

## **BUTLER COUNTY BOARD OF SUPERVISORS**

July 3, 2023

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3<sup>rd</sup> day of July, 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.

### **Floodplain Update**

Floodplain Administrator, Breann Whitmore, appeared before the board, she updated that she had approved 3 permits so far this year and she has completed 11 hours of training. She also informed the board that she is a new member of the Nebraska Floodplain and Storm Water Managers Association. And lastly, she is working to become a certified Floodplain Administrator.

### **Discussion/Possible action – Approve Region V to add Spectrum services into the building**

Supervisor Svoboda informed the board that Region V will be adding Spectrum services to the building and Spectrum is requiring permission from the owner of the property since they will be boring a hole into the building. Moved by Coufal, seconded by Sypal to allow Spectrum to bring their services into the Region V building. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

### **County Clerk Monthly Fee Report**

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

### **Monthly Sheriff Report**

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

**Approval of Butler County Visitors Committee/Recommendation on Request for Funds – Butler County Sesquicentennial 150<sup>th</sup> Committee**

County Clerk, Stephanie Laska, informed the board that the Butler County Visitors Committee has reviewed the request and all members voted yes to approve the \$1,000 request. Moved by Sypal, seconded by Svoboda to approve the Butler County Sesquicentennial 150<sup>th</sup> Committee’s Visitor Promotion Fund request of \$1,000. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

**Approval of early payroll for separated employees**

Two early payroll claims were presented to the board for separated employees. Moved by Steager, seconded by Bauer to approve the early payroll as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

**Update regarding reporting for the equitable sharing program for the sheriff’s office**

The board was presented with an email between Sheriff Dion and the U.S. Department of Justice, Criminal Division corresponding about compliance with the equitable sharing program. The email stated that they have received the FY22 ESAC; however, could not accept it until he takes a training course in July; upon completion the county will be in compliance again.

**Discussion/Possible Action – County Board to designate the printing service for LB 644 Postcards**

Laska explained to the board that each year they will have to designate a print shop for the printing of the LB644 postcards. Last year the Nebraska print shop was designated as the printing facility. She informed the board that they are again prepared to print the county’s postcards upon receiving the information. She also said that she should have an estimate of cost after a July 12 webinar that is being hosted by NACO, she will update on July 17<sup>th</sup>. Moved by Steager, seconded by Coufal, to designate the Nebraska print shop for printing the LB 644 postcards. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

**Re-Appointment to Butler County Health Care Center Board of Directors (Jerry Roh & Bev Struebing)**

The board reviewed an email from Don Naiberk, Butler County Health CEO, requesting the re-appointment of Jerry Roh & Bev Struebing to the Butler County Hospital Board. Moved by Steager, seconded by Bauer to re-appoint Jerry Roh to the Butler County Hospital Board. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Moved by Bauer, seconded by Sypal to re-appoint Bev Struebing to the Butler County Hospital Board.

Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

## **Correspondence**

1. Lower Platte South Summer 2023 Update

## **Discussion**

Supervisor Bauer informed the board that he attended the most recent Drug Court graduation, and he was very impressed. Supervisor Sypal said she agreed, the program is very impressive.

## **Open Gravel & Culvert Bids**

Culvert bids were opened first, one bid was received by the 9:15 a.m. deadline. That bid was from Midwest Sales & Service.

Gravel Bids were opened next, two bids were received by the 9:15 a.m. deadline.

1. Central Sand & Gravel
2. Kroeger Sand & Gravel

## **Accept Gravel Bids**

Moved by Sypal, seconded by Coufal to accept all gravel bids. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

## **Accept Culvert Bids**

Moved by Bauer, seconded by Svoboda to accept the culvert bid. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

## **Update on Roads**

Assistant Highway Superintendent, Jim Novacek, informed the board that after the rain over the weekend they had guys lined up for Saturday and Sunday to go out and work on roads. They did not work Saturday but they were out on Sunday. The road crew was continuing to work on the roads on Monday.

## **Concerns regarding Sheriff's proposed wage increase verifications and the adopted Step Program**

County Attorney Julie Reiter explained to the board that she had requested this item on the agenda because concerns were brought to her attention. Human Resources had requested a copy of the Sheriff's step program and copies of the deputies' law enforcement certificates for the personnel files and through an email exchange the request was denied by the Sheriff. NIRMA was contacted regarding which office was the official record keeper for personnel files and it is NIRMA's opinion that since the County has Human Resources, HR is the official record keeper. Sheriff Dion disagreed and said the documents will stay in his office. Further discussion continued regarding which steps that the current deputies were on, which is one of reasons the certificates are being requested, another reason for the request relates to law enforcement retirement and verification the deputy is a certified law enforcement officer. The board directed the sheriff to review his step program as it was approved and resubmit wage verifications as well as the certificates. Sheriff Dion said he would be checking with NIRMA before he releases any employee documentation.

## **Committee Reports**

Sypal updated the board that there had been a handbook committee meeting. She said the changes thus far have been language throughout the handbook. One topic discussed during the meeting was

hours of the courthouse and those that close for lunch. It was noted that district court is closed during the lunch hour. District Court Clerk, Sandy Hoeft, joined the meeting and said that the Judge would like to be consistent with County Court, but they will try and stagger lunches to be open at that time, however, it may not be consistent.

#### **Executive Session**

Moved by Steager, seconded by Coufal to move into executive session at 10:06 a.m. to discuss a possible claim and invite County Attorney Julie Reiter. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Moved by Coufal, seconded by Steager to exit executive session at 10:20 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

The board recessed at 10:21 a.m.

The board reconvened at 12:56 p.m.

#### **BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)**

Moved by Bauer, seconded by Coufal to move into the Board of Equalization at 9:06 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Moved by Svoboda, seconded by Coufal to exit the Board of Equalization at 9:10 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

There being no further business to come before the board, the Chairman adjourned the meeting at 1:42 p.m. The next scheduled meeting of the Board of Supervisors will be July 17, 2023, at 9:00 a.m.

Stephanie L. Laska  
County Clerk

Anthony Whitmore  
Chairman