

BUTLER COUNTY BOARD OF SUPERVISORS

November 4, 2024

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of November, 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. The availability of the agenda was communicated in 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.

The Chairman asked for a moment of silence to remember Dave Mach who recently passed and was a member of the Board of Supervisors for 20 years.

Consideration/Approval of Visitor Improvement Fund Request – Bone Creek Museum

The board reviewed a Visitor Improvement Fund Request for Bone Creek Museum. Louise Niemann was present and explained that they are in the final stages of fundraising for the remaining improvements and are requesting \$5,000 from the Visitor's Improvement Fund. County Clerk, Stephanie Laska, explained that the members of the committee reviewed the request and are recommending that the board approve the full request. Moved by Steager, seconded by Coufal to approve the Bone Creek Museum's Visitor Improvement Fund request for \$5,000. Upon roll call vote the following voted:
Aye: Steager, Sypal, Coufal, Svoboda, Krafka, Bauer, & Whitmore.
Nay: NONE.
Motion carried.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Sypal, seconded by Bauer to move into the Board of Equalization at 9:05 a.m. Upon roll call vote the following voted:
Aye: Sypal, Steager, Bauer, Krafka, Svoboda, Coufal, & Whitmore.
Nay: NONE.
Motion carried.

Moved by Svoboda, seconded by Steager to exit the Board of Equalization at 9:06 a.m. Upon roll call vote the following voted:
Aye: Svoboda, Coufal, Sypal, Steager, Bauer, Krafka, & Whitmore.
Nay: NONE.
Motion carried.

Approval of land contract for the 911 Communications Tower site

Supervisor Steager informed the board that they are working on the temporary contract and the permanent contract and once they are both ready, they will put it back on the agenda at a later date.

Discussion/Possible action review & accept generator & LP tank bids for 911 tower project

Steager explained that specs for a generator were sent out to the surrounding electricians for bids, he has received interest from three, however they are all waiting on information from their generator vendors, therefore, this item needs to be tabled until the next meeting on November 21, 2024.

Discussion

Steager informed the board that the 911 tower may need to have a concrete leg poured depending on the tower's placement, this will be an added expense and if there are remaining ARPA funds those could be obligated for the concrete project.

Approval of Saunders County/Butler County snow removal agreement for Prague Highway (County Road 39 W to Y)

Highway Superintendent, Randy Isham presented the board with an Interlocal agreement between Saunders County and Butler County for snow removal on the Prague Highway on County Road 39 between W to Y. This is an annual agreement between the counties. Moved by Steager, seconded by Bauer to approve the interlocal agreement as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Approval of Windstream Utility Permit to repair their lines on County Road W North of Road 27 and on County Road 30

Isham explained that when the fiber company came in to lay their lines, they damaged several of Windstream's lines and this permit is for them to go in and fix them. Moved by Sypal, seconded by Coufal to approve the permit as presented. 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 are still graveling roads and currently are caught up on orders. They will have more come in after the rains we've received but will hopefully stay on top of them. They've been fixing culverts and getting ditch cleaning lined up. They will be trying to get as many projects completed this fall as possible, weather permitted.

Consideration/Approval of Resolution 2024 – 24 – Preapproval & Prepayment of Various Expenses - Cenex Voyager (Fuel)

Laska informed the board that like the Wex Fuel card for Stop Inn Casey's has Cenex Voyager cards and their terms do not fall in line with the County's pay dates, as a result, updating the preapproval and prepayment resolution to include this vendor would be beneficial to pay the vendor on time without penalty to the county. Moved by Steager, seconded by Svoboda. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2024 - 24**

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 Sheriff’s credit card, the WEX(Shell) fuel accounts, the Health Insurance Premiums for all Butler County Departments and Department of Labor Unemployment tax claims, only when prepayment is required or results in a cost-savings to the County; and

WHEREAS, the Board has determined that the Cenex Voyager Fleet Fuel claims 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 2020-25 and Resolution No. 2023-11 only when said prepayment is required and/or would specifically result in a cost-savings to the County.

PASSED AND APPROVED THIS 4TH, DAY OF NOVEMBER, 2024.

MOVED by Steager, seconded by Svoboda, 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 Official Bond and Oath/Michael Rerucha – Skull Creek Township

Moved by Coufal, seconded by Sypal to approve the oath and bond as presented. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Human Resources Update

Heidi Loges, Human Resources Director, informed the board about the NIRMA conference she recently attended and encouraged the board to attend in the future. She also presented the board with a dividend from NIRMA for Insurance in the amount of \$9,128. Loges also updated the board that she is finally updating the furniture in her office, she will use the money they set aside in the sinking fund for the office equipment.

Review of Employee Accrued Time Report

The board reviewed the employee accrued time report.

Discussion/possible action – upgrading Transit software and how to fund it

Senior Center Director, Diana McDonald appeared before the board to inform them that the NDOT is requiring Transit to upgrade their software; they have picked three companies and given her the option to choose. She presented each quote to the board,

1. Passio Technologies \$33,461
2. CTS Software \$34,305
3. Shah Software \$56,200

McDonald is recommending the Passio Technologies quote, it is the cheapest of the three, but she also prefers the software over the other two. She informed the board that she must pay the 3-year fee upfront and because this wasn't brought to her attention until after the budgets were complete, she did not know how she was going to pay for it. If they don't implement it by June 2025, the state will pull their funding. NDOT will reimburse 90% of the cost, however, the county must pay for it upfront. She asked if it was possible to pay for it out of Inheritance and when it is reimbursed, she will put that back into Inheritance. The board asked McDonald if her budget can handle the 10%, she said that she hadn't crunched the numbers, but she was sure it could. Moved by Steager, seconded by Sypal to pay for 90% of the software out of the Inheritance Fund and once NDOT reimburses the county to put that reimbursement back into the Inheritance Fund. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Discussion/possible action – closing the Senior Center alongside school closings

McDonald explained to the board that she would like to close the Senior Center when schools are closed for inclement weather. She stated that even in bad weather if they are open there are many seniors that think they need to make the trip to the Senior Center. She said for their safety she would like to close so they don't come out unnecessarily. The board discussed and agreed that it shouldn't be open in bad weather when schools are closing. County Attorney, Julie Reiter, addressed the board saying that they could make whatever decision they want, but to keep in mind that the County already has an inclement weather policy, and an amendment would need to be made to address this. The board discussed getting the handbook committee together to discuss the issue. Moved by Coufal, seconded by Bauer to approve the Senior Center to close alongside school closings for inclement weather. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

Discussion regarding the life remaining at the Landfill

Ryan Boyer, Butler County Landfill appeared before the board to discuss the life of the landfill and their thoughts on an expansion. He said that with the current volume the landfill has approximately 10 years of life. If an expansion is denied they will have to be more selective with what they bring in and they could extend the landfill's life. The board said that the committee should be having these meetings and bringing the questions back to the whole board. The board discussed that they needed to meet in executive session to discuss a few things regarding the landfill so the committee could meet with the landfill again. They decided they would finish the rest of the meeting and then enter the executive session.

County Clerk Monthly Fee Report

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

Monthly Sheriff Report

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

Distress Warrants

The board reviewed the 2024 Distress Warrant Listing, these were issued on November 1, 2024, and given to the Sheriff to collect. The list was accepted and placed on file.

Committee Reports

At the last hospital board meeting the expansion progress was discussed. Also the resignation of Jim Egr was discussed and three names were discussed for recommendation to the Board of Supervisors for appointment. Those individuals are Jackie DeWispelare, Brian Meister, and Mark Rerucha. The board will be recommending all three and asking the Supervisors to appoint who they see fit. The board discussed sending a letter to the individuals requesting a letter of interest from them to help the board to make a decision.

At 9:55 a.m. the chairman declared the board would take a quick break.

At 9:58 a.m. the board reconvened.

Executive Session – Discuss the landfill

Moved by Sypal, seconded by Svoboda to move into executive session to discuss the landfill as a full board at 9:58 a.m. Upon roll call vote the following voted:

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

Nay: NONE.

Motion carried.

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

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

Nay: NONE.

Motion carried.

There being no further business to come before the board, the Chairman adjourned the meeting at 10:21 a.m. The next regularly scheduled meeting of the Board of Supervisors will be November 18, 2024, at 9:00 a.m.

Stephanie L. Laska
County Clerk

Anthony Whitmore
Chairman