

**MINUTES OF EMERGENCY MEETING OF THE BOARD OF PUBLIC WORKS  
OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA  
HELD APRIL 4, 2023**

**PURPOSE TO CONSIDER AND ACT UPON ACTION ALREADY TAKEN BY THE CHAIRMAN TO PLACE THE GENERAL  
MANAGER ON TEMPORARY PAID LEAVE**

**THE BOARD OF PUBLIC WORKS (BPW) OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA**, met in emergency session on April 4, 2023, at 1600 O Street at the hour of 3:30 p.m. This meeting was held in open session as required by Chapter 84, Article 14 of Nebraska State Statutes.

Chairman Knipe called the meeting to order. Roll call: Members present – Shaw, Grant, Knipe, Wilson, and Zaruba.

Chairman Knipe announced that this was an open meeting, and a copy of the Open Meetings Act is posted on the northeast wall of the Board room.

Chairman Knipe acknowledged the following guests: Alan Slater – BPW Water/Wastewater Manager, Kevin Kuhlmann – BPW Electric Manager, Crystal Dunekacke – City of Auburn Administrator/Economic Developer, David Hunter Jr. (Dave Hunter) - BPW General Manager (GM).

Chairman Knipe issued a statement recognizing agenda item #4 may be harmful to GM Dave Hunter. Chairman Knipe stated the Board would entertain entering closed session per the Nebraska Open Meetings Act if requested by GM Dave Hunter. GM Hunter requested the nature of the business. Chairman Knipe stated business discussed would be the consideration of action taken April 3, 2023, of the Chairman of the Board placing GM Dave Hunter on leave. GM Dave Hunter requested to continue in open session. Chairman Knipe issued the following statement: With respect to my authority as Chairman of the Board of Public Works, I determined that it was necessary to place General Manager Dave Hunter on paid leave as of 12:00 noon, April 3, 2023. I was induced to take this action due to a conversation that Mr. Hunter had with Board Member Phil Shaw earlier in the day on April 3 that included a significant threat to harm the Board operation, the City, and the Public. The end date of said leave will be April 19, 2023. In response to this action, I would entertain a motion to validate the conduct of the Chairman in giving a leave of absence to GM Dave Hunter. Member Wilson made a motion to accept the validation of the Chairman as presented. Member Zaruba seconded the motion. Members voting aye – Knipe, Wilson, Zaruba, Shaw and Grant. Motion carried.

Chairman Knipe stated in consideration of action taken on agenda item #4, a motion would be entertained to assign management responsibility to Accounting and Finance Manager, Tamara Westhart with the assistance of Chairman Chuck Knipe, as necessary, for the duration of the leave of GM Dave Hunter. Member Grant made a motion to assign responsibility as presented. Member Shaw seconded the motion. Members voting aye – Zaruba, Shaw, Grant, Knipe, and Wilson. Motion carried.

There being no further business to come before the Board, by unanimous approval the Board adjourned to the next regular Board meeting to be held Wednesday, April 19, 2023, at the hour of 11:30 a.m. at the Board of Public Works Board Room. Chairman Knipe declared the meeting adjourned.

ATTEST:

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Chairman

\_\_\_\_\_  
Secretary

**CERTIFICATE**

I, Tamara L Westhart, Notary Public for the State of Nebraska, do hereby certify the attached and foregoing minutes is a true, correct and conformed copy of proceedings had and done by the Board of Public Works in emergency meeting, April 4, 2023; all of the subjects acted upon in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the Office of the Board; at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body, all in accordance with Chapter 84, Article 14 of Nebraska Statutes.