



# Box Butte County Board Minutes



## BOOK **M** PAGE **2017 - 07**

Box Butte County Commissioners met in an open and public regular meeting at 8:30 a.m., March 20, 2017, in the Commissioner Board Room located on the second floor of the Box Butte County Courthouse, 515 Box Butte Avenue, Alliance, NE. Notice of meeting was published in the Alliance Times Herald on March 11, 2017, with agenda information emailed to Board members March 16, 2017. Chairman Mike McGinnis called the meeting to order at 8:30 a.m., following an opening prayer. Roll call: Susan Lore, Doug Hashman and Mike McGinnis present. Judy Messersmith, County Clerk, recorded the proceedings of the meeting. Interim County Attorney Aaron Bourne and Deputy County Attorney Travis Rodak present. The Pledge of Allegiance was recited and Chairman McGinnis acknowledged the Open Meeting Act posted on the North wall of the board room. Motion by Susan Lore to accept the agenda with an addition, seconded by Mike McGinnis. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried. Doug Hashman moved to approve March 6, 2017 minutes as written, seconded by Susan Lore. KJ Hutchinson requested that her remarks during public comment at the March 6, 2017 meeting regarding undue influence on the media be added to the minutes. Deputy County Attorney Rodak stated that public comment is generally not included in minutes, with Commissioner Hashman saying no action was taken on her comment. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried. With no elected official's reports or correspondence, Board members reported on various meetings they had recently attended.

Deputy County Treasurer Val Bell presented the March 6, 2017 public delinquent tax sale report.

Susan Lore moved to open Board of Equalization at 8:47 a.m., seconded by Doug Hashman. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried. Motion by Doug Hashman allowing Chairman McGinnis to sign the correction book as presented by County Assessor Michelle Robinson, correcting three personal property statements, seconded by Susan Lore. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried. At 8:50 a.m., Doug Hashman moved to close Board of Equalization, seconded by Susan Lore. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried.

Deputy County Attorney Travis Rodak provided an opinion as to the ability of a County Department head to pay a bonus, and concluded that generally speaking, any such bonus payment would be considered a gratuity and would be impermissible by a Nebraska County. Commissioner Hashman had contacted Nebraska Department of Labor who had referred him to a U.S. Wage and Hour investigator. Mr. Hashman stated that government can allow 1 hour to 1 hour compensation for those hours worked between 35 hours to 40 hours. This opinion is different from the opinion previously stated from NIRMA Attorney Pam Bourne. Chairman McGinnis addressed the free one half day an employee in the Assessor's office has been receiving, stating his opinion is to follow the new handbook, which does not allow for a free one half day of pay. Susan Lore followed by stating it is up to a county official if they want to give out anything, in other words County Officials can do whatever they want. Ms. Lore stated that a lot of work went into the handbook, and it is a guide. Ms. Robinson said the free one half day went way back due to no cost of living increases for employees, with Ms. Lore stating that the County Board is not bound by a previous board, as there was not a resolution or anything in the minutes regarding a paid one half day off for any employee. Extension employee Carol Kleinsasser asked how many employees would be eligible to get a free one half day off, with the Board stating that there are seven current county employees that have been employed by the County longer than the employee in the Assessor's office that are not receiving a free one half day off. Ms. Robinson went on to say that she wants to pay her staff what she feels they deserve, and wants to be able to compensate one employee more than another if she wants too. KJ Hutchinson said this type of pay is based on merit not job title. Deputy Treasurer asked if employees would be compensated for the time attending the appreciation dinner. Treasurer Kim Smith wanted compensation for employees when the courthouse was closed due to bad weather. Ms. Lore informed Ms. Smith to try again to run comp time through payroll again. Chairman McGinnis addresses the 35 hour to 40 hour week again, with Attorney Rodak stating that best practice is to have both parties sign off if agreeable for comp time. At this time Doug Hashman moved to draft a Resolution for compensation amendment to the current handbook allowing one to one comp time greater than 35 hours for the 35 hour employees, as per federal guidelines, this will be signed and effective May 1, 2017, seconded by Susan Lore. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried.



# Box Butte County Board Minutes



County Government Day high school students were welcomed.

The Board viewed quarterly reports from Keep Alliance Beautiful.

Doug Hashman moved to appoint Mike McGinnis, John McGhehey, Susan Dyer, John Kiss, and David Briggs as an interview committee for reviewing applications for the vacant county attorney position, seconded by Susan Lore. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried. Deadline to receive applications will be April 10, 2017 at 4:00 p.m.

## BOOK **M** PAGE **2017 - 07**

Mobius representative Patrick Maag provided a phone proposal for the road department offices that are similar to those already being used by the courthouse. Chairman McGinnis felt the \$1909.80 proposal was too much for two phones and would like information and costs from other companies. Commissioner Hashman also would like to see options and a more reasonable cost. Mr. Maag stated that a refurbished system could reduce the cost by \$300.00. The road department telephone system will be added to the April 3, 2017 agenda.

Road Superintendent Barbara Keegan provided a road and equipment report, stating that she will be holding a safety committee meeting before the end of March. Chairman McGinnis and Deputy County Attorney Rodak informed Ms. Keegan that the existing rock crushing contract could be extended at the same terms. The surplus items will be on Big Iron April 19, 2017 and Chadrad starting March 28, 2017.

Chairman McGinnis provided building and grounds report. Due to the recent gargoyle falling off of the courthouse, Berggren Architects will be contacted for a recommendation to have the gargoyles inspected.

Added to the agenda was Panhandle District Meeting report. Box Butte County will host the Spring Panhandle District Meeting on March 22, 2017 at the Weborg 21 Centre in Gering, NE. All arrangements have been made.

Doug Hashman moved to approve and sign monthly claims, seconded by Susan Lore. Lore, yes; Hashman, yes; McGinnis, yes. Motion carried.

Chairman McGinnis called recess at 10:25 a.m.

Chairman McGinnis resumed the meeting at 10:38 a.m., with roll call: Susan Lore, Doug Hashman and Mike McGinnis present.

Following public comment, County Government Day Students continued to visit with the Board of Commissioners. Chairman McGinnis adjourned at 11:33 a.m.

\_\_\_\_\_  
Chairperson

Attest: \_\_\_\_\_  
County Clerk