

Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

September 3, 2019

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of September, 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, Anthony Whitmore, Max Birkel and Greg Janak.
Absent: Scott Steager.

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.

Road Department

- Update on Roads

Highway Superintendent, Jim McDonald, addressed the board with an update on the county roads since the last meeting. The culvert on 'A' Street passed the compaction and grade test. The Hwy Dept. has been working or worked on the following: 26th & L culvert replacement, spoke with the Dairy regarding Minimum Maintenance roads for chopping. They have had 2 motor graders in the Union and Ulysses Townships when additional motor graders have been available. The Highway Dept. has been working to get all gravel orders filled either by contracting it out or hauling from the pit. Platte Twp is now being maintained by the County, they have agreed to an hourly contract with the Highway Dept. The motor grader operators have started filling in their maps, color coordinating where they have been and on what days, they are to return those to the Highway Superintendent and will be kept on file at the Road Department. The Ulysses South Bridge Replacement scheduled to start in March may be moved up to as early as November based on the Contractor's schedule. The Highway Superintendent notified the board that the 1983 Mack Truck is having engine troubles and will cost \$15,000-20,000 to fix, he asked what they wanted to do with it.

The board requested an update on the B Road Bridge and the repairs need to get it open for harvest. It was noted that the Townships requested that it be closed until the Bridge can be replaced. The board agreed that it should be repaired so it will be functioning for harvest this year and instructed the Highway Superintendent not to forget about the bridge and to get it replaced.

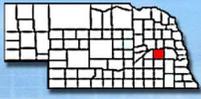
It was also brought up that the county might want to consider contracting all bridge work in the future.

Discussion on Flu Vaccinations for Employees

Laska informed the board that there has been no new info regarding the cost of the flu vaccinations and is hoping to have all of the information by the next meeting.

Local Governing Approval for Special Designated License for Little Water Bar & Grill, LLC (For an event at St. Francis Church on September 29, 2019)

Moved by Janak and seconded by Birkel to approve the Special Designated License for Little Water Bar & Grill, LLC for an event at St. Francis Church on September 29, 2019. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.



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MEMO: NIRMA Annual Membership Meeting & Luncheon & Dividend Distribution

Presented to the Board was a memo from NIRMA regarding the Annual Membership meeting and Dividend Distribution. Chairman Mach asked if anyone was interested in going.

MEMO: NIRMA Nomination/Election of NIRMA Board Members

Presented to the Board was another memo from NIRMA regarding the nomination and election of NIRMA Board Members.

Notice from Lower Platte North Natural Resources District – Hazard Mitigation Plan Update Round One Public Meeting

Presented to the Board was a public notice regarding the Lower Platte North NRD – Hazard Mitigation Plan Update Round One meetings being held in Wahoo and David City later in September. Supervisor Janak mentioned he would be attending; Floodplain Administrators are being encouraged to go.

Correspondence – Letter from Jim Truksa

Chairman Mach presented a letter that was addressed to the Board from Jim Truksa. Mr. Truksa wanted to clear the air regarding the allegations made against him by the Highway Superintendent regarding withholding information from the auditors. Mr. Truksa has also been in contact with the State Auditors regarding this claim. Mr. Truksa was present at the meeting during this discussion and stated he has inquired what it would cost to re-audit the years in question to clear his name.

Scott Buresh and Company – Road Conditions & Budget Concerns

Mr. Buresh addressed the Board with his concerns regarding the roads and their conditions. Buresh asked what had been done since the last meeting. Mach and Janak summarized what was reported at the beginning of the meeting. Buresh was asked by Supervisor Janak if he had roads in his area that needed addressing, his response was that he's concerned about the condition of the entire county. It was brought to the Board's attention that there are still roads closed from the flood, 2 by Ulysses and also County Road 37 between H & I. Mr. Buresh addressed a concern that he'd been in contact with the schools and had asked if the Highway Superintendent had been in contact with them. Buresh noted that both schools stated they had not spoken with the Highway Superintendent in the last few weeks. Buresh stated that Mr. McDonald is lying and asked the board why they are allowing it? He said, "If these things are being stated during an open meeting, what is going on outside of the meetings. He then requested that the Board remove the Highway Superintendent. Mr. Truksa then approached the board and brought to their attention a situation that was brought to his attention last week. The situation was regarding J Rd south toward Ulysses. The road had needed gravel and it was delivered, which was good, however, last Tuesday, a motor grader operator had gone over the road and the newly delivered gravel had been pushed in the ditch. Truksa said he drove over to take a look and that was his observation as well. A question presented to the Board was whether or not the businesses that are contributing to the road issues could cost share the maintenance of the roads. The Board said that it is a possibility in the future, however, it wouldn't be right to require monetary help when the roads have been in disrepair. Once they are in better shape that may be an idea they may address with the businesses.

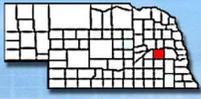
Public Hearing for 2019-2020 County Budget

The public hearing is being held for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget.

Moved by Whitmore and seconded by Krafka to open the public hearing for the 2019-2020 County Budget at 10:00 a.m. Upon roll call vote the following voted aye: Whitmore, Bauer, Krafka, Janak, Birkel and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.

The 2018-2019 Butler County Budget was presented.

Mr. Truksa approached the board with questions regarding the road budget. He noted that the Road budget is up 15.7% over last year. He also noted that personnel services is up 9% over the previous year. He asked if the Board intended to



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hire more employees for the next fiscal year and if that is why personnel services is up. He noted that the gravel budget is up \$300,000 and he's glad to see that, however, if the operators are going to continue to push the gravel into the ditches that will not be enough. He questioned whether some of the expenses for gravel that the county intends to incur could be paid out of the disaster fund. Lastly, Mr. Truksa noted that the Road budget has increased 41% since 2013 and that increase is without a steel budget.

Sheriff Tom Dion approached the board stating that he realized he'd made an error in his budget request. He has two patrol cars that are needing to be outfitted with equipment, the estimate he received is approximately \$40,000. He said he has some room in his budget but not all of it.

The Board further discussed the budget, instructing Laska to add \$20,000 to the sheriff's budget to outfit the patrol cars; however, as to not increase the property tax request they also instructed her to subtract the \$20,000 out of the Road Department reducing personnel services. A summary of Budget changes will be published at the time of filing the budget with the State Auditors.

No further comment was made regarding the budget.

Moved by Janak and seconded by Whitmore to close the budget hearing. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka, and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.

Resolution 2019-37/Adoption of County Budget

Resolution 2019-37 was presented for the board's consideration. Moved by Janak and seconded by Birkel to adopt Resolution 2019-37 as presented with the changes recommended by the Board. Upon roll call vote the following voted aye: Janak, Birkel, Whitmore, Bauer, Krafka and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2019 – 37

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2019, to June 30, 2020, prepared by the Budget Making Authority, was transmitted to the County Board on the 3rd day of September, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Board of SUPERVISORS of Butler County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2019, to June 30, 2020, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Butler County for said fiscal year.

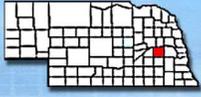
SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2019, and ending June 30, 2020.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 3RD DAY OF SEPTEMBER, 2019.

/s/David W. Mach
Supervisor

/s/Scot Bauer
Supervisor



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/s/Greg Janak

Supervisor

/s/Max Birkel

Supervisor

/s/Anthony Whitmore

Supervisor

/s/Tony Krafka

Supervisor

Supervisor

ATTEST:

/s/Stephanie L. Laska

County Clerk

Special Public Hearing for Final Tax Request

The special public hearing is being held for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

Moved by Krafka and seconded by Whitmore to open the Special Public Hearing for Final Tax Request. Upon roll call vote the following voted aye: Krafka, Bauer, Whitmore, Birkel, Janak and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.

No one was present at the special hearing to comment.

Moved by Bauer and seconded by Krafka to close the special public hearing. Upon roll call vote the following voted aye: Bauer, Krafka, Janak, Birkel, Whitmore and Mach. The following voted nay: NONE. Absent: Steager. Motion carried.

At 11:03 a.m., Chairman Mach announced that the board would take a short recess.

At 11:09 a.m., Chairman Mach announced that the board would reconvene.

Resolution 2019-38/Setting of Final Tax Request

Resolution 2019-38 was presented for the board's consideration. Moved by Janak and seconded by Krafka to approve and adopt Resolution 2019-38 as presented.

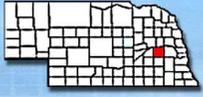
**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2019 – 38
RESOLUTION SETTING THE 2019-2020 FINAL TAX REQUEST**

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Butler County Board of Supervisors passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW THEREFORE, the Governing body of the Butler County Board of Supervisors, resolves that:

1. The 2019-2020 property tax request be set at \$4,133,364.83.
2. The total assessed value of property differs from last year's total assessed value by (2%).
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.153041 per \$100 of assessed value.



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/s/Stephanie L. Laska

Stephanie L. Laska, County Clerk

Discussion/Possible Action Regarding Handbook Policy Violation in regards to Nepotism

The board was made aware of a possible handbook violation regarding Nepotism in the 911 Dispatch department. The board spoke with the Sheriff and determined they needed more information. The discussion was tabled for the September 16, 2019 meeting.

There being no further business to come before the board, the Chairman adjourned the meeting at 12:00 p.m. The next meeting of the Board of Supervisors will be September 16, 2019 at 9:00 a.m.

Stephanie L. Laska
County Clerk

David W. Mach
Chairman