



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

March 7, 2022

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of March, 2022 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: Anthony Whitmore, Tony Krafka, 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.

NIRMA Plaque Presentation

Jean Andrews, NIRMA, presented the County board with a plaque for being a NIRMA county for the last 15 years.

Discussion/Possible Action regarding acceptance of bid for Butler County Property located at 1329 36th Road David City, Nebraska

County Attorney, Julie Reiter, appeared before the board to discuss a water issue at the old Highway Department. She stated that currently the city doesn't know if it is an issue the city must repair, or the county must repair. The board discussed that if it is the County's responsibility they need to pay for the repairs. Moved by Sypal and seconded by Bauer to approve the repairs at the county's expense if the issue is determined to be the county's responsibility. Upon roll call vote the following voted aye: Sypal, Mach, Bauer, Krafka, Svoboda, Coufal, and Whitmore. The following voted nay: NONE. Motion carried.

Supervisor Bauer was excused at 9:06 a.m.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Mach and seconded by Coufal to move into the Board of Equalization at 9:06 a.m. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

Moved by Mach and seconded by Coufal to exit the Board of Equalization at 9:09 a.m. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of February 2022 was accepted and placed on file.

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of February 2022 was accepted and placed on file.



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Sheriff Monthly Report

The Monthly Sheriff Report for February 2022 was presented before the board. It was accepted and placed on file.

Resolution 2022-05 Nebraska 4-H Month Proclamation

At the March 7th meeting, representatives for Butler County 4-H presented before the board and requested the board sign a resolution acknowledging the presentation. Moved by Krafka and seconded by Coufal to approve the resolution as presented. Upon roll call vote the following voted aye: Krafka, Svoboda, Coufal, Sypal, Mach, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

Discussion/Possible action regarding the approval of Windstream Utility permit for Roads A & 38 and Roads A & 34

Assistant Highway Superintendent, Jim Novacek, appeared before the board to present a utility permit for Windstream for Roads A & 38 and Roads A & 34. Moved by Mach and seconded by Sypal to approve the permit as presented. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

Update on Roads

Novacek updated the board that they had been approached by Franklin Township regarding the County using their machine for County roads. The roads department will no longer use the townships machine on county roads, instead they will use a county machine. The department is back out grinding trees and bushes after repairing the grinder machine. They are also still hauling rip rap to bridges and washouts. They are hoping to be back out digging ditches in the near future.

Supervisor Bauer returned to meeting at 9:17 a.m.

Discussion/Possible action regarding a letter of support regarding Legislative Bill 805

Noxious Weed Superintendent, Max Birkel, appeared before the board requesting that they send a letter of support to Senators Bostelman and Kolterman regarding Legislative Bill 805. The bill would amend the Noxious Weed Act, adding measures to prevent the spread of invasive species to the already in place control measures and adds flood plain to the area that vegetation is managed. Moved by Sypal and seconded by Coufal to approve the letter of support as presented to Senators Bostelman and Kolterman. Upon roll call vote the following voted aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Mach, and Whitmore. The following voted nay: NONE. Motion carried.

Discussion/Possible action regarding a letter to the Department of Ag regarding proposed changes to the rules and regulations for Noxious Weeds

Birkel discussed with the board another letter that would be addressed to the Department of Ag regarding proposed changes. He said at this time he's not ready to ask for their support, but he may be back soon to discuss this topic again.

Supervisor Bauer was excused at 9:24 a.m.

Discussion/Possible action regarding the Detention Center's HVAC system

Ken Pelan, Building & Grounds Maintenance, appeared before the board with two quotes for the HVAC system in the Detention Center and the entire new addition of the courthouse. He said if they just do the Detention Center portion it will be under \$10,000, however, if they do the whole thing it will be over that threshold. He also requested that the board use ARPA funds for the project as he did not budget for the expense this year and does not have the funds. The board discussed that they could use ARPA funds and if they didn't, they would pay for it out of Inheritance. Pelan explained that he reached out to several companies, but only received 2 bids, one for \$11,100 and the other for \$18,250. Moved by Sypal and seconded by Svoboda to approve the bid from Duct Defense Midwest for \$11,100 and use ARPA funds to pay for the project. Upon roll call vote the following voted aye: Sypal, Coufal, Svoboda, Krafka, Mach, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.



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Discussion/Possible action regarding purchase of patrol vehicles

Sheriff Tom Dion appeared before the board to inform them that the contract previously approved for patrol units was cancelled by Dodge. As a result, he reached out to a Ford Dealership in Iowa, Stivers Ford of Iowa. They had 3 units he could acquire; the 3 units would save the county approximately \$6,000 from the previously approved vehicles. He informed the board that he would have to equip the cars, however, he had spoken with Seward County Sheriff Michael Vance and he agreed to equip them for the county using drug interdiction seizure funds, the estimate to equip the vehicles is \$16,326.02 per vehicle. Moved by Mach and seconded by Svoboda to approve the purchase of the 3 patrol units. Upon roll call vote the following voted aye: Mach, Krafka, Svoboda, Coufal, Sypal, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

Sheriff Dion asked the board if they would allow the patrol vehicle invoices to be paid early so that he could go get them picked up as soon as possible since the patrol vehicles are being sought out by several agencies. Moved by Mach and seconded by Coufal to allow the claims for Stivers Ford IA to be paid early. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

Notification from the Nebraska Department of Environment & Energy (NDEE) – Platte Center West – Alpine Crested Butte Concentrated Animal Feeding Operation – Transfer of Construction & Operating Permit

Notification from the Nebraska Department of Environment & Energy (NDEE) for Platte Center West – Alpine Crested Butte Concentrated Animal Feeding Operation was presented before the board. The notification was for a Transfer of Construction & Operation permit located in the South ½ of the Northeast 1/4, Section 22, Township 15 North, Range 4 East, Butler County, Nebraska.

Correspondence

1. Nebraska Commission on Law Enforcement and Criminal Justice – Jail Standards Compliance
2. VFW Department of Nebraska – County Veteran Service Officers Nomination
3. 2021 NIRMA Annual Report
4. UNL Nebraska Water Center Annual Report

Committee Reports

The supervisors reported that the following committees met: Law Enforcement Committee, Hospital Committee, Butler County Development Committee.

Discussion/Possible action regarding possibly outsourcing 911 Emergency Communications Center

Chairman Whitmore reported that since the last meeting the committee found the following information:

1. To allow entrance in and out of the jail there would need to be a person staffed 24/7 in Butler County to be compliant with jail standards.
2. In order to use Zuercher on the Platte County server the county would have to invest a significant amount of money to be on the other server.
3. All fire departments would have to change their radios to interface with Platte County or they could use the internet, however, if the internet would go down someone would have to drive to David City to man the radios.
4. A back up would be needed and Mark Doehling, Emergency Manager, contacted Schaefer communications and they said to do that they roughly estimated a \$50,000 investment.

Rachel Pensick from Platte County said that she would recommend the county hire a consultant to come in and help write policies and procedures and put training procedures and programs in place, that would be a much better investment.

Detention Administrator, Angie Siebken, informed the board that Seward County is now compliant with jail standards, so they are one step closer to going live here in Butler County with the Zuercher software.



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Further discussion regarding the 911 Communications resulted in Supervisor Krafka requesting that the next agenda include, Discussion/Possible action regarding the Board of Supervisors overseeing the 911 Communications Center. He said after they discuss that topic, they can make a plan to hire outside help for the center.

Supervisor Bauer returned to the meeting at 10:12 a.m.

Discussion/Possible Action regarding acceptance of bid for Butler County Property located at 1329 36th Road David City, Nebraska

County Attorney, Julie Reiter, appeared before the board to update them that she had taken a short break from the auction and when she returns if there are no further bids, she will close the auction if she has the board's approval. Moved by Coufal and seconded by Sypal to allow the county attorney to close the bidding if there are no further bids when she returns from her break. Upon roll call vote the following voted aye: Coufal, Sypal, Mach, Bauer, Krafka, Svoboda, and Whitmore. The following voted nay: NONE. Motion carried.

Supervisor Bauer was excused from the meeting at 10:15 a.m.

At 10:16 a.m. the chairman declared the board would take a quick break.

At 10:20 a.m. the board reconvened.

Discussion/Possible Action regarding acceptance of bid for Butler County Property located at 1329 36th Road David City, Nebraska

Reiter returned to the meeting and presented before the board that the County Property was selling for \$475,000 and the successful bidders were AC Storage LLC, Andra & Corey Vandenberg. Moved by Mach and seconded by Coufal to approve the winning bid and to authorize the chairman sign the purchase agreement. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Absent: Bauer. Motion carried.

There being no further business to come before the board, the Chairman adjourned the meeting at 10:31 a.m. The next scheduled meeting of the Board of Supervisors will be March 21, 2022 at 9:00 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman