



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS

January 7, 2021

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7<sup>th</sup> day of January, 2021 at the Butler County Highway 92 Building in David City, Nebraska at 9:00 a.m.

Present were the following: Scott Steager, Tony Krafka, Anthony Whitmore, Scot Bauer, David Mach, Robert Coufal and Ryan Svoboda.

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.

Stephanie L. Laska, County Clerk, called the meeting to order and announced that a complete copy of the Open Meetings Act is posted in the meeting room.

The County Clerk called for nominations for a Temporary Chairman.

### **Election of Chairman for 2021**

Supervisor Krafka nominated David Mach for Temporary Chairman. Supervisor Whitmore nominated Scott Steager for Temporary Chairman. Moved by Bauer and seconded by Krafka to cease nominations.

After secret ballot was taken, the votes were tallied, and Scott Steager was declared the temporary chairman.

Temporary Chairman Steager called for nominations for Chairman for 2021. Supervisor Whitmore nominated Scott Steager. Supervisor Krafka nominated David Mach. Moved by Whitmore and seconded by Bauer to cease nominations.

After secret ballot was taken, the votes were tallied, and Scott Steager was declared the Permanent Chairman for the Board of Supervisors for 2021.

### **Election of Vice-Chairman for 2021**

Krafka nominated David Mach. Moved by Bauer and seconded by Krafka to cease nomination. With no other nominations, the Chairman declared David Mach as Vice-Chairman of the Board of Supervisors.

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

### **Appointment of Committees**

The board reviewed the committees and liaisons list for 2021 and made changes to the previous year's list. They removed the outgoing supervisors and replaced with the incoming supervisors. Steager read through the list in its entirety. Moved by Whitmore and seconded by Coufal to approve the committees and liaisons as discussed. Upon roll call vote the following voted aye: Whitmore, Bauer, Mach, Coufal, Svoboda, Krafka, and Steager. The following voted nay: NONE. Motion carried.

Molly Hunter from the Banner Press asked the board for a picture and they obliged.

### **Consideration of Resolution 2021 – 01/County Depositories**





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DATED this 7<sup>th</sup> day of January, 2021.

/s/ Scott Steager

Chairman, Board of Supervisors

ATTEST:

/s/ Stephanie L. Laska

Stephanie L. Laska, County Clerk

## **Consideration of Resolution 2021 – 03/Approval of Irrevocable Letter of Credit-Bank of the Valley**

Moved by Bauer and seconded by Mach to approve Resolution 2021-03 as presented. Upon roll call vote the following voted aye: Bauer, Mach, Coufal, Svoboda, Krafka, Whitmore, and Steager. The following voted nay: NONE. Motion carried.

### **BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2021 – 03**

**WHEREAS**, at various times throughout the year, the Butler County Treasurer may receive monies and deposit same at Bank of the Valley, which sum may exceed the amounts allowed by Nebraska law, and

**WHEREAS**, in order to comply with Nebraska law and thereby secure deposits over and above the current FDIC insured amount, Federal Home Loan Bank of Topeka has established an Irrevocable Letter of Credit No. 67237, dated December 23, 2020, in the amount of \$3,000,000.00, for the account of Bank of the Valley, Bellwood, Nebraska.

**NOW, THEREFORE, BE IT RESOLVED** by the Butler County Board of Supervisors that the above-mentioned Irrevocable Letter of Credit in the amount of \$3,000,000.00, as security for deposits in said financial institution be approved.

DATED this 7<sup>th</sup> day of January, 2021.

/s/ Scott Steager

Chairman, Board of Supervisors

ATTEST:

/s/ Stephanie L. Laska

Stephanie L. Laska, County Clerk

## **Clerk of the District Court monthly fee report**

The Clerk of the District Court fee report for the month of December 2020 was accepted and placed on file.

## **County Clerk monthly fee report**

The County Clerk fee report for the month of December 2020 was accepted and placed on file.

## **County Treasurer's Statement July 1, 2020 to December 31, 2020**

The County Treasurer's Statement for July 1, 2020 through December 31, 2020 was accepted and placed on file.

## **Expenditures Report for July 1, 2020-December 31, 2020**

The expenditure report for July 1, 2020 through December 31, 2020 was presented to the board. The board requested that Laska bring the Public Defender expenditure report every month for the rest of the fiscal year so they can keep an eye on it. The report was accepted and placed on file.



