



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS

March 2, 2020

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2<sup>nd</sup> day of March, 2020 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, Greg Janak and 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.

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

### ***Discussion/Possible Action – Lease of County owned real estate in Linwood Township***

Butler County owns a tract of land in Section 35, Township 16 North, Range 4 East, which is currently leased to Kastl Brothers. Moved by Steager and seconded by Whitmore to renew the lease for 1 year, rent amount to be \$354.68. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Whitmore, Bauer, Krafka and Mach. The following voted nay: NONE. Motion carried.

### ***Building Committee Update for Hwy 92 HR Office Renovations***

Steager reported that the bid from Neujahr should be delivered to the Clerk's office sometime in the afternoon today. They are still waiting on a bid for plumbing. Woolsey Electric is working on the electrical. It was mentioned that the carpet in the main area may not be that old and that possibly a good cleaning would be all that is needed.

### ***Discussion Public Defender Position Status***

Steager reported that he has been trying to get a hold of Tom Klein, so they can start interviews. Laska mentioned that they received 2 more resumes from the last meeting and that she had forwarded them to the policy board for review.

Moved by Bauer and seconded by Birkel to move into the Board of Equalization at 9:05 a.m. Upon roll call vote the following voted aye: Bauer, Whitmore, Birkel, Janak, Steager, Krafka and Mach. The following voted nay: NONE. Motion carried.

## **BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)**

### ***Discussion***

It was brought up that there is a lot of trash along the roads to and from the Landfill. Also mentioned was that the smell seems to be getting stronger and worse as time goes on. Janak said that he was going to contact the manager and inquire about cleaning up the roads and the smell.



# Butler County Board Minutes



## ***Discussion/Possible Action regarding abandoned mobile home on her mother's property in Butler County***

Julie Anshasi appeared before the board inquiring if a decision had been made since the last meeting. The Sheriff mentioned that they have done everything that they have been asked. He noted that tenants address in Iowa could be served, however, Ms. Anshasi would have to have the Sheriff in that county serve the documents, as that is out of Butler County's jurisdiction. The board asked the County Attorney for her opinion. Reiter said that this is a private matter and that the county should not get into it. She told Anshasi that there are Landlord Tenant Laws and she should speak with her attorney. The board said they were not going issue an abandoned title for the mobile home.

## ***2018-2019 Butler County Audit Report***

The County Clerk informed the board that the Auditor of Public Accounts issued the Audit Report of Butler County for the period of July 1, 2018 through June 30, 2019 on February 27, 2020. A copy of the report is available in the office of the County Clerk.

## ***Discussion/Possible action – entrance into Southeast Nebraska Development District (SENDD)***

Tom Bliss & Jim Roman from SENDD, Clayton Keller, City Administrator for David City, and Kelcie Keeling of the Butler County Chamber of Commerce appeared before the board to discuss the benefits of SENDD and the economic development that membership into SENDD could bring to Butler County. The County's obligation would be approximately \$7,800. Once they have become a member it would open the door for David City and other villages to become members. The board said they will consider joining, however, they do not have funds allocated in this budget year, so the decision would have to come during budget prep for 2020-2021 budget year.

At 10:01 a.m. the chairman declared the board would take a quick 5-minute break.

At 10:06 a.m. the board reconvened.

## ***Road Department***

### ***- Set date and time for Bid opening for Linwood Bridge over Skull Creek***

Moved by Steager and seconded by Whitmore to set the date and time to open sealed bids for the Linwood Bridge over Skull Creek on April 6, 2020 at 9:30 a.m. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Whitmore, Bauer, Krafka and Mach. The following voted nay: NONE. Motion carried.

### ***- Update on Roads***

McDonald reported to the board that they continue grading and graveling roads. They have a stock pile of gravel in Brainard and Ulysses. They are working on getting the pit ready for pumping again; he hopes to be up and running in the next few weeks. McDonald informed the Supervisors that the townships should be able to get receipt of the gravel hauled for their township within a week after it was hauled. TransCanada will be coming before the board in the future to discuss road construction and repair that they would like to complete. He mentioned also that Ryan Boyer from the Landfill had contacted him about the railroad crossing south of the landfill; as a result, McDonald contacted the railroad and they said they would come out and repair/replace the crossing.

## ***Brian Brower, Bowstring Lake Association – Discussion/Possible Action – Approval of Agreement for Access to Land & Discussion/Possible Action – Approval of Utility Permit***

Brower presented before the board an easement that was prepared by Attorney Clark Grant. The Easement was given to the County Attorney for review. Reiter noted that after an initial review there is not a hold harmless clause or an indemnity clause. Also, that Butler County does not want any liability held against the County if something were to happen. At this time no decision was made until Reiter has the time to do further review.

## ***Discussion/Possible Action regarding modems for patrol cars***

Sheriff Tom Dion presented before the board three informal bids for modems for the patrol cars. The modems will extend the service area for the patrol cars and hopefully eliminate the no signal/no service spots that they currently



# Butler County Board Minutes



have. The board questioned if he had room in his budget for the purchase. Dion assured the board he did. The board thanked Dion for letting them know about purchase.

At 11:10 a.m. the chairman declared the board would take a quick 5-minute break.

At 11:15 a.m. the board reconvened.

## ***Discussion/Possible Action regarding proposed phone system changes***

Ed Knott and Will Zoucha from Applied Connective appeared before the board to report what they had found since the last meeting. They toured the Hwy 92 Building and determined that they can see the County's tower; thus, they proposed a solution for the phones and gave the board an estimate. They also toured the Senior Center and gave a proposal for their phones as well. The board asked if they can see the County's tower from the Weed Shop also? If so, can they propose a solution for that as well? Ed and Will said they would also get a spec sheet so that we can bid the phone system out informally. During the conversation; it was brought up that the County does not have a backup internet solution. It was suggested that this service could be provided by US Cellular for \$5 a month and if there was a connection break with Spectrum the County would be billed for Data use. Applied Connective was going to get prices for this as well.

## ***Discussion/Possible Action – Approval for floodplain administrator to attend training in Maryland***

Breann Whitmore, Floodplain Administrator, appeared before the board to request attending training in Maryland. The training is all expenses paid except for meals. The training will allow her to prepare for the certification test that she will be taking later this summer. Moved by Janak and seconded by Bauer to approve the out of state training from May 3 through May 8, 2020. Upon roll call vote the following voted aye: Janak, Birkel, Bauer, Krafka, Steager and Mach. The following voted nay: NONE. Abstained: Whitmore. Motion carried.

## ***Correspondence***

1. Nebraska Emergency Management Agency – 2020 Revised LEOP
2. NACO Legal Counsel – Attorney General's Opinion February 26, 2020
3. Lower Platte South Natural Resources District Spring 2020

## ***Committee Reports***

### ***Weed Superintendent***

Birkel Reported that he recently attended the Annual Weed Superintendent Conference and he was awarded a service award by the Nebraska Weed Control Association.

### ***HR Committee***

Laska reported that the Human Resources Position closes on Friday, March 6, 2020. Reiter asked when it would work for everyone to get together and review applicants. It was decided an email would go out asking for availability.

## ***Discussion***

Whitmore told the board that Oak Creek has been approved for approximately \$130,000-150,000 of FEMA money for projects.

There being no further business to come before the board, the Chairman adjourned the meeting at 12:10 p.m. The next meeting of the Board of Supervisors will be March 16, 2020 at 9:00 a.m.

Stephanie L. Laska  
County Clerk

David W. Mach  
Chairman