

BUTLER COUNTY BOARD OF SUPERVISORS

August 05, 2024

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of August, 2024 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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.

Discuss officer conduct, policy, & procedures

Daniel McAuley requested this agenda item to be placed on the agenda and did not appear before the board, nothing was discussed regarding the item.

Approval of 1% Additional Increase to Base of Restricted Funds

Moved by Steager, seconded by Coufal to approve the 1% additional increase to the base of restricted funds for the budget. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Approval of the Bravebe Child Advocacy Center 2024-2025 Annual Service Agreement

Moved by Sypal, seconded by Steager to approve the Bravebe Child Advocacy Center 2024-2025 Annual Service Agreement. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of July 2024 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 July 2024 was accepted and placed on file.

Monthly Sheriff Report

The Monthly Sheriff Report for July 2024 was presented before the board. It was accepted and placed on file.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Coufal, seconded by Svoboda to move into the Board of Equalization at 9:05 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Moved by Bauer, seconded by Steager to exit 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.

Approval of early payroll for separated employees

Moved Sypal, seconded by Steager to approve the early payroll for separated employees. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Approval of Resolution 2024-16/Allocation of Levy Authority to Townships, Fire Districts and Ag Society

Moved by Bauer, seconded by Coufal to approve Resolution 2024-16 as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2024 – 16

WHEREAS, Pursuant to Nebraska Statute 77-3443, each County Board shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to its political subdivisions, and

WHEREAS, political subdivisions as defined in said statute are "all political subdivisions *other* than school districts, community colleges, natural resources districts, educational service units, cities, villages, counties, rural and suburban fire protection districts that have levy authority pursuant to subsection (10) of section 77-3442, and sanitary and improvement districts, and

WHEREAS, statute states that they may levy taxes as provided by law, provided they do not collectively total more than fifteen cents per one hundred dollars of taxable valuation on any parcel or item of taxable property for all governments for which allocations are made by the County, and

WHEREAS, on or before August 1st, all political subdivisions subject to county levy authority must submit a preliminary request for levy allocation to the County Board, and

WHEREAS, failure of a political subdivision to do so shall preclude them from using procedures set forth in 77-3444, and

WHEREAS, Butler County has twenty-six (26) such political subdivisions namely: Butler County Agricultural Society, Read Township, Ulysses Township, Plum Creek Township, Richardson Township, Reading Township, Union Township, Center Township, Oak Creek Township, Summit Township, Olive Township, Franklin Township, Skull Creek Township, Alexis Township, Savannah Township, Bone Creek Township, Linwood Township, Platte Township, Ulysses Fire District #2, Rising City Fire District #3, Bellwood Fire District #5, Dwight Fire District #6, Linwood Fire District #8, David City Fire District #9, Brainard Fire District #10 and Skull Creek Rural Fire District #12.

WHEREAS, the following political subdivisions submitted such request on or before August 1, 2024. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$ 350,000.00
Read Township	\$ 176,900.00
Ulysses Township	\$ 163,525.00
Plum Creek Township	\$ 130,000.00
Richardson Township	\$ 122,145.00
Reading Township	\$ 208,340.00
Union Township	\$ 170,242.00
Center Township	\$ 158,185.00
Oak Creek Township	\$ 150,000.00
Summit Township	\$ 176,340.00
Olive Township	\$ 175,650.00
Franklin Township	\$ 143,000.00
Skull Creek Township	\$ 132,240.00
Alexis Township	\$ 120,000.00
Savannah Township	\$ 115,000.00
Bone Creek Township	\$ 149,493.00
Linwood Township	\$ 119,719.39
Platte Township	\$ 41,370.18
Ulysses Fire District #2	\$ 50,000.00
Sinking Fund	<u>\$ 50,000.00</u>
	\$ 100,000.00
Rising City Fire Dist. #3	\$ 209,000.00
Bellwood Fire Dist. #5	\$ 125,000.00
Dwight Fire Dist. #6	\$ 41,866.85
Sinking Fund	<u>\$ 27,911.24</u>
	\$ 69,778.09
Linwood Fire Dist. #8	\$ 65,000.00
David City Fire Dist. #9	\$ 275,000.00
Brainard Fire Dist. #10	\$ 90,000.00
Skull Creek Rural Fire District #12	\$ 81,525.00

WHEREAS, Statute states that the County Board shall review and approve or disapprove the levy request by September 1.

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board of Supervisors hereby make the following levy allocations pursuant to Nebraska State Statute 77-3443 as follows up to:

<u>Political Subdivision</u>	<u>Levy</u>
Butler Co. Ag Society	.01
Read Township	.10
Ulysses Township	.10
Plum Creek Township	.10
Richardson Township	.10
Reading Township	.10
Union Township	.10
Center Township	.10
Oak Creek Township	.10
Summit Township	.10
Olive Township	.10
Franklin Township	.10
Skull Creek Township	.10
Alexis Township	.10
Savannah Township	.10
Bone Creek Township	.10
Linwood Township	.10
Platte Township	.10
Ulysses Fire District #2	.035
Rising City Fire Dist. #3	.035
Bellwood Fire Dist. #5	.035
Dwight Fire Dist. #6	.035
Bruno Fire Dist. #7	.035
Linwood Fire Dist. #8	.035
David City Fire Dist. #9	.035
Brainard Fire Dist. #10	.035
Abie Fire Dist. #11	.035

DATED this 5th day of August, 2024.

MOVED by Bauer, 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

Approval of Resolution 2024-17/Preapproval & Prepayment of Various Expenses

Moved by Sypal, seconded by Steager to approve resolution 2024-17 as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2024 - 17**

WHEREAS, the Butler County Board of Supervisors has determined that it is in the best interests of the County for the County to allow the preapproval and/or prepayment of various expenses of the County when said preapproval and/or prepayment would be cost-effective and/or result in a savings to the County; and

WHEREAS, the Board previously adopted Resolution No. 2002-29, Resolution No. 2004-24, Resolution No. 2011-22, Resolution No. 2015-42, Resolution No. 2019-23, Resolution No. 2020-25 and Resolution No. 2023-11; allowing such preapproved and/or prepaid expenses to include the following: utilities, telephone/cell phone, postage, election costs, seminar registration, motor fuel tax, vital statistic records, internet charges, the Butler County Sherriff's credit card, the WEX(Shell) fuel accounts, the Health Insurance Premiums and the Department of Labor Unemployment tax claims for all Butler County Departments, only when prepayment is required or results in a cost-savings to the County; and

WHEREAS, the Board has determined that the Employer Health Savings Account contributions for all Butler County departments shall also be included in the prepayment/preapproved expenses when prepayment is required or results in cost-savings to the County.

NOW, THEREFORE, LET IT BE RESOLVED, that preapproval is hereby allowed for the prepayment of expenses as set forth above and as set forth in Resolution No. 2002-29, Resolution No. 2004-24, Resolution No. 2011-22, Resolution No. 2015-42, Resolution No. 2019-23, Resolution No. 2020-25, Resolution No. 2023-11, and Resolution No. 2024-17 only when said prepayment is required and/or would specifically result in a cost-savings to the County.

PASSED AND APPROVED THIS 5TH, DAY OF AUGUST, 2024.

MOVED by Sypal, seconded by Steager, 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 of Eakes bid for new office equipment

911 Coordinator Jami Bowers appeared before the board requesting approval to purchase new office equipment for the communications center. She presented the board with a bid from Eakes Office Solutions for \$11,361.57. She said she had 3 other quotes that were way out of the ballpark; one estimate was 72,000, the other 2 bids ranged from \$26,000 - \$32,000. Moved by Coufal, seconded by Bauer to approve the Eakes bid for \$11,361.57. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

2024-2025 County Budget Update and discussion

County Clerk, Stephanie Laska, updated the board regarding the budget committee's last meeting. She said they have questions for several department heads, and they will be meeting with most of the department heads today after the board meeting. She said they also have some proposed cuts that will get discussed with some of those department heads. The committee is still looking for roughly \$60,000 in cuts to get under the lid. They are also going to suggest a transfer of \$500,000 from inheritance to help lower the levy. She informed the board that the county will not be a part of the joint public hearing that is required by LB644 because currently the increase in tax is less than 2.5% and after cuts it may even be below last year's tax asking. To stay on schedule the board moved on and said they will be come back to the budget discussion later in the meeting.

Open Bids for Bone Creek Bridge

Highway Superintendent, Randy Isham, informed the board that there are no bids because the bridge still needs to be engineered and they will not be able to engineer it until the fall. No further discussion was had.

Approval of Farmer's Market Permit for Helgoth's at the Highway Dept along Hwy 92

Moved by Sypal, seconded by Coufal to approve the Farmer's Market Permit for Helgoth's at the Highway Dept along Hwy 92. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Approval of Windstream permit – plowing in a drop to 3121 Road S, Center Township

Isham presented the board with a Windstream utility permit to plow in a drop to 3121 Road S in Center Township. Moved by Krafka, seconded by Bauer to approve the permit as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Discussion about right of way tree removal

Steager informed the board that he put this item on the agenda. He said he'd been contacted by a constituent that is having issues with trees in his area and feels like he is getting the run around about who enforces the tree removal in the right of way. Isham explained to the board that he had sent information to all townships with the statutes that informed them that the landowner is responsible for tree removal in the right of way and that they should be enforcing the statutes in their township. County Attorney, Julie Reiter, informed the board that notice needs to be given to the landowner and then if nothing is done the county can then hire out the removal and bill the landowner. If they do not pay,

then it can be assessed against their property. Isham said he would be in contact with the township and hopefully they can get it straightened out and the tree issue cleared up.

Update on Roads

Isham said that his dirt crew had to pull off the 23 ½ Road project because the ditch is still too muddy. They are moving to Road 42 from S to U fixing the washouts and grading the road. Isham also informed the board that they've been having issues with the barge at the pit, and they are working to get unstuck out of the sand. He said he will be removing a small bridge near Surprise and replacing it with culverts. He also has culverts to finish replacing in Summit due to the flooding early this year. There are also a few culverts that need to be replaced in Richardson Township.

SEND Annual Report & funding request

Tom Bliss, Executive Director of Southeast Nebraska Development District (SEND), appeared before the board and gave an annual report. SEND is requesting \$7,415 for 2024-2025 fiscal year.

Aging Partners Annual Report and Funding Request

Jill Engel, Aging Partners, appeared before the board and gave them the 2024 annual report. Aging partners is requesting \$26,447 for the 2024-2025 fiscal year.

Discussion/Possible action regarding approval of employee reimbursement

Senior Center Director, Diana McDonald, appeared before the board requesting her employee reimbursement, they denied last month be reconsidered. She said that the candy for the parade was for fundraising and was coming out of fundraising funds. The board said they have not allowed parade candy in the past when it was submitted and will not this time either.

Information about Dozinky Doozy Gravel Cycling Event on September 28, 2024

Trevor Slawnyk appeared before the board via zoom to inform them of his upcoming event, the Dozinky Doozy Gravel Cycling Event on September 28, 2024. The event will start at 8 a.m. with a 10-hour time limit to complete, he expects it to be complete by 6 p.m. The board asked if he had been in contact with the Sheriff and he said he had. The board didn't have any other questions; Slawnyk thanked them for their time.

Discussion/possible action – Set Special Meeting Date & time and set Date & Time for Budget Hearing

Laska explained to the board that they need to set a date & time for a special meeting to hold the budget hearing because the budget hearing must be held outside of a regularly scheduled meeting. The board discussed several dates. Moved by Steager, seconded by Sypal to set a special meeting date & time for September 11, 2024 at 6:00 p.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

The board then set the time for the budget hearing. Moved by Steager, seconded by Bauer to set the Budget hearing time & date for September 11, 2024 at 6:00 p.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Discussion/possible action – Set Date & Time for Special Hearing to Set Final Tax Request

Moved by Bauer, seconded by Svoboda to set the date & time for the special hearing to set final tax request for September 16, 2024 at 9:05 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Approval to purchase patrol vehicle

Sheriff Dion appeared before the board with two pickup bids:

- | | | |
|-------------------------|--------------------------|----------|
| 1. Anderson Ford | 2024 Ford F-150 | \$49,999 |
| 2. Sid Dillon Chevrolet | 2024 Chevrolet Silverado | \$49,933 |

He told the board that the F-150 is on the lot and the Silverado is being built. He would prefer the Ford since the rest of the fleet are Fords. The board started discussing if it was in his budget and then decided he should meet with the budget committee and then they will decide at the next board meeting on August 19, 2024.

Discussion

Sypal explained that she went to a meeting in Seward regarding the Juvenile Comprehensive Plan; she said that the next meeting will be via zoom. She mentioned that they were looking for more involvement from law enforcement and said she was going to mention it to Sheriff Dion.

At 10:35 a.m. the chairman declared the board would recess until 11:00 a.m.

At 11:00 a.m. the board reconvened.

Board Appointed Employees Evaluations (Executive Session)

Moved by Sypal, seconded by Coufal to move into executive session for the purpose of Board Appointed Employees Evaluations, inviting the following: Heidi Loges, Breann Whitmore, Max Birkel, Kenny Pelan, Diana McDonald, Randy Isham, and Jami Bowers at 11:01 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Moved by Steager, seconded by Sypal to exit executive session at 12:29 p.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

There being no further business to come before the board, the Chairman adjourned the meeting at 12:30 p.m. The next regularly scheduled meeting of the Board of Supervisors will be August 19, 2024, at 9:00 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman