



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

February 6, 2023

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of February, 2023 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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.

Approval of Resolution 2023 – 05/4-H Month Proclamation

4-H Assistant, Aliesha Meusch and 4-H Exhibitors Aubree Siffring and Alexa Carter presented about February being Nebraska 4-H Month and then presented the board with a resolution proclaiming February 2023 as 4-H Month. Moved by Sypal, seconded by Coufal to approve Resolution 2023 – 05 as presented. Upon roll call vote the following:

Voted aye: Sypal, Coufal, Svoboda, Bauer, Steager, & Whitmore

Voted nay: NONE,

Absent: Krafka,

Motion carried.



Butler County Board Minutes



BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA

Resolution 2023-05

NEBRASKA 4-H MONTH PROCLAMATION

WHEREAS, 4-H is one of the largest youth development organizations in Nebraska and the largest in the nation with six million young people.

WHEREAS, 4-H in Nebraska claims 145,000 youth members, while Butler County 4-H program numbers more than 225 members and 50 youth and adult volunteers.

WHEREAS, 4-H as part of the University of Nebraska–Lincoln Extension system is a program where youth learn through opportunities that provide hands-on experiences in 4-H’s mission mandates of science, engineering and technology; healthy living; and citizenship.

WHEREAS, 4-H has connected youth and their communities with the innovative research and resources from our nation’s 106 land-grant universities and colleges for more than 100 years;

NOW, THEREFORE, I, Anthony Whitmore, Chair of the Butler County Board of Supervisors, do hereby proclaim the month of February 2023, as Nebraska 4-H Month in Butler County. I urge the people of this community to take advantage of the opportunity to become more aware of this special program that enhances our young people’s interests, in their futures as part of Butler County 4-H Youth Development, and to join us in recognizing the unique partnership between our county and the University of Nebraska-Lincoln.

DATED this 6th day of February, 2023.

MOVED by Sypal, seconded by

Coufal, that the above resolution be adopted.

Motion carried.

FOR:

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

AGAINST:

ABSENT:

Tony Krafka

ABSTAIN:

Attested to by:

[Signature]
Stephanie L. Kaska
Butler County Clerk





Butler County Board Minutes



Discussion/Possible Action – Request for ARPA funding – Social Determinants of Health/Rural Fellows Program

Maria Cantu-Hines, Rural Prosperity Nebraska Educator, came before the board to request funding of \$2,000 for the Rural Fellow program. The board asked if she had spoken with Four Corners Health District, she said she had not yet. They asked her to do so and then come back to the board at a later date.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of January 2023 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 January 2023 was accepted and placed on file.

Approval Official Bond and Oath/Scott R. Wynegar, Ulysses Township

Moved by Bauer, seconded Sypal to approve the oath & bond as presented. Upon roll call vote the following:

Voted aye: Bauer, Steager, Sypal, Coufal, Svoboda, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval Official Bond and Oath/Samuel J. Stara, Ulysses Township

Moved by Coufal, seconded Svoboda to approve the oath & bond as presented. Upon roll call vote the following:

Voted aye: Coufal, Svoboda, Bauer, Steager, Sypal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval Official Bond and Oath/Steven Stara, Ulysses Township

Moved by Sypal, seconded Bauer to approve the oath & bond as presented. Upon roll call vote the following:

Voted aye: Sypal, Steager, Bauer, Svoboda, Coufal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval Official Bond and Oath/Matt Podolak, Bone Creek Township

Moved by Steager, seconded Bauer to approve the oath & bond as presented. Upon roll call vote the following:

Voted aye: Steager, Bauer, Svoboda, Coufal, Sypal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval Official Bond and Oath/Brian Juranek, Bone Creek Township

Moved by Svoboda, seconded Steager to approve the oath & bond as presented. Upon roll call vote the following:

Voted aye: Svoboda, Bauer, Steager, Sypal, Coufal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Sheriff Monthly Report

Alexis Buresh, Sheriff Office Manager presented the Monthly Sheriff Report for January 2023. It was accepted and placed on file.



Butler County Board Minutes



Approval of Early Payroll for Separated Employee

Moved by Steager, seconded by Bauer to approve the early payroll for the separated employee as presented. Upon roll call vote the following:

Voted aye: Steager, Bauer, Svoboda, Coufal, Sypal, & Whitmore.

Voted nay: NONE

Absent: Krafka

Motion carried.

Discussion/Possible Action regarding a Master Agreement between Butler County and Nebraska Department of Transportation

County Surveyor, Brian Foral was present to discuss the Master agreement with the Department of Transportation. He said in the past these agreements have been done per job, now the state is doing them for a 5-year term. He said that if a project would come up, he would need additional funding in his budget because he would need to hire help to complete the corner projects. The board said they could address that at budget time. Moved by Sypal, seconded by Steager to sign the master agreement with the Department of Transportation. Upon roll call vote the following:

Voted aye: Sypal, Steager, Bauer, Svoboda, Coufal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval of Resolution 2023 – 06/Adopt & Approve the Execution of a Master Agreement with the Dept of Transportation of the State of NE for County Survey Services

Moved by Bauer, seconded by Coufal to approve Resolution 2023-06 as presented. Upon roll call vote the following:

Voted aye: Bauer, Svoboda, Coufal, Sypal, Steager, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.



Butler County Board Minutes



Exhibit "A"

RESOLUTION 2023-06

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF A MASTER AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR COUNTY SURVEY SERVICES.

Be it resolved by the Chairperson of the Board of the County of Butler, Nebraska, that:


1. The County shall enter into a 5-year Master Agreement with the Nebraska Department of Transportation concerning a Process for County to Provide Survey Services for Highway Projects within the boundaries of Butler County.
2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Butler and the County Clerk is authorized to attest said execution.
3. This resolution will be marked Exhibit "A" and a copy attached to each Original Agreement.

PASSED AND APPROVED THIS 6th DAY OF February, 2023.



 Chairperson of the Board

ATTEST:



 County Clerk



Appointment of Dr. Jillian Fickenscher, MD as the Board of Health Physician for the term January 2023- December 31, 2024, and Dr. Elizabeth Papineau, DDS as the Board of Health Dentist for the term January 2023-December 31, 2023



Butler County Board Minutes



Moved by Steager and seconded by Bauer to appoint Dr. Jillian Fickenscher, MD as the Board of Health Physician for the term January 2023- December 31, 2024, and Dr. Elizabeth Papineau, DDS as the Board of Health Dentist for the term January 2023-December 31, 2023. Upon roll call vote the following:

Voted aye: Steager, Bauer, Svoboda, Coufal, Sypal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Appointment of Don Naiberk as the Butler County Spirited Member for the term January 2023 – December 31, 2024

Moved by Steager, seconded by Coufal to appoint Don Naiberk as the Butler County Spirited Member for the term January 2023 – December 31, 2024. Upon roll call vote the following:

Voted aye: Steager, Sypal, Coufal, Svoboda, Bauer, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Discussion/Possible action regarding Conservation Easement applications and filing requirements

County Clerk, Stephanie Laska, explained to the board that new requirements for Conservation Easements is requiring additional filing requirements of landowners. County Attorney, Julie Reiter, referenced the 30x30 Townhall meeting that was held in regard to Conservation easements. She also explained to the board that since the County does not have zoning or a comprehensive plan they do not have the authority to deny these applications. With that all being said, the contracts were not brought before the board today because none of the 8 applications that were submitted to the clerk are correct, and she is advising the board to have the clerk send the documents back explaining they are incorrect.

Approval of Windstream utility permit for Road 29 residential address 1791 29th Road

Highway Superintendent, Randy Isham presented a Windstream utility permit before the board. Moved by Sypal, seconded by Svoboda to approve the utility permit as presented. Upon roll call vote the following:

Voted aye: Sypal, Coufal, Svoboda, Bauer, Steager & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried

Approval of Windstream utility permit for Road 27 between S & T

Isham presented a second Windstream utility permit before the board. Moved by Bauer, seconded by Svoboda to approve the utility permit as presented. Upon roll call vote the following:

Voted aye: Bauer, Svoboda, Coufal, Sypal, Steager, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Approval of Road Maintenance agreement between Butler County & the City of David City

The board discussed the maintenance agreement with David City and are concerned with taking on an additional 4 miles since the Roads department is currently short staffed. They would feel more comfortable if they knew the time it was going to take to keep the roads maintained. Moved by Svoboda, seconded by Bauer not to move ahead with the maintenance agreement that was brought before them today. Upon roll call vote the following:

Voted aye: Svoboda, Bauer, Steager, Sypal, Coufal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Update on Roads



Butler County Board Minutes



Isam updated the board that the road crews were out putting rip wrap on bridges; they were out grading roads trying to smooth them out and that they were graveling in spots that absolutely needed them. He updated the board regarding the 15 miles of damage he reported at the previous meeting, stating that he will be getting gravel to those roads as needed until the thaw comes out completely and they can get the roads fixed. The board reminded him to tract his time on that project.

Discussion/Possible action regarding the Sheriff's Office old QuickBooks

Alexis Buresh, Sheriff Department Office Manager, came before the board to discuss writing off the Accounts Receivable Accounts that they have tried to track down but have been unable to find. The board reviewed the information she had and asked for proof that payment was received from both the Village of Rising City and the Village of Bellwood at the next meeting. The agenda item was tabled until the February 21, 2023, board meeting.

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

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

Discussion/Possible action regarding Sheriff Deputies starting wages

Sheriff Dion came before the board to discuss the starting wages for his deputies. He said they currently start at \$24.32. He would like to get to an average deputy wage of \$28.00/hour. The board inquired regarding a step program for the deputies. Dion said he was working on it. The board asked Dion to implement the step program and then come back and talk to them about starting wages. The board is concerned about the budget down the road since losing the contract with the City of David City. The board also wants the Sheriff to investigate why deputies are leaving; he needs to get with HR and go over the Exit interviews. No action was taken until a later date.

Discussion/Possible action – accept resignation of 911 coordinator

The board was informed that April Ernst resigned as the 911 coordinator as of January 27, 2023. Moved by Coufal, seconded by Steager to accept the resignation of the 911 coordinator. Upon roll call vote the following:

Voted aye: Coufal, Sypal, Steager, Bauer, Svoboda, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Discussion/Possible action – appointment of interim 911 coordinator

Supervisor Steager introduced Jami Bowers, a current 911 Dispatcher for Butler County; she was originally hired to come in and take on the lead dispatcher responsibilities; she has prior experience from Saunders County. Moved by Steager, seconded by Sypal to appoint Jami Bowers as the interim 911 coordinator. Upon roll call vote the following:

Voted aye: Steager, Sypal, Coufal, Svoboda, Bauer, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Moved by Sypal, seconded by Svoboda to increase Bowers current wage from \$21.50/hr. to 24.50/hr. while she is the interim 911 coordinator; if she is not hired as the 911 coordinator her wage will go back down to \$21.50/hr. Upon roll call vote the following:

Voted aye: Sypal, Coufal, Svoboda, Bauer, Steager, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.



Butler County Board Minutes



Discussion/Possible action – Transfer of certain items of equipment and patrol unit in the Butler County Sheriff inventory to the City of David City

The board discussed that the City of David City will be voting at their Wednesday meeting to reinstate their police department and would be in need of equipment. Since the expiration of the city contract with Butler County, the Butler County Sheriff department will have extra equipment, and when the DCPD dissolved they gave everything they had to Butler County. The board discussed three vehicles that the county has and are not being used; a 2019 Chevy Tahoe, a 2019 Ford Explorer and a new White Explorer. The board discussed they'd rather transfer this equipment than sell since due to the fact DCPD had previously given their equipment to the county. There is additional equipment that the County has that is not being used that they discussed giving to the City as well; this will enable them to be ready for duty and fully equipped. Moved by Sypal, seconded by Steager to transfer all of the following from the Butler County Sheriff Department's Inventory to the City of David City and sell to them for \$1.00 (one dollar):

- 2019 Chevy Tahoe with 54,000 miles,
- light bar & other emergency lights on front and back of vehicle,
- siren (regular & rumbler),
- prison transport cage, bars on window within transport cage, plastic seat within transport cage,
- center console that can hold electronics,
- computer stand,
- internet within vehicle,
- radio (state & fire),
- smart siren/light control box,
- door alarm for passenger door,
- in car camera system,
- drawer/box system within vehicle for all electrical hookups,
- storage doors, box, shelves, for extra gear,
- tires need to have adequate tread to be able to respond to codes or emergencies,
- radar system,
- exterior spotlight,
- flashlight mounted inside the vehicle,
- 3 vests,
- laptop,
- AR-15,
- handgun(9mm Glock),
- 1 taser,
- 1 portable with charger.

This transfer is contingent upon the City of David City voting to reinstate their police department. Upon roll call vote the following:

Voted aye: Sypal, Steager, Bauer, Svoboda, Coufal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Consideration/Approval of Resolution 2023 – 07/Transfer from 911 Wireless to the Visitor's Promotion Fund & Visitor's Improvement Fund

Laska explained to the board that through a team effort the 911 Wireless audit has been completed and that what was found that a transfer of \$208.29 was errantly transferred into the 911 Wireless fund and needs to be transferred out to correct the error. It was found the funds should have went into the Visitor's Promotion and Visitor's Improvement funds. Moved by Steager, seconded by Coufal to approve Resolution 2023-07 as presented. Upon roll call vote the following:

Voted aye: Steager, Sypal, Coufal, Svoboda, Bauer, & Whitmore

Voted nay: NONE



Butler County Board Minutes



Absent: Krafka
Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2023 – 07**

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

WHEREAS, it was discovered during the Butler County Wireless Audit for the fiscal year 2020-2021; \$208.29 was deposited into the 911 Wireless Fund (2913) in error, and needs to be transferred into the correct funds which are the Visitor’s Promotion Fund (0990) and the Visitor’s Improvement Fund (0995);

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$208.29 from the 911 Wireless Fund (2913) and put \$104.14 into the Visitor’s Promotion Fund (0990) and \$104.15 into the Visitor’s Improvement Fund (0995).

PASSED AND APPROVED THIS 6TH, DAY OF FEBRUARY, 2023.

MOVED by Steager, seconded by Coufal, that the above resolution be adopted. Motion carried.

FOR:	AGAINST:	ABSENT:	ABSTAIN:
<u>/s/Anthony Whitmore</u>	_____	Tony Krafka	_____
<u>/s/Ryan Svoboda</u>	_____	_____	_____
<u>/s/Robert Coufal</u>	_____	_____	_____
<u>/s/Jan Sypal</u>	_____	_____	_____
<u>/s/Scott Steager</u>	_____	_____	_____
<u>/s/Scot Bauer</u>	_____	_____	_____
_____	_____	_____	_____

Attested to by:
/s/Stephanie L. Laska
Stephanie L. Laska
Butler County Clerk

Discussion/Possible Action - Lease of County owned real estate in Linwood Township

Moved by Steager, seconded by Bauer to approve the lease as presented. Upon roll call vote the following:

Voted aye: Steager, Bauer, Svoboda, Coufal, Sypal, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

Committee Reports

Board members attended the David City Fireman appreciation dinner over the weekend.

Correspondence

1. NIRMA – ASSIST program awarded the county \$675.70 for the purchase of personal protective gear



Butler County Board Minutes



2. Blue Valley Community Action – Thank you for your support
3. Nebraska Commission on Law Enforcement & Criminal Justice – Jail Standards in Full Compliance

At 11:18 a.m. the chairman declared the board would take a break.

At 11:20 a.m. the board reconvened.

Discussion

Steager brought to the board's attention that the patrol units that were taken to Kobza's for auction had an excess amount of glue on them where the decals were removed. Kobza's said they could sell them for more if the glue would be removed. It was also mentioned that there were still items left in the vehicles when they were taken to Kobza's. The board stated that all vehicles should be fully decommissioned before being sold. The board also said they would like the glue removed from the vehicles if it will help resale value.

Approval of T-Mobile utility permit for the north ROW of Road 37 between Roads I & J

The T-Mobile utility permit showed up during the meeting, the board contacted Isham to ask if he had any issues with the permit, he did not, and it did have township approval. Moved by Bauer, seconded by Coufal to approve the utility permit as presented. Upon roll call vote the following:

Voted aye: Bauer, Svoboda, Coufal, Sypal, Steager, & Whitmore

Voted nay: NONE

Absent: Krafka

Motion carried.

There being no further business to come before the board, the Chairman adjourned the meeting at 11:34 a.m. The next scheduled meeting of the Board of Supervisors will be February 21, 2023, at 9:00 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman