



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

November 2, 2020

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of November, 2020 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Scot Bauer, Anthony Whitmore, Greg Janak, and Scott Steager. Absent: Tony Krafka and Max Birkel.

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.

Chairman Mach asked that all present observe a moment of silence for Irvin Cidlik, who was a past Butler County Supervisor who had recently passed away.

Discussion regarding possible liquor license

Chris Rezac appeared before the board to discuss a future business venture he would like to start that would involve an outdoor entertainment setting that would have alcohol sales. He presented to the board the property he would like to develop. His interest in this business has developed because of COVID. The outdoor entertainment would operate in the Summer months and would allow people to social distance. He would eventually like to show outdoor movies; however, that takes a significant investment, and he wants to make sure the business is supported by the County and surrounding communities before investing a lot of money. The board liked the idea and compared the idea similarly to District 10 which has a small bar and then a large outdoor beer garden for entertainment. Mr. Rezac thanked the board for their time and said he would be back at a future date with more information and possibly a liquor license request.

Resolution 2020 – 34 – Acceptance NIRMA Dividend and Membership Recommitment

Resolution 2020 – 34 was presented for the board's consideration. Moved by Whitmore and seconded by Steager to approve and adopt Resolution 2020 – 34 as presented. Upon roll call vote the following voted aye: Whitmore, Janak, Steager, Bauer, and Mach. The following voted nay: NONE. Absent: Krafka and Birkel. Motion carried.

RESOLUTION 2020-34 FOR AMENDMENT AND ADDENDUM TO NIRMA/NIRMA II INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS

WHEREAS, Butler County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb.Rev.Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 et seq.): and



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WHEREAS, Counties and other Public Agencies as defined in Neb.Rev.Stat. §44-4303 are allowed to participate in said cooperative undertakings; and

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed that provided by standard insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from other sources; and

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2021, and

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period of July 1, 2021 through June 30, 2024; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Whitmore and seconded by member Steager, the following members voted by roll call vote in favor of passage and adoption of said Resolution: Whitmore, Janak, Steager, Bauer and Mach. The following members voted against the same: None. The following members were absent or not voting: Krafka and Birkel.

PASSED AND APPROVED this 2nd day of November, 2020.

Butler County Board
/s/ David W. Mach
Chairperson

Attest:

/s/ Stephanie L. Laska
County Clerk

Approval of employee Appreciation option

Moved by Janak and seconded by Bauer for each employee to receive \$25 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: Janak, Whitmore, Bauer, Steager, and Mach. The following voted nay: NONE. Absent: Krafka and Birkel. Motion carried.

Discussion regarding health insurance and any questions that the board may have

Judd Allen, NACO representative, appeared before the board to see if they had any questions about the health insurance. The board said they did not; however, they asked Laska & Heidi Loges what the employees are saying. Laska mentioned that the employees always mention the price of the insurance for their families. Allen noted that the county had a zero percent rate increase from the previous year and that NACO had recently adjusted to vision plan to include more benefits. The board had no further questions and Allen thanked the board for their time.



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Designation of County Contact Person to Submit CARES Act claims

County Attorney, Julie Reiter, presented before the board asking who the county designated person is to submit claims for CARES Act reimbursement. She said no one seems to know. Birkel who was in attendance via zoom, mentioned that the jail administrator mentioned at the last meeting that he has a significant amount of overtime and that he is already 200% over budget on his overtime line. Birkel also noted that there was an email from NACO stating there was a November 13th deadline. Whitmore suggested that each office get a list of the expenses they have related to COVID and get them to whomever the board designates. Steager said he thinks this should fall under the emergency manager. Emergency Manager, Mark Doehling was conference called into the meeting. The board asked Mark what he knew about submitting claims. He explained that he spoke to Donnie Christensen, Recovery Section Manager, and he suggested each office was an entity and they should submit claims/projects independently of each other. He also noted that if there is not more than \$3,200 the claims would not be approved. At that point, the board decided that the County should apply as one because each office will not have that much in claims, however, collectively they will. The board said that they designate Doehling to submit the claims for the county and that each elected official and department head needs to get all of their expenses and information to Doehling by Thursday, November 5, 2020 so that he can submit the claims by the November 13, 2020 deadline. Moved by Steager and seconded by Janak to designate Mark Doehling, Emergency Manager, as Butler County's CARES Act administrator. Upon roll call vote the following voted aye: Steager, Janak, Whitmore, Bauer, and Mach. The following voted nay: NONE. Absent: Krafka and Birkel. Motion carried.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Janak and seconded by Whitmore to move into the Board of Equalization at 9:48 a.m. Upon roll call vote the following voted aye: Janak, Whitmore, Bauer, Steager, and Mach. The following voted nay: NONE. Absent: Krafka and Birkel. Motion carried.

Karey Adamy, County Treasurer, Distress Warrants

County Treasurer, Karey Adamy, presented to the board the distress warrants that were issued on Friday, October 30, 2020.

Update on Roads

Jim McDonald, Highway superintendent, presented to the board that the Linwood Bridge has been removed, there are trees that need to be removed and construction will start soon. There have been tree projects done throughout the county to clear overgrown trees hanging over onto the roads. He has been in contact with Polk County about the A Rd Bridge, however, nothing new has developed. They have been hauling gravel and replacing culverts throughout the county. And he reported that the pit is currently not running due to equipment repairs being done.

Permission to affix lights on the Senior Center

A letter from the City of David City was presented to the board regarding affixing a cable system on the rooftop of the Senior Center similar to what they are affixing to the courthouse that was approved earlier this year. Moved by Steager and seconded by Janak to approve the City of David City to affix a permanent lighting solution on the Senior Center. Upon roll call vote the following voted aye: Steager, Janak, Whitmore, Bauer, and Mach. The following voted nay: NONE. Absent: Krafka and Birkel. Motion carried.

Human Resources Update

Heidi Loges, Human Resources Director, reported to the board that the tables and chairs for the Hwy 92 building have been ordered and should be in mid-November. The extension office has set up meeting in January. The Senior Center is on board to use the county's timeclock system; Loges asked about ordering another timeclock for them. The board said she should. Loges also received information regarding installing key fobs on 5 doors out at the Hwy 92 building and she said the estimate she received from Sentrinx was \$15,176. The consensus was that that is a lot of money for 5 doors. Loges suggested changing the locks on the doors to match the rest of the locks for the highway department for a temporary solution and then as the county further utilizes the building they can look at other avenues for security and entrance into the building.



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Discussion/Possible Action – Noxious Weed Forced Control 10-Day Notice Update

Max Birkel, Weed Superintendent, was present at the meeting virtually and updated the board that the 10-day notice was signed for on October 23, 2020. He also reported that he had been contacted by the landowner's attorney. The attorney informed Birkel that the landowner did not want chemicals sprayed on his property. The attorney also told Birkel that the landowner wanted to work with the county; however, he wanted to spray in the Spring. Birkel informed the attorney that the time to spray for musk thistle is in the fall and it needs to be done. Birkel also informed the board that he had his annual review and the State inspector informed Birkel the county needs to spray it and be done. The board agreed and told Birkel that this has been an open file for years and that it needs to be handled. County Attorney, Julie Reiter, informed Birkel that since there was a response, he needs to give the landowner the allotted time that was agreed upon; however, if nothing is done then he can act. She also said that this all needs to be in writing and that since he has been corresponding with the attorney, he should send notice to him.

Request for Notary Publics

County Attorney, Julie Reiter, presented before the board that currently the only offices that have notaries are the County Attorney's office and the Sheriff's office. She is requesting that the other offices in the courthouse have at least one notary. She has two in her office and one of her employees has health issues and at this time would prefer if she didn't have a lot of interaction with the public. The board said they didn't see a problem with it. Present at the meeting were the County Clerk, County Treasurer and Clerk of the District Court; all three said they would work on getting a notary in their office.

Committee Reports

Supervisor Bauer reported to the board that he met with members of the Butler County Ag Society regarding the property they want to acquire from the County. He said that he marked off 40 ft and 20 ft from the property line to let them see either option. The members present said they would discuss with the rest of the board at their next meeting which is at the end of the first week in November. Steager said he's not fond of losing the extra entrance that they are requesting for marketability reasons.

Correspondence

1. NACO email explaining Executive Order 20-34 regarding open meetings and attending virtually

There being no further business to come before the board, the Chairman adjourned the meeting at 10:47 a.m. The next scheduled meeting of the Board of Supervisors will be November 16, 2020 at 9:00 a.m.

Stephanie L. Laska
County Clerk

David W. Mach.
Chairman