



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

September 7, 2021

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of September, 2021 at the Butler County Courthouse Supervisors Meeting Room in David City, Nebraska at 9:00 a.m.

Present were the following: Anthony Whitmore, Tony Krafska, Scot Bauer, David Mach, Jan Sypal, 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.

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.

Special Public Hearing for Final Tax Request

Moved by Mach and seconded by Coufal to open the public hearing for the Final Tax Request at 9:00 a.m. Upon roll call vote the following voted aye: Mach, Coufal, Svoboda, Bauer, Sypal, and Whitmore. The following voted nay: NONE. Absent: Krafska.

Stephanie Laska, County Clerk, explained what was discussed during the budget hearing and gave a summary of the budget. She informed the board that after the budget hearing she was able to get in touch with the State Auditors office regarding the County's change in valuation and the impact it had on the budget. The auditor's office said that as long as it was stated in the minutes of the budget hearing, that would be sufficient notice to the public of the change in the levy, since the tax request was not changing. Again, Laska summarized what had happened. She explained that she was notified by the assessors' office that a TIF had been paid off by the City of David City, therefore, understating the county's valuation. The valuation was updated and re-certified to the clerk's office on Friday, August 27, 2021. The County Valuation was undervalued by \$2,745,355; therefore, reducing the levy from .182018 down to .181813. Laska then explained that the tax request for 2021-2022 is \$4,418,416.89 which is up 5% over last years request of \$4,213,793.44. She also noted that the levy is only increasing 3% because the county's valuation is up 2% over last year. She asked the board if they had any questions. There were none. Chairman Whitmore asked the public for comment. Present was Bill Veach; he asked with the change in valuation was the levy going to go down? Whitmore said that yes it was going down. The hearing was going to be left open to see if there would be any further public comment.

Supervisor Krafska entered the meeting at 9:02 a.m.

Monthly Sheriff Report

Alexis Buresh, Sheriff's Office manager presented the Monthly Sheriff Report for August 2021; the report was accepted and placed on file.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of August 2021 was accepted and placed on file.

Clerk of the District Court Monthly Fee Report



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The Clerk of the District Court fee report for the month of August 2021 was accepted and placed on file.

Discussion/Possible Action on Flu Vaccination for County Employees

Moved by Mach and seconded by Coufal to approve the County to pay for flu vaccinations for all County Employees. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Human Resources Update

Heidi Loges, Human Resources Director, presented before the board that she has spoken with the maintenance department at the Courthouse and at the Highway 92 Building to discuss disinfecting with the current rise in COVID cases. She also informed the board that Kurt Mantonya will be leaving the Extension office, his last day is September 15.

Discussion/Possible Action appointing new public defender

Loges reported that the hiring committee interviewed the one applicant they received for the Public Defender position on Friday, September 3, 2021. She said that is the only update they have at this time and hope to have more at the next meeting.

Approval of Early Payroll for Termed Employee

Moved by Bauer and seconded by Coufal to approve the early payroll for termed employee. Upon roll call vote the following voted aye: Bauer, Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Motion carried.

Committee Reports

There is a Four Corners Health meeting coming up.

Correspondence/Discussion

Supervisor Bauer said he has been approached by a family who would like to reset a tombstone in an abandoned cemetery. Currently there is not a cemetery board for Fairview Cemetery, and the county takes care of the cemetery. The family said they will reset it at their expense so it will not cost the county anything. The general consensus was that would be fine, it will be placed on the next agenda for September 20, 2021, for the board to vote on and approve.

Discussion

Several supervisors were contacted by Bob Hilger regarding water/drainage issues on and around County Roads 36 & N. They asked Randy Isham, Highway Superintendent to look into this and see if there is a solution to fix the issues.

Special Public Hearing for Final Tax Request continued

Chairman Whitmore asked if there was any further discussion or public comment regarding the special tax request. There was no further discussion or public comment. Moved by Mach and seconded by Svoboda to close the special public hearing for final tax request at 9:24 a.m. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Consideration/Approval of Resolution 2021 - 31 - Adoption of County Budget

Moved by Svoboda and seconded by Krafka to approve Resolution 2021-31 as presented. Upon roll call vote the following voted aye: Svoboda, Krafka, Bauer, Mach, Sypal, Coufal, and Whitmore. The following voted nay: NONE. Motion carried.



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WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2021, to June 30, 2022, prepared by the Budget Making Authority, was transmitted to the County Board on the 7th day of September, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Board of SUPERVISORS of Butler County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2021, to June 30, 2022, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Butler County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2021, and ending June 30, 2022.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 7TH DAY OF SEPTEMBER, 2021.

/s/Anthony Whitmore

Supervisor

/s/Robert Coufal

Supervisor

/s/David W. Mach

Supervisor

/s/Tony Krafka

Supervisor

/s/Ryan Svoboda

Supervisor

/s/Jan Sypal

Supervisor

/s/Scot Bauer

Supervisor

ATTEST:

/s/Stephanie L. Laska

County Clerk

Consideration/Approval of Resolution 2021 - 32 - Setting Final Tax Request

Moved by Mach and seconded by Krafka to approve Resolution 2021-32 as presented. Upon roll call vote the following voted aye: Mach, Bauer, Krafka, Svoboda, Coufal, Sypal, and Whitmore. The following voted nay: NONE. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2021 - 32**

RESOLUTION SETTING THE 2021-2022 FINAL TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Butler County Board of Supervisors passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW THEREFORE, the Governing body of the Butler County Board of Supervisors, resolves that:



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1. The 2021-2022 property tax request be set at \$4,418,416.59
2. The total assessed value of property differs from last year's total assessed value by 2%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.173393 per \$100 of assessed value.
4. The County of Butler proposes to adopt a property tax request that will cause its tax rate to be \$0.181813 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Butler County will exceed last years by 12%.

DATED AND PASSED THIS 7TH DAY OF SEPTEMBER, 2021.

/s/Anthony Whitmore

Supervisor

/s/Robert Coufal

Supervisor

/s/David W. Mach

Supervisor

/s/Tony Krafka

Supervisor

/s/Ryan Svoboda

Supervisor

/s/Jan Sypal

Supervisor

/s/Scot Bauer

Supervisor

ATTEST:

/s/Stephanie L. Laska

County Clerk

Open Trailer Bids

Three trailer bids were submitted, those bids are as follows:

1. RDO Truck Centers - \$60,997.95
2. Hawk Equipment Co - \$55,562.00
3. Murphy Tractor - \$75,395.00

Isham would like to take a look at each trailer between now and the next meeting and then have the board accept the trailer bid. Acceptance of the trailer bid will be put on the next agenda.

Discussion/Possible action regarding Windstream utility permit located at 710 Road 43, Bellwood, NE

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

Roads Update

Isham said with all of the rain they are trying to keep up on road repairs that are needed. He had two employees report over the weekend to help with fixing some of the road issues that had been caused by the rain. Isham said that he is still trying to get down to Linwood to help with their water issues. He said that he is going to build up the road to help with the issue. The roads department is also trying to get a couple driveways put in and a minimum maintenance road open before harvest. They also plan to clean the ditches on the landfill road. They plan to start on Road 35 and head north to the Bruno Spur, then they will go back to Highway 92 and take a mile at a time from there. Supervisor Svoboda asked Isham if he plans to reinforce not farming the Right of Way. Isham said that he and Jim Novacek were working on getting a notice published.



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Bill Veach was present at the meeting to inquire about the gravel pit and rumors he has been hearing. He asked if the gravel pit was worth it or is it just pumping sand. Isham said that the pit is tested at least twice a year and it always meets state specs. Veach also asked if the Roads department is buying gravel and mixing it with sand and gravel from the pit. Isham said absolutely not, the county only buys the gravel and does not buy the sand from the landowner they lease from. The board asked if Mr. Veach wanted to go out to the pit and observe a test, he said no that he could review the paperwork, and that would be sufficient. He also asked if the county would be out cleaning ditches in his area would they clean his, also the dirt they take from his ditches they can leave on his property.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

There is no business to discuss for the board of equalization.

Blue Cross Blue Shield – Insurance Review

Judd Allen & Mike Boden from NACO and Brett Young from Blue Cross Blue Shield appeared before the board to ask how everything was going with health insurance this year and to see if there were any questions or concerns. The board said they believed everyone was satisfied with BCBS; they hadn't heard anything different.

Discussion/Possible Action – Sale of Old Highway Department Property

The board discussed that the hold up right now is the Sheriff has not gotten the evidence out of the old highway yard and moved it to the Hwy 92 Building. They need to get this going and set a date that it needs to be out so they can get it sold. They asked Laska to put this on the agenda for the next meeting.

Supervisor Krafka was excused at 10:34 a.m.

Consideration/Approval of Resolution 2021 - 33 - Transfer from Inheritance Fund to General Fund

Moved by Mach and seconded by Bauer to approve Resolution 2021-33 as presented. Upon roll call vote the following voted aye: Mach, Bauer, Svoboda, Coufal, Sypal, and Whitmore. The following voted nay: NONE. Motion carried.
Absent: Krafka.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2021-33

WHEREAS, the Butler County Board of Supervisors at the September 7, 2021 Budget Hearing approved the transfer of money from the Inheritance Tax Fund to the General Fund as part of the budget process for general operations; and

WHEREAS, the amount approved through the budget hearing for said operations of the General Fund to be transferred from the Inheritance Tax Fund is \$500,000.00; and

WHEREAS, funds are available in the Inheritance Tax Fund to transfer to the General Fund in the amount of \$500,000.00.

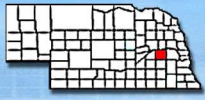
NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$500,000.00 to the General Fund for general operations from the Inheritance Tax Fund.

Dated this 7th day of September, 2021

/s/Anthony Whitmore
Anthony Whitmore, Chairman

ATTEST:

/s/Stephanie L. Laska
Stephanie L. Laska, County Clerk



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Consideration/Approval of Resolution 2021 - 34 - Transfer from General Fund to 911 Emergency Management

Moved by Bauer and seconded by Sypal to approve Resolution 2021-34 as presented. Upon roll call vote the following voted aye: Bauer, Mach, Sypal, Coufal, Svoboda, and Whitmore. The following voted nay: NONE. Motion carried. Absent: Krafka

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2021-34**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the 911 Emergency Management Fund through the General Fund of Butler County; and

WHEREAS, the Butler County 911 Emergency Management is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Management Fund in an amount of \$320,349.12.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$320,349.12 to the 911 Emergency Management Fund for the maintenance and operations of said 911 Emergency Management from the General Fund.

Dated this 7th day of September, 2021.

/s/Anthony Whitmore
Anthony Whitmore, Chairman

ATTEST:

/s/Stephanie L. Laska
Stephanie L. Laska, County Clerk

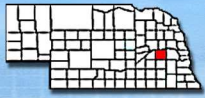
Consideration/Approval of Resolution 2021 - 35 - Transfer from 911 Wireless Service Fund to 911 Wireless Holding Fund

Moved by Mach and seconded by Sypal to approve Resolution 2021-35 as presented. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Bauer, and Whitmore. The following voted nay: NONE. Motion carried. Absent: Krafka.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2021 – 35**

WHEREAS, Butler County, Nebraska (“Butler County”) provides a public safety answering point (“PSAP”) which receives 911 service calls and either dispatches emergency services or relays calls to the appropriate public service agency, and

WHEREAS, the Nebraska Public Service Commission, pursuant to the Enhanced Wireless 911 Services Act, has set a surcharge to be collected by wireless carriers and paid by their wireless customers to help fund certain costs of E-911 Wireless, and



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WHEREAS, Butler County receives a portion of the surcharge funds from the Nebraska Public Service Commission, and is allowed to save or set aside up to 75% of the funds received for future equipment/software purchases and upgrades, and

WHEREAS, for the fiscal year 2020-2021 all funds received were deposited into the 911 Wireless Service Fund,

WHEREAS, Butler County is allowed to set aside funds in the amount of \$16,085.30 the amount remaining from fiscal year 2020-2021 for future equipment/software purchases and upgrades.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$16,085.30 from the 911 Wireless Service Fund to the 911 Wireless Service Holding Fund.

Dated this 7th day of September, 2021.

/s/Anthony Whitmore
Anthony Whitmore, Chairman

ATTEST:

/s/Stephanie L. Laska
Stephanie L. Laska, County Clerk

Discussion

Supervisor Sypal showed the rest of the board a flyer that was brought to her attention after the Ricketts Townhall meeting. The flyer was from the USDA regarding new conservation programs for flood-prone acres. The rest of the board was unaware of the flyer that had went out.

It was also questioned if the board wanted to address zoning in the County. County Attorney, Julie Reiter, made the board aware that there is a process to zone the county. The process includes first adopting a comprehensive plan and then adopting zoning. She also noted that per the townhall meeting, if the county has a comprehensive plan, the board will have to approve the easements for the 30 x 30. They wouldn't necessarily need to have county zoning.

Sypal asked if the county doesn't have zoning why do they have so much power over the Landfill? Reiter explained that the board has the authority to approve the landfill expansions by statute. She provided Sypal and the rest of the board the statutes to review regarding landfills.

Svoboda informed the board that the landfill had approached him regarding a smaller expansion plan and asked him to report to the board and get a feeling for what the board thinks about the idea. The board discussed that the Landfill should meet with the committee and discuss the topic or come to the board meeting and discuss with the full board.

There being no further business to come before the board, the Chairman adjourned the meeting at 11:06 a.m. The next scheduled meeting of the Board of Supervisors will be September 20, 2021, at 9:00 a.m. at the Butler County Courthouse Supervisors Meeting Room.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman