention Center
UNL Extension Service	Floodplain Administrator
County Real Estate	County Buildings
Board of Supervisors	County Sheriff
911 Emergency Management	County Clerk
Senior Services/Rural Transit	Noxious Weed Control
Probation Office	Building and Grounds
County Attorney	District Court
County Treasurer	County Surveyor
Veterans Service	County Court



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Moved by Krafka, seconded by Steager to approve the Annual Inventories of County Personal Property as submitted by each department. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

At 11:10 a.m., Chairman Mach announced that the board would take a short recess.

At 11:12 a.m., Chairman Mach reconvened the meeting.

Executive Session/Discussion of Potential Claim

Moved by Slama, seconded by Janak to enter Executive Session at 11:13 a.m., for the purpose of discussing a potential claim. Upon roll call vote the following voted aye: Slama, Potter, Birkel, Janak, Steager, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Potter, seconded by Slama to exit Executive Session at 12:25 p.m. Upon roll call vote the following voted aye: Potter, Slama, Krafka, Steager, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

No action was taken.

Executive Session/Landfill Negotiations

Moved by Slama, seconded by Krafka to enter Executive Session at 12:26 p.m., for the purpose of discussing landfill negotiations. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

Moved by Janak, seconded by Steager to exit Executive Session at 1:03 p.m. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

No action was taken.

Notification from State of Nebraska, Department of Environmental Quality

Notification was received from the State of Nebraska, Department of Environmental Quality of a Modified Phased Construction and Operating Permit being issued to Summit Calf Ranch Concentrated Animal Feeding Operation located in the NW1/4; Section 5, Township 14 North, Range 1 East.

Notification was received from the State of Nebraska, Department of Environmental Quality of a Construction and Operating Permit being issued to SFB Farms, LLC Concentrated Animal Feeding Operation located in NE1/4 NE1/4; Section 21, Township 14 North, Range 2 East.

State Functional Classification System Change

Notification was received from the State of Nebraska, Department of Transportation that the County's request for the reclassification of approximately a 0.90 mile segment of W Road, between 37 Road and Spur S12B from Minimum Maintenance to Local Classification has been approved.

Road Department Issues/Employee Handbook

Issues relating to the Revised Employee Handbook have been referred to the Employee Handbook Committee (Supervisors Mach, Birkel and Steager).

Highway Superintendent Position

The advertisement for the Highway Superintendent Position was distributed for the board to review. Discussion followed as to the salary range for the position, which was determined to be \$50,000.00-\$65,000.00 depending on the



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successful candidate's qualifications. The advertisement will be placed in The Banner-Press, The Columbus Telegram, the Butler County website, and the Nebraska Association of County Officials website.

Committee Reports

No committee reports were given.

Correspondence

Correspondence was received for the board from the following:

1. Louise Niemann-report on Butler County Scrap Tire Event
2. City of Scribner-relaying their support for expansion of the Butler County Landfill
3. Nebraska Intergovernmental Risk Management Association-announcing the Annual Membership Meeting and Luncheon & Dividend Distribution

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

Vicki L. Truksa
Butler County Clerk

David W. Mach
Chairman