



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS

August 3, 2020

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3<sup>rd</sup> day of August, 2020 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: Tony Krafka, Max Birkel, Greg Janak and Scott Steager. Absent were the following: David W. Mach, Scot Bauer 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 Vice-Chairman called the meeting to order and announced that a complete copy of the Open Meetings Act is posted in the meeting room.

The Vice-Chairman asked for corrections or additions to the minutes. County Clerk, Stephanie Laska, noted that at the July 20, 2020 meeting Joe Peterson had presented a petition to the board that he had circulated for the speed reduction proposal on County Road D, it was not disclosed in the minutes that were published and should have been. Moved by Steager and seconded by Krafka to approve the minutes with the discussed changes. Upon roll call vote the following voted aye: Steager, Krafka, Birkel and Janak. The following voted nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

### **Authorize the Chairman to sign the signature pages of the Nebraska Community Wildfire Protection Plan**

Presented before the board was the Southeast Nebraska Community Wildfire Protection Plan. Supervisor Steager said he reviewed it before the meeting and said that Butler County has rarely had to utilize the plan and that it gets updated every 5 years to keep current. Moved by Krafka and seconded by Steager to authorize the vice-chairman to sign the signature pages of the Nebraska Community Wildfire Protection Plan. Upon roll call vote the following voted aye: Krafka, Steager, Birkel, and Janak. The following voted nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

### **Discussion/Possible Action – Re-opening the Butler County Senior Center**

Senior Center Director, Diana McDonald, appeared before the board to give them an update regarding the Senior Center and her recommendation regarding re-opening the Senior Center. Due to the recent spike in positive cases in Butler County she is not recommending that the board re-open the Senior Center. After further discussion, it was decided that the board would revisit the topic at the September 8, 2020 Board of Supervisors meeting.

### **Discussion/Possible Action regarding Rural Transit – Handi Bus County Matching Program**

Due to COVID-19 and the CARES act funding the Rural Transit program is being funded 100% by the Federal government until the funding runs out. Currently with the funding there is not a local match requirement. However, if the funds run out the County would be required to match. Laska contacted the State Auditor's office regarding continuing the local match and she was told that the board could decide to continue to match and that would reduce the funds needed in the future. They could budget for the transfers and only match if the funds run out or they can not budget for the match at all and then amend the budget if a match is needed. It was discussed to have the budget committee review this and give their recommendation at the next meeting.

### **Discussion/Possible Action regarding storing Hallmark Christmas Tree at the Highway 92 Building**



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David City, City administrator, Clayton Keller, appeared before the board requesting to store the Hallmark Christmas Tree and other decorations at the Highway 92 building. Supervisor Steager asked Mr. Keller if he had looked into utilizing the space that the City already rents from his business. Keller said he was unaware, and he would look into that. The board said that if that did not work out, he could come back and discuss storage at the Highway 92 building at a later date.

## **Employee Accrued Time Report as of June 30, 2020**

The employee accrued time report for June 30, 2020 was presented to the board and placed on file.

## **Discussion/Possible Action regarding a speed reduction sign on County Road D**

Joe Peterson appeared before the board again to discuss a speed reduction sign on County Road D. Butler County Highway Department representative, Jordan Jisa, was present to discuss different options that are available and what needed to be done for each. Regarding a speed reduction sign or a stop sign, it was discussed that an engineering study would need to be done and that the price of that study could range from \$2,500 to \$4,000. The price would also depend upon how many intersections are involved. Jisa suggested that they could put up a yellow advisory sign to reduce speed ahead, that would not need a study done. Summit Township representatives, Don Carley and Frank Fichtl were present. Carley presented before the board that annually in and out of the chicken houses in this area there will be approximately 4,500 trucks that travel these roads and then during harvest approximately 3000 semi loads between mid-September through mid-November. Mr. Carley said that he was going to approach the chicken houses regarding road maintenance. Mr. Peterson asked two questions; the first being does a 4 way stop sign study cost the same as a 2 way stop sign study and secondly who audits these traffic studies? Neither question could be answered at the time but would be researched. Before the discussion ended, Jisa said he wanted to do research regarding a safe speed limit with loaded trucks on that road going up the hill as well as going down the hill. The board did not take action on this topic, instead wanted to see what would result from the advisory signs that Jisa proposed and they would address the topic again at a future date, the future date was not determined at this time.

## **Discussion/Possible Action regarding Windstream Utility Permit for 3 miles of fiber optic, Road 42 to 43 on Road O and Road 42 from Road O to Road Q**

Jim Novacek, Assistant Highway Superintendent, presented the Windstream utility permit for 3 miles of fiber optic, Road 42 to 43 on Road O and Road 42 from Road O to Road Q. Moved by Krafka and seconded by Birkel to approve the permit as presented. Upon roll call vote the following voted aye: Krafka, Birkel, Steager, and Janak. The following voted nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

## **Update on Roads**

Novacek presented that the Rising City project to clean ditches and replace culverts is complete. Highway Superintendent, Jim McDonald, is still working on getting a quote for the A Road bridge. The Linwood Bridge will start in a couple of weeks. The board asked Jim about all of the white rock that is being hauled to Center Township, Jim responded that, that rock is all for FEMA repairs from the flood.

At 10:32 a.m. the chairman declared the board would take a quick break.

At 10:34 a.m. the board reconvened.

## **Discussion/Possible Action – Approval of new Copy/Scanner/Fax machine lease**

Katelyn Pleskac, Butler County Extension Coordinator, presented before the board a new copy/scanner/fax machine lease for the Extension office. The lease would be for 60 months and it would save the county approximately \$5,458 over the life of the lease compared to the current agreement. Moved by Birkel and seconded by Krafka to approve the new copy/scanner/fax machine lease for the extension office. Upon roll call vote the following voted aye: Birkel, Krafka, Steager, and Janak. The following voted nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

## **Discussion/Possible Action regarding ADA Compliance officer for Butler County 2020-2021**



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Laska presented to the board that she is in the process of completing the Title VI Reports for the fiscal year and part of the report names the County's ADA Compliance officer. Currently Supervisor Janak is the Compliance officer and he will need to be replaced at the calendar year end. Vice-chairman Janak, appointed David W. Mach as the compliance officer from January 1, 2021 through June 30, 2021.

## **Discussion on 2020-2021 County Budget**

The committee reported that they have a long way to go with budget and they would be meeting again after the meeting. During the discussion it was decided that David Mach would be removed from the budget committee for the duration of the budget meetings, due to personal reasons and Greg Janak would replace him.

## **Approval of a 2nd K-9 to be purchased by Deputy's GI Bill and leased to County**

Sheriff Tom Dion and Deputy Michael Mejstrik appeared before the board to discuss the approval of obtaining a second K-9 for the county. It was discussed that Deputy Mejstrik could purchase the K-9 using his GI Bill and he would lease the K-9 back to the county for a nominal fee. It was discussed that Deputy Mejstrik's training and room and board would be covered; the county's obligation would be his salary while he is gone for training. Supervisor Birkel relayed to the board some of the County Attorney's concerns regarding a second K-9. She doesn't believe the County has the need for 2 dogs, she also expressed that this would be a lease and the County would not own the dog, if the County does have a second K-9; they should own the dog. The board asked how soon they needed to decide; they would prefer to make this decision with a full board present. Deputy Mejstrik said that a new class starts on the first Monday of every month and he did not see an issue with getting into the class. This topic was tabled until the next meeting being held on August 17, 2020.

## **Executive Session-County/City Law Enforcement Contract**

Moved by Birkel and seconded by Krafka to move into executive session at 11:00 a.m. to discuss the Law Enforcement Contract with the City of David City and invite Sheriff Dion. Upon roll call vote the following voted aye: Birkel, Krafka, Steager, and Janak. The following voted nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

Moved by Birkel and seconded by Steager to move out of executive session at 11:25 a.m. Upon roll call vote the following voted aye: Birkel, Steager, Krafka, and Janak. The following vote nay: NONE. Absent: Mach, Bauer, and Whitmore. Motion carried.

## **Human Resources Director, HR Update**

Heidi Loges appeared before the board to give an update on her department. She reported that she has 12 people in the system for timeclocks. She said by the end of August she is hoping to have everyone in the courthouse in the system. She asked the board for guidance regarding overtime in the offices. She made note that most of the offices in the courthouse work a 37.5-hour work week and do not have overtime. She inquired why would office staff have overtime? The board instructed her to approach the department heads that she is referencing, make them aware and see if that resolves the overtime issue. Steager noted that with the implementation of timeclocks, there may be some additional overtime in the dispatch department due to shift change. Loges noted that the treasurer completed interviews for her open position and extended an offer. She noted that the dispatch position would be starting interviews within the next week.

## **Committee Reports**

Steager noted that the Community Development would be meeting on the 14<sup>th</sup> and he would have information to report at the next meeting.

Janak noted that the safety committee had met, and they had learned a turkey had hit a patrol car recently and there was a pending tort claim for an accident that occurred on the state highway.

There being no further business to come before the board, the Vice-Chairman adjourned the meeting at 11:53 a.m. The next scheduled meeting of the Board of Supervisors will be August 17, 2020 at 9:00 a.m.



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Stephanie L. Laska  
County Clerk

Greg Janak  
Vice-Chairman