

BUTLER COUNTY BOARD OF SUPERVISORS

December 1, 2025

A meeting of the Board of Supervisors of Butler County, Nebraska, was held on the 1st day of December 2025 at the Butler County Courthouse in David City, Nebraska, at 9:00 a.m.

Present were the following: Scott Steager, Tony Kafka, Scot Bauer, Scott Griess, Bob Coufal, Brad Vandenberg. Jan Sypal attended via Zoom.

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.

Chairman Steager called the meeting to order and announced that a complete copy of the Open Meetings Act is posted in the meeting room.

Chairman Steager declared the minutes from the previous meeting shall stand approved as presented.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Coufal, seconded by Vandenberg to move into the Board of Equalization at 9:01 a.m. Upon roll call vote the following voted:

Aye: Coufal, Vandenberg, Kafka, Bauer, Griess, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Moved by Bauer, seconded by Kafka to exit the Board of Equalization at 9:04 a.m. Upon roll call vote the following voted:

Aye: Bauer, Kafka, Vandenberg, Coufal, Griess, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Human Resources Update

HR Director Heidi Loges reported that she is still waiting on employee evaluations from a few County offices. Chairman Steager suggested she visit with the liaisons for those offices after the meeting.

Approval of early claim for trailer

Highway Superintendent Randy Isham reported that the trailer has been received but not yet paid for. Moved by Kafka, seconded by Bauer to approve the early claim for Kaufman Trailers. Upon roll call vote the following voted:

Aye: Kafka, Bauer, Griess, Coufal, Vandenberg, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Roads Update

Isham stated that the backhoe is in the shop for repair; the John Deere is still working fine. Crews have been out clearing roads after the weekend snow. Two townships do not have an operator, and one township had an equipment breakdown, so County crews also had to clear the roads in those townships. Isham noted that the sanders are out this morning. The new truck is in, but they are waiting for the lightbar to be installed. Chairman Steager received a call about the bridge near Linwood. Isham stated that they had been out recently and added some riprap. Isham also noted the bridge has been moved up on the list for replacement.

Approval of Resolution 2025-40: 2026 Extension Board

Louise Niemann appeared before the Board to request approval of the following Extension Board members: Rachel Siffring (District 3), Sherri Nielsen (District 6), Jennifer Prothman (District 7), and Carrie Carter (4-H Council Representative). Moved by Bauer, seconded by Coufal to adopt Resolution 2025-40 as presented. Upon roll call vote the following voted:

Aye: Bauer, Giess, Coufal, Vandenberg, Kafka, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

A copy of Resolution 2025-40 is on file at the County Clerk's office and available for review.

Chicken Barn Update

Jessica Kolterman, Lincoln Premium Poultry (LPP), and Andy Scholting, Nutrient Advisors, appeared before the Board to provide an update on the existing chicken barn sites in Butler County. Kolterman thanked the Board for the invitation to speak and expressed appreciation for LPP's partnership with the County Roads Department. Supervisor Kafka noted that at the last meeting he requested Kolterman be invited to appear before the Board. Kolterman stated that LPP currently has eight family-owned sites and five out-of-state-owned sites in Butler County. She frequently fields questions regarding traffic and said for every four barns, the average is 1.5 trucks per day. LPP partners with three different companies to truck feed, baby chicks or eggs, and live birds. Litter trucking is sourced by the farmers, not LPP. LPP's trucking company partners are based in Nebraska, have DOT audits, and must report audit findings to LPP.

Kolterman also gets questions regarding bird health. LPP sites do not use hormones and LPP has a veterinarian on staff. Bird diets vary depending on the stage of life; however, the diet is comprised primarily of locally sourced corn and soybean meal. LPP's chicken barn sites are audited at least three times per year for biosecurity, environmental safety, and animal cruelty.

Water usage: each four-barn grouping has two 80-gallon wells, one of which is for backup. Babies require one gallon of water per minute; full-size birds require 12 gallons of water per minute. LPP trains its growers and LPP provides education onsite, as well as on-site tech support. Payroll for the non-locally owned barns is nearly \$1M per year, plus health insurance and retirement. They use local diesel, farming equipment, electricians, plumbers, etc. The 40,000-42,000 chickens per barn have a 95-97% livability rate.

Andy Schulting, Nutrient Advisors, noted that if someone wants to build a new poultry site, they are exempt from State permitting; however, LPP requires that they apply for a State permit. Schulting helps people site locations and growers must demonstrate that they have enough land to utilize all of the litter produced. Nutrient Advisors also conducts regular soil sampling.

There are many controls in place regarding litter management. Permitted farmers can sell litter in Nebraska, but they must maintain records of who buys it, where they are located, etc. Nebraska soil is low in natural fertility; the chicken litter produced helps in that regard. Schulting also monitors the water to ensure there are no water quality issues. LPP is proud of what they are doing in Nebraska.

Kolterman stated that LPP has a red/yellow/green light system for new barns. All prospective new barns in Butler County have been moved from green to yellow due to the recent discussion surrounding moratoriums. She said LPP does not care how the County wants to proceed; however, there are current farmers wanting to grow and prospective farmers wanting to get into the business and LPP would like them to have that opportunity. LPP has families in other counties if Butler County is not interested in additional barns. Kolterman referred to John Kobza's presentation to the Board last month regarding his family's experience with LPP and Nutrient Advisors. She stated that it is personally very rewarding for her to see kids want to come back to farm in Butler County.

Kolterman noted that LPP has regulations for where barns can be placed, in addition to State and local regulations. Supervisor Kafka distributed a sheet with setback information to Board members and noted that they should be discussed at a Planning Commission meeting.

When asked how many barns they are proposing, Kolterman stated 50 barns had been a high probability but were moved to a medium probability due to the moratorium discussion. Prospective barns in Seward have also been moved to a medium probability.

Timeline: Kolterman stated that LPP has not yet received final approval from Costco, but she hopes to by the end of Q1 2026. If approved, construction would immediately begin on a hatchery, feed mill, and additional barns. The moratorium discussion has created a great deal of fear and uncertainty for families, but LPP does not want to go where they are not welcome. She said LPP is welcomed by the families and maintains good relationships with its counties. They would like the opportunity to work with families in this county. The 50 proposed barns would potentially generate a tax base of \$37.5M, which is significant in terms of economic development. She said if you are not growing, you are dying.

LPP wants to partner with local families and it is all or nothing – if the additional barns are not built, the proposed hatchery and feed mill will also not be built. Current operations are at full capacity. LPP currently provides over 30% of Costco's need. A second round of barns replicating the first round of barns would increase capacity by about 20% and a consolidation center (cold storage attached to a new plant). Kolterman thanked the Board for the public forum to present information and said she is happy to meet with them individually or in small groups.

Discussion/Possible Action – end of update and adoption of new floodplain ordinance

Tabled.

Review/Approve Weed District Year-end Report

Weed Superintendent Max Birkel presented the Weed District Year-end Report, submitted annually to the Department of Agriculture. He reviewed the control plan, infestation report, activity report, budget report, and board roster. Moved by Kafka, seconded by Coufal to approve the Weed District Year-end Report as presented. Upon roll call vote the following voted:

Aye: Kafka, Vandenberg, Coufal, Griess, Bauer, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Clarification regarding tabled moratorium

Jesse Hough requested clarification from the Board regarding the moratorium discussion that was tabled during the October 20th meeting. Jonathan Leo asked as a point of order if Hough was speaking personally or as a representative of the Planning Commission; Hough stated that he was speaking as a representative of the Planning Commission. Hough asked Chairman Steager if discussion about the moratorium was tabled because the Board does not intend to impose a moratorium or if it was tabled so the Planning Commission could look at it. Chairman Steager stated that it needs to go the Planning Commission first, and the Planning Commission needs to make a recommendation to the Board. Hough asked if that meant that the Board could not comment on a moratorium; Chairman Steager said that is correct – per State statute, the matter goes to the Planning Commission first, and then to the Board. Supervisor Kafka said he felt the

Board needs to be able to talk about it. Deputy County Attorney Tonia Soukup confirmed that the item needs to go to the Planning Commission for their recommendation first, then to the Board for a final decision.

Supervisor Kafka stated it is important that Board members attend Planning Commission meetings. He said if we are going to have a moratorium, let's just have zoning already. Let's get to work on the comprehensive plan to address things appropriately. Supervisor Kafka said if a moratorium is ultimately imposed, it will be done by the Board, upon recommendation of the Planning Commission. He said it was noted at the last Board of Supervisors meeting that zoning deals with land use and not economic development, but that is not the case. John Kobza, on behalf of the Planning Commission, stated that at their organizational meeting they were instructed that they must impose a moratorium. County Clerk Lori Aschoff disagreed; however, Kobza stated that the directive came from the planning consultant.

Discussion/Possible Action – allow board chair to make and second motions

Supervisor Kafka stated that Robert's Rules for smaller boards (less than 12 members) allows for the chairman to make and second motions; Chairman Steager noted that State statute also allows for this practice. Clerk Aschoff agreed that the practice is allowed; however, it has been the custom of the Board for the chairman not to make or second motions for several decades. Therefore, if the Board wishes to change the custom, it should be formalized with a vote. Moved by Kafka to allow the Board chairman to make and second motions. Motion died for lack of a second.

Designation of Official County Newspaper for 2026

Moved by Coufal, seconded by Griess to designate the Banner Press as the official county newspaper for 2026. Upon roll call vote the following voted:

Aye: Coufal, Griess, Bauer, Kafka, Vandenberg, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Designation of County Website as method of Publication for 2026

Moved by Bauer, seconded by Vandenberg to designate the county website as a method of publication for 2026. Upon roll call vote the following voted:

Aye: Bauer, Kafka, Vandenberg, Coufal, Griess, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Discussion/Possible Action – set wage increase for Interim 911 Coordinator Brittany Schmit

Supervisor Vandenberg explained that Brittany Schmit was appointed to serve as Interim 911 Coordinator after the previous 911 Coordinator resigned and he felt an increase in pay during the interim period was merited. Moved by Vandenberg, seconded by Coufal to pay Interim 911 Coordinator Brittany Schmit \$27.50/hour retroactively from when she began serving as 911 Interim Coordinator through December 7th. Upon roll call vote the following voted:

Aye: Vandenberg, Coufal, Griess, Bauer, Kafka, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Review/Approve SENDD Interlocal Cooperation Agreement

Moved by Coufal, seconded by Vandenberg to approve the SENDD Interlocal Cooperation Agreement as presented. Discussion was held and Griess questioned the change in bylaws, stating that he had concerns about whether a quasi-governmental entity should be able to own, buy, and sell property. Upon roll call vote the following voted:

Aye: Coufal, Vandenberg, Kafka, Bauer, Steager.

Nay: Griess.

Absent: Sypal.

Motion carried.

Discussion/Possible Action – courthouse and dispatch key for Mark Sloup

Sheriff Tom Dion noted that Sloup is David City Fire Chief, and the fire department holds keys to many local/area businesses, in the event they need to access a building and law enforcement is not close by. Discussion was held regarding whether a key would be kept in Sloup's possession at all times or locked up at the station with the other keys. Cards could be issued for all DCFD officers; building/office entries are captured by both card usage and security cameras. Chairman Steager recommended that all fire department officers be issued a key. Moved by Vandenberg, seconded by Coufal to issue keys to all DCFD officers, with access limited to the courthouse front door, dispatch, and the basement, upon approval of a written policy to be completed by Sheriff Dion. Upon roll call vote the following voted:

Aye: Vandenberg, Coufal, Griess, Bauer, Kafka, Steager.

Nay: NONE.

Absent: Sypal.

Motion carried.

Committee Reports

None.

Correspondence

- Library Newsletter

Public Comment

Comments were made by Steve Barlean, Will Reiter, Andy Schulting, Jonathan Leo, Jesse Hough, Tim Frasher, Sam Morris, Julie Schmid, Jennifer Frasher, and Sam Barlean.

Steve Barlean, Planning Commission member, clarified that when Jesse Hough spoke earlier, he was not speaking on behalf of the Planning Commission, but personally as a member of the Planning Commission. Will Reiter, Planning Commission member, agreed with Barlean, noting that no motion was made at the last Planning Commission meeting to have Hough speak on behalf of the Planning Commission.

Andy Schulting, Nutrient Advisors, stated that he has seen very livestock friendly counties and very livestock unfriendly counties. Butler County is at a crossroads. We cannot increase ground, but we can place livestock. Counties that are friendly to livestock are growing; counties unfriendly to livestock are dying. The opportunity to keep young people here is awesome and a privilege. Ultimately, you (the Board) will decide your future. Butler County is currently very friendly to livestock. He encouraged Board members to remember who wants to live and work here and how to make that most viable.

Jonathan Leo, Omaha, retired land use attorney, thanked Supervisor Kafka for encouraging Board members to attend the Planning Commission meetings. He encouraged a public hearing be held regarding a moratorium in the context of a comprehensive plan and noted that he had also visited with County Attorney Julie Reiter about the issues. He said the issues you face will not go away, and the more development you want, the more important a comprehensive plan will become. He also encouraged the Board to consider that this is not a zero-sum game, in which the County is either friendly with no regulations or unfriendly with regulations relating to livestock. There needs to be open discussion regarding large CAFO, solar farms, wind farms, etc. A moratorium is like pressing the pause button. It is not a halt to all development, but a short-term pause during the development of a comprehensive plan. Jesse Hough noted that there has been no public hearing scheduled by the Planning Commission. Leo stated that this is clearly a controversial subject. A formal public hearing should be held, consistent with County law, to consider whether there should be a moratorium and, if so, what it should look like. There are issues to be considered, and you (the Board) should gather as much information as possible. Supervisor Kafka asked Leo since he lives in Omaha, why is he here? Leo stated he is a retired land use attorney, this is his passion, he is interested in all of Nebraska, and he simply encourages a balanced approach. Supervisor Kafka referred to Leo as an activist. Leo stated that Kafka could call him an activist, but that he is an interested citizen of Nebraska who believes in the integrity of public participation.

Tim Frasher, Surprise, shared information gathered from the State, UNL, and the University of Georgia. Twenty-four (24) Nebraska counties have chicken barns. Butler County accounts for 25% of them and Platte County accounts for 20%, so 45% of Nebraska's chicken barns are housed in the two counties. Seventy-six percent (76%) or 6 million birds are controlled by out-of-state investors. As the County prepares for potential additional land use, there are many things to consider, including truck traffic and odor. Frasher lives next to the dairy and there are odors. Moratorium is not a bad word; it is just a pause. Other counties and NRD utilize moratoriums. Chicken barns could potentially impact water quality, water supply, etc. We also need to focus on wind farms, solar farms, and data centers. At the end of the day, we all want to live here. We enjoy rural life, and our kids also want to come back. There needs to be a balance and thought put into a comprehensive plan and zoning. We need to look at how this development will affect the county and state long-term. CAFOs are good, but regulation is needed.

Sam Morris, Savannah Township, is a first-generation farmer and said he agrees we need to be sustainable and responsible. He would like the opportunity to be here for generations. Everyone just wants clarity. A moratorium seems like a filibuster.

Julie Schmid, Rising City, owns chicken barns and said there is a little odor but not bad. She said no one else mentioned it, but chicken barns go through a lot of grain, and this is a grain community. The existing chicken barns have already benefitted more local businesses than people know. Her barns are regulated, and her water is checked twice a year. She has four children, one of whom wants to come back and build another site. She is worried that if a moratorium is imposed that they will be bypassed and that will be a missed opportunity for the County and the State. She wants the County to be livestock friendly and hopes that everyone looks into this and asks the right questions.

Jennifer Frasher, Surprise, stated that when her family moved here, it was a beautiful, untouched area. There was a time when farmers considered their neighbors friends. This issue has become very divisive. She expressed frustration that very few of the chicken barn owners consulted their neighbors before building their barns. There are 8,000 people living in this county and we are not doing a good job of being neighbors and considerate of each other. She stated the jobs coming in with the chicken barns are low-paying jobs and the County is putting all its eggs in one basket with the chicken barns. She suggested people go out to the site that has 48 barns and smell the air. People want chicken barns, but no one wants to live by them. Big Ag is crushing the small farmers and taking advantage of us because there are no regulations. She asked at what point is the market saturated? A moratorium is not a filibuster; it is a pause. She reminded the Board that they are elected officials and will have to explain to their children why they acted the way they did.

Sam Barlean, west of David City, agreed with Mrs. Frasher. He said both of his neighbors have moved away. The smells and flies are unbearable, and the dry litter is worse as the dust travels for miles. He said the chicken barns have changed their way of life and people who want chicken barns should put them where they live and not in someone else's backyard.

Will Reiter, Planning Commission member, asked everyone in attendance to please attend the Planning Commission meetings as that is the place to have this discussion.

Discussion

Chairman Steager invited discussion from Board members. Supervisor Kafka stated that since Board members will not be able to make comments at the Planning Commission meetings he wanted to say that all businesses benefit from the chicken barns.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:51 a.m. The next regularly scheduled meeting of the Board of Supervisors will be December 15, 2025, at 9:00 a.m.

Lori L. Aschoff
County Clerk

Scott Steager
Chairman