



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

December 19, 2022

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of December 2022 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: Anthony Whitmore, Tony Krafska, Scot Bauer, David W. 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.

Floodplain Administrator Update

Breann Whitmore, Floodplain Administrator, updated the board regarding permits issued in 2022 and her continuing education that she completed in 2022. She also informed the board that she has been approached about RV parks, both were located in a floodplain, and she is requiring an engineering study and park plan before she will review anything.

Designation of Official County Newspaper for 2023

Moved by Mach, seconded by Sypal to designate the Banner Press as the Official County Newspaper for 2023. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafska, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Designation of County Website as method of publication for 2023

Moved by Mach, seconded by Coufal to designate the Butler County website as an official means of publication for 2023. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafska, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

2021-2022 Audit Report

Chairman Whitmore asked if everyone had a chance to review the audit report. He mentioned that it looked like each department that needed to respond had done so, as was advised by the auditors during previous audits. The report was issued on December 09, 2022. A copy of the report is available in the office of the County Clerk.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Coufal, seconded by Sypal to move into the Board of Equalization at 9:05 a.m. Upon roll call vote the following voted aye: Coufal, Sypal, Mach, Bauer, Krafska, Svoboda, and Whitmore. The following voted nay: NONE. Motion carried.

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

Approval of Official Bond and Oath/James L. Miratsky – Skull Creek Township



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Moved by Mach, seconded by Krafka to approve the bond and oath 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.

Approval of Official Bond and Oath/Nicholas R. Prochaska – Read Township

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

Approval of Official Bond and Oath/Mark W. Shonka – Read Township

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

Claims

Moved by Sypal, seconded by Mach to pay all claims excluding the Wex Claims. Upon roll call vote the following voted aye: Sypal, Mach, Bauer, Krafka, Svoboda, Coufal, and Whitmore. The following voted nay: NONE. Motion carried.

Moved by Mach, seconded by Bauer, to pay the Wex Claims. Upon roll call vote the following voted aye: Mach, Bauer, Krafka, Svoboda, Coufal, and Whitmore. The following voted nay: NONE. Abstained: Sypal. Motion carried.

Discussion/Possible action – approval of Windstream Utility permit for boring along ROW on Road 36 between J & K

Highway Superintendent, Randy Isham presented a Windstream Utility permit for boring along the right of way on Road 36 between J & K. Moved by Krafka, seconded by Coufal to approve the Windstream Utility permit as presented. Upon roll call vote the following voted aye: Krafka, Svoboda, Coufal, Sypal, Mach, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Discussion/Possible action regarding the national functional classification of Butler County Roads systems

Moved by Mach, seconded by Coufal to approve the National Functional Classification of Butler County Roads systems. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Update on Roads

Isham said they have switched from cleaning ditches to shredding trees along county owned easements. He said with the weather system coming this week they are preparing their equipment for the cold temperatures. Isham informed the board that the city is looking at a road maintenance agreement with the county; he suggested to the board that he would like to see an hourly rate charged rather than an annual payment.

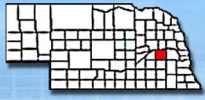
Discussion regarding the future of the Sheriff's Department County K-9 program

Whitmore informed the board that after Deputy Mejstrik's last day with the County they will no longer have an active K-9 program. Sheriff Dion said he wants to keep the program and is hoping to keep it as he feels it is a good program for Butler County.

Approve & Authorize Chairman to sign/Butler County Noxious Weed Superintendent Annual State Reports

Max Birkel, Noxious Weed Superintendent, appeared before the board to present his annual report. He noted that currently Butler County has three open files, two phragmites open files and one musk thistle open file. He is hoping they will be resolved and closed in the upcoming year. Moved by Mach, seconded by Coufal to approve the annual report as presented. Upon roll call vote the following voted aye: Mach, Sypal, Coufal, Svoboda, Krafka, Bauer, and Whitmore. The following voted nay: NONE. Motion carried.

Discussion/possible action regarding Law Enforcement Contract Negotiations with the City of David City (Executive Session)



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Moved by Mach, seconded by Bauer to move into executive session to discuss contract negotiations with the City of David City, inviting Sheriff Tom Dion and County Attorney Julie Reiter at 9:35 a.m. Upon roll call vote the following voted aye: Mach, Bauer, Krafka, Svoboda, Coufal, Sypal, and Whitmore. The following voted nay: NONE. Motion carried.

Moved by Sypal, seconded by Coufal to exit executive session at 9:50 a.m. Upon roll call vote the following voted aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Mach, and Whitmore. The following voted nay: NONE. Motion carried.

Discussion regarding future development plans

Paul Wahlmeier and Lou Rickers, representing AG Processing appeared before the board to inform the board regarding the soybean processing plant they will be building on the northwestern side of David City and answered questions the board had.

Discussion/Possible Action regarding Zuercher and future equipment & IT needs

Tom Nielsen, Soaring Group appeared before the board to inform them of future IT needs that the county may need and the need for 24/7 assistance once Zuercher goes live. The board asked him to get a proposal together and come back and meet with the board.

Discussion/Possible Action – approval to use ARPA Funds to purchase 2 new pcs & monitors for jail & dispatch for use with new camera system

Detention administrator, Angie Siebken appeared before the board to request the purchase of 2 new pcs and monitors that are needed for the security camera system. She said that she went through Inteconnex for the equipment since they knew exactly what was needed to run the camera system. Moved by Sypal, seconded by Svoboda to use ARPA funds to purchase 2 new pcs and monitors for the jail & dispatch for use with the new camera system. 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 the number of sheriff's deputies to authorize per Nebraska Revised Statute 23-1704.04

Whitmore informed the board that the Sheriff has several openings currently and with the City of David City Law Enforcement Contract still in negotiations he asked the board to consider limiting the sheriff to 6 deputies and himself. He stated that if the City contract is not renewed, it will not be the Sheriff making the hard decision to cut staff, it will be the board, and he doesn't want the Sheriff to hire 5 people and later possibly tell a few that they no longer have a job. He suggested that Sheriff Dion hire 2 deputies for now until the City contract is figured out. Moved by Sypal, seconded by Krafka to authorize the Sheriff to have six deputies on staff, plus himself. Upon roll call vote the following voted aye: Sypal, Coufal, Krafka, Bauer, and Whitmore. The following voted nay: Svoboda and Mach. Motion carried.

At 10:38 a.m. the chairman declared the board would take a quick break.

At 10:43 a.m. the board reconvened.

Discussion/possible action regarding Law Enforcement Contract Negotiations with the City of David City (Executive Session)

Moved by Bauer, seconded by Mach to go into executive session to continue discussing the law enforcement contract negotiations with the City of David City inviting Sheriff Dion and County Attorney Julie Reiter at 10:43 a.m. Upon roll call vote the following voted aye: Bauer, Mach, Sypal, Coufal, Svoboda, Krafka, and Whitmore. The following voted nay: NONE. Motion carried.

Moved by Mach, seconded by Sypal to exit executive session at 11:08 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.



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There being no further business to come before the board, the Chairman adjourned the meeting at 11:08 a.m. The next regularly scheduled meeting of the Board of Supervisors will be on January 5, 2022, at 8:30 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman