

## **BOARD PROCEEDINGS**

December 11, 2007

A meeting of the Planning Commission of Butler County, Nebraska was held on the 11th day of December, 2007 at the Hruska Memorial Public Library in David City, Nebraska at 7:30 p.m.

Notice was given in advance thereof, stating that the Butler County Board of Supervisors will be in attendance. Notice of the meeting was given, 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 County Board of Supervisors. Availability of the agenda was communicated in the advance notice and in the notice to all members of the County Board of Supervisors of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Present were the following:

David Mach, Larry Zadina, and Irvin Cidlik

No formal board action was taken.

Vicki L. Truksa  
Butler County Clerk

## 2007 Abstract of Levies

REAL ESTATE	858,084,335
PERSONAL PROPERTY	33,731,532
SPECIALS	<u>17,779,277</u>
	909,595,144

<u>Political Subdivision</u>	<u>Valuations</u>	<u>Tax Request</u>	<u>Levy</u>
<b><u>BUTLER COUNTY</u></b>			
General Fund	909,595,144	\$2,290,033.43	0.25177
Relief/Medical Fund	909,595,144	\$13,183.77	0.00145
Courthouse Bond Fund	909,595,144	<u>\$267,736.87</u>	<u>0.02943</u>
		\$2,570,954.07	0.28265
Butler County Ag Society	909,595,144	\$50,000.00	0.00550
Capital Projects	909,595,144	<u>\$40,959.00</u>	<u>0.00450</u>
		\$90,959.00	0.01000
<b><u>TOWNSHIPS</u></b>			
Read Township	47,873,076	\$65,000.00	0.13578
Ulysses Township	49,885,862	\$82,293.00	0.16497
Library	49,885,862	<u>\$15,442.00</u>	<u>0.03095</u>
		\$97,735.00	0.19592
Plum Creek Township	41,838,052	\$72,230.00	0.17264
Richardson Township	39,026,749	\$74,150.00	0.19000
Reading Township	64,590,528	\$64,590.00	0.10000
Union Township	50,134,205	\$50,133.00	0.10000
Center Township	49,240,944	\$49,240.00	0.10000
Oak Creek Township	50,298,615	\$75,448.00	0.15000
Summit Township	50,019,779	\$50,019.00	0.10000
Olive Township	48,177,100	\$90,000.00	0.18681
Franklin Township	48,893,560	\$48,893.00	0.10000
Skull Creek Township	39,631,740	\$39,631.00	0.10000
Alexis Township	67,450,485	\$51,000.00	0.07561
Savannah Township	55,035,762	\$47,850.00	0.08694
Bone Creek Township	46,341,761	\$61,000.00	0.13163

## 2007 Abstract of Levies

Linwood Township	37,036,553	\$37,026.00	0.09997
Platte Township	24,180,531	\$22,909.00	0.09474

### **RURAL FIRE DISTRICTS**

Ulysses Fire District #2	80,297,584	\$16,060.00	0.02000
Sinking Fund	80,297,584	<u>\$16,059.00</u>	<u>0.02000</u>
		\$32,119.00	0.04000
 Rising City Fire Dist. #3	 150,114,062	 \$60,045.00	 0.04000
Bellwood Fire Dist. #5	129,805,636	\$35,327.00	0.02722
Bond Fund	129,805,636	<u>\$16,595.00</u>	<u>0.01278</u>
		\$51,922.00	0.04000
 Dwight Fire Dist. #6	 54,067,901	 \$8,469.20	 0.01566
Sinking Fund	54,067,901	\$13,157.96	0.02434
Bond Fund	54,067,901	<u>\$14,193.30</u>	<u>0.02625</u>
		\$35,820.46	0.06625
 Bruno Fire Dist. #7	 43,504,363	 \$17,400.00	 0.04000
 Linwood Fire Dist. #8	 58,086,932	 \$23,234.00	 0.04000
David City Fire Dist. #9	271,682,980	\$108,673.00	0.04000
Bond Fund	271,682,980	<u>\$75,410.00</u>	<u>0.02776</u>
		\$184,083.00	0.06776
 Brainard Fire Dist. #10	 63,902,786	 \$17,951.00	 0.02809
Sinking Fund	63,902,786	<u>\$7,610.00</u>	<u>0.01191</u>
		\$25,561.00	0.04000
 Abie Fire Dist. #11	 22,586,290	 \$9,034.00	 0.04000

### **SANITARY & IMPROVEMENT DISTRICTS**

SID #1 - General Fund	5,234,681	\$13,700.00	0.26172
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### **CITIES & VILLAGES**

Village of Surprise			
General All Purpose Fund	869,249	\$3,643.00	0.41910

## 2007 Abstract of Levies

### Village of Ulysses

General Fund	4,549,692	\$14,023.61	0.30823
Bond Fund	4,549,692	\$20,000.00	0.43959
Street Fund	4,549,692	<u>\$6,450.00</u>	<u>0.14177</u>
		\$40,473.61	0.88959

### Village of Dwight

General Fund	7,067,854	\$13,650.00	0.19313
Bond Fund	7,067,854	\$10,807.00	0.15290
Fire Dept. Fund	7,067,854	<u>\$11,600.00</u>	<u>0.16412</u>
		\$36,057.00	0.51015

### Village of Rising City

General Fund	10,939,328	\$21,000.00	0.19197
Fireman Fund	10,939,328	\$5,000.00	0.04571
Street Fund	10,939,328	\$20,000.00	0.18283
Payroll Tax Fund	10,939,328	<u>\$3,000.00</u>	<u>0.02742</u>
		\$49,000.00	0.44793

### Village of Garrison

General Fund	1,830,064	\$736.00	0.04022
Street Fund	1,830,064	<u>\$500.00</u>	<u>0.02732</u>
		\$1,236.00	0.06754

### Village of Brainard

General Fund	12,732,281	\$54,500.00	0.42805
Bond Fund	12,732,281	<u>\$20,000.00</u>	<u>0.15708</u>
		\$74,500.00	0.58513

### Village of Bruno

General Fund	1,895,903	\$8,531.00	0.44997
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### Village of Bellwood

General Fund	12,568,351	\$48,557.00	0.38635
Bond Fund	12,568,351	\$10,000.00	0.07956
Street Fund	12,568,351	<u>\$8,000.00</u>	<u>0.06365</u>
		\$66,557.00	0.52956

### Village of Octavia

General Fund	1,929,456	\$3,030.00	0.15704
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### Village of Abie

General Fund	1,321,711	\$3,223.00	0.24385
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### Village of Linwood

General Fund	1,722,610	\$2,020.00	0.11726
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### City of David City

General Fund	99,939,839	\$498,940.00	0.49924
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## 2007 Abstract of Levies

### SCHOOLS

32

General Levy	94,138,678	\$988,456.00	1.05000
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56

General Fund	520,092,464	\$4,846,285.00	0.93181
Special Building	520,092,464	\$187,735.00	0.03610
Bond (K-8)	243,815,924	\$119,315.00	0.04894
Bond (9-12)	507,174,273	\$145,830.00	0.02875
Bond (3R)	109,827,489	\$81,858.00	0.07453
Quality Capitol Purpose Undertaking Fund (K-8)	481,792,132	\$97,846.00	0.02031
Quality Capitol Purpose Undertaking Fund (9-12)	519,976,679	\$125,598.00	0.02415

2R

General Fund	266,315,287	\$2,486,955.32	0.93384
Special Building	266,315,287	<u>\$266,315.79</u>	<u>0.10000</u>
		\$2,753,271.11	1.03384

I, Vicki L. Truksa, County Clerk in and for Butler County, Nebraska,  
do hereby certify the above tax levies for Butler County taxing districts as set by  
the political subdivisions and approved by the County Board of Supervisors acting  
as the County Board of Equalization on October 15, 2007.

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Vicki L. Truksa  
Butler County Clerk

July 16, 2007

BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of July, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr. Absent: Kevin J. Slama.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

Linda Vandenberg from the Butler County Senior Center came before the board to discuss the amount of board members needed for the senior center board.

Moved by Cidlik, seconded by Mach to make the following appointments to the Butler County Senior Center Board:

District Two – Ethel Reha

District Three – Dean Struebing

District Four – Eldon Coufal

At Large – Virgil Vrbka

Upon roll call vote the following voted aye: Cidlik, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Cidlik, seconded by Zadina to appoint Connie Crook to the Butler County Health Care Center Board for a six year term. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach and Hassebrook. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Mach, seconded by Zadina to approve the following resolution. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik and Hassebrook. The following voted nay: None. Absent: Slama. Motion carried.

RESOLUTION NO. 2007 - 22

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Noxious Weed Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County Noxious Weed Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General fund to transfer to the Noxious Weed Department in an amount of \$10,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,000.00 to the Noxious Weed Fund for the maintenance and operations of said Noxious Weed Department.

DATED this 16th day of July, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Christine Meysenburg  
Christine Meysenburg, County Clerk

The Quarterly Jail Inspection was conducted at 9:10 a.m.

The board returned from the Jail Inspection at 9:30 a.m.

Bill Schneider of Schneider Insurance Consulting gave his annual report on the Insurance Coverage the county has with Agency One Insurance.

Kevin Slama came to the meeting at 9:35 a.m.

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

The board received the Quarterly Report from the Butler County Sheriff and it was accepted and placed on file.

Moved by Cidlik, seconded by Mach to increase the amount paid for abandoned cemetery care to \$250.00 annually. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel and Hassebrook. The following voted nay: None. Motion carried.

Mark Hecker, County Sheriff presented the board with the Distress Warrant report.

Moved by Cidlik, seconded by Mach to go into Executive Session at 10:10 a.m. for the purpose of personnel issues, including job performance of employees. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel and Hassebrook. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Slama to come out of Executive Session at 10:53 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Mach, Kozisek, Zadina and Hassebrook. The following voted nay: None. Motion carried.

Karey Adamy, Deputy County Treasurer presented the six month Treasurer's report and also the pledge security report.

Moved by Cidlik, seconded by Mach to appoint Vicki Truksa to fill the unexpired term as County Clerk effective August 5, 2007. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Kozisek to appoint Karey Adamy to fill the unexpired term as County Treasurer effective September 15, 2007. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama and Hassebrook. The following voted nay: None. Motion carried.

Denise Boyd, Project Manager for Lincoln Area Agency on Agency appeared before the board to request funds for the next fiscal year. Also present were JoEllen Vrbka and Rita Polak the county representatives to the LAAA Advisory Board.

Moved by Kozisek, seconded by Birkel to reappoint Emil Anderly to the Butler County Veterans Service Committee for a five (5) year term effective July 1, 2007. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Mach and Hassebrook. The following voted nay: None. Motion carried.

The annual financial report of the Butler County Soldier & Sailor Fund was presented by Dean Kriz, Veteran's Service Officer.

The quarterly report for the general assistance program was received and placed on file.

Moved by Mach, seconded by Slama to approve placing yield signs at the intersection of 34 & K for north and south bound traffic. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Birkel to approve the utility permit of Windstream Communications to replace a buried communications cable system between Sections 28 and 33, Township 15, Range 3. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama and Hassebrook. The following voted nay: None. Motion carried.

Notification was received from the Department of Environmental Quality that a Notice of Application was received from Jan Fricke Livestock Concentrated Animal Feeding Operation in the NE ¼ NW ¼, Section 36, Township 14N, Range 2E, Butler County.

Gary Streeks, Blue Cross-Blue Shield representative gave the board information on the increase of insurance premiums and any changes that occurred.

Notification was received from the Department of Environmental Quality that a Phased Construction and Operating Permit was Issued to Butler County Dairy, LLC Concentrated Animal Feeding Operation in the NW 1/4, Section 3, Township 13N, Range 1E, Butler County.

Moved by Kozisek, seconded by Mach to authorize payment of the claims as presented. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina and Hassebrook. The following voted nay: None. Motion carried.

Discussion was held in regards to board members attending the planning commission meetings.

The Chairman declared the meeting adjourned at 12:30 p.m.

Christine Meysenburg  
County Clerk

Wayne Hassebrook  
Chairman

August 20, 2007

BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of August, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin Slama, Max Birkel, Larry Zadina and Irvin F. Cidlik, Jr. Absent: William J. Kozisek.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

Jeff Rauh, TransCanada Keystone Pipeline Project presented an update on the pipeline project in Butler County.

William J. Kozisek arrived at 9:35 a.m.

Moved by Cidlik, seconded by Mach to approve and place on file the bonds of Theresa Dion, Crystal Hotovy and Sharon Woolsey. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Cidlik to approve the following resolution. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

**RESOLUTION # 2007-25**

WHEREAS, Vicki L. Truksa has been appointed and duly qualified as County Clerk in and for Butler County, Nebraska, and

WHEREAS, Vicki L. Truksa has nominated and appointed Sharon M. Woolsey, as Deputy County Clerk.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that said Sharon M. Woolsey is appointed as Deputy County Clerk in and for Butler County, Nebraska.

Dated this 20<sup>th</sup> day of August, 2007.



/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman  
Butler County Board of Supervisors

Attest:  
/s/ Vicki L. Truksa  
Vicki L. Truksa, Butler County Clerk

Moved by Kozisek, seconded by Slama to adopt the Personal Property Inventory Statements Policy as proposed. Upon roll call vote the following voted aye: Kozisek and Hassebrook. The following voted nay: Mach, Slama, Cidlik, Birkel and Zadina. Motion failed.

Moved by Slama, seconded by Mach to go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Birkel to approve the tax accelerations as presented by Vickie Donoghue, County Assessor. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

Vickie Donoghue, County Assessor presented the 2007 Cemetery List for Butler County to the Board of Supervisors.

Moved by Cidlik, seconded by Mach to go out of Board of Equalization. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Discussion was held on the Employee Evaluations. The County Board Employee Benefits & Policy Committee will be responsible to complete the evaluations for the Highway Superintendent, Noxious Weed Superintendent and the Building & Grounds Custodian. These evaluations will be conducted the first Monday of May each year.

Discussion was held on contracting with an Insurance Consultant for the upcoming insurance bidding process. The board will address this issue at the September 10, 2007 meeting.

Moved by Cidlik, seconded by Zadina to approve an additional 1% increase in the Total 2006-2007 Restricted Funds authority subject to limitation. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

The Budget Committee members reported to the entire board on the meetings held with various officials concerning their 2007-2008 budget requests.

Moved by Slama, seconded by Mach to approve the following resolution. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

#### **RESOLUTION #2007-23**

WHEREAS, Pursuant to State Statute 77-3443, each County Board shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to its political subdivisions, and

WHEREAS, political subdivisions as defined in said statute are “all political subdivisions ~~other~~ than school districts, community colleges, natural resource districts, educational service units, cities, villages, counties, and sanitary and improvement districts, and

WHEREAS, statute states that they may levy taxes as provided by law, provided they do not collectively total more than fifteen cents per one hundred dollars of taxable valuation on any parcel or item of taxable property for all governments for which allocations are made by the County, and

WHEREAS, on or before August 1<sup>st</sup>, all political subdivisions subject to county levy authority must submit preliminary request for levy allocation to the County Board, and

WHEREAS, failure of a political subdivision to do so shall preclude them from using procedures set forth in 77-3444, and

WHEREAS, Butler County has twenty-seven (27) such political subdivisions namely: Butler County Agricultural Society, Read Township, Ulysses Township, Plum Creek Township, Richardson Township, Reading Township, Union Township, Center Township, Oak Creek Township, Summit Township, Olive Township, Franklin Township, Skull Creek Township, Alexis Township, Savannah Township, Bone Creek Township, Linwood Township, Platte Township, Ulysses Fire District #2, Rising City Fire District #3, Bellwood Fire District #5, Dwight Fire District #6, Bruno Fire District #7, Linwood Fire District #8, David City Fire District #9, Brainard Fire District #10, and Abie Fire District #11.

WHEREAS, the following political subdivisions submitted such requests, on or before August 1, 2007. Requests from such subdivisions are as follows:

<u>POLITICAL SUBDIVISION</u>	<u>TAX REQUEST</u>
Butler County Ag Society	\$92,000.00
Read Township	\$65,000.00
Ulysses Township	\$85,435.00
Library	<u>\$16,031.00</u>
Total	\$101,466.00
Plum Creek Township	\$77,000.00
Union Township	\$62,000.00
Richardson Township	\$80,000.00
Reading Township	\$66,500.00
Center Township	\$53,158.00
Oak Creek Township	\$86,136.00

Summit Township	\$55,000.00
Olive Township	\$90,000.00
Franklin Township	\$55,000.00
Skull Creek Township	\$76,000.00
Alexis Township	\$51,000.00
Savannah Township	\$58,000.00
Bone Creek Township	\$70,000.00
Linwood Township	\$42,000.00
Ulysses Fire District #2	\$16,992.00
Sinking	<u>\$16,992.00</u>
Total	\$33,984.00
Rising City Fire District #3	\$62,000.00
Bellwood Fire District #5	\$60,000.00
Dwight Fire District #6	\$ 8,471.87
Sinking	\$13,162.12
Bond	<u>\$13,915.00</u>
Total	\$35,548.99
Bruno Fire District #7	\$20,000.00
Linwood Fire District #8	\$25,000.00
David City Fire District #9	\$116,718.00
Brainard Fire District #10	\$19,932.00
Sinking	<u>\$ 7,610.00</u>
Total	\$27,542.00
Abie Fire District #11	\$10,500.00

WHEREAS, Statute states that the County Board shall review and approve or disapprove the levy request by September 1.

NOW, THERFORE, BE IT RESOLVED: That the Butler County Board of Supervisors hereby make the following levy allocations pursuant to Nebraska State Statute 77-3443 as follows up to:

<u>POLITICAL SUBDIVISION</u>	<u>LEVY</u>
Butler County Ag Society	.01

Read Township	.10
Ulysses Township	.10
Plum Creek Township	.10
Richardson Township	.10
Reading Township	.10
Union Township	.10
Center Township	.10
Oak Creek Township	.10
Summit Township	.10
Olive Township	.10
Franklin Township	.10
Skull Creek Township	.10
Alexis Township	.10
Savannah Township	.10
Bone Creek Township	.10
Linwood Township	.10
Platte Township	.10
Ulysses Fire District #2	.04
Rising City Fire District #3	.04
Bellwood Fire District #5	.04
Dwight Fire District #6	.04
Bruno Fire District #7	.04
Linwood Fire District #8	.04
David City Fire District #9	.04
Brainard Fire District #10	.04
Abie Fire District #11	.04

Dated this 20<sup>th</sup> day of August, 2007.

Voting Aye:

Voting Nay:

/s/ Wayne Hassebrook  
/s/ William J. Kozisek  
/s/ Larry Zadina  
/s/ Max Birkel  
/s/ Irvin Cidlik  
/s/ Kevin Slama  
/s/ David W. Mach

None

Attest: /s/ Vicki L. Truksa  
Butler County Clerk

Moved by Cidlik, seconded by Kozisek, to set the budget hearing for September 10, 2007 at 10:00 a.m. and the hearing to set the final tax request will be at 10:15 a.m. on September 20, 2007. Upon roll call vote the following aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Mach to approve the following resolution. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Mach, Slama, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

#### **RESOLUTION #2007-24**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Noxious Weed Fund through the County General Fund of Butler County, and

WHEREAS, the Butler County Noxious Weed Department is requiring funds in order to keep up the maintenance and operation of said department, and

WHEREAS, funds are available in the General Fund to transfer to the Noxious Weed Department in an amount of \$10,000.00.

THEREFORE, LET IS NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,000.00 to the Noxious Weed Fund for the maintenance and operations of said Noxious Weed Department from the General Fund.

Dated this 20<sup>th</sup> day of August, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman  
Butler County Board of Supervisors

Attest:  
/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Moved by Cidlik, seconded by Mach to accept the following inventories and place them on file in the County Clerk's office. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

INVENTORIES  
Highway Department  
County Assessor  
E-911 Dispatch  
County Court  
County Surveyor  
Probation Office

Dolly Stara, County Treasurer and Karey Adamy, Deputy County Treasurer, were present to discuss Striking 2004 Personal Property Tax from Uncollected Distress Warrant List, the board instructed the Treasurer to obtain additional information and report back to the board at the next meeting.

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

Moved by Slama, seconded by Birkel to approve the following resolution. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

#### **RESOLUTION #2007-26**

WHEREAS, the Nebraska Legislature passed Legislative Bill 112, 1993 Session, which was an act relating to motor vehicles, authorizing County Boards to consolidate certain services relating to Motor Vehicles and the designation of services among the County Assessor, County Clerk and County Treasurer relating to the issuance of certificates of title, registration certificates, license plates and renewal decals, notation and cancellation of liens, and collection of fees for motor vehicles as provided by the applicable laws affected, and

WHEREAS, this Board previously transferred certain services of the County Assessor relating to valuation, assessment and levy of taxes upon motor vehicles to the Butler County Treasurer, and

WHEREAS, this Board believes that services of the Butler County Clerk relating to issuing of motor vehicle titles and recording of liens and other related duties, would best service the public if they were transferred to the Butler County Treasurer to accommodate the public with “one stop” motor vehicle services, and

WHEREAS, it is necessary that the Butler County Board of Supervisors pass a resolution reallocating the services as indicated.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors, that the duties of the Butler County Clerk relating to the issuance if motor vehicle titles and the recordation of liens and other related duties, including those in accordance with Sec. 60-101 to 60-117, be transferred from the Butler County Clerk’s Office to the Butler County Treasurer’s Office. Such transfer shall occur at a time most convenient for the County Clerk, the County Treasurer and the Nebraska Department of Motor Vehicles, no later than March 1, 2008.

Dated this 20<sup>th</sup> day of August, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman  
Butler County Board of Supervisors

Attest:  
/s/ Vicki L. Truksa  
Vicki L. Truksa  
Butler County Clerk

Moved by Slama, seconded by Cidlik to go into Executive Session for discussion of accumulated vacation pay. Upon roll call vote the following voted Aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following Nay: None. Motion carried.

Moved by Kozisek, seconded by Birkel to go out of Executive Session. Upon roll call vote the following voted Aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Mach, and Hassebrook. The following voted Nay: None. Motion carried.

On the issue of accumulated vacation pay, no action was taken, continue to follow the employee handbook.

Moved by Slama, seconded by Mach to authorize payment of the claims as presented. Upon roll call vote the following voted Aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted Nay: None. Motion carried.

Discussion was held in regards to the upcoming fall meeting of the Southeast District Nebraska Association of County Officials.

The Chairman declared the meeting adjourned.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman

September 10, 2007

## BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 10th day of September, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meetings shall stand approved.

Mark Hecker appeared before the Board to discuss the Emergency Manager's position and the possibility of making that position full-time. Matt Hilger and Brian Wilson were present to inform the Board of the increasing paperwork that the fire departments are required to complete and the possibility of including that responsibility in the job description for a full-time Emergency Manager. The Board instructed Mark Hecker to check into the budget numbers and job description and report back to them on his findings.

Moved by Mach, seconded by Slama to approve the utility permit of Lower Platte North R.W.D. to place a 1" water line pipe across the road to provide service for Mark Hynek, in Section 21, Franklin Township. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Mach to approve the utility permit of Windstream Communications to install a buried communications cable system between Sections 17 & 20, Township 16 North, Range 1 East. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Mach to approve placing stop signs at the intersection of 38 & V for east and west bound traffic, and 25 & H for east and west bound traffic. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following nay: None. Motion carried.

Discussion was held on the stop sign request from Reading Township for placement of signs on B Road & C Road.

Moved by Kozisek, seconded by Birkel to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Mach, and Hassebrook. The following voted nay: None. Motion carried.

The Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

Vickie Donoghue, County Assessor presented the Real Property and Personal Property Valuation Changes that were made.



Moved by Slama, seconded by Mach to approve the Personal Property Inventory Statements-Butler County Policy No. 1 as presented by Julie Reiter, County Attorney. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Birkel, Cidlik, and Hassebrook. The following voted nay: Zadina. Motion carried.

Moved by Mach, seconded by Cidlik to approve and place on file the bond of Theresa Dion. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

Notification was received from the Nebraska Department of Environmental Quality that an Application for Design Change Request has been approved for Little Pine Ridge Feedyards, Inc. Animal Feeding Operation.

Moved by Cidlik, seconded by Mach to strike the 2004 Personal Property Tax of Telepartners, Inc. from the Uncollected Distress Warrant List as presented by Dolly Stara, County Treasurer. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Mach to accept the inventories and place them on file in the County Clerk's office. After further discussion, Kozisek withdrew the motion. No action taken. Matter to be put on the agenda for the first meeting in October.

Moved by Cidlik, seconded by Slama to open the budget hearing at 10:00 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following vote nay: None. Motion carried.

No one was present to comment at the hearing.

Moved by Slama, seconded by Mach to close the budget hearing. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve the following resolution. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

#### RESOLUTION NO. 2007 - 27

#### RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2007 to June 30, 2008, prepared by the Budget Making Authority, was transmitted to the County Board on the 1st day of August, 2007.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Butler County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2007, to June 30, 2008, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Butler County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year

/s/ Max Birkel  
/s/ Irvin Cidlik  
/s/ Kevin Slama  
/s/ David W. Mach

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Moved by Mach, seconded by Slama to open the special hearing to set the final tax request at a different amount than last year at 10:25 a.m. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

No one was present to comment at the hearing.

Moved by Slama, seconded by Cidlik to close the hearing at 10:40 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Mach to approve the following resolution. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina, and Hassebrook. The following voted nay: None. Motion carried.

#### RESOLUTION NO. 2007-28

WHEREAS, pursuant to State Statute 77-1601.02 the Butler County Board of Supervisors held a hearing on September 10, 2007 at 10:15 a.m. in regard to setting the 2007-2008 tax request at a different rate than the 2006-2007 tax request, and

WHEREAS, said hearing was published in a legal newspaper as required by law, and

WHEREAS, the following requirements were in said published notice:

the 2006-2007 property tax request was:	\$2,442,467.35 and	
the levy to fund the 2006-2007 tax request was:	.27466	and
the levy to fund last years tax request if it were		
applied to the current valuation would be:	.26852	and
the proposed tax request for the 2007-2008 year is:	\$2,570,954.07 and	
the proposed levy to fund the 2007-2008 tax request is:	.28265	and,

WHEREAS, no people were present to comment on the proposed modification of said tax request at said hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Butler County Board of Supervisors hereby approve the tax request of \$2,570,954.07 for the 2007-2008 fiscal year.

Dated this 10<sup>th</sup> day of September, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

The Chairman declared the meeting adjourned at 10:45 a.m.



## **BOARD PROCEEDINGS**

September 11, 2007

A meeting of the Planning Commission of Butler County, Nebraska was held on the 11<sup>th</sup> day of September, 2007 at the Butler County Courthouse in David City, Nebraska at 7:30 p.m.

Notice was given in advance thereof, stating that the Butler County Board of Supervisors will be in attendance. Notice of the meeting was given, 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 County Board of Supervisors. Availability of the agenda was communicated in the advance notice and in the notice to all members of the County Board of Supervisors of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

Present were the following:

Irvin Cidlik, David Mach, Kevin Slama, Max Birkel and Larry Zadina.

No formal board action was taken.

Vicki L. Truksa  
Butler County Clerk

September 17, 2007

## BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of September, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

Julie Reiter, County Attorney presented to the Board information on the Pretrial Juvenile Diversion Program that she intends to implement in Butler County. Richard Chisolm, Chief Probation Officer, was in attendance to give additional information on the program.

Moved by Slama, seconded by Cidlik to authorize the necessary signatures for the County Treasurer's bank accounts. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Birkel to approve and place on file the bond of Karey Adamy, County Treasurer. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Mach to approve the following resolutions. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

**RESOLUTION NO. 2007 - 29**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Noxious Weed Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County Noxious Weed Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the Noxious Weed Department in an amount of \$10,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,000.00 to the Noxious Weed Fund for the maintenance and operations of said Noxious Weed Department from the General Fund.

DATED this 17th day of September, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman  
Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

**RESOLUTION NO. 2007 – 30**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the 911 Emergency Services Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County 911 Emergency Services Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Services Department in an amount of \$10,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 17th day of September, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman  
Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Mike Applegate, Detention Center Administrator, appeared before the Board to inform them of the change in the method of purchasing supplies for the commissary. The detention center will be using Swanson Services as their supplier of commissary items in the future.

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

Larry Pelan, NIRMA, presented information to the Board about NIRMA(Nebraska Intergovernmental Risk Management Association).

Joe Johnson, City of David City Administrator, brought to the Board information on the Downtown Improvement Project. He showed a map outlining the area of downtown David City that is to be included in the project. Mr. Johnson asked that the Board have two representatives serve as part of the seven member steering committee. The two members will be Max Birkel and William Kozisek. Mr. Johnson also presented a map and information in regards to the recent annexation of real estate in Section 18, T15N, R3E.

Moved by Zadina, seconded by Mach to authorize payment of the claims as presented. Upon roll call vote the following voted aye: Zadina, Kozisek, Mach, Slama, Cidlík, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

The Chairman declared the meeting adjourned at 11:25 a.m.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman

October 1, 2007

## BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of October, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

The quarterly jail inspection was conducted at 9:05 a.m.

The board returned from the jail inspection at 9:20 a.m.

Discussion was held on considering NIRMA as the County insurance carrier. The County Clerk was instructed to contact Larry Pelan, to obtain additional information. A decision will be tabled until the next meeting on October 15, 2007.

Moved by Cidlik, seconded by Mach to set November 2, 2007 as the date for the county surplus sale. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign the year-end reports for the State Department of Roads. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following vote nay: None. Motion carried.

Moved by Cidlik, seconded by Mach to approve the utility permit of Windstream Communications to install a buried communications cable system between Sections 24 and 25, Township 14 North, Range 3 East. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.



Moved by Mach, seconded by Cidlik to authorize the Chairman to sign the engagement letter from Dana F. Cole & Company, LLP. Upon roll call vote the following voted aye: Mach, Cidlik, Birkel, Zadina, and Kozisek. The following voted nay: Slama and Hassebrook. Motion carried.

Julie Reiter, Butler County Attorney, updated the board on the status of the Blue Valley Community Action loans. There are four outstanding loans of which two are delinquent. The Board would like additional information, which the County Attorney will obtain and present to them at their next meeting.

Moved by Slama, seconded by Kozisek to approve the lease with Witter Family Medicine in its entirety and to authorize Don Naiberk to sign the lease on the County's behalf. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Zadina to accept the following inventories and place them on file in the County Clerk's office. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Mach, and Hassebrook. The following voted nay: None. Motion carried.

#### INVENTORIES

County Treasurer  
County Attorney  
Veteran's Service Officer  
School Records  
Building & Grounds/Custodian  
County Clerk  
Clerk of the District Court  
County Real Estate  
County Buildings  
County Sheriff  
Emergency Management  
Cooperative Extension  
Noxious Weed Superintendent

Discussion was held on school district boundaries and the amount of property valuation that is going to school districts outside of Butler County also, the amount of valuation that is coming into Butler County from school districts located in other counties.

The Chairman declared the meeting adjourned at 10:10 a.m.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman

## BOARD PROCEEDINGS

October 15, 2007

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15th day of October, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meetings shall stand approved.

Kevin J. Slama arrived at 9:05 a.m.

Jim Truksa, Butler County Highway Superintendent and Kelly Danielson representing the Butler County Landfill proposed to the Board a \$.35 per ton road maintenance fee, which would generate approximately \$102,000.00 based on the estimated 2007 tonnages.

Moved by Cidlik, seconded by Slama to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

The Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

Moved by Kozisek, seconded by Zadina to approve the levies as submitted by the County Clerk. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Mach, and Hassebrook. The following voted nay: None. Motion carried. (See attachment for levies)

Moved by Birkel, seconded by Mach to go out of Board of Equalization at 9:35 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Mach, Kozisek, Zadina, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Mach to accept the inventory of the Butler County Senior Services and place it on file in the County Clerk's office. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to authorize the Chairman to sign the agreement with the Lower Platte South Natural Resources District for the purpose of maintaining and preventing further erosion damage to Kriz Road Structure Dam 17DA-14-4, and Kriz Road Structure Dam 17DD-14-4 located on County Road U near Brainard in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Cidlik to approve the sign request of Reading Township to place the following yields signs; for west bound traffic at the intersection of 27 & B, for east bound traffic at the intersection of 28 & B, and for east and west bound traffic at the intersection of 28 & C. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

Timberline Energy gas line permit, tabled for further information.

Moved by Zadina, seconded by Cidlik to approve the permit of Doug Vrbka to construct a water line in accordance with the permit requirements between Section 24 & Section 25, T14N,

R3E. Upon roll call vote the following voted aye: Zadina, Birkel, Cidlik, Slama, Mach, Kozisek, and Hassebrook. The following voted nay: None. Motion carried.

Discussion was held in regards to joint ownership of a new motorgrader with Union Township.

Jeff DeLine, Dana F. Cole & Company was present to answer questions that the Board members had concerning the 2006-2007 fiscal year audit that is being conducted, he said that the preliminary audit report is to be delivered by December 31, 2007.

Julie Reiter, County Attorney presented information to the Board on the outstanding Blue Valley Community Action loans.

Moved by Mach, seconded by Kozisek to approve the contract for data release between the Butler County Assessor and GIS Workshop, Inc. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Pam Siroky, Agency One Insurance, presented the Board information on the current insurance policies.

Moved by Slama, seconded by Mach to take bids for the County's insurance according to NIRMA specs. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Mach to appoint Jackie Mahlin as the representative to the LAAA Board. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina, and Hassebrook. The following voted nay: None. Motion carried.

Mark Hecker, County Sheriff presented to the Board the draft of the job description for the Emergency Manager Position, he asked that they review the description.

Sheriff Hecker informed the Board that the drug dog has been trained and certified with Deputy Yost.

The quarterly report of the Butler County Sheriff's Department and the Butler County Detention Center were accepted and placed on file.

Moved by Cidlik, seconded by Zadina to approve the Special Designated Liquor License Application from Ulysses Youth Council, Ulysses, Nebraska for the date of February 9, 2008. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Zadina to approve the following resolution. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

#### **RESOLUTION NO. 2007 – 31**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the 911 Emergency Services Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County 911 Emergency Services Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Services Department in an amount of \$10,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 15th day of October, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

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

Moved by Kozisek, seconded by Slama to approve the bond of Kristy L. Pohl, Clerical Assistant. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina, and Hassebrook. The following voted nay: None. Motion carried.

Information was received from the Lower Platte North Natural Resources District in regards to an application for grant assistance through Federal Emergency Management Agency (FEMA) to develop an “All Hazards Mitigation Plan”. The County Board would like to have a representative from the NRD present at the next meeting to give additional information.

Moved by Cidlik, seconded by Mach to authorize payment of the claims as presented. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Discussion was held on the replacement of windows in the Region V building, and on the land rental agreement.

Correspondence from CISDA, relaying a thank-you for funding, was read to the Board.

The Chairman declared the meeting adjourned at 11:55 a.m.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman, Board of Supervisors

November 5, 2007

## BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5<sup>th</sup> day of November, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

Moved by Cidlik, seconded by Slama to authorize the Chairman to sign the Certification of the Cost Allocation Plan and forward on to MAXIMUS. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Notification was received from the Department of Environmental Quality that a Phased Construction and Operating Permit was issued to Jan Fricke Livestock Concentrated Animal Feeding Operation (IIS#87994) NE1/4, NW1/4, Section 36, Township 14N, Range 2E, Butler County.

Information was received from Tom Mountford of the Lower Platte North NRD in regards to the Hazard Mitigation Planning/Project Grant Funding. He will keep the County updated as new information is received.

Max Birkel was appointed to be the County Board's representative to the Board of Directors of C.I.S.D.A.

The annual Butler County Jail Report / FY 2006-2007 was accepted and placed on file.

Moved by Slama, seconded by Kozisek to designate The Banner Press as the official county newspaper for 2008. Upon roll call vote the following voted aye: Slama, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: Mach. Motion carried.

The quarterly General Assistance report for the period of July 1, 2007 – September 30, 2007 was accepted and placed on file.

Road maintenance and the condition of Road R between Road 32 & 37 were discussed.

Moved by Mach, seconded by Zadina to enter into a five year road maintenance agreement with Union Township and to accept the State bid for the purchase a new motorgrader with joint ownership of 51% County and 49% Township. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent reported that the County Surplus Sale grossed \$41,858.50 for the Road Department.

Moved by Cidlik, seconded by Slama to approve the utility permit of Windstream Nebraska, Inc. to replace a buried communications cable system between Sections 17 & 20 and 20 & 21, T-16-N, R-1-E west of Bellwood. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Mach to go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Mach, seconded by Kozisek to approve the tax acceleration as presented by the County Assessor. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Birkel to approve the personal property change as presented by the County Assessor and to authorize the Chairman to sign such change. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Zadina to go out of Board of Equalization. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent, informed the board that the insurance company settled the claim for hail damage to the buildings at the County Yards. Discussion followed about repair to the roofs.

Discussion was held on the address signs that will be installed in the County and the Oak Creek Township road maintenance contract.

Moved by Slama, seconded by Birkel to authorize the Chairman to sign the EMPG Subgrant Supplemental Award Agreement. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

Karey Adamy, County Treasurer, certified to the board the Distress Warrant Summary as of October 31, 2007.

Moved by Mach, seconded by Zadina to approve the following resolution. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

**RESOLUTION NO. 2007 - 32**

WHEREAS, Karey Adamy, has been appointed and duly qualified as County Treasurer in and for Butler County, Nebraska, and

WHEREAS, Karey Adamy has nominated and appointed Kristy L. Pohl, as Deputy County Treasurer.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that said Kristy L. Pohl is approved as Deputy County Treasurer in and for Butler County, Nebraska.

Dated this 5th day of November, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook  
Chairman, Board of Supervisors

Attest:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Kevin Slama and Max Birkel left the meeting.

Moved by Kozisek, seconded by Mach to approve the bond of Kristy L. Pohl, Deputy County Treasurer. Upon roll call vote the following voted aye: Kozisek, Mach, Cidlik, Zadina, and Hassebrook. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Moved by Cidlik, seconded by Mach to authorize the necessary signatures for the Treasurer's bank accounts. Upon roll call vote the following voted aye: Cidlik, Mach, Kozisek, Zadina, and Hassebrook. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Moved by Mach, seconded by Cidlik to approve the following resolutions. Upon roll call vote the following voted aye: Mach, Cidlik, Zadina, Kozisek, and Hassebrook. The following voted nay: Absent: Slama and Birkel. Motion carried.

**RESOLUTION NO. 2007-33**

WHEREAS, Bank of the Valley, Bellwood, Nebraska, has on file the following Safekeeping receipt:

<u>CUSIP#</u>	<u>AMOUNT</u>
238554BW8	\$55,000.00

WHEREAS, said Bank of the Valley, Bellwood, Nebraska is requesting that the above said receipt be released.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the County Treasurer be hereby instructed and empowered to sign off the following safekeeping receipts:

<u>CUSIP#</u>	<u>AMOUNT</u>
238554BW8	\$55,000.00

As requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 5<sup>th</sup> day of November, 2007.

/s/ Wayne Hassebrook,  
Wayne Hassebrook  
Chairman, Board of Supervisors

Attest:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

#### **RESOLUTION NO. 2007 - 34**

WHEREAS, First Nebraska Bank, Brainard, Nebraska has on file the following Safekeeping receipt:

<u>CUSIP #</u>	<u>AMOUNT</u>
3133X65C6	\$125,000.00

WHEREAS, said First Nebraska Bank, Brainard, Nebraska is requesting that the above said receipt be released.

WHEREAS, said First Nebraska Bank, Brainard, Nebraska wishes to replace the above said receipt with the following pledge securities:

<u>CUSIP#</u>	<u>AMOUNT</u>
3133XLB93	\$125,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the County Treasurer be hereby instructed and empowered to sign off the following safekeeping receipts CUSIP#3133X65C6 and replace it with CUSIP#3133XLB93 as requested by First Nebraska Bank, Brainard, Nebraska.

Dated this 5th day of November, 2007.



/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

Attest:

/s/Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Kevin Slama and Max Birkel returned to the meeting at 11:10 a.m.

Moved by Cidlik, seconded by Zadina to approve the purchase of lateral files to be used in the County Treasurer's office and to pay for the purchase from the General Fund-Miscellaneous budget. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following nay: None. Motion carried.

Correspondence was read from Raymond and Janis Cameron owners of True Value Hardware, in support of the Butler County Landfill.

Lee Meysenburg, Ravel Solutions, informed the board of his interest in contracting with the county for information technology support services. The clerk was instructed to contact the offices to see which would be interested in his services.

The Chairman declared the meeting adjourned at 11:45 a.m.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman

November 5, 2007

**AMENDED  
BOARD PROCEEDINGS**

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5<sup>th</sup> day of November, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approved.

Moved by Cidlik, seconded by Slama to authorize the Chairman to sign the Certification of the Cost Allocation Plan and forward on to MAXIMUS. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Notification was received from the Department of Environmental Quality that a Phased Construction and Operating Permit was issued to Jan Fricke Livestock Concentrated Animal Feeding Operation (IIS#87994) NE1/4, NW1/4, Section 36, Township 14N, Range 2E, Butler County.

Information was received from Tom Mountford of the Lower Platte North NRD in regards to the Hazard Mitigation Planning/Project Grant Funding. He will keep the County updated as new information is received.

Max Birkel was appointed to be the County Board's representative to the Board of Directors of C.I.S.D.A.

The annual Butler County Jail Report / FY 2006-2007 was accepted and placed on file.

Moved by Slama, seconded by Kozisek to designate The Banner Press as the official county newspaper for 2008. Upon roll call vote the following voted aye: Slama, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted nay: Mach. Motion carried.

The quarterly General Assistance report for the period of July 1, 2007 – September 30, 2007 was accepted and placed on file.

Road maintenance and the condition of Road R between Road 32 & 37 were discussed.

Moved by Mach, seconded by Zadina to enter into a five year road maintenance agreement with Union Township and to accept the State bid for the purchase a new motorgrader with joint ownership of 51% County and 49% Township. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent reported that the County Surplus Sale grossed \$41,858.50 for the Road Department.

Moved by Cidlik, seconded by Slama to approve the utility permit of Windstream Nebraska, Inc. to replace a buried communications cable system between Sections 17 & 20 and 20 & 21, T-16-N, R-1-E west of Bellwood. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Mach to go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and

Hassebrook. The following voted nay: None. Motion carried.

**\*\*SEE SEPARATE BOARD OF EQUALIZATION PROCEEDINGS**

Jim Truksa, Highway Superintendent, informed the board that the insurance company settled the claim for hail damage to the buildings at the County Yards. Discussion followed about repair to the roofs.

Discussion was held on the address signs that will be installed in the County and the Oak Creek Township road maintenance contract.

Moved by Slama, seconded by Birkel to authorize the Chairman to sign the EMPG Subgrant Supplemental Award Agreement. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted nay: None. Motion carried.

Karey Adamy, County Treasurer, certified to the board the Distress Warrant Summary as of October 31, 2007.

Moved by Mach, seconded by Zadina to approve the following resolution. Upon roll call vote the following voted aye: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted nay: None. Motion carried.

**RESOLUTION NO. 2007 - 32**

WHEREAS, Karey Adamy, has been appointed and duly qualified as County Treasurer in and for Butler County, Nebraska, and

WHEREAS, Karey Adamy has nominated and appointed Kristy L. Pohl, as Deputy County Treasurer.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that said Kristy L. Pohl is approved as Deputy County Treasurer in and for Butler County, Nebraska.

Dated this 5th day of November, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook  
Chairman, Board of Supervisors

Attest:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Kevin Slama and Max Birkel left the meeting.

Moved by Kozisek, seconded by Mach to approve the bond of Kristy L. Pohl, Deputy County Treasurer. Upon roll call vote the following voted aye: Kozisek, Mach, Cidlik, Zadina, and Hassebrook. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Moved by Cidlik, seconded by Mach to authorize the necessary signatures for the Treasurer's bank accounts. Upon roll call vote the following voted aye: Cidlik, Mach, Kozisek, Zadina, and Hassebrook. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Moved by Mach, seconded by Cidlik to approve the following resolutions. Upon roll call vote the following voted aye: Mach, Cidlik, Zadina, Kozisek, and Hassebrook. The following voted nay: Absent: Slama and Birkel. Motion carried.

**RESOLUTION NO. 2007-33**

WHEREAS, Bank of the Valley, Bellwood, Nebraska, has on file the following Safekeeping receipt:

<u>CUSIP#</u>	<u>AMOUNT</u>
238554BW8	\$55,000.00

WHEREAS, said Bank of the Valley, Bellwood, Nebraska is requesting that the above said receipt be released.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the County Treasurer be hereby instructed and empowered to sign off the following safekeeping receipts:

<u>CUSIP#</u>	<u>AMOUNT</u>
238554BW8	\$55,000.00

As requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 5<sup>th</sup> day of November, 2007.

/s/ Wayne Hassebrook,  
Wayne Hassebrook  
Chairman, Board of Supervisors

Attest:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

#### **RESOLUTION NO. 2007 - 34**

WHEREAS, First Nebraska Bank, Brainard, Nebraska has on file the following Safekeeping receipt:

<u>CUSIP #</u>	<u>AMOUNT</u>
3133X65C6	\$125,000.00

WHEREAS, said First Nebraska Bank, Brainard, Nebraska is requesting that the above said receipt be released.

WHEREAS, said First Nebraska Bank, Brainard, Nebraska wishes to replace the above said receipt with the following pledge securities:

<u>CUSIP#</u>	<u>AMOUNT</u>
3133XLB93	\$125,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the County Treasurer be hereby instructed and empowered to sign off the following safekeeping receipts CUSIP#3133X65C6 and replace it with CUSIP#3133XLB93 as requested by First Nebraska Bank, Brainard, Nebraska.

Dated this 5th day of November, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

Attest:

/s/Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Kevin Slama and Max Birkel returned to the meeting at 11:10 a.m.

Moved by Cidlik, seconded by Zadina to approve the purchase of lateral files to be used in the County Treasurer's office and to pay for the purchase from the General Fund-

Miscellaneous budget. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following nay: None. Motion carried.

Correspondence was read from Raymond and Janis Cameron owners of True Value Hardware, in support of the Butler County Landfill.

Lee Meysenburg, Ravel Solutions, informed the board of his interest in contracting with the county for information technology support services. The clerk was instructed to contact the offices to see which would be interested in his services.

The Chairman declared the meeting adjourned at 11:45 a.m.

Vicki L. Truksa  
County Clerk

Wayne Hassebrook  
Chairman

## BOARD PROCEEDINGS

November 19, 2007

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of November, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr. Absent: Kevin Slama and Max Birkel.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

Moved by Kozisek, seconded by Mach to amend the minutes of the November 5, 2007 board meeting. The minutes from the Board of Equalization proceedings need to be separate. Upon roll call vote the following voted AYE: Kozisek, Mach, Cidlik, Zadina, and Hassebrook. The following voted NAY: None. Absent: Slama and Birkel. Motion carried.

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

Kevin J. Slama arrived at 9:05 a.m.

Moved by Cidlik, seconded by Zadina to approve the following resolutions. Upon roll call vote the following voted AYE: Cidlik, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.

### **RESOLUTION NO. 2007 – 35**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Noxious Weed Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County Noxious Weed Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the Noxious Weed Fund in an amount of \$34,558.74.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$34,558.74 to the Noxious Weed Fund for the maintenance and operations of said Noxious Weed Department from the General Fund.

DATED this 19th day of November, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:  
/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

**RESOLUTION NO. 2007 – 36**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the 911 Emergency Services Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County 911 Emergency Services Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Services Fund in an amount of \$75,772.22.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$75,772.22 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 19th day of November, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:  
/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Moved by Cidlik, seconded by Slama to approve the following resolution. Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.

**RESOLUTION 2007 – 37**

WHEREAS, there has been signed by Butler County on the 18<sup>th</sup> day of May, 1999, and the State on the 4<sup>th</sup> day of June, 1999, an agreement providing for the construction of a Federal Aid Project at the following location: Beginning approximately 0.85 mile east of the Southwest Corner of Section 3, Township 13 North, Range 2 East and extends 0.1 mile east, crossing the North Branch of the Big Blue River, and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as BRO-7012(25), and

WHEREAS, the above mentioned agreement provided that the County would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on November 8, 2007 at which time six bids were received for the construction of this proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has been selected as the low bidder(s) to whom the contract(s) should be awarded:

Christensen Bros., Inc., Cherokee, IA 51012

Bridge: \$417,560.65

NOW, THEREFORE, in consideration of the above facts, the Board of Supervisors of Butler County, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Board hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The Board hereby authorizes the Chairman to sign the contract(s) with the above mentioned contractor(s) for the above mentioned work.
4. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

DATED THIS 19<sup>TH</sup> DAY OF NOVEMBER, A.D. 2007

BOARD OF SUPERVISORS  
OF BUTLER COUNTY

/s/ Wayne Hassebrook  
Chairman

ATTEST:

/s/ Vicki L. Truksa  
County Clerk

Board Member Irvin Cidlik moved the adoption of said resolution.

Roll call: ALL yea, NONE nay.

Resolution adopted, signed and billed as adopted.

Moved by Mach, seconded by Zadina to approve the following utility permits of Windstream Nebraska, Inc. to replace buried communications cable between Sections 5 and 6, T-15-N, R-4-E northwest of Bruno and between Section 5 and 8, T-14-N, R-3-E southeast of David City. Upon roll call vote the following voted AYE: Mach, Kozisek, Zadina, Cidlik, Slama, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.

Moved by Mach, seconded by Slama to approve the permit of Brent Meister to place a plastic 1" water pipe according to permit requirements and subject to township approval. Upon roll call vote the following voted AYE: Mach, Slama, Cidlik, Zadina, Kozisek, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.



Moved by Slama, seconded by Mach to authorize the Chairman to sign the Capital Application for Public Transportation Assistance. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Cidlik, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.

Discussion was held on the land agreement options for the tract of land in the N ½ NE ¼ of Section 35-16-4.

Moved by Mach, seconded by Cidlik to authorize the Chairman to sign the Certification of County Highway Superintendent for Determining Incentive Payment. Upon roll call vote the following AYE: Mach, Slama, Cidlik, Zadina, Kozisek, and Hassebrook. The following voted NAY: None. Absent: Birkel. Motion carried.

Rick Nation, Blue Valley Community Action was present to discuss with the Board the available Community Development Block Grant funds. An update was given on the outstanding loans.

Max Birkel arrived at 9:35 a.m.

At 10:00 a.m. bids for insurance were opened. The following bids were received:

NIRMA	\$122,242.00
Agency One Insurance	\$105,448.00
Jones Insurance Agency	\$ 92,722.00

Wayne Hassebrook, Kevin Slama and Irvin Cidlik will meet to review the insurance proposals and report back to the board at the December 3, 2007 meeting.

Mark Hecker and Rick Schneider were present to discuss the full-time Emergency Manager position. The Board asked that they obtain additional information and report back to them at the December 3, 2007 meeting.

Vicki Duey, Four Corners Health Department, was present to give the quarterly report and present the ten operational guidelines that they follow.

Willow Holoubek, Economic Development Director, presented to the Board information on the establishment of a lodging tax. Proceeds from this tax could be used for tourism promotion and capital construction.

Brian Wilson, Family Heritage Insurance, presented a benefit package for cancer, heart and stroke coverage, accident and other hospitalization coverage for the County employees. He requested permission to present this program to the employees.

Moved by Cidlik, seconded by Slama to open the hearing at 11:30 a.m. on the application for the Liquor License Catering License for Pheasant Oak Vineyard Confections, Inc. DBA Pheasant Oak Tasting Room, 2231 32 Road, Brainard, Nebraska. Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

No one was present in support or opposition to the application.

Moved by Zadina, seconded by Cidlik to close the hearing at 11:35 a.m. Upon roll call vote the following voted AYE: Zadina, Birkel, Cidlik, Slama, Mach, Kozisek, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Zadina, seconded by Cidlik to recommend the approval of the Liquor License Catering License application of Pheasant Oak Vineyard Confections, Inc. DBA Pheasant Oak Tasting Room, 2231 32 Road, Brainard, Nebraska to the Nebraska Liquor Control Commission. Upon roll call vote the following voted AYE: Zadina, Birkel, Cidlik, Slama, Mach, Kozisek, and Hassebrook. The following voted NAY: None. Motion carried.

Karey Adamy, County Treasurer, certified to the Board the total tax revenue that will be lost to all taxing agencies with the county from taxes levied and assessed in 2007 because of 340 homestead exemptions is \$283,939.88.

Moved by Slama, seconded by Mach to authorize payment of the claims as presented. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

Correspondence was received from Dr. David J. Hibler, Sr. in regards to the preliminary plans for a rescue dog kennel. Discussion followed and the board asked that the County Attorney respond to his letter.

The Chairman declared the meeting adjourned at 12:20 p.m.

Vicki L. Truksa  
Butler County Clerk

Wayne Hassebrook  
Chairman

December 3, 2007

## BOARD PROCEEDINGS

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of December, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meetings shall stand approved.

Moved by Slama, seconded by Cidlik to accept the resignation of Bryan Meysenburg, Noxious Weed Control Superintendent, effective January 1, 2008. Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

The County Board of Supervisors will be meeting on January 8, 2008 and January 22, 2008.

Moved by Slama, seconded by Kozisek to appoint Richard Schneider as the full-time Emergency Manager with additional duties as stated in the job description, at a salary of \$37,040.00. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Cidlik, seconded by Zadina to set the date of December 17, 2007 at 10:00 a.m. to hold a public hearing. The hearing is for the purpose of public input for a lodging tax in Butler County. Upon roll call vote the following voted AYE: Cidlik, Birkel, Zadina, Kozisek, Slama, and Hassebrook. The following ABSTAINED: Mach. The following voted NAY: None. Motion carried.

A check in the amount of \$6,937.04 was received from EMC Insurance Companies, to cover the loss due to hail damage on the Courthouse.

The courthouse will close at 12:00 noon on Christmas Eve, and be closed on Christmas Day, unless the State of Nebraska declares December 24<sup>th</sup>, 2007 as a holiday.

Discussion was held on the need of contracting for computer support services for the County. At this time each office will continue to be responsible for their support service needs.

Moved by Cidlik, seconded by Zadina to accept the risk management and insurance proposal from the Nebraska Intergovernmental Risk Management Association. Upon roll call

vote the following voted AYE: Cidlik, Birkel, Zadina, and Hassebrook. The following voted NAY: Kozisek, Mach, and Slama. Motion carried.

Roger Reyda, came before the board to voice his comments on Dr. David J. Hibler, Sr. and the Preliminary Plans for Rescue Dog Kennel.

Moved by Kozisek, seconded by Slama to approve the following utility permit of Windstream Nebraska, Inc. to replace a buried communications cable system between Sections 21 & 28, T-14-N, R-2-E southwest of David City. Upon roll call vote the following voted AYE: Kozisek, Mach, Slama, Cidlik, Birkel, Zadina, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Mach, seconded by Cidlik to approve the agreement with the City of David City for snow removal. Upon roll call vote the following voted AYE: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Slama, seconded by Mach to deny the request to make soil borings in the public right-of-way for the N.P.P.D. power line. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Mach, seconded by Birkel to approve the agreement with Saunders County for snow and ice removal. Upon roll call vote the following voted AYE: Mach, Slama, Cidlik, Birkel, Zadina, Kozisek, and Hassebrook. The following voted NAY: None. Motion carried.

The County Board of Supervisors have received several letters in regards to the Butler County Landfill, they are on file in the County Clerk's office.

The Chairman declared the meeting adjourned at 11:05 a.m.

Vicki L. Truksa  
Butler County Clerk

Wayne Hassebrook  
Chairman

## BOARD PROCEEDINGS

December 17, 2007

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of December, 2007 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Wayne Hassebrook, Kevin J. Slama, Max Birkel, William J. Kozisek, Larry Zadina and Irvin F. Cidlik, Jr.

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 Chairman announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

The Chairman declared the minutes from the previous meeting shall stand approve.

The Chairman reported on the NIRMA luncheon that was held during the NACO conference. Butler County was presented a plaque honoring them for being the 78<sup>th</sup> county to join NIRMA.

Moved by Cidlik, seconded by Mach to approve the following resolution. Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

### **RESOLUTION NO. 2007-38**

WHEREAS, Bank of the Valley, Bellwood, Nebraska has on file the following Safekeeping receipt:

<u>CUSIP #</u>	<u>AMOUNT</u>
23855RAF5	\$120,000.00

WHEREAS, said Bank of the Valley, Bellwood, Nebraska is requesting that the above said receipt be released.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the County Treasurer be hereby instructed and empowered to sign off the following safekeeping receipt CUSIP#23855RAF5 as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 17<sup>th</sup> day of December, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

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

Moved by Slama, seconded by Birkel to approve the following resolution. Upon roll call vote the following voted AYE: Slama, Cidlik, Birkel, Zadina, Kozisek, Mach, and Hassebrook. The following voted NAY: None. Motion carried.

**RESOLUTION NO. 2007-39**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Road Fund through the County General Fund of Butler County; and

WHEREAS, the Butler County Road Department is requiring funds in order to keep up the maintenance and operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the Road Fund in the amount of \$500,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$500,000.00 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

DATED this 17<sup>th</sup> day of December, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

Discussion was held on the demand of Bryan LGH Medical Center for payment of a claim for services. The services were for a Butler County EPC patient. Additional information has been requested from Bryan LGH Medical Center and also, Region V Systems.

Moved by Mach, seconded by Zadina to approve the updates needed on the generator(installation of cam locks), in order to economically meet the requirement of the State Fire Marshal to have a yearly load test completed. Upon roll call vote the following voted AYE: Mach, Kozisek, Zadina, Birkel, Cidlik, Slama, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Cidlik, seconded by Slama to go into Executive Session, to discuss possible litigation, at 9:30 a.m. . Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Birkel, seconded by Kozisek to come out of Executive Session at 9:57 a.m. Upon roll call vote the following voted AYE: Birkel, Zadina, Kozisek, Mach, Slama, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

The Chairman declared that no action was taken during the Executive Session.

Moved by Cidlik, seconded by Birkel to open the public hearing at 10:00 a.m., for the purpose of public input for a lodging tax. Upon roll call vote the following voted AYE: Cidlik, Birkel, Zadina, Kozisek, Mach, Slama, and Hassebrook. The following voted NAY: None. Motion carried.

Willow Holoubek, Executive Director, Butler County Development, was present to give comments in support of the lodging tax.

No one was present to give comments opposing the lodging tax.

Moved by Slama, seconded by Mach to close the public hearing at 10:10 a.m. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

Moved by Zadina, seconded by Kozisek to approve the following resolution to implement the 4% lodging tax. Upon roll call vote the following voted AYE: Zadina, Kozisek, Mach, Slama, Cidlik, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

#### **RESOLUTION NO. 2007-40**

WHEREAS, the Butler County Board of Supervisors has established by resolution, after a public hearing, a Butler County Visitors Promotion Fund and a Butler County Visitors Improvement Fund pursuant to the Nebraska Visitors Development Act, Neb. Rev. Stat. §81-1255.

WHEREAS, the Butler County Board of Supervisors will establish, by resolution, a Butler County Visitors Committee and appoint its members for their initial terms at a later date.

THEREFORE, THE BUTLER COUNTY BOARD OF SUPERVISORS RESOLVES to establish a sales tax of 2% upon the total consideration charged for occupancy of any space furnished by any hotel, as defined by Neb. Rev. Stat. §81-1247, in Butler County, Nebraska to be paid into the Butler County Visitors Promotion Fund; and to establish a sales tax of 2% upon the total consideration charged for occupancy of any space furnished by any hotel, as defined by Neb. Rev. Stat. §81-1247, in Butler County, Nebraska to be paid into the Butler County Visitors Improvement Fund.

Dated this 17<sup>th</sup> day of December, 2007.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

The Chairman recessed the meeting at 10:15 a.m. for a 10 minute break.

The Chairman reconvened the meeting at 10:25 a.m.

David Hibler appeared before the board to discuss his proposed animal shelter. Copies of correspondence written by Mr. Hibler were distributed to the board members. Several board members and members of the audience had comments and questions in regards to the project.

Moved by Cidlik, seconded by Mach to allow for soil borings in the public R.O.W. for the N.P.P.D. power line project according to the proposed boring locations listing as presented by the Highway Superintendent. Upon roll call vote the following voted AYE: Cidlik, Slama, Mach, Kozisek, Zadina, Birkel, and Hassebrook. The following voted NAY: None. Motion carried.

Discussion was held on the upcoming vacancy of the position of Noxious Weed Control Superintendent, it was decided to place the matter on the agenda for the next meeting.

Moved by Slama, seconded by Mach to approve the following resolution. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

#### **RESOLUTION NO. 2007-41**

WHEREAS, the University of Nebraska-Lincoln Extension is a valuable part of Butler County, and

WHEREAS, the Extension Board is the organization appointed by the Butler County Board of Supervisors to oversee Extension work in this county, and

WHEREAS, public participation in this level of government is respected civil service, and

WHEREAS, the Butler County Board of Supervisors desires to continue this tradition of local control of Extension programming, and

WHEREAS, Kent Clymer has faithfully been an Extension Board member for six years for District 3 and,

WHEREAS, Russell Tooker has applied and been recommended to take a place on the Extension Board, then

BE IT RESOLVED, the Butler County Board of Supervisors appoints Russell Tooker to the Butler County Extension Board, and extends the appointment of citizens currently serving as shown in the attached list for the terms shown, and

BE IT RESOLVED, the Butler County Board of Supervisors expresses their gratitude to Kent Clymer for his service.



Given under my hand on this, the 17<sup>th</sup> day of December, 2007, in David City, Nebraska.

/s/ Wayne Hassebrook  
Chairman  
Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa  
County Clerk

Moved by Slama, seconded by Mach to pay the claims as presented. Upon roll call vote the following voted AYE: Slama, Mach, Kozisek, Zadina, Birkel, Cidlik, and Hassebrook. The following voted NAY: None. Motion carried.

David Mach asked Larry Pierce from the Banner Press about the article published in the December 6, 2007 newspaper. The article will be run again in its entirety.

On December 7, 2007, Governor Heineman signed a proclamation designating December 24, 2007 a holiday. According to the county policy, the Courthouse will be closed on December 24, 2007.

The Chairman declared the meeting adjourned at 11:45 a.m.

/s/ Wayne Hassebrook  
Wayne Hassebrook, Chairman

ATTEST:

/s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk