

**MINUTES OF THE SPECIAL MEETING OF THE BOARD OF PUBLIC WORKS  
OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA  
HELD APRIL 26, 2023**

**PURPOSE TO CONSIDER AND TAKE POSSIBLE ACTION ON THE LISTED SPECIAL AGENDA ITEMS, INCLUDING A MUTUAL CONSIDERATION FINAL RESOLUTION AGREEMENT BETWEEN THE BPW AND THE GENERAL MANAGER (CURRENTLY ON LEAVE) AND MATTERS RESULTING THEREFROM.**

**THE BOARD OF PUBLIC WORKS (BPW) OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA**, met in special session on April 26, 2023, at 1600 O Street at the hour of 11:30 a.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: a copy of the Open Meetings Act is posted on the northeast wall of the Board room.

Chairman Knipe requested a motion to approve General Consent items. Member Zaruba made a motion to accept the General Consent items listed. Member Grant seconded the motion. Members voting aye – Grant, Knipe, Wilson, Zaruba and Shaw. Motion accepted.

Chairman Knipe opened the floor for public comment. Judy McAlexander reported favorable business interactions with General Manager David Hunter Jr., Frank Critser addressed the Board and expressed appreciation for David Hunter Jr.'s service to the community and conveyed the importance of protecting the Board of Public Works.

Chairman Knipe stated the Board will enter closed session per the Nebraska Open Meetings Act. The purpose of the session is to discuss the terms of a Final Release Agreement with David Hunter Jr., with the approval of David Hunter Jr. through legal counsel, and in consideration of a claim of litigation to or by the BPW. Member Grant made a motion to move into closed session at 11:36 a.m. Member Zaruba seconded the motion. Members voting aye – Shaw, Grant, Knipe, Wilson, and Zaruba. Motion carried.

Member Zaruba made a motion to end the closed session at 11:45 a.m. Member Shaw seconded the motion. Members voting aye – Grant, Knipe, Wilson, Zaruba, and Shaw. Motion carried.

Member Zaruba made a motion to approve of the Final Release Agreement with David Hunter Jr. Member Shaw seconded the motion. Members voting aye – Knipe, Wilson, Zaruba, Shaw, and Grant. Motion carried.

Chairman Knipe appointed a committee consisting of members Zaruba and Grant to begin the process of searching for a General Manager for the Auburn Board of Public Works. No further action.

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, May 17, 2023, at the hour of 11:30 a.m. at the Board of Public Works Board Room. Chairman Knipe declared the meeting adjourned.

ATTEST:

\_\_\_\_\_  
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 special meeting, April 26, 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.