

BUTLER COUNTY BOARD OF SUPERVISORS

October 5, 2026

A meeting of the Board of Supervisors of Butler County, Nebraska, was held on the 5th day of October 2026 at the Butler County Courthouse in David City, Nebraska, at 9:00 a.m. Present were Scott Steager, Tony Krafka, Scot Bauer, Scott Griess, Brad Vandenberg, Jan Sypal, Bob Coufal. Absent: None.

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 shown hereafter 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 was available for review in the meeting room. The minutes from the previous two meetings were approved as presented.

BOARD OF EQUALIZATION (SEE SEPARATE MINUTES)

Moved by Coufal, seconded by Sypal, to move into the Board of Equalization at 9:01 a.m. All aye. Motion carried.

Moved by Vandenberg, seconded by Bauer, to exit the Board of Equalization at 9:09 a.m. All aye. Motion carried.

Resolution 2026-41: National 4-H Week Proclamation

Janessa Rawhouser, Nebraska Extension 4-H Assistant for Butler County, appeared before the Board and requested approval of a proclamation recognizing National 4-H Week in Butler County. Rawhouser discussed the approximately 300 youth and adults involved with Butler County 4-H through clubs, robotics, volunteers, school partnerships, and other activities. Extension staff also recognized current Board members who had participated in 4-H and junior leadership and thanked the Board for its support of the program.

Moved by Vandenberg, seconded by Coufal, to approve Resolution 2026-41, National 4-H Week Proclamation. All aye. Motion carried.

Discussion Regarding Public Comment Protocol

Chairman Steager proposed moving public comment to the beginning of regular Board meetings, beginning at 9:00 a.m., with approximately 15 minutes initially reserved for public comment and timed agenda items beginning at 9:15 a.m. He stated that the change would provide the public with an opportunity to address the Board before action is taken and would allow Board discussion of agenda items to proceed more efficiently. A sign-up sheet was discussed as a way to determine how many people wished to speak. Board members discussed how to accommodate larger numbers of speakers, including adjusting the amount of time available to each speaker when necessary. Supervisor Griess stated that a standard and predictable protocol would be beneficial. The Board reached consensus to implement the proposed procedure beginning with future meetings. If no one is present for public comment, the Board may proceed with other agenda items as time allows until the first timed agenda item.

Questions were raised regarding the location of the sign-up sheet and participation via Zoom. Board members discussed placing the sign-up sheet near the meeting room entrance and inviting comment from those attending via Zoom.

County Attorney Julie Reiter advised that the sign-up sheet is a convenience to help determine the number of speakers and is not a legal prerequisite to public comment. A person who wishes to comment during the designated public-comment period must be allowed to do so even if the person did not sign up, although

speakers must identify themselves for the record. Reiter further advised that the Open Meetings Act requires an opportunity for public comment at open meetings, while the Board retains control over its agenda. She distinguished general public comment from a request to place a specific matter within the Board's jurisdiction on the agenda and stated that the proposed procedure was consistent with the Open Meetings Act.

Public Comment

Joe Peterson addressed the Board and expressed support for moving public comment to the beginning of the meeting so members of the public may provide input before the Board votes. Peterson also addressed the upcoming appointment of a Planning Commission member from District 3. He referred to the application process used for prior appointments and stated that additional District 3 residents may be interested in applying. He expressed concern about proceeding with an appointment without an opportunity for additional applicants and public input, and he encouraged the Board to follow an open process. In a statement he asked be included in the minutes, Peterson said, "... I will state again for the minutes, you really need to allow the public to comment AFTER an interview, but BEFORE you vote on said member. That'll allow the public to make you aware of both the good and the bad that you may not have already been aware of, that the applicant didn't make known themselves." Peterson also commended outgoing Planning Commission member Steve Barlean for his service and integrity and emphasized the importance of the appointment as the County works to complete the comprehensive plan and zoning process.

NextLink Broadband Update

Ebony Cooksey, NextLink, appeared via Zoom and provided an update regarding the company's continued broadband investment in Butler County. Cooksey stated that NextLink has an active high-speed internet coverage footprint in and around Bellwood, David City, Garrison, Brainard, Dwight, and Octavia, and she displayed a map showing active and pending coverage areas. She also discussed areas associated with Nebraska's Broadband Equity, Access, and Deployment (BEAD) program, including Rising City and southwestern Butler County, and noted that Ulysses is included in the pending footprint.

Cooksey explained that Nebraska's BEAD program is intended to extend service to unserved and underserved areas and that the grant-supported work complements, rather than replaces, NextLink's existing investment in Butler County. She also requested a contact for the Butler County Development Corporation as the County considers broadband and economic-development opportunities.

Senior Center/Rural Transit - Kitchen Remodel Update

Jillian Boss, Rural Transit/Senior Center Director, appeared before the Board and introduced new Program Manager Tricia Schmit. Boss provided an update on the Senior Center kitchen remodel, including an additional electrical expense for a 120-volt circuit. Work is expected to occur from approximately October 26 through November 2. Mike Wendt will complete demolition and epoxy-floor work, and the kitchen is expected to be closed from October 28 through November 2. Joanna Brandenburgh will coordinate putting the kitchen back together on November 2.

During the closure, Brookstone will prepare home-delivered meals. Congregate meals are expected to continue Monday through Wednesday, but to-go meals will not be available during the closure.

Discussion/Possible Action - Purchase of R-Way Belly Dump Trailer

Interim Highway Superintendent Greg Brecka presented the proposed purchase of an R-Way belly dump trailer through SourceWell in the amount of \$73,145. Brecka stated that the trailer should be available by the second week of October and includes a front-to-back tarp. No additional bids were obtained since the proposed purchase is through SourceWell. The Board discussed Road Department equipment needs, available budget authority, the age and deteriorating condition of the existing belly dump trailer, and whether this and/or other equipment purchases should be made now or later in the budget year. Brecka also stated that he would investigate federal surplus options for lower-cost pickup trucks to assist the fleet.

Moved by Coufal, seconded by Griess, to approve the purchase of an R-Way belly dump trailer in the amount of \$73,145 through SourceWell. All aye. Motion carried.

Roads Update

Brecka reported that salt would be ordered this week and that they were awaiting the salt-storage building. He reported damage to a road shoulder following a semi rollover involving the solar project and stated that the shoulder would need to be rebuilt. Work at the Highway 92/NO Road intersection near Benes Service with the State has been completed. Recent rain caused damage in southern areas of the County and continue to affect road and gravel-pit work, although work on moving the large portion of the gravel-pit barge was proceeding.

Supervisor Vandenberg cautioned that wet field conditions could result in farmers loading from roadways during harvest. Brian Small and Chief Deputy Sheriff Bill Drozd also asked about a closed historic bridge. Discussion indicated that the bridge cannot simply be removed because of its historic status and would need to be relocated if an appropriate purchaser or recipient could be found.

Discussion/Possible Action - Appointment of Public Defender and Contract

Chairman Steager reported that Tim Sopinski had withdrawn his application for consideration as Public Defender. The Board reviewed an agreement with Brandon Svoboda in the amount of \$66,000. Discussion was held regarding transition of existing cases, with Sopinski expected to finish cases that are close to trial and new cases to be assigned to Svoboda. Moved by Griess, seconded by Sypal, to appoint Brandon Svoboda as Butler County Public Defender effective November 1, 2026, under the presented agreement in the amount of \$66,000. All aye. Motion carried.

County Clerk Monthly Fee Report

The County Clerk monthly fee report was accepted and placed on file.

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court monthly fee report was accepted and placed on file.

Monthly Sheriff Report

The Monthly Sheriff Report was accepted and placed on file.

The Board recessed at 10:11 a.m. and reconvened at 10:15 a.m.

Discussion/Possible Action - Appointment of Planning Commission Member from District 3

Supervisor Bauer stated that he requested that the appointment be placed on the agenda and that, with the comprehensive plan nearing completion, he did not believe leaving the District 3 position vacant for a month or longer was in the County's best interest. Bauer moved to appoint Don Carley, Summit Township Chairman, to fill the remainder of the term vacated by Steve Barlean. Vandenberg seconded the motion.

Supervisor Griess stated that he had reviewed Carley's application and found nothing concerning but would have preferred that Carley attend the meeting so Board members could ask questions. Griess also favored opening the vacancy to public applications in the interest of transparency. Bauer stated that he generally was not opposed to an application process but believed the timing of the comprehensive plan process supported filling the vacancy promptly. Board members agreed that a written procedure for future Planning Commission appointments and vacancies should be developed before the end of the fiscal year.

County Attorney Reiter advised that State statute does not prescribe a specific method for selecting Planning Commission members. She explained that when the County created the Planning Commission, the Board chose representation from the five rural districts plus two at-large members, and that the method for handling vacancies and reappointments is left to the Board. Reiter recommended that the Board establish a procedure for future appointments.

Discussion was held regarding the effect of delaying the appointment. Planning Commission Chairman Roger Topil stated that the Planning Commission wished to keep the comprehensive plan process moving. Brian Small noted that if an alternate were appointed to the Planning Commission, he/she could participate when a member is absent, but an alternate would not otherwise have voting rights. Chairman Steager agreed that opening the position to applications would be preferable, while other members discussed the distinction between filling a vacancy and the reappointments considered at the previous Board meeting. Reiter confirmed that the Board could legally proceed with the appointment based on the application before it. Topil stated that Carley had been in contact with him and was familiar with the issues currently before the Planning Commission. Supervisor Sypal supported completing the appointment now and developing a formal policy for future vacancies or reappointments.

Upon roll call vote on the motion to appoint Don Carley to fill the remainder of the District 3 term vacated by Steve Barlean, the following voted: Aye: Krafka, Bauer, Vandenberg, Sypal, Coufal. Nay: Griess, Steager. Motion carried.

Review/Approve Early Payroll for Separated Employees

Moved by Coufal, seconded by Bauer, to approve early payroll for separated employees. All aye. Motion carried.

Discussion/Possible Action - Rehire of a Former Employee

Chairman Steager reported that the HR Director had resigned, with her last day being October 2, 2026. Steager contacted former HR Director Heidi Loges regarding temporarily assisting with HR duties until a new HR Director is hired.

Moved by Coufal, seconded by Vandenberg, to rehire former employee Heidi Loges on an interim basis. All aye. Motion carried.

Discussion/Possible Action - Appointment of Butler County Highway Superintendent

Supervisor Krafka reported that Road and Bridge Committee members had interviewed applicants for the Highway Superintendent position and that their recommendation was to hire Greg Brecka. Brecka had signed an acceptance offer contingent upon Board approval.

Moved by Sypal, seconded by Griess, to appoint Greg Brecka as Butler County Highway Superintendent. All aye. Motion carried.

Discussion/Possible Action - Board-Appointed Employee Performance Evaluations

The Board discussed the procedure for conducting performance evaluations of Board-appointed employees. Chairman Steager initially suggested that completed evaluation forms could be reviewed by the appropriate Board liaison and HR Director, who could conduct the evaluation meeting and provide a synopsis to the Board. County Attorney Reiter advised that the Board is responsible for supervising its appointed employees and that collective Board discussion of employee performance must comply with the Open Meetings Act. She explained that an executive session must be properly placed on the agenda and that the employee must be notified and has the right to request that the evaluation be conducted in open session.

Board members discussed conducting the evaluations collectively during a Board meeting, noting that the process would also allow members to become more familiar with appointed employees and their responsibilities. The Board agreed to schedule the evaluations for the October 19th meeting.

Moved by Vandenberg, seconded by Coufal, to conduct Board-appointed employee performance evaluations at 9:30 a.m. on October 19, 2026, in executive session unless an employee requests an open session. Upon roll call vote, the following voted: Aye: Vandenberg, Coufal, Sypal, Griess, Bauer, Krafka. Nay: Steager. Motion carried.

Claims

There were no claims presented for approval.

Executive Session

No executive session was held.

Committee Reports

Discussion was held regarding Road and Bridge Committee meetings and current Road Department vacancies. Chairman Steager requested that County Clerk Aschoff advertise the foreman position. Brecka provided Aschoff with the job description.

Correspondence

County Clerk Aschoff reviewed correspondence including the library newsletter, a Lower Platte South Natural Resources District newsletter, a Nebraska Extension Zone 7 newsletter, and a notice regarding a Section 106 filing for a proposed new tower near Brainard.

Supervisor Krafka provided an update regarding the River Road funding application. He reported that Congressman Mike Flood had forwarded the application to the Appropriations Committee. The committee was expected to begin work after October 1, although the federal election cycle may delay activity. The process could take approximately 12 to 18 months from application to a decision. He noted that the application remains active and is still in process.

There being no further business to come before the Board, Chairman Steager adjourned the meeting at 10:51 a.m. The next regularly scheduled meeting will be held at 9:00 a.m. on October 19, 2026, at the Butler County Highway Department building, 3190 N Road, in David City.

Lori L. Aschoff, County Clerk
Scott Steager, Chairman