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

Moved by Whitmore and seconded by Mach to move into the Board of Equalization at 9:35 a.m. Upon roll call vote the following voted aye: Whitmore, Bauer, Mach, Coufal, Svoboda, Krafka, and Steager. The following voted nay: NONE. Motion carried.

## **Approval of Official Bond and Oath/Patrick Meysenburg, Olive Township**

Moved by Bauer and seconded by Krafka to approve the bond and oath as presented. Upon roll call vote the following voted aye: Bauer, Whitmore, Krafka, Svoboda, Coufal, Mach, and Steager. The following voted nay: NONE. Motion carried.

## **Nebraska Extension – Butler County 2020 Annual Report**

The Butler County 2020 Annual Report for the Nebraska Extension was presented to the board and placed on file in the clerk's office.

At 9:43 a.m. the chairman declared the board would take a quick break.

At 9:46 a.m. the board reconvened.

## **Appointment of County Highway Superintendent for Calendar Year 2021**

Moved by Mach to appoint Jim McDonald as the Highway Superintendent for Calendar year 2021. Chairman Steager asked for a second to the motion three times; due to the lack of a second, the motion died on the floor. Moved by Whitmore and seconded by Bauer not to re-appoint but to terminate Jim McDonald as the Highway Superintendent for calendar year 2021. Chairman Steager asked if there was any further discussion. Mach said he would like to discuss the good things that McDonald had done. County Attorney, Julie Reiter, suggested if the board was going to discuss job performance, they may want to enter an executive session. It was determined no other board member wanted to discuss job performance; therefore, Mach continued with his praise of the good points that McDonald had done since he was hired including saving money on the Ulysses bridge, helping negotiate the building price for the Hwy 92 building, completing the Linwood Bridge project, completing the B Rd Bridge replacement and then getting Summit Township to pay for it, and finally completing the one-year road plan in 2020. Steager asked if there was any further discussion; there being none he called for a vote. Upon roll call vote the following voted aye: Whitmore, Bauer, Coufal, Svoboda and Krafka. The following voted nay: Mach and Steager. Motion carried.

## **Discussion**

Reiter suggested with the creation of an opening they needed to get an ad posted to find a replacement and they may need to use a recruiter to find the most qualified person for the job. She also stated they would need to appoint an interim- department head.

Moved by Svoboda and seconded by Whitmore to appoint Randy Isham as interim department head for the Roads Department. Upon further discussion it was decided they should discuss this with Randy Isham and Jim Novacek. Svoboda withdrew his motion as did Whitmore. The board contacted Randy Isham and Jim Novacek and asked if they could join the meeting.

## **Approval of Utility Permit for David Barry for a buried pipe under Road 34 between Roads A & B in Summit Township**

Bauer suggested that the board should table this permit until the next meeting. The area where this is located, the farmers are planting right up to the road and the road ditch is level with the road. The depth at which the pipe is being buried needs to be figured out in the event the county would clean out the ditch; they need to know where that pipe is buried and how deep. Randy Isham joined the meeting and agreed with Bauer that the area needs to be looked at.

## **Discussion**

The board asked if Isham would be willing to oversee the crew. Isham said he would be happy to oversee the crew and asked the board to take their time and find the best qualified applicant. Currently they have more than enough work to



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complete as they are behind in completing the one-year road plan for 2020. Krafka asked if they had replaced the motor grader operator for the position they had open. Isham said they are still looking. The road and bridge committee told Isham they would help him with whatever they could in the interim.

Moved by Svoboda and seconded by Whitmore to appoint Randy Isham as the interim department head for the Highway Department. Upon roll call vote the following voted aye: Svoboda, Krafka, Whitmore, Bauer, Mach, Coufal, and Steager. The following voted nay: NONE. Motion carried.

## **Update on Roads**

Isham informed the board that the Linwood Bridge may be opened temporarily this winter but then this Spring the road will need to be widened. He stated that they are working on fabricating a tool to break up beaver dams stuck in culverts. Isham stated that he knows there are roads that need to be cleared of the snow, however, it was such a wet snow he was going to send the graders out in the morning when the ground was firm, so they did not rip up the roads. He said they are still putting gravel down in areas. He also stated they are working with Polk regarding culvert replacement on A Road, however, the culverts are on back order. They are still working with Polk County regarding the bridge replacement as well, once he knows more, he will update the board.

Supervisor Whitmore was excused at 10:27 a.m.

## **Executive Session - Potential Litigation**

Moved by Mach and seconded by Coufal to go into Executive session to discuss potential litigation and invite County Attorney, Julie Reiter. Upon roll call vote the following voted aye: Mach, Coufal, Svoboda, Krafka, Bauer, and Steager. The following voted nay: NONE. Absent: Whitmore. Motion carried.

Supervisor Whitmore entered the executive session at 10:48 a.m.

Moved by Whitmore and seconded by Bauer to move out of executive session at 11:35 a.m. Upon roll call vote the following voted aye: Whitmore, Bauer, Mach, Coufal, Svoboda, Krafka, and Steager. The following voted nay: NONE. Motion carried.

## **Discussion/Possible Action of re-assigning supervision of 911/Dispatch Communications Center and Coordinator to the County Board of Supervisors**

Moved by Whitmore and seconded by Coufal to move into executive session to discuss re-assigning supervision of 911/Dispatch Communication Center and Coordinator to the County Board of Supervisors and to invite County Attorney, Julie Reiter, Sheriff Tom Dion and Human Resources Director, Heidi Loges at 11:36 a.m. Upon roll call vote the following voted aye: Whitmore, Bauer, Mach, Coufal, Svoboda, Krafka, and Steager. The following voted nay: NONE. Motion carried.

Moved by Bauer and seconded by Krafka to come out of executive session at 12:15 p.m. Upon roll call vote the following voted aye: Bauer, Whitmore, Krafka, Svoboda, Coufal, Mach, and Steager. The following voted nay: NONE. Motion carried.

Svoboda and Mach suggested the board leave the supervision as it is currently with the Sheriff. Steager said that it is a lot of work no matter who is overseeing the position and center. It comes down to whether the board thinks it's being done correctly. Whitmore commented that it comes down to whether the board thinks it was run better in the past versus how it is being run now. Moved by Mach and seconded by Svoboda to leave the supervision as it is with the Sheriff. Upon roll call vote the following voted aye: Mach, Svoboda, and Krafka. The following voted nay: Whitmore, Bauer, and Steager. Abstained: Coufal. Motion tied. It was asked whether there was a new motion to be made. With no





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further motions made and a split vote the supervision will remain with the Sheriff continuing to oversee the 911 Communications Center and Coordinator.

## **Quarterly Jail Inspection**

Detention Center Administrator, Andrew Yost, gave the board a virtual tour of the jail at 12:29 p.m. He informed the board that the jail had its first positive case of COVID last month; as a result their numbers were down in December. They are full now; they received 12 inmates on Tuesday, January 5<sup>th</sup>. He said that they have had a few issues with smelling gas, however, the fumes never register on the gas detector. He also mentioned to the board that of the 3 water heaters the detention center has only one is functioning right now; they need to look into replacing at least one this year and the other next year.

## **Human Resources Update**

Loges updated the board that as of December 31, 2020 the Families First Coronavirus Response Act: Employee Paid Leave ended. Therefore, as of January 1, 2021 those who test positive and must quarantine will not be eligible for paid leave. Loges noted that this can voluntarily be extended through March 31, 2021. The board agreed they would like it to and therefore asked Laska to put it on the agenda for the next meeting. Loges also mentioned that she will be ready to go live with timeclocks on February 1.

## **Correspondence**

1. Butler County Chamber of Commerce – Introduction letter

## **Committee Reports**

Steager updated the board regarding the Butler County Development committee; he said they are doing a hotel feasibility study to see if a hotel could come to David City along with other possible businesses.

## **Discussion**

Laska gave Steager an email from Emergency Manager, Mark Doehling regarding the CARES Act funding that has been received. Butler County received \$222,043.46 for Jail, 911 and Emergency Manager reimbursement of wages for March 1, 2020 through May 31, 2020. They are still waiting to receive \$149,956.10 for the Deputy Sheriff reimbursement of wages for the same time period. These amounts do not include the projects that have been submitted. Laska also updated that the chairs, tables, and the wiring of the Hwy 92 building for supervisors' meetings was submitted as a project as well.

There being no further business to come before the board, the Chairman adjourned the meeting at 12:44 p.m. The next scheduled meeting of the Board of Supervisors will be January 19, 2021 at 9:00 a.m.

Stephanie L. Laska  
County Clerk

David W. Mach.  
Chairman