



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS

November 5, 2018

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5<sup>th</sup> day of November, 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 meetings (October 15, 2018 and October 30, 2018) shall stand approved as presented.

### ***Executive Session***

Moved by Krafska, seconded by Potter to enter Executive Session at 9:10 a.m., for the purpose of discussing Jim McDonald's past performance with the City of David City and correspondence received from the city. Upon roll call vote the following voted aye: Krafska, Slama, Potter, Janak, Steager, and Mach. The following voted nay: Birkel. Motion carried.

Supervisor Birkel was excused at 10:50 a.m.

Moved by Slama, seconded by Steager to exit Executive Session at 10:53 a.m. Upon roll call vote the following voted aye: Slama, Krafska, Steager, Janak, Potter, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Supervisor Birkel re-entered the meeting at 10:53 a.m.

### ***Approval of Job Description for Highway Superintendent Position***

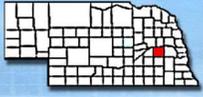
Moved by Janak, seconded by Steager to approve the Highway Superintendent Job Description as presented. Upon roll call vote the following voted aye: Janak, Steager, Krafska, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

### ***Hiring of Highway Superintendent***

Moved by Birkel, seconded by Potter to set the salary at \$60,000.00, starting date of November 19, 2018 for Highway Superintendent position. Upon roll call vote the following voted aye: Birkel, Potter, Steager, and Janak. The following voted nay: Slama, Krafska, and Mach. Motion carried.

### ***Possible Hiring of Road Department Dirt Crew Foreman***

Moved by Potter, seconded by Steager to create the position of crew foreman, offering the position to Tom Kobus with the wage of \$22.25 per hour, start date of November 19, 2018. Upon roll call vote the following voted aye: Potter, Birkel, Janak, Steager, Krafska, Slama, and Mach. The following voted nay: None. Motion carried.



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## ***Belly Dump Trailer Bid Selection/Acceptance***

At the October 15, 2018 board meeting, sealed bids were received for the purchase of a belly dump trailer. Moved by Slama, seconded by Krafka to accept the bid from Jim Hawk Truck Trailers, Inc. for a 2019 Construction Trailer Specialists 46'6" Tri-Axle Cross Gate Air Ride Suspension trailer for \$46,528.00. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

## ***Semi-Tractor Bid Selection/Acceptance***

At the October 15, 2018 board meeting, sealed bids were received for the purchase of a semi-tractor. Moved by Potter, seconded by Krafka to accept the bid from Wick's Trucks for a 2020 Western Star 4700 SF with ultra-shift transmission and additional items for \$112,527.00. Upon roll call vote the following voted aye: Potter, Slama, Krafka, Steager, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

## ***District 2 Road Shed/Door Replacement***

Two proposals for replacement of the sliding doors on the District 2 Road Shed were obtained and presented to the board. Moved by Janak, seconded by Steager to approve the proposal from Affordable Overhead Doors in the amount of \$4,419.00. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

## ***Hiring Gravel Truck Driver***

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

## ***Interlocal Agreement with Saunders County***

An Interlocal Agreement between Butler County and Saunders County for construction of a bridge replacement between Section 30, Township 17 North, Range 5 East-Saunders County, and Section 25, Township 17 North Range 4 East-Butler County was presented for the board's consideration. Moved by Krafka, seconded by Janak to approve and authorize the Chairman to sign. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

At 10:45 a.m., Chairman Mach announced that the Board would take a short recess.

At 10:50 a.m., Chairman Mach announced that the Board would reconvene.

## ***Employee Appreciation Option***

Moved by Steager, seconded by Slama to allow for each employee to receive a \$25.00 Butler County Chamber of Commerce/Chamber Bucks certificate in lieu of an employee appreciation or recognition dinner. Upon roll call vote the following voted aye: Steager, Krafka, Slama, Potter, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

## ***Discussion/Possible on Highway Department Policies/Concerns with Employee Handbook***

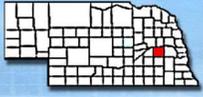
Supervisors Steager and Slama met with the Road Department employees regarding issues with the Employee Handbook. The Road Department employees are requesting a change to the overtime policy. The change would include vacation, sick leave, compensatory time, and holidays to be included when calculating hours for overtime.

## ***Permit to Construct Utilities on County Right-of-Way Request/Randy Fendrich***

This matter is tabled for further information to be obtained.

## ***Plum Creek Township/Road 25 Alternatives***

Supervisor Potter reported that he and Randy Isham met with the Plum Creek Township board to discuss alternatives for the bridge repair on 25 Road, between R Road and S Road. The township board was in agreement to move forward with alternative 3 as is identified in the Butler County One and Six Year Road Plan.



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## ***Report on Possible NRD Funding Assistance***

Supervisor Potter reported that he had contacted Tom Mountford, Assistant Manager of Lower Platte North NRD to inquire about available funding for road structure projects. Possible funding may be available for projects such as channel stabilization, or potential projects when the county road structures may be in jeopardy. Supervisor Potter suggested that the board members contact either Bob Hilger or Joe Birkel who are members of the NRD Board of Directors.

## ***Discussion***

Supervisor Janak informed the board that he had been contacted by the Oak Creek Township board, which was inquiring about additional gravel for a highly traveled minimum maintenance road. Also, they were questioning temporarily closing the road. Supervisor Janak had contacted Tim Baxter, NIRMA who advised that the township has the authority to temporarily close the road.

Randy Isham, Road Department presented a list showing the eight closed bridges in the county.

At 11:50 a.m., Chairman Mach announced that the board would take a short recess.

At 11:55 a.m., Chairman Mach announced that the board would reconvene.

## ***Butler County Landfill Host Fee Agreement***

On October 19, 2018 the Landfill Committee (Supervisors Janak, Birkel, and Steager) met with representatives of Butler County Landfill to discuss a Host Fee Agreement. Kelly Danielson, Butler County Landfill appeared before the board to present an outline of a Host Fee Agreement for the board members to review. It is the recommendation of the committee to move forward. Moved by Steager, seconded by Janak to authorize the attorneys to develop a Host Fee Agreement from the outline that was presented for the board's consideration. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Potter, Slama, and Krafka. The following voted nay: Mach. Motion carried.

## ***2018 Nebraska Department of Ag-Program Evaluation***

Max Birkel, Noxious Weed Control Superintendent presented each board member a copy of the 2018 Nebraska Department of Agriculture County Noxious Weed Program Evaluation. Points are given for all criteria met by the control authority, with a total of 1000 points available. The county weed program earned the full 1000 points.

## ***Rural Transit Garage***

Supervisor Janak explained that there have been issues with the overhead garage doors that were installed on the Rural Transit Garage. Supervisor Steager will contact Shelby Lumber Company to ask that these issues be resolved.

A maintenance agreement for the overhead doors is needed to comply with a requirement of the Nebraska Department of Transportation funding grant that was used to build the garage. More information will be obtained and reported to the board.

## ***Information from NIRMA/Barlean Claim***

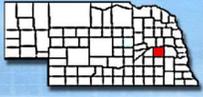
NIRMA is recommending that the board take no action on the claim filed by Sam Barlean at the October 15, 2018 board meeting, and is notifying the county of a litigation hold on all tangible and intangible items which may be related to the claim.

## ***County Clerk Monthly Fee Report***

The County Clerk fee report for October, 2018 was accepted and placed on file.

## ***Butler County Landfill Local Siting Approval Application***

The Butler County Landfill Local Siting Approval Application was filed with the County Clerk on October 30, 2018. The County Board is required to hold a public hearing sometime between January 28, 2019 and February 26, 2019.



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## ***Travel Expense for County Attorney***

The County Attorney has been chosen to participate in the Rural Criminal Justice Summit in Dallas, Texas on November 29-30, 2018. Moved by Janak, seconded by Potter for approval of lodging and meal expense incurred. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

## ***Claims***

The following claims were presented for the board's consideration:

General Fund---

Anderson Auto Group	2019 Ford Explorer	\$30,629.00
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Equipment Sinking Fund---

Baxter Chrysler Dodge	2019 Dodge Caravan	\$21,565.00
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Moved by Krafka, seconded by Steager to approve for payment the claims 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.

## ***Correspondence***

Correspondence was received for the board from the following:

1. Butler County Health Care Center-Jim Egr received the Trustee of the Year award from the Nebraska Hospital Association
2. NIRMA-dividend in the amount of \$7,389.00 being distributed to Butler County
3. Lower Platte South Natural Resources District-Fall 2018 newsletter
4. Central Community College, Columbus Campus-2017/2018 Annual Report

There being no further business to come before the board, the Chairman adjourned the meeting at 1:10 p.m. The next meeting of the Board of Supervisors is scheduled for November 19, 2018 at 9:00 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman