



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

October 1, 2018

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of October, 2018 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafska, Kevin Slama, Max Birkel, Scott Steager, 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.

NBCS Report Forms/Approval & Certification

The Road Department's annual report to the Board of Public Roads and Classification and Standards was presented for the board's approval and certification. This matter is tabled till the County Attorney obtains information as to the due date of the report and the individual authorized to sign the documents.

Benefits for Interim Department Head for County Road Department

The Interim Department Head for the County Road Department was hired as a temporary employee. Temporary employees are not eligible for County benefits. It was the consensus of the board not to change the employee's status at this time.

Permit to Construct Utilities on County Right-of-Way

A permit to construct utilities on county right-of-way was submitted by Gary Vandenberg for Dorothy Hladky to install a tile outlet between Section 23 and Section 26; Township 15 North, Range 3 East. Moved by Janak, seconded by Slama to approve the permit request as presented. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafska, Steager, and Mach. The following voted nay: None. Motion carried.

Discussion on Emergency Call-Out Policy for Road Department

Chairman Mach stated that he placed the discussion of an emergency call-out policy on the agenda. He, along with other board members had been contacted by Road Department employees about the need for an emergency call-out policy which would compensate employees who are called-out for emergency situations after working hours.

Chairman Mach said that he had contacted Pam Bourne, who answers the NIRMA (Nebraska Intergovernmental Risk Management Association) employment law help line, asking for legal advice and asked that she draft an emergency call-out policy.

Chairman Mach stated that he felt the County Attorney is micro-managing the County Board, and questioned the need to seek outside counsel for the board. He also spoke of accusations of misconduct being made against the board.



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The County Attorney responded by saying that she is not micro-managing the board, but trying to keep the board within the law. She went on to say that the board could seek outside counsel, but that decision would need to be based on a decision of the whole board, not one member or subcommittee.

It was stated by Tom Kobus, Interim Department Head for the County Road Department, that the moral of the road department employees is very low, and he has a concern as to the employees' willingness to respond in emergency situations, an emergency call-out policy is needed.

On September 24, 2018 the Employee Handbook Committee met with elected officials and department heads to discuss issues with the Employee Handbook. One of the items discussed was an emergency call-out policy. The committee members shared with the board their recommendation for an emergency call-out policy. The Chairman and board members asked the County Attorney to draft an Addendum to the Employee Handbook (Emergency Call-Out Policy), following the recommendations of the Employee Handbook Committee, to be placed on the agenda for the next meeting.

Supervisor Steager asked who would need to approve amendments or addendums to the Employee Handbook. The County Attorney consulted with Pam Bourne, who said any amendment or addendum to the employee handbook needs to be approved by all elected officials.

Karey Adamy questioned why the adopted employee handbook is being changed or challenged by one department.

Louise Niemann stated that the handbook needs to be interpreted the same for all departments.

Supervisor Birkel challenged all board members to contact other counties for their employee handbooks and policies that have been adopted concerning overtime calculation and other issues.

Discussion of Open Meeting Laws and Board Committees

The County Attorney handed out the Open Meetings Act to all supervisors, and stated that public meeting laws are being violated in committee meetings.

It was discussed that at a recent Road and Bridge Committee meeting, the committee conducted an employment interview. The County Attorney stated that what is going on in committee meetings is over and above what is allowed. The Road and Bridge committee historically was a committee to talk about roads and bridges, not personnel issues. At this time, hiring employees for the Road Department needs to come before the entire board.

Supervisor Birkel suggested that any hiring of any new employees wait until the Highway Superintendent position is filled.

The County Attorney stated that the date and time of committee meetings needs to be scheduled during an open meeting of the board. For each committee of the board, there should be established the reason that the committee was formed, purpose of the committee, procedures to follow during committee meetings, scheduling of meetings, who will be present, and subject matters that will be discussed. Minutes should be taken during the committee meeting, and no formal action can be taken. Any policy discussion needs to be in open meeting before the entire board, not in committee.

Supervisor Potter added that a committee should act as a recommendation committee to the whole board.

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 AGENDA)



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Dated this 1st day of October, 2018.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Committee Reports

Supervisor Steager reported that the Butler County Development Board had approved moving forward with the Butler County Housing Study, and discussion was had pertaining to the creation of a sports coordinator position.

Supervisor Janak reported on the Butler County Senior Services Advisory Board meeting that he attended. Discussed was the enclosure of the east side entrance to the Senior Center. Also, discussed was the possibility of a name change for the center, at this time it was concluded that the name remain the same.

Discussion

Supervisor Slama informed the board that an Extention Educator has been hired to fill the vacancy created when Michael Rethwisch resigned. That individual will be starting in approximately two weeks.

The Building and Grounds committee was questioned as to the status of the "In God We Trust", signs that will be placed in the Supervisors Meeting Room and the main hallway of the Courthouse.

Supervisor Slama reported that he had traveled with Travis Kassing of Applied Connective Technologies to all Road Department shop buildings to check on internet access for the new time clocks.

Supervisor Potter shared with the board that he had been contacted by Carol Bohuslavsky, Plum Creek Township board member, about road maintenance being needed on 25 Road, between R Road and S Road. Supervisor Potter will contact the Road Department concerning this matter.

Supervisor Steager shared that he had been contacted by an individual inquiring about using property owned by the County for a dog park. It was the consensus of the board to have Supervisor Steager contact the individual to have this matter placed on the agenda at a future meeting.

Discussion was held pertaining to a guideline for placing employment advertisements. The County Attorney will create a template to be used for all employment advertisements. The template will include all required information. All employment advertisements will need to be given to the County Clerk's office to be included on the County website.

Correspondence

Correspondence was received for the board from:

1. Doris Karloff, asking for the board's support in her effort to be re-elected to the NIRMA Board of Directors
2. Kathy Brandt, asking for the board's support in her effort to be elected to the NIRMA Board of Directors

There being no further business to come before the board, the Chairman adjourned the meeting at 12:09 p.m. The next meeting of the Board of Supervisors will be held on October 15, 2018 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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