

BUTLER COUNTY BOARD OF SUPERVISORS

June 5, 2023

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of June, 2023 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: Anthony Whitmore, Tony Krafka, Scot Bauer, Scott Steager, 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.

Introduction of UNL Rural Fellows, Kate Holcomb & Juliana Monono

Maria Cantu-Hines, Nebraska Extension, introduced the Rural Fellows interns that will be working in Butler County for the next 7 weeks. Kate Holcomb from Broken Bow, Nebraska, a University of Nebraska-Lincoln student and Juliana Monono from Cameroon, South Africa, an international student at the University of Nebraska Medical Center.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Steager, seconded by Bauer to move into the Board of Equalization at 9:02 a.m. Upon roll call vote the following voted:

Aye: Steager, Bauer, Krafka, Svoboda, Coufal, Sypal, & Whitmore.

Nay: NONE.

Motion carried.

Moved by Bauer, seconded by Coufal to exit the Board of Equalization at 9:26 a.m. Upon roll call vote the following voted:

Aye: Bauer, Steager, Sypal, Coufal, Svoboda, Krafka & Whitmore.

Nay: NONE.

Motion carried.

Open bids for Sheriff in car cameras

Two bids for in-car cameras for the sheriff's office were opened. The bids received were from Brite for \$130,202 and Motorola Solutions for \$122,380. The board requested that Sheriff Dion take both quotes and call and ask questions regarding warranty and installation.

Accept bid for Sheriff laptops

Moved by Steager, seconded by Coufal to table the approval of the in-car camera bids until the June 20, 2023 meeting. Upon roll call vote the following voted:

Aye: Steager, Sypal, Coufal, Svoboda, Krafka, Bauer, & Whitmore.

Nay: NONE.

Motion carried.

Open bids for Sheriff laptops

One bid was submitted for the Sheriff laptops, the bid was from Brite for \$47,872.00. The board asked Sheriff Dion if the computers had to be replaced at this time. Dion said he was told by Applied Connective they were at the end of life. The board also asked if Applied Connective was contacted regarding a bid for the laptops. Dion said they had submitted an estimate previously and it was over \$50,000 which is why they went out for sealed bids.

Accept bid for Sheriff Laptops

Moved by Sypal, seconded by Svoboda to table the acceptance of the laptop bid until June 20, 2023. The board discussed whether they should actually reject the bid instead of table it since they only received one and then have the sheriff solicit informal bids. Chairman Whitmore called for a vote. Upon roll call vote the following voted:

Aye: NONE

Nay: Sypal, Coufal, Svoboda, Krafka, Bauer, Steager, & Whitmore.

Motion failed.

Moved by Steager, seconded by Coufal to reject the bid for Sheriff laptops. Upon roll call vote the following voted:

Aye: Steager, Sypal, Coufal, Svoboda, Krafka, Bauer, & Whitmore.

Nay: NONE.

Motion carried.

The board asked Dion to solicit informal bids and bring them to the next board meeting for approval.

Public Hearing for the 1-year & 6-year Road Plan

Moved by Bauer, seconded by Coufal to open the public hearing for the 1-year & 6-year Road Plan at 9:49 a.m. Upon roll call vote the following voted:

Aye: Bauer, Steager, Sypal, Coufal, Svoboda, Krafka, & Whitmore.

Nay: NONE.

Motion carried.

Highway Superintendent, Randy Isham, presented to board a handout that listed the projects for the 1-year & 6-year Road plan. He asked the board if they had any questions regarding the projects that were on the 1-year & 6-year road plan. They did not have any questions. Chairman Whitmore said they would continue through the road agenda items to see if anyone from the public would have any questions.

Set Date & Time to open gravel & culvert bids

Isham said they would need a couple weeks to run the publications to solicit bids for gravel and culverts.

Moved by Sypal, seconded by Krafka to set date & time to open gravel and culvert bids for July 3, 2023, at 9:15 a.m. Upon roll call vote the following voted:

Aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Steager, & Whitmore.

Nay: NONE.

Motion carried.

Update on Roads

Isham informed the board that they have been fixing holes at intersections that have appeared due to lack of rain. He has a couple of new guys that he has hired, one of which has been training in the motor grader and is doing very well. He informed the board that there was a breakdown at the pit that caused it to be down for 3 days, but it is back up and running. Lastly, he informed the board that the townships were required to have final gravel orders in for the fiscal year by June 1st. They will try to get them all filled in June, however, those that don't get filled will get done as soon as they can and will not go against their next fiscal year allotment.

Public Hearing for the 1-year & 6-year Road Plan continued

Chairman Whitmore asked if there was anyone from the public that would like to make comment. There was none. Moved by Bauer, seconded by Coufal to close the public hearing at 9:57 a.m. Upon roll call vote the following voted:

Aye: Bauer, Steager, Sypal, Coufal, Svoboda, Krafka, & Whitmore.

Nay: NONE.

Motion carried.

Consideration & Approval of the 2023-2024 One Year Road Plan

Moved by Coufal, seconded by Bauer to approve the 2023-2024 One Year Road Plan. Upon roll call vote the following voted:

Aye: Coufal, Sypal, Steager, Bauer, Krafka, Svoboda, & Whitmore.

Nay: NONE.

Motion carried.

Update on Roads continued

Isham also informed the board that he will be sending out letters to all of the townships informing them of statutes that need to be followed and statutes that can be enforceable. County Attorney, Julie Reiter informed Isham that if it comes to a time when he needs to enforce a statute, he needs to make sure that he files a police report in the event that it would go so far as to end up in her office.

Blue Valley Behavioral Health – Annual Update & Budget Request

Jon Day, Executive Director for Blue Valley Behavioral Health appeared before the board and presented BVBH's annual report and funding request for 2023-2024. For fiscal year 2023-2024 BVBH is requesting \$5,720.

Blue Valley Community Action – Annual Update & Budget Request

Shari Weber, BVCA's CEO, and Heather Lytle appeared before the board to present the annual report for 2022 and funding request for fiscal year 2023-2024. The annual funding request for 2023-2024 is \$6,720.

Highway 30/64 Corridor Bridge Update

Former Nebraska Senator Arnie Stuthman, Dennis Grennan & Dennis Hirschbrunner from DC Hirshbrunner Consulting, Mark Mainelli from Mainelli Wagner & Associates, and Gene Trouba, Platte County Supervisor appeared before the board and presented an update regarding the Highway 30/64 Corridor Bridge update. Upon conclusion of the presentation the group asked the board if they would be willing to move forward into the planning stage of the project. Currently there is not a commitment for funding. They asked the board for either a Resolution supporting the project, or a motion made in the minutes. The board said they would put it on the agenda for the next board meeting on June 20, 2023.

District 5 Probation Annual update & Budget Request

Carrie Rodriguez, Chief Probation Officer and Jeff Banholzer, Deputy Chief Probation Officer, appeared before the board to present the annual report for 2022 and funding request for fiscal year 2023-2024. The annual funding request for 2023-2024 is \$17,393.52.

Discussion/Possible Action – Early claim approval for Clerk of the District Court hotel stay

The Clerk of the District Court, Sandy Hoeft, appeared before the board to request an early claim be approved for her hotel stay at the Hampton Inn because they will not direct bill the county. Moved by Sypal, seconded by Coufal to approve the early claim for the Clerk of the District Court hotel stay. Upon roll call vote the following voted:

Aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Steager, & Whitmore.

Nay: NONE.

Motion carried.

At 11:22 a.m. the chairman declared the board would take a break.

At 11:26 a.m. the board reconvened.

Discussion/possible action regarding hiring of a 7th Deputy Sheriff

Sheriff Tom Dion appeared before the board requesting permission to add a 7th deputy to his staff. He explained that he needs to ensure he always has two deputies on duty in the evening. He also informed the board he has two individuals hired to fill his other positions; however, they need to go through the academy and will be doing so in August. He presented the board with calculations for the next budget year for personnel. The board asked if he had considered hiring part-time deputies to cover the overtime issues he's currently having. Dion said he would prefer to hire full-time and typically applicants are looking for full-time. Moved by Svoboda, seconded by Krafka to increase the sheriff's deputies from six to seven employees. Upon roll call vote the following voted:

Aye: Svoboda, Krafka, Steager, Coufal, & Whitmore.

Nay: Bauer & Sypal.

Motion carried.

Discussion/Possible action – set date & time for public hearing to amend the 2022-2023 county budget

County Clerk, Stephanie Laska, explained to the board that as of the end of May the Rural Transit Fund was reporting budget expenditures of 96% of budget authority and the Senior Services Program Fund was reporting budget expenditures of 93% of budget authority. Both funds are projected to go over budget and therefore a budget amendment is needed. Both funds have received revenue over and above the amount originally budgeted for; therefore, each fund can cover the cost they need the expenditures to increase. Laska reported that the budget hearing to amend the budget can take place at the next board meeting. She informed the board that Diana McDonald, Senior Center director was estimating between the two funds the expenditures will go over budget by \$10,000. Increasing prices such as fuel prices in Rural transit and food costs in Senior Services have contributed to the overages. Moved by Svoboda, seconded by Sypal to set the date & time to amend the 2022-2023 county budget for June 20, 2023 at 9:45 a.m. Upon roll call vote the following voted:

Aye: Svoboda, Coufal, Sypal, Steager, Bauer, Krafka, & Whitmore.

Nay: NONE.

Motion carried.

County Clerk Monthly Fee Report

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

Monthly Sheriff Report

The Monthly Sheriff Report for May 2023 was presented before the board. It was accepted and placed on file.

Approval of Early payroll for separated employee

An early payroll for a separated employee from the Road department was presented to the board. Moved by Steager, seconded by Coufal to approve the early payroll as presented. Upon roll call vote the following voted:

Aye: Steager, Sypal, Coufal, Svoboda, Krafka, Bauer, & Whitmore.

Nay: NONE.

Motion carried.

Approval of NIRMA & NIRMA II Renewal Billing Statement (July 1, 2023 to July 1, 2024)

The board was presented with the annual insurance renewal for NIRMA & NIRMA II. This year there was an annual increase of 12.71% increase for an annual renewal rate of \$208,039. Laska, reported that there was a significant increase for several other counties. The board discussed that NIRMA is good for the county. Moved by Sypal, seconded by Svoboda to approve the NIRMA & NIRMA II Renewal Billing Statement as presented. Upon roll call vote the following voted:

Aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Steager, & Whitmore.

Nay: NONE.

Motion carried.

Approval of the Child Advocacy Center 2023-2024 Annual Service Agreement

County Attorney, Julie Reiter presented the 2023-2024 Annual Service Agreement for the BraveBe Child Advocacy Center. She explained that their services are invaluable. The annual fee increased from \$1,780 per year to \$1,800. Moved by Coufal, seconded by Steager to approve the Child Advocacy Center 2023-2024 Annual Service Agreement as presented. Upon roll call vote the following voted:

Aye: Coufal, Sypal, Steager, Bauer, Krafka, Svoboda, & Whitmore.

Nay: NONE.

Motion carried.

Approval & Adoption of Resolution 2023 – 13 Transfer of funds – General to Senior Services Program Fund

Moved by Krafka, seconded by Bauer to approve Resolution 2023-13 Transfer of funds – General to Senior Services Program as presented. Upon roll call vote the following voted:

Aye: Krafka, Bauer, Steager, Sypal, Coufal, Svoboda, & Whitmore.

Nay: NONE.

Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2023 – 13**

WHEREAS the Butler County Board of Supervisors is obligated to levy funds for the Senior Services Program Fund through the General Fund of Butler County; and

WHEREAS funds are available in the General Fund to transfer to the Senior Services Program Fund in the amount of \$42,937.55.

THEREFORE, LET IT NOW BE RESOLVED, the Butler County Treasurer is hereby directed to transfer \$42,937.55 to the Senior Services Program Fund (2250) for the general operations of said Senior Services Program Fund from the General Fund (0100).

PASSED AND APPROVED THIS 5TH, DAY OF JUNE 2023.

MOVED by Krafka seconded by Bauer, that the above resolution be adopted. Motion carried.

FOR:	AGAINST:	ABSENT:	ABSTAIN:
<u>/s/Anthony Whitmore</u>	_____	_____	_____
<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>	_____	_____	_____
<u>/s/Tony Krafka</u>	_____	_____	_____

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

Approval & Adoption of Resolution 2023 – 14 Transfer of funds – General Fund to Road Fund

Moved by Svoboda, seconded by Sypal to approve Resolution 2023-14 Transfer of fund – General to Road Fund as presented. Upon roll call vote the following voted:

Aye: Svoboda, Coufal, Sypal, Steager, Bauer, Krafka, & Whitmore.

Nay: NONE.

Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2023 – 14**

WHEREAS the Butler County Board of Supervisors is obligated to levy funds for the Road Fund through the General Fund of Butler County; and

WHEREAS the Butler County Road Department is requiring funds to keep up the maintenance and operation of said department; and

WHEREAS funds are available in the General Fund to transfer to the Road Fund in the amount of \$1,013,215.01.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$1,013,215.01 to the Road Fund (0300) for the maintenance and operations of said Road Department from the General Fund (0100).

PASSED AND APPROVED THIS 5TH, DAY OF JUNE 2023.

MOVED by Svoboda, seconded by Sypal, that the above resolution be adopted. Motion carried.

FOR:	AGAINST:	ABSENT:	ABSTAIN:
<u>/s/Anthony Whitmore</u>	_____	_____	_____
<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>	_____	_____	_____
<u>/s/Tony Krafka</u>	_____	_____	_____

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

Approval & Adoption of Resolution 2023 – 15 Budget Making Authority

Moved by Sypal, seconded by Coufal to approve Resolution 2023-15 Budget Making Authority as presented. Upon roll call vote the following voted:

Aye: Sypal, Coufal, Svoboda, Krafka, Bauer, Steager, & Whitmore.

Nay: NONE.

Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2023 – 15**

WHEREAS, Section 23-906, Revised Statutes, State of Nebraska, states in part, that in each county the finance committee of the County Board shall constitute the budget-making authority unless the board, in its discretion, designates or appoints one of its own members or the county clerk, county comptroller, county manager, or other qualified person as the budget making authority, and

WHEREAS this budget preparer may receive an amount in addition to their salary for this service, and

WHEREAS the Butler County Board of Supervisors desires to appoint Stephanie L. Laska, as the Budget Making Authority for Butler County, Nebraska and to authorize payment in the amount of \$2,000.00, to be paid upon completion of the budget document.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors, that Stephanie L. Laska is appointed the Budget Making Authority, to prepare and present the budget for the fiscal year 2023-2024 to the County Board.

BE IT FURTHER RESOLVED, that said Stephanie L. Laska be granted full authority to comply with Section 23-904 and 23-905 of the Revised Statutes of the State of Nebraska.

PASSED AND APPROVED THIS 5TH, DAY OF JUNE 2023.

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

FOR:	AGAINST:	ABSENT:	ABSTAIN:
<u>/s/Anthony Whitmore</u>	_____	_____	_____
<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>			
<u>/s/Tony Krafka</u>			

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

Committee Reports

Building & Grounds: Sypal reported that she has been working with Ken Pelan, building maintenance, regarding dust and air quality in the Detention Center, it was discovered that the 3 air handlers were not working. One was able to be repaired and is working now. The detention center said the air quality has already improved. A second air handler had an electrical failure and needs to be replaced. The cost is estimated between \$6,000-\$7,000. The third may not be needed after the other two are working.

Hospital Board: Steager reported that nothing has been decided regarding the new addition to the hospital, there will be more information in the months to come.

There being no further business to come before the board, the Chairman adjourned the meeting at 12:22 p.m. The next scheduled meeting of the Board of Supervisors will be June 5, 2023, at 9:00 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman