



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

April 1, 2019

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of April, 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.

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

Floodplain Administrator

Robin Sullivan, Floodplain Administrator presented a management report to the board. The report contained a listing of inquiries, general floodplain correspondence, permits issued, and current issues. She also shared information received from the State of Nebraska, Department of Natural Resources regarding the effects of the recent flooding.

Road Department

Utility Permit Request/Windstream

Jim McDonald, Highway Superintendent presented a utility permit request that had been submitted by Windstream. It was the consensus of the board to have Mr. McDonald contact Windstream asking that a representative be present at the next board meeting to explain the installation process that will be used on this project.

Purchase of semi-tractor and side dump trailer

Moved by Birkel, seconded by Janak to accept the bid from Hillside Truck & Equipment in the amount of \$25,000.00 for the purchase of a 2007 Freightliner semi-tractor. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Bauer, Whitmore, and Mach. The following voted nay: Krafka. Motion carried.

Following discussion, it was the consensus of the board that the Road Department wait till the next budget year to consider purchasing the side dump trailer. At this time, the unit will be rented by the County.

Decision on Bids/Dwight North Overlay

At the March 18, 2019 board meeting, bids were received and publicly opened for the Dwight North Overlay Asphalt Paving Project. Mainelli Wagner & Associates, Inc. reviewed the bids and is recommending the County award the project to Constructors, Inc. Moved by Janak, seconded by Whitmore to award the project to Constructors, Inc. for County Road S paving of 7.2 miles. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

Interlocal Agreements with Village of Brainard and Village of Dwight for Dwight North Overlay Project



Butler County Board Minutes



Interlocal Agreements between Butler County and the Village of Brainard, and Butler County and the Village of Dwight for the Dwight North Overlay Project were drafted by Mainelli Wagner & Associates, Inc.

The Interlocal Agreements will be presented to the respective Village Boards for their approval, and returned to the County Board for approval.

Public Transit Funding Application

Diana McDonald, Rural Transit Program Administrator appeared before the board to ask for approval and authorization for the Chairman to sign the 5311 Funding Application for Public Transportation Operating Assistance. Moved by Birkel, seconded by Steager to approve the application and authorize the Chairman to sign the application. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Bauer, Whitmore, and Mach. The following voted nay: None. Motion carried.

Public Defender Contract

A contract between Butler County and Bryan Meisner for Public Defender services for the period of July 1, 2019 through June 30, 2021 was presented for the board’s consideration. As per terms of the contract, Butler County agrees to pay \$61,500.00 per year for the Public Defender services. Moved by Janak, seconded by Bauer to approve the contract. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Bauer, Whitmore, Birkel, and Mach. The following voted nay: None. Motion carried.

Quotes for Additional Equipment and Installation

Sean Kerby and Travis Kassing from Applied Connective Technologies presented a quote to finish the fiber optic network links from IT room, to basement IT rack, to Sheriff’s office IT room. Moved by Birkel, seconded by Krafka to approve Quote 305 in the amount of \$3,887.03. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Bauer, Whitmore, and Mach. The following voted nay: None. Motion carried.

At 11:05 a.m., Chairman Mach announced that the Board would take a short recess.

At 11:10 a.m., Chairman Mach announced that the Board would reconvene.

Supervisor Whitmore was excused from the meeting.

Resolution 2019-10/Release of Pledged Security

Resolution 2019-10 was presented for the board’s consideration. Moved by Krafka, seconded by Steager to approve and adopt Resolution 2019-10 as presented. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Bauer, and Mach. The following voted nay: None. Absent: Whitmore. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2019 – 10**

WHEREAS, Cornerstone Bank, York, Nebraska, has on file the following pledged security:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
119488BK9	\$75,000.00

WHEREAS, said Cornerstone Bank, York, Nebraska is requesting that the above be released.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Cornerstone Bank, York, Nebraska.

Dated this 1st day of April, 2019.



Butler County Board Minutes



/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Taxes Not Sold for Want of Bidders

Karey Adamy, County Treasurer presented to the board a listing that showed the parcel number, legal description, total tax, and special assessments that were not purchased at the Public Tax Sale. The report was accepted and placed on file.

Authorization to Issue County Certificates

Moved by Janak, seconded by Bauer to authorize the County Treasurer to issue County Certificates on properties listed on the 2019 Not Sold for Want of Bidders list. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Bauer, Birkel, and Mach. The following voted nay: None. Absent: Whitmore. Motion carried.

Supervisor Whitmore re-entered the meeting.

Amend County Budget to Create Disaster Fund

Information was received from the State Auditor's office recommending the creation of a Disaster Fund within the County Budget. By creating this separate fund, the County will be able to track expenses and receipts related to the flooding disaster. To start the fund a transfer (loan) from the General Fund or Inheritance Fund will be needed. Once the money is received from other sources, a transfer will need to be made back to the General Fund or Inheritance Fund. It was the consensus of the board to transfer (loan) \$500,000.00 from Inheritance Fund to the Disaster Fund.

Quarterly Jail Inspection

The County Board conducted the quarterly jail inspection from 12:00 noon, until 12:17 p.m.

Supervisor Steager was excused from the meeting at 12:05 p.m., for a meeting with FEMA officials.

Amend County Budget to Create Disaster Fund (cont'd)

Discussion continued on creation of a Disaster Fund, and the procedure necessary to amend the budget.

The County Board is required to hold a public hearing prior to amending the budget. Moved by Whitmore, seconded by Krafka to set the date of April 15, 2019 at 9:15 a.m. to hold the public hearing to amend the budget. Upon roll call vote the following voted aye: Whitmore, Bauer, Krafka, Janak, Birkel, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Request Use of Courtroom

Jim Daro, American Legion Post #125, is requesting use of the Courtroom for Memorial Day services on May 27, 2019. Moved by Birkel, seconded by Bauer to approve use of the Courtroom for Memorial Day services. Upon roll call vote the following voted aye: Birkel, Whitmore, Bauer, Krafka, Janak, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Corrected and Restated Agreement

The Corrected and Restated Agreement between Butler County, Nebraska and The City of David City, Nebraska to Provide Law Enforcement Services was presented for the board's approval. Moved by Janak, seconded by Birkel to approve the agreement as presented. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Committee Reports

Supervisors Janak and Whitmore attended the meeting of the Butler County Senior Services Advisory Board on March 20, 2019.



Butler County Board Minutes



Supervisor Bauer attended the meeting of the Butler County Chamber of Commerce meeting.

Supervisors Krafka and Mach attended the meeting of the Blue Valley Community Action Partnership Board of Directors on March 19, 2019.

Special Meeting Date and Time

Discussion was held regarding the setting of a date, time and location to hold a special meeting for the purpose of making a determination on the Butler County Landfill, Inc. Local Siting Approval Application. Moved by Krafka, seconded by Bauer to set the date of April 24, 2019 at 1:00 p.m. at the David City Auditorium for the special meeting. Upon roll call vote the following voted aye: Krafka, Bauer, Whitmore, Birkel, Janak, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Acceptance of Letter of Resignation

At the March 18, 2019 board meeting, Vicki L. Truksa, Butler County Clerk submitted her letter of resignation. As stated in the letter, she is resigning effective May 31, 2019. Moved by Janak, seconded by Birkel to reluctantly accept the letter of resignation. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Advertising of County Clerk Position

Discussion was held regarding the advertising for the County Clerk position. Applications will be due in the Butler County Clerk's office by 5:00 p.m. on April 22, 2019. A committee comprised of Supervisors Mach, Birkel, and Janak will be conducting the interviews.

Executive Session/Landfill Host Agreement

Moved by Bauer, seconded by Krafka to enter Executive Session at 1:05 p.m., for the purpose of negotiation of the Landfill Host Agreement. Upon roll call vote the following voted aye: Bauer, Krafka, Janak, Birkel, Whitmore, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

Moved by Birkel, seconded by Whitmore to exit Executive Session at 1:30 p.m. Upon roll call vote the following voted aye: Birkel, Whitmore, Bauer, Krafka, Janak, and Mach. The following voted nay: None. Absent: Steager. Motion carried.

The Chairman declared that no action was taken.

Correspondence

Correspondence was received from:

1. Supervisor Whitmore presented correspondence that he received from the Read Township Board. The correspondence had been received by the township from Ron Sedlak.
2. Polk County Planning & Zoning

Supervisor Steager re-entered the meeting at 1:35 p.m.

There being no further business to come before the board, the Chairman adjourned the meeting at 1:45 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes

