

**ABSTRACT OF LEVIES
2009**

REAL ESTATE	1,052,137,765
PERSONAL PROPERTY	50,801,885
SPECIALS	<u>21,655,993</u>
	1,124,595,643

<u>Political Subdivision</u>	<u>Valuations</u>	<u>Tax Request</u>	<u>Levy</u>
<u>BUTLER COUNTY</u>			
General Fund	1,124,595,643	\$2,372,131.98	0.210932
Courthouse Bond Fund	1,124,595,643	<u>\$251,842.72</u>	<u>0.022394</u>
		\$2,623,974.70	0.233326
Butler County Ag Society	1,124,595,643	\$112,460.00	0.010000
<u>TOWNSHIPS</u>			
Read Township	79,426,281	\$80,000.00	0.100722
Ulysses Township			
General Fund	61,543,355	\$55,000.00	0.089368
Library Fund	61,543,355	<u>\$15,500.00</u>	<u>0.025185</u>
		\$70,500.00	0.114553
Plum Creek Township	53,771,633	\$77,364.00	0.143875
Richardson Township	46,684,670	\$88,700.00	0.189998
Reading Township	79,612,628	\$79,613.00	0.100000
Union Township	63,792,871	\$63,792.00	0.100000
Center Township	63,518,814	\$63,519.00	0.100000
Oak Creek Township	59,694,454	\$77,610.00	0.130000
Summit Township	62,185,201	\$62,185.00	0.100000
Olive Township	61,046,860	\$61,000.00	0.099923
Franklin Township	61,314,075	\$85,840.00	0.140000
Skull Creek Township	48,646,948	\$73,647.00	0.151391
Alexis Township	79,647,030	\$60,000.00	0.075332
Savannah Township	67,077,215	\$67,077.00	0.100000
Bone Creek Township	58,080,038	\$78,000.00	0.134297

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Linwood Township	45,070,424	\$42,120.00	0.093454
Platte Township	28,499,922	\$24,542.00	0.086113
 <u>RURAL FIRE DISTRICTS</u>			
Ulysses Fire District #2			
General Fund	102,158,740	\$20,432.00	0.020000
Sinking Fund	102,158,740	<u>\$20,432.00</u>	<u>0.020000</u>
		\$40,864.00	0.040000
 Rising City Fire Dist. #3			
General Fund	207,542,252	\$83,017.00	0.040000
 Bellwood Fire Dist. #5			
General Fund	156,180,007	\$62,472.00	0.040000
Bond Fund	156,180,007	<u>\$19,494.00</u>	<u>0.012482</u>
		\$81,966.00	0.052482
 Dwight Fire Dist. #6			
General Fund	67,851,758	\$10,628.33	0.015664
Sinking Fund	67,851,758	\$16,512.43	0.024336
Bond Fund	67,851,758	<u>\$9,796.53</u>	<u>0.014438</u>
		\$36,937.29	0.054438
 Bruno Fire Dist. #7			
General Fund	53,717,255	\$21,487.00	0.040000
Bond Fund	53,717,255	<u>\$13,359.00</u>	<u>0.024869</u>
		\$34,846.00	0.064869
 Linwood Fire Dist. #8			
General Fund	70,451,457	\$28,181.00	0.040000
 David City Fire Dist. #9			
General Fund	321,580,491	\$128,639.00	0.040000
Bond Fund	321,580,491	<u>\$68,645.00</u>	<u>0.021346</u>
		\$197,284.00	0.061346
 Brainard Fire Dist. #10			
General Fund	81,032,500	\$25,405.00	0.031350
Sinking Fund	81,032,500	<u>\$7,010.00</u>	<u>0.008650</u>
		\$32,415.00	0.040000
 Abie Fire Dist. #11			
General Fund	27,691,694	\$11,077.00	0.040000

**ABSTRACT OF LEVIES
2009**

**SANITARY & IMPROVEMENT
DISTRICTS**

SID #1

General Fund	5,919,350	\$15,249.00	0.257613
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CITIES & VILLAGES

Village of Surprise

General Fund	1,093,524	\$4,583.00	0.419104
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Village of Ulysses

General Fund	4,378,781	\$12,704.51	0.290138
Bond Fund	4,378,781	\$20,765.00	0.474219
Street Fund	4,378,781	<u>\$7,000.00</u>	<u>0.159862</u>
		\$40,469.51	0.924219

Village of Dwight

General Fund	7,094,667	\$21,800.00	0.307273
Fire Department Fund	7,094,667	<u>\$10,100.00</u>	<u>0.142361</u>
		\$31,900.00	0.449634

Village of Rising City

General Fund	11,609,265	\$28,241.00	0.243263
Street Fund	11,609,265	\$11,000.00	0.094752
Fireman Fund	11,609,265	\$10,000.00	0.086138
Payroll Tax Fund	11,609,265	<u>\$3,000.00</u>	<u>0.025841</u>
		\$52,241.00	0.449994

Village of Garrison

General Fund	2,746,190	\$950.87	0.034625
Street Fund	2,746,190	<u>\$500.00</u>	<u>0.018207</u>
		\$1,450.87	0.052832

Village of Brainard

General Fund	13,447,266	\$60,512.00	0.449995
Bond Fund	13,447,266	<u>\$20,000.00</u>	<u>0.148729</u>
		\$80,512.00	0.598724

Village of Bruno

General Fund	1,982,842	\$8,922.00	0.449960
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Village of Bellwood

General Fund	12,985,249	\$50,433.00	0.388388
Bond Fund	12,985,249	\$10,000.00	0.077010
Street Fund	12,985,249	<u>\$8,000.00</u>	<u>0.061608</u>
		\$68,433.00	0.527006

**ABSTRACT OF LEVIES
2009**

Village of Octavia			
General Fund	2,033,896	\$3,030.00	0.148975
Village of Abie			
General Fund	1,394,583	\$3,500.00	0.250971
Village of Linwood			
General Fund	1,707,838	\$2,222.00	0.130106
City of David City			
General Fund	104,983,219	\$524,916.00	0.500000
 <u>SCHOOLS</u>			
School District #32			
General Fund	117,218,850	\$1,195,632.27	1.020000
School District #56			
General Fund	626,474,597	\$5,429,140.28	0.866618
Special Building Fund	626,474,597	\$308,172.98	0.049191
Bond (K-8)	284,876,881	\$81,454.05	0.028593
Bond (9-12)	610,558,496	\$99,554.05	0.016305
Bond (3R)	132,690,537	\$55,882.00	0.042115
Quality Capitol Purpose Undertaking Fund (K-8)	578,401,751	\$70,969.07	0.012270
Quality Capitol Purpose Undertaking Fund (9-12)	626,333,607	\$91,097.07	0.014544
 School District #2R			
General Fund	330,715,957	\$3,042,586.62	0.920000
Special Building	330,715,957	<u>\$330,714.40</u>	<u>0.100000</u>
		\$3,373,301.02	1.020000

I, Vicki L. Truksa, County Clerk in and for Butler County, Nebraska,
do hereby certify the above tax levies for Butler County taxing district as set by
the political subdivisions and approved by the County Board of Supervisors acting
as the County Board of Equalization on October 5, 2009.

Vicki L. Truksa
Butler County Clerk

BOARD PROCEEDINGS

January 5, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of January, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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

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

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

RESOLUTION NO. 2009-1

WHEREAS, the Butler County Board of Supervisors, according to its records in the office of the Butler County Clerk, has designated eight (8) institutions to act as depositories for County Funds, and

WHEREAS, the institutions are as follows:

US Bank, N.A., David City, Nebraska
First National Bank of Omaha, David City Branch, David City, Nebraska
Cornerstone Bank, N.A., Rising City, Nebraska
First Nebraska Bank, Brainard, Nebraska
Bank of the Valley, Bellwood, Nebraska
Union Bank & Trust Co., David City Branch, David City, Nebraska
Bank of the Valley, David City Branch, David City, Nebraska
Nebraska Public Agency Investment Trust (NPAIT)
c/o Union Bank & Trust Co., Lincoln, Nebraska

and said above mentioned institutions have placed collateral security as required by law with the County Treasurer of Butler County, Nebraska, and

WHEREAS, the following institutions have made application for County Depositories as follows:

US Bank, N.A., David City, Nebraska
First National Bank of Omaha, David City Branch, David City, Nebraska
Cornerstone Bank, N.A., Rising City, Nebraska
First Nebraska Bank, Brainard, Nebraska
Bank of the Valley, Bellwood, Nebraska
Union Bank & Trust Co., David City Branch, David City, Nebraska
Bank of the Valley, David City Branch, David City, Nebraska
Nebraska Public Agency Investment Trust (NPAIT)
c/o Union Bank & Trust Co., Lincoln, Nebraska

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that whereas the above mentioned banks have made application for County Depositories, and that all of the above mentioned banks be so designated as County Depositories for the year 2009, so long as they comply with the laws of Nebraska.

Dated this 5th day of January, 2009.

/s/ Max Birkel
Vice-Chairman, Board of Supervisors

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

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

RESOLUTION NO. 2009-2

WHEREAS, it is in the best interest for the County of Butler, State of Nebraska, that surplus funds be invested.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the elected or appointed Butler County Treasurer be empowered and instructed to invest surplus funds, as he/she deems suitable and in the best interest of the County. Said funds may be invested on a bid basis or by negotiations.

Dated this 5th day of January, 2009.

/s/ Max Birkel
Vice-Chairman, Board of Supervisors

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

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

RESOLUTION NO. 2009-3

WHEREAS, Bank of the Valley has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
123538FE5	\$50,000.00
3133XP2B9	\$200,000.00

WHEREAS, said Bank of Valley is requesting that the above said receipts 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 pledged security receipts CUSIP#123538FE5 and CUSIP#3133XP2B9 as requested by Bank of the Valley.

Dated this 5th day of January, 2009.

/s/ Max Birkel
Vice-Chairman, Board of Supervisors

ATTEST:

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

Moved by Mach, seconded by Slama to go into Executive Session at 9:15 a.m. Upon roll call vote the following voted aye: Mach, Slama, Cidlik, Zadina, Kozisek, and Birkel. The following voted nay: None. Absent: Hassebrook. Motion carried.

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

The Vice-Chairman declared that the Executive Session was for information only and no action was taken.

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

Following the Board of Equalization meeting the regular meeting of the Board of Supervisors was reconvened at 9:40 a.m.

At 9:50 a.m. the board conducted the Quarterly Jail Inspection.

The board returned at 9:58 a.m. from the jail inspection.

Gary Streeks and Kent Trelford-Thompson, representatives of Blue Cross-Blue Shield, appeared before the board to discuss issues related to the insurance benefits that are offered to the county employees.

Moved by Cidlik, seconded by Mach to go into Executive Session at 10:30 a.m. to discuss the police dispatch negotiations. Upon roll call vote the following voted aye: Cidlik, Slama, Mach, Kozisek, Zadina, and Birkel. The following voted nay: None. Absent: Hassebrook. Motion carried.

Moved by Kozisek, seconded by Mach to come out of Executive Session at 11:20 a.m. Upon roll call vote the following voted aye: Kozisek, Mach, Slama, Cidlik, Zadina, and Birkel. The following voted nay: None. Absent: Hassebrook. Motion carried.

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

The Vice-Chairman declared the meeting adjourned at 11:30 a.m.

Vicki L. Truksa
Butler County Clerk

Max Birkel
Vice-Chairman

BOARD PROCEEDINGS

January 20, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of January, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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.

Vicki L. Truksa, County Clerk, called the meeting to order.

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

Tony Krafka, Max Birkel, and Larry Zadina presented their Certificate of Election to the County Board for examination and approval. Upon approval by the board the certificates will be filed in the office of the County Clerk.

The County Clerk called for nominations for a Temporary Chairman.

Kevin Slama nominated Max Birkel and William Kozisek seconded the nomination as the Temporary Chairman. No other nominations were made. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Cidlik, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

The Temporary Chairman asked for nominations for the Permanent Chairman position.

William Kozisek nominated Max Birkel for the Chairman position, seconded by Kevin Slama.

Larry Zadina nominated Dave Mach for the Chairman position, seconded by Irvin Cidlik.

Moved by Kozisek, seconded by Slama to close the nominations for the Permanent Chairman position. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

A vote by secret ballot was taken for Permanent Chairman.

Results of the vote by secret ballot are as follows:

3 votes – Max Birkel

4 votes – Dave Mach

Dave Mach was declared the Permanent Chairman for the Board of Supervisors for 2009.

Moved by Cidlik, seconded by Slama to amend the Board Proceedings from January 5, 2009 to include the following; the Executive Session at 9:15 a.m. was for the purpose of discussing a personnel issue. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Birkel to authorize the Chairman to sign the letter of support addressed to Jim McDonald, David City Road Maintenance Supervisor in regards to the litter reduction and recycling grant program. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Clerk of the District Court fee report for December, 2008 was accepted and placed on file.

The quarterly General Assistance report was accepted and placed on file.

Moved by Slama, seconded by Zadina to approve the utility permit of TransCanada Keystone Pipeline to cross all county roads necessary for the installation of the Keystone Pipeline. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to approve the Haul Route Agreement between Butler County and TransCanada Keystone Pipeline, LP. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent, informed the board that the Road Department will be moving their office from the Courthouse to the County Yards in the near future.

Julie Reiter, County Attorney, made a request to the board that they consider utilizing a portion of the office space that will be vacated by the Road Department for the Juvenile Diversion Program. The board will discuss the usage of the available space after the move has been made by the Road Department.

Moved by Cidlik, seconded by Kozisek to set the date for the One & Six Year Road Plan public hearing, it will be held February 17, 2009 at 9:30 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Zadina to approve the utility permit of Leo Meister to install tile drainage between Section 24 T14N R2E. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

Following the Board of Equalization meeting the regular meeting of the Board of Supervisors was reconvened at 9:35 a.m.

The appointment of Committees and Liaisons for 2009 will be tabled till the next meeting after the Chairman has time to contact each board member as to the committees that they may want to serve on.

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

RESOLUTION NO. 2009-4

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 20th day of January, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Moved by Birkel, seconded by Zadina to extinguish the 1992 Real Estate taxes for the Village of Abie. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Karey Adamy, County Treasurer presented the Treasurer's Statement from July 1, 2008 to December 31, 2008.

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

RESOLUTION NO. 2009-5

WHEREAS, Cornerstone Bank NA has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
3133XQKB7	\$1,000,000.00

WHEREAS, said Cornerstone Bank NA 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 pledged security receipt CUSIP#3133XQKB7 as requested by U.S. Bank N.A.

Dated this 20th day of January, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

The Chairman recessed the meeting at 9:55 a.m., and reconvened at 10:00 a.m.

Jim Birkel introduced to the board Tim Wollmer, who has recently joined their firm. Mr. Wollmer will be working with Mr. Birkel on the Public Defender cases.

Vicki Truksa, County Clerk, presented to the board the Summary Report of Budgeted Expenditures for the period of July 1, 2008 to December 31, 2008.

Correspondence was received from the following and placed on file:

1. Nebraska State Historical Society
2. Nebraska Commission on Law Enforcement and Criminal Justice
3. Senator Arnie Stuthman
4. Blue Valley Behavioral Health

The quarterly reports from the Butler County Sheriff and Butler County Detention Center were presented by Mark Hecker and placed on file.

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

Bob Hilger, Chairman of the Butler County Planning Commission, discussed with the board several issues pertaining to the proposed Comprehensive Plan, the proposed Zoning Regulations, and the Planning Commission.

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

February 2, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of February, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 go into Executive Session at 9:05 a.m., for the purpose of discussing the police dispatch negotiations. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Zadina to recess the Executive Session at 9:30 a.m.; to be reconvened at a later time during the meeting. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Jeff Rauh updated the board on the progress of the TransCanada Keystone Pipeline Project. He highlighted the construction schedule and told them to check TransCanada's website for the weekly progress reports that are posted.

Rick Schneider, Emergency Manager presented the department's quarterly report of activities. It was accepted and placed on file.

The Chairman recessed the meeting at 10:15 a.m., and reconvened at 10:20 a.m.

Terry Erikson of Northeast Nebraska Telephone Company appeared before the board to discuss the offering of a multi-channel Internet Protocol Television Service to residents within the Northeast Nebraska Telephone Company and Clarks Telecommunications Company service areas. The approval of the Video Franchise Agreement was tabled till a later date, until the County Attorney has time to review the agreement with Mr. Erikson.

Moved by Cidlik, seconded by Slama to authorize the Chairman to sign the necessary documents to change the required signatures on the Butler County Imprest Account. Upon roll

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

The mini-refresher course for board members will be conducted by the County Attorney at the next board meeting, which will be on February 17, 2009 and start at 1:00 p.m.

Paul Greiger of D.A. Davidson & Co. appeared before the board to explain the advantages of refinancing the Butler County Hospital Building Bonds at this time, and the approximate savings that could be realized.

Moved by Kozisek, seconded by Zadina to have the Board authorize D.A. Davidson & Co. to proceed with the issuance of refunding bonds, provided the net savings exceed \$100,000.00 and request that the final interest rates, savings report, and authorizing resolutions be brought to a future board meeting. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

The Chairman made the following committee and liaison appointments for the year 2009.

BUTLER COUNTY BOARD OF SUPERVISORS

2009 COMMITTEES

CHAIRMAN	Dave Mach
VICE CHAIRMAN	Irvin Cidlik
REGION V	Zadina
BLUE VALLEY	Krafka
FOUR CORNERS DISTRICT HEALTH	Kozisek
ROADS & BRIDGES	Mach & Slama &/or Krafka, Cidlik, Zadina by District
BUILDING & GROUNDS	Kozisek, Birkel & Slama
INSURANCE	Cidlik & Mach
HOSPITAL	Kozisek & Zadina
NOXIOUS WEED	Krafka, Mach & Cidlik
FINANCE & FEES	Cidlik, Mach & Zadina
NRD	Cidlik & Krafka
EMPLOYEE BENEFITS & POLICY	Mach & Zadina
COMMUNITY DEVELOPMENT	Slama & Kozisek
911	Birkel & Slama
SAFETY	Zadina, Birkel & Krafka Larry Aldrich & Jan DeWispelare
ETHANOL COMMITTEE	Slama
SENIOR CENTER	Kozisek

2009 LIAISONS

Assessor	Zadina
Attorney	Birkel
Clerk	Mach

Clerk of District Court
Custodian
E-911
Emergency Manager
Extension Agent
Highway Supt.
Noxious Weed
School Records
Sheriff
Surveyor
Treasurer
Veterans Service Officer

Birkel
Kozisek
Birkel & Slama
Krafka
Slama
Mach
Cidlik
Kozisek
Slama
Krafka
Cidlik
Cidlik

Discussion was held in regards to holding a joint meeting of the Butler County Board of Supervisors and the Butler County Planning Commission. The County Attorney advised that it is legal, if properly advertised, for the two boards to meet. Several members of the public spoke in favor of and in opposition of a joint meeting of the two boards.

Moved by Slama, seconded by Zadina to hold a joint meeting of the two boards, date to be set by the two Chairmen, to focus on guidelines for the proposed Comprehensive Plan and Proposed Zoning Regulations. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, and Krafka. The following voted nay: Mach. Motion carried.

Steve Mossman, representing the Butler County Dairy, LLC, appeared before the board to discuss with the board the manure pipeline ban enacted by Read Township and the possibility of the Board approving a permit if it would be presented by Butler County Dairy, LLC. It was stated by Supervisor Cidlik that the ban enacted by the Read Township board, was voted on by the township residents in 2007, not a decision solely made by the township board. General discussion was held with members of the audience providing information on similar regulations that had been adopted in other townships (Summit and Ulysses). Others in the audience spoke in support of the dairy, citing the economic benefits that the dairy has brought to the county.

Willow Holoubek, Executive Director of Butler County Development had information for the board pertaining to Legislative Bill 646 that was introduced in this session. If passed, it provides state resources to the Department of Economic Development and the Department of Agriculture to assist Livestock Friendly Counties and communities within those counties in identifying viable locations for placement of livestock operations in their county. She also provided the board with a handout showing how livestock production impacts the economy of Butler County; and information on applying for and being designated as a Livestock Friendly County.

The Chairman recessed the meeting at 12:00 noon, and reconvened at 12:10 p.m.

Moved by Slama, seconded by Krafka to reconvene the Executive Session at 12:15 p.m. for the purpose of continuing discussion of the police dispatch negotiations. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Birkel to come out of Executive Session at 12:45 p.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Chairman announced that no formal action was taken in the Executive Session.

Correspondence was received from the following and placed on file:

1. Larry Novak
2. Gregory D. Barton, Harding & Shultz P.C., L.L.O.
3. Senator Chris Langemeier

The Chairman adjourned the meeting at 12:50 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

February 17, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of February, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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.

Jim Truksa, Highway Superintendent discussed with the board that there may be some funding for road projects available through the Federal Stimulus package. At the end of December, he had submitted the river road project to the Department of Roads as a potential transportation stimulus project.

Joe Johnson, City Administrator for the City of David City passed out a letter to the board members in regards to consideration of a joint application for economic stimulus project funding to complete the Northwest Drainage Project. The Chairman suggested that the Mr. Johnson place the subject on the agenda for the next board meeting.

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

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

The Franchise Agreement-CenCom, Inc. (subsidiary of Northeast Nebraska Telephone Company) is tabled till the next meeting.

Moved by Slama, seconded by Cidlik to go into Board of Equalization at 9:15 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

See separate board proceedings for the Board of Equalization meeting.

Following the Board of Equalization meeting the regular meeting of the Board of Supervisors was reconvened at 9:20 a.m.

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

RESOLUTION NO. 2009 – 6

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 \$66,633.79.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$66,633.79 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 February, 2009.

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

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

Moved by Cidlik, seconded by Zadina to re-appoint the following to three-year terms on the Planning Commission: Robert Hilger, Nick Hotovy, and Larry Moore. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to open the One and Six Year Road Hearing at 9:30 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent presented the One and Six Year Road plan to the county board. There were no public comments.

Moved by Slama, seconded by Zadina to close the One and Six Year Road Hearing. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Dave Mach shared with the board correspondence that he received from Lower Platte North NRD in regards to the upcoming 'Mitigation Alternative' public meeting which is to be held at the David City Library on March 12, 2009.

Max Birkel reported on the disaster preparedness presentation that he attended during the NIRMA Annual Conference, and the possibility of having the presentation given in Butler County.

Several board members attended the NACO County Board Conference and discussed information that was given to them pertaining to the Open Meetings Act, and cell phone/computer usage.

Kevin Stout, Juvenile Diversion Program Coordinator gave a report on the Juvenile Diversion Program and explained to the board the 2009 State Juvenile Justice County Aid Grant Application and the 2009 State Juvenile County Aid Enhancement Grant Application.

Moved by Birkel, seconded by Kozisek to approve the grant applications and authorize the Chairman to sign the documents. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Mark Hecker, County Sheriff appeared before the board to explain the availability of grant funds from the Nebraska Office for Highway Safety to update the camera equipment in the patrol vehicles. The funds to purchase the equipment will be taken from the Inheritance Tax Fund and the grant reimbursement will be receipted back to that same fund.

Moved by Cidlik, seconded by Zadina to authorize the County Sheriff to make application for the grant funds. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Chairman called for a recess at 10:25 a.m., and reconvened the meeting at 10:30 a.m.

Moved by Cidlik, seconded by Slama to go into Executive Session for the purpose of discussing a personnel issue at 10:30 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

The Chairman stated that the purpose of the Executive Session is for discussion of a personnel issue.

Moved by Kozisek, seconded by Birkel to come out of Executive Session at 10:55 a.m. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

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

Paul J. Grieger of D.A. Davidson & Co. presented the paperwork to refinance the Hospital Building Bonds Series 2004 for a savings of \$186,583.19.

Moved by Slama, seconded by Kozisek to approve the resolution calling for the early redemption of \$3,125,000 in aggregate principal amount of the outstanding Hospital Building Bonds, Series 2004 issued by Butler County, Nebraska. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried. (See Resolution No. 2009-7 attached to the minutes)

Moved by Cidlik, seconded by Krafka to approve the resolution authorizing the issuance by Butler County, Nebraska of its General Obligation Hospital Refunding Bonds, Series 2009. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried. (See Resolution No. 2009-8 attached to the minutes)

Todd Tuls, Butler County Dairy LLC, appeared before the board with a utility permit to bury a pipeline in Read Township right-of-way, asking the board if the permit could be approved or denied. He requested that the county board override the requirement of the Read Township board's approval on the utility permit. Discussion was held with members of the audience in regards to both sides of the issue.

Moved by Slama, seconded by Cidlik to deny the utility permit as presented by Todd Tuls, Butler County Dairy LLC. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Goeff Ruth presented a letter from Bart Ruth in support of the efforts of Butler County Dairy, the letter was accepted and placed on file.

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

RESOLUTION NO. 2009 – 9 One and Six Year Road Plan

WHEREAS, Section 39-2115 and Section 39-2119, 1969 Revised Statutes of Nebraska, 1943, require that each County and Municipality prepare a One and Six Year, specific road or street improvement plan, and to file same with State Highway Commission on or before March 1, 2009 and

WHEREAS, the Chairman and Board of Supervisors of Butler County, State of Nebraska, in compliance with the statutes and regulations of the State Highway Commission, did hold a public hearing on the proposed One and Six Year road improvement plans in the Butler County Courthouse on February 17, 2009, in accordance with the "Notice of Public Hearing", a certified copy of such notice is attached, and

WHEREAS, there were no objections filed or amendments made to the One and Six Year plan on file with the County Clerk and presented at the hearing.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors does hereby approve said One and Six Year Plan, as filed with the County Clerk, a copy of which is attached hereto.

BE IT FURTHER RESOLVED that the Chairman of the Butler County Board of Supervisors is authorized to sign this resolution on behalf of the County Board and the County Board hereby approves the proposed One and Six Year Plan.

PASSED AND APPROVED this 17th day of February, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Moved by Cidlik, seconded by Zadina to authorize payment of the claims as presented with the exception of the claim of Patti Lee in the amount of \$323.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Correspondence was received and placed on file from the following:

1. Larry Novak in regards to Butler County Landfill
2. State of Nebraska DMV in regards to updates for the driver licensing office

The Chairman recessed the meeting at 12:15 p.m., and reconvened at 1:00 p.m.

Julie Reiter, County Attorney held a mini-refresher course for the county board members on meeting procedures.

The Chairman adjourned the meeting at 2:05 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

March 2, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of March, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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.

Jim Truksa, Highway Superintendent reported to the board information that he received pertaining to the Federal Stimulus Funds. In December, the river road project had been submitted for stimulus funds. There will be approximately \$9,000,000.00 in funds available for the Nebraska counties, second class cities, and villages to share, with \$117,000,000.00 of requests. Also, an update on the progress of the project was given; the plans are complete and the state has approved them, and 94% of the right-of-way has been acquired.

Notification was received from the State of Nebraska, Department of Environmental Quality in regards to the Application for Major Modification received from Grass Valley Farms, Inc. Concentrated Animal Feeding Operation.

Joe Johnson, City Administrator for the City of David City appeared before the board with a letter requesting that the county consider a joint application with the city for Federal Stimulus funding for the Northwest Drainage Project. No action was taken. The matter was turned over to the Road and Bridge Committee.

The Board of Supervisors meeting was recessed at 9:30 a.m.

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

After the Board of Equalization meeting concluded the Board of Supervisors was reconvened at 9:40 a.m.

The Franchise Agreement presented by CenCom, Inc., a subsidiary of Northeast Nebraska Telephone Company will be removed from the agenda until the County Attorney meets with their representative to obtain more information.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign the Lease Agreement between Butler County and Ben Divis for the tracts of land in Section 35, Township 16 North, Range 4 East. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Birkel to into Executive Session at 9:45 a.m. for the purpose of discussing the office of School Records. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Kozisek to come out of Executive Session at 10:00 a.m. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

Moved by Birkel, seconded by Cidlik to open the public hearing at 10:00 a.m. on the application for a Class I liquor license for Butler County Motorplex, 3730 C Road, Rising City, Nebraska. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

Jacy and Paula Todd were present to answer any questions. No opposition to the license was given.

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

Moved by Birkel, seconded by Cidlik to recommend the approval of the Class I liquor license for Butler County Motorplex, 3730 C Road, Rising City, Nebraska, to the Nebraska Liquor Control Commission. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve reimbursement in the amount of \$4,656.40 to the Rising City Rural Fire Department for expenses incurred in the erection of a communication tower, payment to be made from the Inheritance Tax Fund. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Chairman adjourned the meeting at 10:55 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

March 16, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of March, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 Slama, seconded by Zadina to approve the utility permit application of Bruce Glock to install an irrigation pipe between Sections 20 & 28, Township 14 North, Range 2 East. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to approve the utility permit application of Butler County Dairy, LLC to install a liquefied manure pipeline between Sections 20 & 21, Township 14 North, Range 1 East. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent reviewed briefly the State of Nebraska, Department of Roads, Surface Transportation Program. He handed out a map of Butler County showing the roads that may be eligible for STP funding. The Surface Transportation Program booklet is available for review in the Highway Department office. He also explained that the Abie North project and the Bruno South project are in the Six-Year plan for hardsurfacing.

Discussion was held in regards to purchasing a building in Ulysses, Nebraska to be used by the Road Department. The building would be purchased jointly with Ulysses Township. Moved by Cidlik, seconded by Slama to authorize Jim Truksa to proceed with the negotiations and necessary paperwork for purchasing the property. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Krafka to approve and authorize the Chairman to sign the Change Order for Project BRO 7012(23) Ulysses Northwest Federal Aid Bridge Project. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

Correspondence was received and placed on file from Bill Veach in regards to county Road R by the Butler County Landfill.

Correspondence was received from Larry Dix, Executive Director of the Nebraska Association of County Officials in regards to the Federal Stimulus funds.

The Clerk of the District Court Fee Report for the month of February, 2009 was accepted and placed on file.

The County Clerk Fee Report for the month of February, 2009 was accepted and placed on file.

The County Treasurer Certification of Public Tax Sale Held in Butler County was accepted and placed on file.

Moved by Cidlik, seconded by Zadina to authorize the Chairman to sign the necessary documents pertaining to the reissuance of the General Obligation Hospital Bonds. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Mike Applegate, Detention Center Administrator and Michael Rethwisch, Extension Educator appeared before the board to discuss the vehicle that is jointly being used by both departments. With the increase in the transportation duties of the Detention Center, they will be in need of a vehicle for their use only. The board authorized Mike Applegate to obtain information on the purchase of a vehicle for the Detention Center.

The County Board of Supervisors accepted the letter of resignation from Jeanne Pope; resignation to be effective on March 18, 2009. The records from that office will become the responsibility of the County Clerk according to State Statute.

The Chairman recessed the meeting at 9:55 a.m., and reconvened the meeting at 10:00 a.m.

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

See separate board proceedings for the Board of Equalization meeting.

Following the Board of Equalization meeting the regular meeting of the Board of Supervisors was reconvened at 10:10 a.m.

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

Discussion was held on the joint meeting of the Butler County Board of Supervisors and the Butler County Planning Commission.

Willow Holoubek, Executive Director of Butler County Development reviewed with the board the David City Community Facts booklet. Information for a Butler County Facts Booklet is being compiled; the booklet is to be published later this year.

Moved by Slama, seconded by Kozisek to go into Executive Session at 10:50 a.m. for the purpose of discussing a medical expense claim. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Birkel to come out of Executive Session at 11:05 a.m. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

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

The Audit Report of Butler County for the fiscal year ending June 30, 2008 has been received and a copy was given to each board member.

The Chairman adjourned the meeting at 11:15 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

April 6, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of April, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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.

Pat Lostroh gave her annual report on the Victim Assistance program and requested funding of \$1,000.00 for the next fiscal year for the Victim Assistance Grant.

Discussion was held in regards to purchasing a building in Ulysses to be jointly owned by Butler County and Ulysses Township. Moved by Cidlik, seconded by Slama to proceed with the purchase of the building and the necessary paperwork. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent, informed the board that the County has received \$94,563.33 from FEMA for damage related to last years flooding; and there is potential for an additional \$186,905.19.

Moved by Cidlik, seconded by Zadina to approve the utility permit of Scott Richert to install an electrical service line between Sections 4 and 9, Township 13N, Range 1E. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

An update on the Ulysses Northwest Federal Aid Bridge Project was given. The board was informed that the bridge deck was poured last week; and the next steps are railing and grading. It is hoped that the bridge will be completed in 2-3 weeks by the contractor. This is a Federal-Aid project with an estimated cost of \$517,000.00; 80% of the total is federal monies, and the other 20% Federal Aid Soft Match funds.

Moved by Kozisek, seconded by Krafka to approve and authorize the Chairman to sign the following Resolution & Right-of-Way Certificate for Intersection Signage Project HRRR-STWS (86). Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

RESOLUTION

County –Butler
Resolution No. 2009-10
Project No. HRRR-STWD (086)
Intersection Signage Project

WHEREAS: The Hazard Elimination Program is a “core safety program” for Highway Safety Construction. This program is provided for in *Title 23, Section 148 of U.S. Code*, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in *23 CFR, Part 924*, which is administered by the Federal Highway Administration.

WHEREAS: The State of Nebraska maintains a Multi-Disciplinary High Risk Rural Roads Committee to oversee facets of the HSIP,

WHEREAS: The High Risk Rural Roads Committee has determined that it is desirable to erect signage to warn and regulate motorists at county road intersections in the State of Nebraska,

WHEREAS: The High Risk Rural Roads Committee on May 5, 2008 approved a project known as HRRR-STWD(086) – Intersection Signage to accomplish the following:

- 1) Install appropriate signage in advance of, and/or throughout intersections that have crash rates for fatalities and incapacitating injuries that exceed the statewide average,
OR
- 2) Are likely to have increases in traffic volume that are likely to create a crash rate above the statewide average for the respective roadway functional classes because of change in use and area development,
AND
- 3) All sign installations will be in accordance with the applicable sections of the Manual on Uniform Traffic Control Devices – 2003 Edition. The installation work will be done by County forces and will be viewed as the 10% local match.
AND
- 4) The County will certify to the State of Nebraska that all signage was properly erected and will be maintained by said County

BE IT RESOLVED: That the State of Nebraska is hereby requested to act on behalf of said County to program the project for the purchase and distribution of signing materials shown on the “Materials List” attached. The estimated cost to the County is \$0.00.

BE IT FURTHER RESOLVED: That sufficient labor, material, equipment and supervision are now available, or will be made available to complete the signing work using County forces within an 18 month period beginning when all materials have been delivered to said County.

BE IT FURTHER RESOLVED: That the Chairperson of the County Board is authorized to sign this Resolution on behalf of said Board. In addition, the Chairperson and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Adopted this 6th day of April, 2009, at David City, Nebraska,
By Board of County Supervisors of Butler County, Nebraska.

/s/ David W. Mach
Chairperson

Attest:

/s/ Vicki L. Truksa
County Clerk

Board Member Kozisek
Moved the adoption of said Resolution
Roll Call: 7 yes, 0 nay
Resolution adopted, signed and billed as
adopted.

RIGHT OF WAY CERTIFICATE

FOR COUNTY OR CITY FEDERAL AID HIGHWAY PROJECT

(THIS CERTIFICATE MUST BE FURNISHED TO THE DEPARTMENT OF ROADS
BEFORE A PROJECT CAN BE ADVERTISED FOR LETTING)

TO: THE NEBRASKA DEPARTMENT OF ROADS

FEDERAL AID PROJECT NO: HRRR-STWD (086)

NAME OF PROJECT: INTERSECTION SAFETY IMPROVEMENT PROJECT

DESCRIPTION OF PROJECT: Installation of traffic control devices at rural county intersections to reduce crashes and improve safety.

This is to certify that **NO new right-of-way** was required on the above captioned project.

All encroachments including improvements and signs **No Encroachments.**

COUNTY OF BUTLER

CERTIFIED BY: /s/ David W. Mach

TITLE: Chairperson

ATTEST: /s/ Vicki L. Truksa
County Clerk

Information was received from the Nebraska High Risk Rural Roads Program pertaining to the installation of horizontal curve signs that fall under the HRRR Horizontal Curve Signing Project HTTT-STWD (084).

Linda Vandenberg, manager of the Senior Center presented the Application for Public Transportation Assistance to the board for approval. Moved by Kozisek, seconded by Zadina to approve the following resolution and authorize the Chairman to sign the Application for Public Transportation Assistance as presented. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2009-11

WHEREAS, there are Federal Funds available under Section 18 of the Urban Mass Transportation Act of 1964, as amended and for the Nebraska Public Transportation Act Funds, and

WHEREAS, Butler County desires to apply for said funds to be used to provide transportation in Butler County, with special emphasis on meeting the needs of the elderly and handicapped of Butler County.

NOW, THEREFORE, BE IT RESOLVED, that the Butler County Board of Supervisors hereby instructs the Butler County Clerk to apply for the above mentioned funds, and said funds are to be used for the fiscal year 2009-2010.

Approved this 6th of April, 2009.

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

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

Mark Hecker, County Sheriff presented the quarterly reports for the Sheriff and Detention Center. They were accepted and placed on file.

Karey Adamy, County Treasurer presented the list of properties that were not sold due to want of bidders and that are available for sale.

The quarterly jail inspection was postponed till the next meeting.

Vicki Truksa, County Clerk presented a quarterly budget and revenue report.

The quarterly General Assistance Report was accepted and placed on file.

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

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

Discussion was held on the Long-Term Disability Insurance benefit that will start July 1, 2009, for employees covered by the Blue Cross-Blue Shield insurance plan. This new employee benefit will be paid for by the Nebraska Association of County Officials.

A notification was received from the Department of Environmental Quality in regards to the Emergency Plan Revision for Butler County Dairy, LLC.

The Chairman adjourned the meeting at 10:40 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

April 20, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of April, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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.

Jim Truksa, Highway Superintendent informed the board that he has been contacted by two townships in regards to the closing of minimum maintenance roads. A letter will be sent by the Highway Superintendent to all the townships with information about the procedure to close a minimum maintenance road, in order to see if there are other roads that need to be closed. A public hearing will need to be held by the county board to fulfill the requirements.

Moved by Slama, seconded by Cidlik to schedule a public hearing on road closings for July 6, 2009 at 10:00 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve the Special Designated Liquor License for Ulysses Recreation Committee, Ulysses, Nebraska for an event to be held on May 23, 2009. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Zadina, seconded by Slama to approve the Special Designated Liquor License for Butler County Agricultural Society for two events, one to be held on June 6, 2009 and the other on July 22-26, 2009. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

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

Resolution No. 2009-12

WHEREAS, The University of Nebraska – Lincoln is a valuable part of Butler County,
and

WHEREAS, The Butler County 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 the 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, Sue Healy has provided a written resignation, and

WHEREAS, A. Galen Juranek has applied and been recommended to fill the vacancy on the extension board to represent District 1,

THEREFORE, BE IT RESOLVED, The Butler County Board of Supervisors appoints A. Galen Juranek to fill that term,

Given under my hand this, the 20th day of April, 2009, in David City, Nebraska.

ATTEST:

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

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of
Supervisors

Michael Rethwisch, Extension Educator, presented the Butler County Extension Annual Report for the Calendar Year 2008 booklet to the board members and reviewed it for them.

Moved by Birkel, seconded by Cidlik to approve and authorize the Chairman to sign the Grant of Permission to Enter Property requests of the Upper Big Blue Natural Resource District. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Cidlik to direct the County Treasurer to issue county tax sale certificates for all taxes available after the public sale. Upon roll call vote the following voted nay: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Krafka to authorize the County Treasurer to foreclose on the tax sale certificates that have matured. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney informed the board that the contract for the Public Defender for Butler County will be expiring on June 30, 2009. According to state statute a Policy Board needs to be appointed to assist in the application process. The appointment of members to the Policy Board will take place at the next meeting.

Kevin Slama and Bill Kozisek reported on the meeting of the Butler County Senior Center Board that they attended. They will be attending the upcoming board meeting of the David City Senior Center Board.

The quarterly report from Rick Schneider was accepted and placed on file.

Correspondence was received from Polk County stating their desire to terminate the interlocal agreement for emergency management agency services. As provided in Section 1 of the original agreement, the termination will be effective on the 1st day of August, 2009.

Jim Redler appeared before the board to voice his concerns about the Comprehensive Plan. He stated that the county has invested approximately \$20,000.00 to develop the plan, and hoped that the board would not throw away the time and money involved. He suggested that they consider the comprehensive plan and zoning regulations as two separate issues. Max Birkel stated that the board is well aware of the fact that they are separate issues. Irvin Cidlik said that throughout all the Planning Commission meetings and public hearings that he had attended, no one had a problem with the Comprehensive Plan, but as a board they had sent the Comprehensive Plan back to the Planning Commission for revision.

Gerald Kosch appeared before the board to voice his concerns about the Comprehensive Plan. He handed a Constitution of the United States booklet to each of the board members, stating that it is the supreme law of the country, and any other laws that contradict the U.S. Constitution are not constitutional. He voiced his concern that any zoning regulations will affect the rights of property owners, and have an impact on private industry. He also stated his concern over the cost of implementation of a comprehensive plan and or zoning regulations and the burden on the taxpayers, he suggested that the board not adopt either of the plans and cut their losses now.

Chris Kelly, Ag Inspection Specialist for the Nebraska Department of Agriculture appeared before the board to explain to them the four areas of weed control that his department reviews. The four areas that the county weed control department is evaluated on are weed inspections, office evaluations, reports, and continuing education. He told the board that the strong weed control programs are the ones with results.

The board conducted the quarterly jail inspection at 10:50 a.m.

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

The board was informed of the NACO Board of Equalization Seminar that is scheduled for May 14, 2009 in Kearney.

The Chairman adjourned the meeting at 11:20 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

April 21, 2009

A joint meeting of the Butler County Board of Supervisors and the Butler County Planning Commission was held on the 21st day of April, 2009 in the meeting room at the Hruska Memorial Public Library in David City, Nebraska at 7:00 p.m.

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

The meeting was called to order and it was announced that the Open Meetings Act is posted on the wall in the meeting room. The Pledge of Allegiance was recited by all.

Present were the following members of the two boards:

Board of Supervisors: David W. Mach, Irvin Cidlik, Jr., Tony Krafka, Max Birkel, Larry Zadina, Kevin Slama, and William J. Kozisek.

Planning Commission: Lyle Eckstein, District One; Gary Kreikemeier, District Two; Ken Miller, District Three; Lyle Jakub, District Four; Bob Hilger, District Five; Nick Hotovy, District Six; Marvin Coufal, District Seven; Larry Moore, At Large; Randy Schawang, At Large; Justin Wynegar, Alternate. Absent; Scott Buresh, Alternate. Orval Stahr, Consultant was in attendance.

The minutes from the January 20, 2009 Planning Commission meeting were approved as presented.

Discussion of the development of the Comprehensive Plan and Zoning Regulations took place. Several members of the two boards voiced concerns that they have with the plans; and what has taken place since the Planning Commission members were appointed back in 2007.

Gary Kreikemeier handed out a copy of the Cuming County zoning regulations pertaining to livestock as an example of less complex regulations.

It was agreed upon that the county board will discuss, review and possibly take action on the Comprehensive Plan at their next meeting which is scheduled for May 4, 2009.

Moved by Miller, seconded by Moore to adjourn the meeting at 8:10 p.m. All present voted aye. Chairman David W. Mach declared the meeting adjourned.

Vicki L. Truksa
Butler County Clerk

Nick Hotovy
Secretary-Planning Commission

BOARD PROCEEDINGS

May 4, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of May, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 Cidlik, seconded by Kozisek to approve and authorize the Chairman to sign the Change Order-Supplemental Agreement for Project No. BRO-7012(23) - Ulysses Northwest Federal Aid Bridge project. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney had contacted the following individuals and they agreed to serve on the Policy Board; Nancy Prochaska, Bob Bierbower, and Tom Klein. Moved by Slama, seconded by Zadina to approve the three recommended individuals to serve on the Policy Board. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

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

RESOLUTION NO. 2009-13

WHEREAS, Bank of the Valley, Bellwood, Nebraska has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
3133XP2C7	\$300,000.00
123529CN7	\$100,000.00

WHEREAS, said Bank of the Valley, Bellwood, Nebraska is requesting that the above said receipts 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 pledged security receipts CUSIP#3133XP2C7 and 123529CN7 as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 4th day of May, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Notification was received from the State of Nebraska, Department of Environmental Quality in regards to:

NPDES General Permit for Cattle in Open Lots
Request for Coverage Number NEG011295
Grass Valley Farms, Inc. Concentrated Animal Feeding Operation (IIS#4040)
SE ¼ , Section 26 & NW ¼ , SW ¼ , Section 25, Township 15N Range 2E

Discussion on the retention of Stahr & Associates, Inc. as the consultant on the comprehensive plan and zoning regulations was held. The matter is tabled till after the discussion on the comprehensive plan and zoning regulations is held later on during the meeting.

Dale Cooper and Robert Litjen representing the American Legion Kregger Post 125 of David City appeared before the board to ask permission to erect a small veterans' memorial on the west side of the Courthouse building. Moved by Cidlik, seconded by Zadina to have the American Legion proceed with plans for the monument, which will be built at the Legion's expense. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Board of Supervisors meeting was recessed at 9:30 a.m.

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

See separate board proceedings for the Board of Equalization meeting.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 9:40 a.m.

Linda Vandenberg, manager of the Senior Center appeared before the board to give a report on the merging of the David City Area Senior Citizens with the Butler County Senior Services Program. She has been in contact with the Lincoln Area Agency on Aging, and said that they are in favor of the merger. The board would like to have additional information after the plans are in place.

Rick Schneider, Emergency Manager appeared before the board to review the Butler County Grant Monitoring Visit Report that was received. The board asked that Rick report back when the required corrective actions have been completed.

C.J. Johnson, Executive Director, Region V Systems appeared before the board to present to them the annual report for the agency. He requested that they consider continuing their financial support for the next fiscal year.

Dave Merrill, Executive Director, Region V Services and Lisa Schultz of Region V Services, David City, appeared before the board to present to them the annual report for the agency. Mr. Merrill informed that board that there will be no increase in the budget request for the next fiscal year over what was requested last year.

The Chairman declared a recess at 10:25 a.m., and reconvened at 10:30 a.m.

Jon Day, Blue Valley Behavioral Health appeared before the board to discuss the impact that his agency has had on Butler County in the last year, and the number of individuals that it has served. He requested that they consider continuing their financial support for the next fiscal year.

Moved by Krafka, seconded by Zadina to go into Executive Session at 10:40 a.m. for the purpose of discussing pending NIRMA claims. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Slama to go out of Executive Session at 11:00 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

The Chairman declared that the Executive Session was for the purpose of discussing pending NIRMA claims, and that no formal action was taken.

Rick Nation, Chief Executive Officer of Blue Valley Community Action appeared before the board to present to them the annual report for the agency, and to give them information on the services that they provide. He informed the board that the 2009-2010 funding request will be in the amount of \$5,322.00.

Stephanie Luebbe of Blue Valley Community Action was introduced to the board. She is in the David City office on Tuesday and Thursday each week.

The following items were discussed; the moving of the mail room equipment, the purchase agreement on the Ulysses property, and the NACO notice for the health care benefits workshop.

Discussion was held in regards to the Proposed Comprehensive Plan for Butler County. Several issues were raised by the county board members, members of the Planning Commission that were in attendance, and members of the audience.

The county board outlined the following issues that they are concerned with:

1. Identify and address the Butler County Landfill in the Comprehensive Plan;

2. Update the statistics set forth in the Comprehensive Plan with any new information that is available (the Board understands that new information may not be available until 2010, therefore this issue may be premature);
3. Review updated or changed state statutes/agency regulations to make sure the Comprehensive Plan is consistent with any changes in the State and/or agency law and regulations;
4. Update the planning period on page 4 so that it covers a longer period than the next 11 years;
5. Address additional future road projects including the river road and the Abie/Linwood road;
6. Update the Municipal Airport information to be consistent with any changes that have occurred since the development of the Comprehensive Plan;
7. Update any other portions of the Comprehensive Plan that are affected by any changes that have occurred since its development

Moved by Kozisek, seconded by Slama to send the Proposed Comprehensive Plan back to the Planning Commission with recommendations for updates (items listed above). Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, and Birkel. The following voted nay: Zadina, and Mach. Motion carried.

The County Attorney will be sending a letter to the Butler County Planning Commission members outlining the issues stated above, to be addressed by them at their next meeting.

Discussion was resumed on the retention of Stahr & Associates, Inc. as the consultant for the Comprehensive Plan and Zoning Regulations project. It was decided that Mr. Stahr will continue to work with the Planning Commission on the project.

The agenda item of discussion and possible action on the proposed Butler County Zoning Regulations was tabled till a later date.

The Chairman adjourned the meeting at 12:39 p.m.

Vicki L. Truksa
Butler County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

May 4, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of May, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

Present were the following:

Bob Hilger, and Larry Moore

No formal board action was taken.

Vicki L. Truksa
Butler County Clerk

BOARD PROCEEDINGS

May 18, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of May, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Max Birkel, William J. Kozisek, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: Kevin 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 called the meeting to order, and 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 Cidlik to approve the minutes from the previous meeting as presented. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Jim Truksa, Highway Superintendent discussed with the board the issue of maintaining the 911 signs once they are in place. The issue was tabled till the meeting to be held on June 1, 2009.

Kevin Slama arrived at 9:10 a.m.

Moved by Cidlik, seconded by Zadina to change the meeting date from June 15, 2009 to June 22, 2009. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Krafka to set the following dates to take bids:

Steel Bids	June 22, 2009	9:15 a.m.
Conveyor Bids	June 22, 2009	9:30 a.m.
Culvert Bids	June 22, 2009	9:45 a.m.

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

Moved by Cidlik, seconded by Kozisek to approve the utility permit of James Timoney to install an electrical service line between Sections 8 and 17, Township 13N, Range 2E. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney reviewed for the board the Payment in Lieu of Medical Insurance Policy. Additional information will be presented at the next board meeting.

Linda Vandenberg, appeared before the board to discuss the merger of the Butler County Senior Services program and the David City Seniors program. Several items were discussed and emphasis was made that there be no disruption in services to the participant. Committee members (Bill Kozisek, Max Birkel and Kevin Slama) will meet to review the information that was presented and report back to the board at a later date.

The Chairman declared a 5 minute recess at 10:10 a.m. and reconvened the meeting at 10:15 a.m.

Vickie Duey, Executive Director along with Linda Zieg, MT, Program Specialist of Four Corners Health Department appeared before the board to review for them the 2008 Annual Report. They also reported on the H1N1 Influenza and the role that their agency has in monitoring and communicating information to their partners.

Gary Streeks, Blue Cross-Blue Shield, updated the board on the increase in the premium for the employee's health and dental insurance. The upcoming year's renewal rates will be 18.34% higher than the premiums last year. He presented two plan options for the board to consider.

Moved by Cidlik, seconded by Zadina to change to the \$1,500 single deductible Blue Cross-Blue Shield plan; with the employee having to meet the first \$500.00 single deductible, and the county funding the difference. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Discussion was held in regards to the salary range for the Public Defender contract. Moved by Slama, seconded by Krafka to accept applicant bids for a two-year contract period. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

RESOLUTION NO. 2009-14

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 \$707,713.79.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$707,713.79 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

DATED this 18th day of May, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

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

RESOLUTION NO. 2009-15

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

WHEREAS, the Butler County Noxious Weed Control 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 Control Fund in an amount of \$20,689.33.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$20,689.33 to the Noxious Weed Control Fund for the maintenance and operations of said Noxious Weed Control Department from the General Fund.

DATED this 18th day of May, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

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

RESOLUTION NO. 2009-16

WHEREAS, there are insufficient funds in the account entitled, Emergency Management Fund, and

WHEREAS, there are sufficient funds available in the account entitled, General Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors, that the Butler County Treasurer be hereby instructed to transfer \$4,200.00 from the County General Fund to the Emergency Management Fund for the incurred expenses of said Emergency Management Fund.

DATED this 18th day of May, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

The Clerk of the District Court fee report for the month of April was accepted and placed on file.

The County Clerk fee report for the month of April was accepted and placed on file.

Moved by Birkel, seconded by Kozisek to approve the Special Designated Liquor License Application of Presentation Catholic Church, Bellwood, Nebraska, for an event to be held on June 7, 2009 at the Hain Building-Butler County Fairgrounds. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Zadina, seconded by Kozisek to authorize payment of the claims as presented. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: Slama. Motion carried.

Discussion was held with Mike Applegate, Detention Center Administrator, in regards to the medical care for inmates when they are admitted to the emergency room.

Kevin Slama was excused at 11:20 a.m.

Correspondence was received from:

1. Nebraska Tax Equalization and Review Commission (as part of its equalization proceedings finds that the levels of value of real property in Butler County for tax year 2009 satisfy all requirements).

The Chairman adjourned the meeting at 11:35 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

June 1, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of June, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Max Birkel, William J. Kozisek, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: Kevin 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 called the meeting to order, and 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 last meetings were approved as presented.

Moved by Cidlik, seconded by Zadina to approve the utility permit application of Windstream Nebraska, Inc. to replace a buried communications cable system between Sections 31 & 32, T14N, R1E, northwest of Surprise in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Kozisek, seconded by Zadina to allow \$568.83 per employee, per month to be used towards the health and dental insurance coverage. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Kevin Slama arrived at 9:10 a.m.

Moved by Krafka, seconded by Zadina to ratify the Butler County Clerk Policy and Procedures as presented. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

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

RESOLUTION NO. 2009-17

WHEREAS, Section 23-906, Revised Statutes, State of Nebraska, states in part, that in each county the finance committee of the County Board shall constitute the budget-making authority unless the board, in its discretion, designates or appoints one of its own members or the county clerk, county comptroller, county manager, or other qualified person as the budget making authority, and

WHEREAS, this budget preparer may receive an amount in addition to their salary for this service, and

WHEREAS, the Butler County Board of Supervisors desires to appoint Vicki L. Truksa, as the Budget Making Authority for Butler County, Nebraska and to authorize payment in the amount of \$2,000.00, to be paid upon completion of the budget document.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors, that Vicki L. Truksa is appointed the Budget Making Authority, to prepare and present the budget for the fiscal year 2009-2010 to the County Board.

BE IT FURTHER RESOLVED, that said Vicki L. Truksa; be granted full authority to comply with Section 23-904 and 23-905, Revised Statutes, State of Nebraska.

Dated this 1st day of June, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Willow Holoubek, Executive Director of Butler County Economic Development appeared before the board to give them an update on economic development. She also reported that the Tourism Committee will be meeting and discussing how the Lodging Tax funds that have been collected will be used to benefit the economic development of the county. Willow had information for the board members about green opportunities and the benefits that could be realized from proclaiming Butler County as a "Green County". The board voiced their support for the project and told her to proceed.

The Board of Supervisors meeting was recessed at 9:30 a.m.

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

See separate proceedings for the Board of Equalization meeting.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 10:00 a.m.

The Chairman declared a recess at 10:05 a.m., and reconvened the meeting at 10:10 a.m.

Jim Birkel, Public Defender appeared before the board to discuss the extension of the Public Defender contract for an additional month, due to the application process not being completed by June 30, 2009. Moved by Cidlik, seconded by Zadina to extend the Public Defender contract for an additional month. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

Moved by Slama, seconded by Kozisek to go into Executive Session at 10:25 a.m. for the purpose of discussing a NIRMA liability claim. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Krafka to come out of Executive Session at 10:48 a.m. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

The Chairman declared that no formal action was taken on the NIRMA Liability Claim during the Executive Session.

Moved by Cidlik, seconded by Birkel to go into Executive Session at 10:50 a.m. for the purpose of personnel evaluations and Sheriff's Department issues. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Krafka to come out of Executive Session at 12:00 noon. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

The Chairman declared that no formal action was taken during Executive Session, only personnel evaluations and discussion on Sheriff's Department issues.

Moved by Kozisek, seconded by Birkel to authorize the Chairman to sign the Cooperative Reimbursement Agreement for Child Support Enforcement Services. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Approval of the Interlocal Agreement with Ulysses Township for Ownership of Property was tabled till the next board meeting.

Moved by Cidlik, seconded by Zadina to approve the claim and authorize payment for the purchase of the property in Ulysses in the amount of \$28,000.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The issue of maintenance of the 911 signs was tabled till the next meeting.

Moved by Slama, seconded by Krafka to approve the policy for Payment in Lieu of Medical Insurance as presented by Julie Reiter, County Attorney. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Discussion was held in regards to available office space in the Courthouse.

Correspondence was received from:

1. Tim Hofbauer in regards to a Regional Capability Assessment Workshop to be held on July 8, 2009 in Columbus.
2. National Association of Counties pertaining to the NACo Prescription Drug Discount Card Program.
3. Polk County Planning & Zoning in regards to upcoming public hearings.

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

June 22, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 22nd day of June, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Krafka, seconded by Kozisek to go into Executive Session at 9:05 a.m. for the purpose of an annual employee evaluation. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Slama to come out of Executive Session at 9:15 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina and Mach. The following voted nay: None. Motion carried.

The Chairman declared that the Executive Session was for the purpose of an annual employee evaluation. No formal action was taken during the session.

Bids for steel were opened and read at 9:15 a.m. The following bids were received:

Midwest Service and Sales Company, Schuyler, NE	\$98,710.34
Husker Steel, Inc., Columbus, NE	\$79,960.63

The Highway Superintendent will take the bids, review them, and report back to the board later in the meeting.

Moved by Slama, seconded by Kozisek to approve the utility permit of Windstream Nebraska, Inc. to replace a buried communications cable system in Section 19, T-15-N, R-3-E, north of David City. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Krafka to approve the utility permit of Richard Dawson, pending township approval, to install an underground irrigation pipe between Section 26 & Section 27, Township 17 North, Range 4 East. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve the change order for the Ulysses Northwest Federal Aid Bridge Project #BRO-7012(23). Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Bids for a conveyor were opened and read at 9:30 a.m. The following bids were received:

Greystone, Inc., Columbus, NE	\$39,908.00 (radial stacker)
	\$33,114.65 (field conveyor)
Pearce Midwest, L.L.C., Fremont, NE	\$35,340.00 (radial stacker)

The Highway Superintendent will take the bids, review them, and report back to the board later in the meeting.

Approval of the Interlocal Agreement with Ulysses Township will be tabled till the meeting on July 6, 2009.

Moved by Cidlik, seconded by Birkel to appoint Jim Truksa as Highway Superintendent effective July 1, 2009 through June 30, 2010, salary to include the increase or decrease that other employees will receive. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The public hearing scheduled for July 6, 2009 at 10:00 a.m., to be held for the purpose of road abandonments, has been cancelled. Resetting of the date for the public hearing is tabled till a future meeting.

As an item of discussion, Jim Truksa informed the board that Price-Gregory Construction, Inc., which is the construction company working on the installation of the TransCanada Keystone Pipeline, will be reimbursing Butler County for gravel that is needed to repair and maintain the roads.

A notification was received from the State of Nebraska, Department of Environmental Quality in regards to the Phased Construction and Operating Permit issued to Grass Valley Farms, Inc. Concentrated Animal Feeding Operation (IIS#4040) E $\frac{1}{2}$, SE $\frac{1}{4}$, Section 26 & NW $\frac{1}{4}$, SW $\frac{1}{4}$ Section 25, & NE $\frac{1}{4}$ Section 35 Township 15N, Range 2E, Butler County.

A notification was received from the State of Nebraska, Department of Environmental Quality in regards to the Transmittal of NPDES Individual Permit issued to Butler County Dairy, LLC Concentrated Animal Feeding Operation (IIS#87471) NW $\frac{1}{4}$ Section 3 Township 13N, Range 1E, Butler County.

Moved by Slama, seconded by Zadina to approve and authorize the Chairman to sign the necessary documents with Mid-American Benefits, Inc. to act as the Medical Reimbursement Plan Claims Administrator. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Bids for culverts were opened and read at 9:45 a.m. The following companies submitted a bid; Contech, Ace Irrigation, and Midwest Service and Sales. The Highway Superintendent will take the bids and review them. A decision on the culvert bids will be made at the July 6, 2009 meeting.

The Chairman declared a recess at 10:00 a.m., and reconvened the meeting at 10:10 a.m.

Moved by Kozisek, seconded by Krafka to approve the Agreement for Emergency Protective Custody Services with Region V Systems. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

The Clerk of the District Court fee report for the month of May, 2009 was accepted and placed on file.

The County Clerk fee report for the month of May, 2009 was accepted and placed on file.

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

RESOLUTION NO. 2009-18

WHEREAS, on May 21, 2009 the Building and Grounds Department purchased the material and labor to carpet three rooms in the Butler County Courthouse from Zegers Home Center, at a cost of \$2,250.70.

WHEREAS, the County has sufficient funds in the General Fund to pay for the carpet and labor to install, and

WHEREAS, Zegers Home Center, has informed the County that delivery and installation will not be made for several weeks from the above mentioned date, and

WHEREAS, the County Board wishes to pay for the carpet and labor out of this years budget, and

WHEREAS, Section 23-135 of the Revised Statutes of the State of Nebraska states, "A County Board may by resolution approve the payment for a particular piece of personal property prior to the receipt of such property by the County."

NOW, THEREFORE, BE IT RESOLVED BY THE Butler County Board of Supervisors, that the County Clerk be hereby empowered and directed to make a check payable to Zegers Home Center in the amount of \$2,250.70 in payment for the carpet and installation.

Dated this 22nd day of June, 2009.

/s/ David W. Mach
Chairman

ATTEST:

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

Tom Hayes, appeared before the board to discuss the need for office space for the Nebraska State Patrol. The County Board assured him that space would be made available in order to maintain an office for the State Patrol in the county.

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

RESOLUTION NO. 2009-19

WHEREAS, on May 18, 2009, \$4,200.00 was transferred from the General Fund to the Emergency Management Fund, and

WHEREAS, at the present time, sufficient funds are now in the Emergency Management Fund.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the County Treasurer be hereby empowered and instructed to transfer \$4,200.00 from the Emergency Management Fund to the General Fund.

DATED this 22nd day of June, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

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

RESOLUTION NO. 2009-20

WHEREAS, the budget which had been allocated to the Public Defender function of the General Fund for the 2008-2009 fiscal year is insufficient to meet operating expenses, due to costs associated with the court appointed attorney fees, to the extent that it will be unable to make final payment of claims for the balance of the current year, and

WHEREAS, there are unexpended funds available in the Miscellaneous function of the General Fund for the 2008-2009 fiscal year,

NOW, THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that the sum of \$7,700.00 be transferred from the Miscellaneous function of the General Fund to the Public Defender function of the General Fund.

Dated this 22nd day of June, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Rick Schneider, Emergency Manager, informed the board that effective July 1, 2009, GIS Workshop, Inc. will handle the new 911 address assignments. There will be no cost to the county, as the company is contracted by the state for this service.

Moved by Slama, seconded by Birkel to approve and authorize the Chairman to sign the Memorandum of Understanding between Butler County Emergency Management and Frontier Cooperative to allow for the installation of radio repeaters on two grain elevators. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to have the 911 address sign maintenance handled by the Emergency Management Department. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney discussed with the board Indigent Burials, and the amount that the county allows for those burials.

Willow Holoubek, Executive Director of the Butler County Development submitted her request for continued support of \$30,000.00 for the fiscal year 2009/2010. She also informed the board that there will be an economic development briefing on Wednesday at the Library.

The Butler County Visitor's Committee met on June 18, 2009; a report was given by Willow Holoubek that as of May 31, 2009 there is \$2,968.42 in the Visitors Promotion Fund and \$2,968.45 in the Visitors Improvement Fund. The committee would like to utilize a portion of the Visitors Promotion Fund to compile a photo gallery of Butler County activities and highlights to be used for promotional purposes.

A draft proclamation was presented to the board for their consideration, by Willow Holoubek; it pertains to declaring Butler County as a Green County.

Moved by Birkel, seconded by Zadina upon the recommendation of the Highway Superintendent to accept the bid for bridge steel from Husker Steel, Inc. of Columbus, Nebraska in the amount of \$79,960.63. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina upon the recommendation of the Highway Superintendent to accept the bid for a Radial Stacking Conveyor from Martin Campbell – Pearce Midwest, Fremont, Nebraska in the amount of \$35,340.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve the following resolution, which transfer of funds includes \$50,000.00 budgeted and an additional \$100,000.00, for a total of \$150,000.00. Upon roll call vote the following voted: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2009-21

WHEREAS, the Butler County Board of Supervisors has determined that it is in the best interests of the County for the Road Department to proceed with various county road projects and/or equipment purchases for the completion of said projects that require specific funding; and

WHEREAS, County road funds will be required to be set aside and maintained by the County Road Department for said project(s); and

WHEREAS, said roads funds, in order to be maintained for said project(s), must be transferred from the Road Fund to the Special Road Fund;

WHEREAS, funds are available in the Road Fund to transfer to the Special Road Fund in the amount of \$ 150,000.00.

THEREFORE, BE IT RESOLVED, that the Butler County Treasurer is hereby empowered and instructed to transfer \$ 150,000.00 from the Road Fund to the Special Road Fund.

Dated this 22nd day of June, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

The Chairman recessed the meeting at 11:30 a.m., and reconvened at 11:35 a.m.

Mike Applegate, Detention Center Administrator, presented four informal bids for a vehicle to be used by the Detention Center. The following were the bids that were presented:

Ernst Auto Center, Inc., Columbus, NE	\$13,750.00
(2008 Chevrolet Uplander Ls Ext Van)	
Phil Spady, Columbus, NE	\$19,399.50
(2008 Chrysler Town and Country)	
Kobza Motors, Inc., David City, NE	\$15,900.00
(2007 Chrysler Town and Country)	

Moved by Krafka, seconded by Kozisek to accept the informal bid of Phil Spady for a 2008 Chrysler Town and Country Van at the price of \$19,399.50. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Correspondence was received from:

1. Linda Vandenberg, Butler County Senior Services
(listing of names for board members)
2. Nebraska Emergency Management Association
(agenda for July 8, 2009 meeting)
3. NIRMA
(agenda for August 6 & 7, 2009 conference)

Discussion was held in regards to the 2009-2010 fiscal year budget.

Moved by Cidlik, seconded by Zadina to allow a 2% increase to personal services, but not to increase the rest of the department's budget. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Slama to authorize payment of the claims as presented, subject to the County Attorney's review and approval of the claim submitted by Tim Wollmer (Egr & Birkel, P.C.), and the addition of claims for Phil Spady Chrysler Dodge, Inc., Husker Steel, Inc., and Pearce Midwest, L.L.C. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

July 6, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of July, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: 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 called the meeting to order, and 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 last meeting were approved as presented.

Jim Truksa, Highway Superintendent reviewed for the board the culvert bids that were opened and read at the last board meeting; and after consideration the following motion was presented.

Moved by Slama, seconded by Zadina upon recommendation of the Highway Superintendent to accept the bid for culverts from Midwest Service & Sales Company of Schuyler, Nebraska. Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Cidlik, seconded by Kozisek to approve and authorize the Chairman to sign the Interlocal Agreement with Ulysses Township for the ownership of real estate. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

The Upper Big Blue Natural Resources District has asked the county to grant permission to enter upon the county road right-of-way to do maintenance work on two dams (Hottovy dam and Moravec dam).

Moved by Cidlik, seconded by Zadina to approve and authorize the Chairman to sign the Grant of Permission to Enter Property requested by the Upper Big Blue Natural Resources District. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Slama, seconded by Kozisek to approve the utility permits of Windstream Nebraska, Inc. to replace a communications facility between Section 30, T-15-N, R-3-E and Section 25, T-15-N, R-2-E, southwest of David City; and to place a communications facility between Sections 15 & 22, T-15N, R-2-E, west of David City. Upon roll call vote the following

voted aye: Slama, Krafka, Kozisek, Zadina, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Discussion was held in regards to a budget question that pertained to the resolution that set salaries for the elected officials and the deputies, and if that resolution applied to any other department.

The Board of Supervisors meeting was recessed at 9:30 a.m.

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

See separate board proceedings for the Board of Equalization meeting.

Rick Schneider, Emergency Manager informed the board that the EMPG Subgrant Award for FY 2009 is \$33,925.00. Moved by Kozisek, seconded by Cidlik to authorize the Chairman to sign the EMPG Subgrant Award Agreement with Nebraska Emergency Management Agency. Upon roll call vote the following voted aye: Kozisek, Zadina, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Notice has been received from Verizon Wireless in regards to their merger with Alltel. Butler County had a lease with Alltel for the E911 tower in Dwight. Verizon Wireless will assume all obligations and responsibility for all day-to-day operations and administration of the former Alltel agreements.

The Chairman called for a recess at 9:55 a.m., and reconvened the meeting at 10:00 a.m.

The 10:00 a.m. appointment was cancelled.

The board conducted the quarterly jail inspection at 10:00 a.m. – 10:15 a.m.

Moved by Slama, seconded by Zadina to waive the entity notification of the tax correction for Robert & Jolene Scheffler. Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Karey Adamy, County Treasurer presented the board with a copy of the Butler County Treasurer's Statement for the period of January 1, 2009 – June 30, 2009.

Moved by Zadina, seconded by Kozisek to approve and authorize the Chairman to sign the Resolution and Amended and Restated Agreement for the Formation of The Region V Community Human Services Program. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

RESOLUTION 2009-22

WHEREAS, Butler County is a party to the Amended and Restated Agreement for the Formation of the Region V Community Human Services Program (Region V Agreement); and

WHEREAS, the parties to the Region V Agreement now desire to amend the Agreement to update the statutory references in the Agreement to reflect changes in the state behavioral health laws and to allow Region V Systems to expand its scope of administrative services to contract with counties which desire to do so;

NOW THEREFORE, Butler County amends and adopts the Region V Agreement in the form attached hereto.

This resolution was duly adopted by the Board of Supervisors of the County of Butler, Nebraska on this 6th day of July, 2009.

The County of Butler, Nebraska
By /s/ David W. Mach
Chairman of the Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa
Clerk

The Butler County Veteran's Aid Fund (Butler County S & S Fund) financial report for the period of 07/01/08 thru 06/30/09 was accepted and placed on file.

The Clerk of the District Court Fee Report for the month of June 2009 was accepted and placed on file.

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

RESOLUTION NO. 2009-23

WHEREAS, the 2008 Abstract of Levies was presented and adopted by the Butler County Board of Supervisors acting as the Butler County Board of Equalization on October 6, 2008, and

WHEREAS, an error has been found on the 2008 Abstract of Levies; the tax request and levy listed for the Relief/Medical Fund should have been listed for the Veteran's Aid Fund, and

WHEREAS, 2008 Real Estate and Personal Property taxes have been collected by the Butler County Treasurer and credited to the Relief/Medical Fund,

NOW, THEREFORE BE IT RESOLVED that the Butler County Treasurer is directed to transfer all 2008 Real Estate and Personal Property taxes that have been credited to the Relief/Medical Fund to the Veteran's Aid Fund, and is further directed to automatically transfer any future collections of 2008 Real Estate and Personal Property taxes from the Relief/Medical Fund to the Veteran's Aid Fund.

Dated this 6th day of July, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Correspondence was received and placed on file from Henningsen Foods, Inc. in support of the expansion of the Butler County Landfill.

The Chairman adjourned the meeting at 10:40 a.m.

Vicki L. Truksa

County Clerk

David W. Mach

Chairman

BOARD PROCEEDINGS

July 20, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of July, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 last meeting were approved as presented.

The stop sign request is tabled till the next meeting.

Moved by Kozisek, seconded by Zadina to approve and authorize the Chairman to sign the agreement with the State of Nebraska, Department of Roads for partial funding of the Rural Transportation Services (Handi-Bus). Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

The County Clerk's monthly fee report for June, 2009 was accepted and placed on file.

The board approved Julie Reiter's request to have the Juvenile Diversion office painted.

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

RESOLUTION NO. 2009 – 24

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

WHEREAS, the Butler County Emergency Management 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 Emergency Management Fund in an amount of \$2,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$2,000.00 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 20th day of July, 2009.

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

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

The quarterly report of General Assistance was accepted and placed on file.

Moved by Cidlik, seconded by Zadina to reappoint John R. Prochaska to the Butler County Veterans Service Committee for a five (5) year term effective July 1, 2009. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Zadina to approve and authorize the Chairman to sign the agreement with the State of Nebraska, Department of Roads for reimbursement of surveying services on Highway 64. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Vicki Truksa, County Clerk presented to the board summary budget reports for the 2008-2009 fiscal year; and also, a preliminary 2009-2010 budget request report.

Members of the Senior Center Board (Ethel Reha, Pat Hilderbrand, Dorothy Shultz, Patricia Comte and Eldon Coufal) asked direction from the County Board on determining the manager's salary increase for the upcoming fiscal year. The County Board reaffirmed the fact that the Senior Center Board is the governing body over the employees at the Senior Center. The Senior Center Board will readdress the salary increase issue at their next meeting.

The Chairman called for a recess at 9:55 a.m., and reconvened at 10:00 a.m.

Sandy Morrissey, Director of the Regional Prevention Coordination had information for the board on the Substance Abuse and Mental Health Services Administration National Outcome Measures. She would also like to establish a coalition group to work with area residents, parents and youth on substance abuse prevention programs here in Butler County.

Correspondence was received from Robert J. Bierbower, Butler County Public Defender Board in regards to the application that was received for the Public Defender position for Butler County.

Jim Birkel recommended to the board that they appoint Tim Wollmer of Egr & Birkel, P.C. as the Public Defender.

Moved by Cidlik, seconded by Zadina to hire Tim Wollmer of Egr & Birkel as the Butler County Public Defender, and enter into a 2-year contract for the position, to include out of county mileage reimbursement and a 2% increase over last years contract amount. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The Public Defender office in the courthouse will still be available for the Public Defender of any defense attorney to meet with clients when needed.

Denise Boyd from the Lincoln Area Agency on Aging appeared before the board to offer their support and appreciation to Linda Vandenberg and the Butler County Senior Services Program for another year of service to the older adults in Butler County. She outlined programs and services that are available to Butler County residents and provided a breakdown as to how each dollar of dues that the county approves are being spent. The Lincoln Area Agency on Aging is requesting \$11,519.00 for administrative support for the next fiscal year 2009-2010.

The Chairman recessed the meeting at 10:55 a.m., and reconvened at 11:00 a.m.

Rick Schneider, Emergency Manager, appeared before the board to inform them of a grant application from Viaero, for the purchase of wireless broadband equipment. A presentation by a representative of Viaero followed. After discussion, it was the consensus of the board to have Rick proceed with gathering the information needed to complete the grant application and submit it to Viaero.

Mark Hecker, County Sheriff presented the quarterly report of the Butler County Sheriff's office. It was accepted and placed on file.

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

Correspondence was received from the following:

1. Village of Rising City – in support of Butler County Landfill's efforts to expand the landfill
2. Village of Brainard – in support of Butler County Landfill's efforts to expand the landfill

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

August 3, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of August, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Max Birkel, William J. Kozisek, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: Kevin 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Cidlik, seconded by Zadina to approve the utility permit of Windstream Nebraska, Inc. to install communications facilities between Section 17, T-14-N, R-4-E and Section 8, T-14-N, R-4-E, northeast of Brainard in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Kozisek, seconded by Birkel to approve and authorize the Chairman to sign the following Interlocal Agreements for maintenance of various public roads within the township; Center Township, Bone Creek Township, and Linwood Township. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Cidlik, seconded by Zadina to approve and authorize the Chairman to sign the following Interlocal Agreements for care and maintenance of the roads within the township; Skull Creek Township, Reading Township, Olive Township, and Franklin Township. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Kozisek, seconded by Zadina to approve the request to place a yield sign at the intersection of U Road and 39 Road. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Krafka, seconded by Zadina to approve the bond of Jim Rerucha as Skull Creek Township Clerk. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Cidlik, seconded by Kozisek to certify the following Annual Inventory of County Personal Property statements, and have them filed by the County Clerk;

County Attorney	Clerk of the District Court
County Clerk	Veteran's Service Officer
Emergency Management	County Sheriff
Noxious Weed Control	911 Emergency Services
Board of Supervisors	County Building & Towers
County Surveyor	Butler County Senior Services
County Assessor	Building & Grounds
County Treasurer	County Court
Juvenile Diversion Office	Extension Educator
Road Department	Detention Center
District 5-Probation Office	

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

Senator Arnie Stuthman appeared before the board with information on a proposed Regional Traffic Study that would include areas within Butler County, Colfax County, Polk County, and Platte County. He asked for the county board's support and handed out an Interlocal Agreement draft for their consideration. Further meetings of the participating entities will be scheduled.

The Chairman recessed the meeting at 10:00 a.m.

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

See separate proceedings for the Board of Equalization.

Following the Board of Equalization meeting the regular meeting of the County Board of Supervisors was reconvened at 10:10 a.m.

A short report was given by Irvin Cidlik of the Budget Committee pertaining to the preliminary budget figures for the 2009-2010 budget year. The budget document will be presented to the board at the next meeting for their review.

Requests have been received from entities interested in applying for Federal Stimulus Broadband Funding, asking that Butler County support their projects. Moved by Kozisek, seconded by Krafka to support the four entities that have made a request to the county. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Correspondence was received and placed on file from:

1. Village of Octavia in regards to the Butler County Landfill expansion
2. Nebraska Track Service in regards to the services that they provide

Discussion was held in regards to the Purchasing Card Program that was introduced by the Nebraska Association of County Officials. It was decided that at this time Butler County would not participate in the program.

The Chairman adjourned that meeting at 10:50 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

August 17, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of August, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, Max Birkel, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: William 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Slama, seconded by Zadina to authorize Jim Truksa, Highway Superintendent to initiate the bid process for the purchase of a motorgrader on a cost-share basis with Skull Creek Township and set September 21, 2009 at 9:30 a.m. as the bid opening date. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Cidlik, seconded by Zadina to approve an additional 1% increase in the Total 2009-2010 Restricted Funds Authority subject to limitation. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Cidlik, seconded by Birkel to set the budget hearing for September 8, 2009 at 10:00 a.m., and the hearing to set the final tax request will be at 10:15 a.m. on September 8, 2009. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, Slama, and Cidlik. The following voted nay: None. Absent: Kozisek. Motion carried.

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

RESOLUTION NO. 2009 - 25

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 1st, all political subdivisions subject to county levy authority must submit a 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, 2009. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$105,500.00
Read Township	\$80,000.00
Ulysses Township	\$55,000.00
Library	<u>\$15,500.00</u>
Total	\$70,500.00
Plum Creek Township	\$77,588.00
Richardson Township	\$95,000.00
Reading Township	\$80,000.00
Union Township	\$56,160.00
Center Township	\$60,700.00
Oak Creek Township	\$85,000.00
Summit Township	\$64,000.00 or 10¢/\$100 valuation levy limit
Olive Township	\$61,000.00
Franklin Township	\$86,000.00
Skull Creek Township	\$75,000.00
Alexis Township	\$60,000.00

Savannah Township	\$70,000.00
Bone Creek Township	\$78,000.00
Linwood Township	\$42,120.00
Platte Township	\$24,542.00
Ulysses Fire District #2	\$19,200.00
Sinking	<u>\$19,200.00</u>
Total	\$38,400.00
Rising City Fire Dist. #3	\$84,000.00
Bellwood Fire Dist. #5	\$60,000.00
Dwight Fire Dist. #6	\$10,629.42
Sinking	\$16,514.16
Bond	<u>\$13,045.00</u>
Total	\$40,188.58
Bruno Fire Dist. #7	\$35,000.00
Linwood Fire Dist. #8	\$28,500.00
David City Fire Dist. #9	\$127,575.00
Brainard Fire Dist. #10	\$24,350.00
Sinking	<u>\$ 7,010.00</u>
Total	\$31,360.00
Abie Fire Dist. #11	\$11,100.00

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

NOW, THEREFORE, 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 Co. 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 Dist. #3	.04
Bellwood Fire Dist. #5	.04
Dwight Fire Dist. #6	.04
Bruno Fire Dist. #7	.04
Linwood Fire Dist. #8	.04
David City Fire Dist. #9	.04
Brainard Fire Dist. #10	.04
Abie Fire Dist. #11	.04

Dated this 17th day of August, 2009.

Voting Aye:

Voting Nay:

Absent:

/s/ David W. Mach

NONE

William Kozisek

/s/ Tony Krafka

/s/ Kevin Slama

/s/ Irvin Cidlik

/s/ Max Birkel

/s/ Larry Zadina

Attest: /s/ Vicki L. Truksa

Vicki L. Truksa

Butler County Clerk

Updated information regarding the 2009-2010 County Budget was presented by Vicki Truksa, County Clerk.

Mark Hecker, County Sheriff presented the 2008 Distress Warrant Listing. There were 75 warrants issued, of which 72 have been collected.

Karey Adamy, County Treasurer presented the 2008 Certification of Distress Warrant Register to the board.

The Clerk of the District Court fee report for the month of July, 2009 was accepted and placed on file.

The County Clerk fee report for the month of July, 2009 was accepted and placed on file.

Moved by Cidlik, seconded by Krafka to approve the Agreement to Provide Professional Consulting Services with Maximus Consulting Services, Inc. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Kevin Stout, Juvenile Diversion Officer appeared before the board to explain the Grant Award for the Juvenile Services Program Grant and the Grant Award for the County Aid Juvenile Services Grant. Moved by Slama, seconded by Zadina to authorize the Chairman to sign both Grant Award documents. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Slama to approve and authorize the Chairman to sign the Interlocal Cooperation Act Agreement Butler County Development Board for the 2009-2010 fiscal year. The motion died for lack of a second.

The Interlocal Cooperation Act Agreement Butler County Development Board will be placed on the agenda for the next board meeting.

Rick Schneider, Emergency Manager presented the Activities of Butler County Emergency Management report for the months of April, May, and June. He also asked the board to consider classifying the Emergency Management vehicle as an emergency response vehicle and allowing him to drive the vehicle to and from work daily.

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

RESOLUTION NO. 2009 – 26

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

WHEREAS, the Butler County Emergency Management 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 Emergency Management Fund in an amount of \$5,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$5,000.00 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 17th day of August, 2009.

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

Vicki L. Truksa
Vicki L. Truksa, County Clerk

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

The Chairman called for a recess and 9:58 a.m. and reconvened the meeting at 10:00 a.m.

Kelly Danielson and Ron Pickett representatives from the Butler County Landfill appeared before the board to discuss the local support for their plan of expanding the landfill. There was also discussion in regards to the proposed Host Agreement with the County. The board requested that Jim Truksa look into what it would take to improve the road from Octavia south to the Bruno highway. The committee members of David Mach, Irvin Cidlik, and Larry Zadina will meet with the County Attorney and the Highway Superintendent to review the information.

Moved by Slama, seconded by Krafka to go into Executive Session at 10:40 a.m. for the purpose of discussing an issue on a coroner call. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Cidlik, seconded by Birkel to come out of Executive Session at 10:50 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

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

Moved by Slama, seconded by Birkel to go into Executive Session at 10:51 a.m. for the purpose of discussing a potential claim against the county. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Krafka, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Birkel, seconded by Cidlik to come out of Executive Session at 11:35 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Zadina, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

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

Moved by Cidlik, seconded by Zadina to deny payment of the claims submitted by Chad Meysenburg for medical expense reimbursement. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Slama, seconded by Krafka to correct the Claims List to reflect changes made to the Emergency Management Fund claims. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Correspondence was received from the following:

1. National Association of Counties-Prescription Drug Discount Card Program
2. Clay County-Tax exempt Real Estate
3. Seward County Zoning Administrator-Public Hearings
4. Blue Valley Community Action-Agenda for Board of Directors meeting

The Chairman adjourned the meeting at 11:58 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

September 8, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 8th day of September, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: William Kozisek, 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 called the meeting to order, and 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 last meeting were approved as presented.

Dick Ronkar, County Surveyor appeared before the board with information on the platting of a subdivision of Goedeken Lake.

Moved by Cidlik, seconded by Slama to approve and authorize the Chairman to sign the Change Order- Supplemental Agreement which supplements the contract for Project No. BRO-7012(25), Ulysses Northeast. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Zadina, and Mach. The following voted nay: None. Absent: Kozisek, and Birkel. Motion carried.

Max Birkel arrived at 9:05 a.m.

Moved by Zadina, seconded by Krafka to approve the utility permit of Windstream Nebraska, Inc. to install communications facilities between Section 9, T15N, R3E and Section 8, T15N, R3E, north of David City in Butler County. Upon roll call vote the following voted aye: Zadina, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Bill Kozisek arrived at 9:07 a.m.

Moved by Birkel, seconded by Zadina to approve the agreement with Witter Family Medicine to provide jail medical services. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Zadina to approve the Special Designated Liquor License application of St. Joseph's Catholic Church, for a fundraiser to be held on September 12, 2009. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Slama to reappoint John Klosterman to the Butler County Health Care Center Board of Directors for a six (6) year term, effective July 1, 2009. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Krafka to support the Regional Transportation Planning Study as presented by Sen. Arnie Stuthman at the August 3, 2009 board meeting. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried. The County Attorney was asked to draft a letter showing Butler County's support for the study.

Moved by Cidlik, seconded by Kozisek to approve for payment the claims submitted by Norman Hoeft for the months of July and August for 911 updates. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: Birkel, and Slama. Motion carried.

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

RESOLUTION NO. 2009 - 27

WHEREAS, Butler County previously adopted a Code Section 125 plan, referred to as the Flexible Benefits Plan (the "Plan");

WHEREAS, effective April 1, 2009, the Children's Health Insurance Program Reauthorization Act of 2009 (the "Act") permits a Plan to allow special enrollment for eligible but not enrolled employees or dependent child who either (1) lose coverage under a Medicaid or a State Children's Health Insurance Plan (SCHIP) under titles XIX and XXI of the Social Security Act, respectively, or (2) become eligible for group health plan premium assistance under Medicaid or SCHIP ("Special Enrollment Right"); and

WHEREAS, effective September 1, 2009, Butler County desires to amend the Plan as set forth in the attached Summary of Material Modifications to allow for a Special Enrollment Right that is consistent with the requirements set forth in the Act; and

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board of Supervisors has hereby reviewed the attached Summary of Material Modifications and does hereby approve the adoption of the Special Enrollment Right as set forth therein;

BE IT FURTHER RESOLVED that the Butler County Board of Supervisors are authorized and directed to take any and all action as may be necessary to effectuate this Resolution.

Dated this 8th day of September, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

-Attachment-

**SUMMARY OF MATERIAL MODIFICATIONS TO THE
FLEXIBLE BENEFITS PLAN (the "Plan")**

This document summarizes important changes to your Flexible Benefits Plan. If you have any questions regarding the changes summarized in the Summary of Material Modifications ("SMM"), you should contact the County Clerk's office. You should keep a copy of this SMM with your Summary Plan Description for future reference.

Effective April 1, 2009, eligible employees and participants will have a "Special Enrollment Right" under the Flexible Benefits Plan that allows certain eligible but unenrolled employees and participants to enroll in a Benefit Plan Option that is group health plan if the dependent child or employee: (1) loses coverage under a Medicaid Plan under Title XIX of the Social Security Act; (2) loses coverage under the State Children's Health Insurance Program (SCHIP) under Title XXI of the Social Security Act; or (3) becomes eligible for group health plan premium assistance under Medicaid or SCHIP. The eligible employee or participant must request an election change to enroll in group health plan coverage within 60 days from the date; (1) the coverage terminates under the Medicaid of SCHIP plan, or (2) the employee or dependent child is determined eligible for state premium assistance.

If you believe you are eligible for a Special Enrollment, you must contact the Administrator to request an election form as soon as possible. A request for enrollment must be made in writing on the form provided by the Administrator. Requests for a Special Enrollment right must be made within 60 days of an event described above that occurs on or after April 1, 2009.

Correspondence was received from the State of Nebraska, Department of Economic Development in regards to the recently-enacted American Recovery and Reinvestment Act of 2009.

The meeting of the Board of Supervisors was recessed at 9:30 a.m.

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

SEE SEPARATE BOARD OF EQUALIZATION PROCEEDINGS

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 9:45 a.m.

Moved by Kozisek, seconded by Slama to approve and authorize the Chairman to sign the Interlocal Cooperation Act Agreement Butler County Development Board for a one (1) year period. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

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

No one was present to comment at the hearing.

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

Moved by Kozisek, seconded by Cidlik to approve the 2009-2010 budget and to approve the following resolution. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2009 - 28

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2009 to June 30, 2010, prepared by the Budget Making Authority, was transmitted to the County Board on the 20th day of July, 2009.

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, 2009, to June 30, 2010, 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 beginning July 1, 2009, and ending June 30, 2010.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Dated and Passed this 8th day of September, 2009.

/s/ David W. Mach

/s/ Irvin Cidlik

/s/ William J. Kozisek

/s/ Kevin Slama

/s/ Larry Zadina

/s/ Tony Krafka

/s/ Max Birkel

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Moved by Birkel, seconded by Zadina to open the special hearing to set the final tax request at a different amount than last year at 10:15 a.m. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

No one was present to comment at the hearing.

Moved by Birkel, seconded by Cidlik to close the hearing at 10:20 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

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

RESOLUTION NO. 2009 - 29

WHEREAS, pursuant to State Statute 77-1601.02 the Butler County Board of Supervisors held a hearing on September 8, 2009 at 10:15 a.m. in regard to setting the 2009-2010 final tax request at a different amount than the prior year 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 2008-2009 Property Tax Request was:	\$2,669,208.06, and
The levy to fund the 2008-2009 tax request was:	0.271850, and
The levy to fund last years tax request if it were applied to the current valuation would be:	0.237348, and
The proposed tax request for the 2009-2010 year is:	\$2,623,974.70, and
The proposed levy to fund the 2009-2010 tax request is:	0.233326, 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 \$2,623,974.70 for the 2009-2010 fiscal year.

Dated this 8th day of September, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

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

RESOLUTION NO. 2009- 30

WHEREAS, Bank of the Valley, Bellwood, Nebraska has on file the following pledged security:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
238554BY4	\$60,000.00

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 pledged security receipt CUSIP#238554BY4 as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 8th day of September, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Karey Adamy, County Treasurer presented information to the board on contracting with GIS Workshop to develop a web-based treasurer site for Butler County. This site will make tax information available to the public. The fees incurred will be paid from the Data Processing Department budget.

Moved by Birkel, seconded by Zadina to go into Executive Session at 10:45 a.m. The purpose of the Executive Session is to discuss an employee complaint/personnel issue and the recall lawsuit issue. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Irvin Cidlik left the meeting at 1:10 p.m.

Moved by Slama, seconded by Birkel to come out of Executive Session at 1:15 p.m. Upon roll call vote the following voted aye: Slama, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

The Chairman declared that the County Attorney will report back to the board after researching the statutes, and that the board will receive audit results from Dana F. Cole & Company, LLP.

The Chairman adjourned the meeting at 1:20 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

September 21, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of September, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Cidlik, seconded by Kozisek to approve the utility permit for Windstream Nebraska, Inc. to install communications facilities between Sections 15 and 22, T-15-N, R-2-E, in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Zadina to approve the utility permit for Greg Sabata to install an underground water line between Sections 15 and 22, Franklin township. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Zadina to authorize the Chairman to sign the Road and Bridge Contracts Report and the Certification to the Board of Public Roads Classifications and Standards as presented by the Highway Superintendent. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Krafka to approve the yield sign request by Union Township, for the placement of yield signs at the intersection of K Road and 29 Road to control east and west bound traffic. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Discussion was held in regards to the Interlocal Agreement for the Regional Transportation Planning Study. Approval and authorization for the Chairman to sign the agreement will be tabled till after the September 22, 2009 meeting of all entities involved.

Moved by Cidlik, seconded by Birkel to approve the detailed billing in the amount of \$3,791.38, for surveying services on Highway 64, and instruct Dick Ronkar, County Surveyor to send the same to the State of Nebraska for payment. Upon roll call vote the following voted aye:

Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Dick Ronkar, County Surveyor presented information on available block grant funding for 2008 flood damage. Moved by Slama, seconded by Cidlik to direct Dick Ronkar, County Surveyor to go forward with preparation of the grant application to the Nebraska Department of Economic Development. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

The Clerk of the District Court fee report for the month of August was accepted and placed on file.

The County Clerk fee report for the month of August was accepted and placed on file.

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

RESOLUTION NO. 2009 – 31

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

WHEREAS, the Butler County Emergency Management 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 Emergency Management Fund in an amount of \$5,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$5,000.00 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 21st day of September, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Kevin Slama presented information in regards to the Recovery Zone Economic Development Bonds.

Prior to opening the motorgrader bids, it was explained to the board by Jim Truksa, Highway Superintendent that the motorgrader if purchased will be owned by Butler County (51%) and Skull Creek Township (49%). At 9:30 a.m. bids for the purchase of a motorgrader were opened. The following bids were received and read:

1. Murphy Tractor & Equipment Company \$222,447.00 (2010 John Deere)
2. NMC, Inc. \$238,506.00 (2010 Cat)

Moved by Slama, seconded by Zadina to table the decision on the purchase of a motorgrader until the bids are reviewed and a meeting is held with Skull Creek Township. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

After discussion, the decision on the motorgrader bids was listed on the agenda for the October 5, 2009 meeting at 9:30 a.m.

Information was presented by Julie Reiter, County Attorney in regards to a claim that was submitted by Lancaster County General Assistance for reimbursement of assistance that was provided by Lancaster County.

The Chairman called for a recess at 9:52 a.m., and reconvened the meeting at 10:00 a.m.

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

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 10:10 a.m.

The 10:15 a.m. appointment scheduled for Ron Sedlak was cancelled.

Moved by Slama, seconded by Cidlik to authorize payment of the claims as presented with the exception of the following two claims that are denied:

1. Nebraska Central Railroad
2. Lancaster County General Assistance

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

Discussion was held in regards to problems with the phone system

Correspondence was received and placed on file from the following:

1. Larry and Terry Novak in regards to the Butler County Landfill
2. Dana F. Cole & Company, LLP in regards to the performance of the audit
3. State of Nebraska/Nebraska Commission on Law Enforcement and Criminal Justice (Jail Standards Board) in regards to the full compliance of the Butler County Jail

A report of the monthly usage of the NACo Prescription Drug Discount Card Program was distributed to the board members.

The Chairman adjourned the meeting at 10:50 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

October 5, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of October, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin 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 called the meeting to order, and 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 last meeting were approved as presented.

Tony Krafka arrived at 9:05 a.m.

Moved by Kozisek, seconded by Zadina to authorize the Chairman to sign the Certification of Cost Allocation Plan document for Maximus, Inc. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Abstaining: Krafka. Motion carried.

Discussion was held in regards to the Employee Appreciation Dinner to be held on November 13, 2009. The supervisors agreed to the proposal that was presented.

Discussion was held in regards to the duration of the Interlocal Cooperation Act Agreement for the Butler County Development Board. At the September 8, 2009 board meeting a motion was made and voted on to approve the agreement for a one (1) year period, not the three (3) year period as stated in the document. It was agreed by the supervisors to remain at the one (1) year period. The Interlocal Agreement document will be corrected to reflect the change.

The setting of a date for a public hearing for the application for CDBG grant funding is tabled till the October 19, 2009 meeting.

Moved by Krafka, seconded by Cidlik to approve and authorize the Chairman to sign the Interlocal Agreement for a Regional Transportation Planning Study. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Zadina, Kozisek, and Mach. The following voted nay: None. Motion carried.

Correspondence was received and placed on file from the following:

1. Dean Kriz & Ken Schmid (County Government Day Program Coordinators)
2. Butler County Health Care Center (Citizen Ready course)

3. National Association of Counties (monthly report of Prescription Drug Discount Card Program usage)

Jim Truksa, Highway Superintendent presented a comparison of the motorgrader bids that were submitted at the September 21, 2009 county board meeting. Moved by Slama, seconded by Cidlik to accept the low bid of Murphy Tractor & Equipment Company in the amount of \$122,523.93 (County's 51% share) to purchase a 2010 John Deere 772G motorgrader; to coincide with the approval of Skull Creek Township of the same and their entering into a five (5) year road maintenance agreement with the county. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

The Amended By-Laws, Rules, and Regulations of the Butler County Senior Services Program were presented. Moved by Cidlik, seconded by Kozisek to approve the Amended By-Laws, Rules, and Regulations of the Butler County Senior Services Program. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Slama to go into Board of Equalization at 10:20 a.m. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION

The regular meeting of the Board of Supervisors was reconvened at 10:35 a.m.

Moved by Slama, seconded by Birkel to go into Executive Session for the purpose of an update on audit at 10:35 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Kozisek to come out of Executive Session at 11:00 a.m. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

The board conducted the quarterly jail inspection at 11:00 a.m., and returned at 11:15 a.m.

The Chairman adjourned the meeting at 11:15 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

November 2, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of November, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Larry Zadina, and Irvin F. Cidlik, Jr. Absent: 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Slama, seconded by Cidlik to approve the yield signs request at the intersection of G Road and 34 Road, the signs will be placed for the northbound and southbound traffic. Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Discussion was held on the upcoming county surplus sale. The sale will be handled by Moravec Auction Company instead of Bauer Auction due to the sale of the county owned real estate and building in Ulysses.

Discussion was held on the issue of trapping in county right-of-way. The county board has the authority to pass a resolution that would prohibit it. Julie Reiter, County Attorney presented a resolution for the board's consideration. The matter was tabled till later in the meeting.

Pat Lostroh, Director of Butler/Polk Co. Victim's Assistance and Lisa Stamm, Grant Administrator from the Nebraska Crime Commission appeared before the board to discuss the possibility of the county assuming the role of applicant agency and fiscal agent for the grant that has been awarded. The City of David City has been the applicant agency and fiscal agent for the past 15 years, but the required signatures (from the City of David City) on the final grant award form and contract have been denied.

Moved by Cidlik, seconded by Kozisek to authorize the Chairman to sign the grant award document, and assume the role of applicant agency and fiscal agent. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

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

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 9:42 a.m.

The Chairman recessed the meeting at 9:42 a.m., and reconvened the same at 9:45 a.m.

Tom Tremel presented the plat of Riverview Lake Subdivision for approval by the Butler County Board of Supervisors.

Moved by Krafka, seconded by Kozisek to approve the plat of Riverview Lake Subdivision. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Cidlik, seconded by Slama to appoint Agnes Bohuslavsky to the Butler County Senior Services Board. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Cidlik, seconded by Kozisek to approve the following resolution with Agnes Bohuslavsky filling the at-large position that was held by Ed Kozisek. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

RESOLUTION NO. 2009-32

WHEREAS, the Butler County Senior Services Program is a valuable part of Butler County, and

WHEREAS, the Butler County Senior Services Board is the organization appointed by the Butler County Board of Supervisors to oversee the senior services in this county, and

WHEREAS, pursuant to the Amended By-Laws, Rules, and Regulations of the Butler County Senior Services Program the Butler County Board of Supervisors shall appoint twelve (12) members to the Butler County Senior Services Board.

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board of Supervisors appoint the following individuals to the Butler County Senior Services Board:

District One (1): Karen Fendrich (2-yr term)

District Two (2): Ethel Reha (3-yr term)

District Three (3): Donna Steager (2-yr term)

District Four (4): Eldon Coufal (3-yr term)

District Five (5): Dorothy Schultz (2-yr term)

District Six (6): Jerry Meister (3-yr term)

District Seven (7): Janice Makovicka (2-yr term)

At-Large: Ken Pohl (3-yr term)

At-Large: Pat Comte (3-yr term)

At-Large: Pat Hilderbrand (3-yr term)

At-Large: Agnes Bohuslavsky (2-yr term)

At-Large: Virgil Vrbka (2-yr term)

Dated this 2nd day of November, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

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

RESOLUTION NO. 2009-33

WHEREAS, Cornerstone Bank, York, Nebraska has on file the following pledged security:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
45289MBT4	\$30,000.00

WHEREAS, said Cornerstone Bank, York, 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 pledged security receipt CUSIP#45289MBT4 as requested by Cornerstone Bank, York, Nebraska.

Dated this 2nd day of November, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Karey Adamy, County Treasurer certified the Distress Warrant Summary as of October 30, 2009 to the board.

Moved by Cidlik, seconded by Slama to designate The Banner-Press as the official county newspaper for 2010. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

An agenda for the upcoming County Government Day was distributed to the board members by Dean Kriz, Veteran's Service Officer.

The following were items that were discussed by the board:

Expenditure options for the Inheritance Tax funds

Replacement of windows in the courthouse

Plumbing issues in the new addition

Additional payment on the Courthouse Renovation/Jail Addition bonds

The resolution for Trapping in County Right-of-Way is tabled till the next board meeting which will be November 16, 2009.

The Chairman adjourned the meeting at 10:30 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

November 16, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of November, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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 called the meeting to order, and 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 last meeting were approved as presented.

Mark Hecker, County Sheriff appeared before the board to present information on the purchase of a new vehicle for the department. The following are the quoted amounts for the listed vehicles according to the state bids; 2010 Dodge Charger \$20,090.00 (or \$19,405.00 with smaller motor), 2010 Chevrolet Impala \$19,435.00, and 2010 Ford Crown Victoria \$21,163.00.

Kevin Slama arrived at 9:10 a.m.

Moved by Birkel, seconded by Cidlik to approve the purchase of the 2010 Dodge Charger with the smaller motor for \$19,405.00. Upon roll call vote the following voted aye: Birkel, Cidlik, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

Lance Napier, Superior Glass presented information to the board on window replacement options for the courthouse building and also, options for the replacement of the solid panels on the exterior of the building.

Keith Marvin, Butler County Economic Development Director explained to the board the possibility of applying for stimulus money to help defray the cost of replacing the existing windows to an energy efficient product. More information will be made available in the next 7-10 days pertaining to the grant application process.

Jim Truksa, Highway Superintendent presented two utility permits for the board's approval.

Moved by Slama, seconded by Krafka to approve the following two permits; a utility permit for Windstream Nebraska, Inc. to install communications facilities in Section 23, T-15-N, R-2-E, west of David City (work order #71509009300256), and a utility permit to install communication facilities in Section 23, T-15-N, R-2-E, west of David City (work order

#71509003200618). Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

The Chairman recessed the meeting at 9:40 a.m., and reconvened at 9:50 a.m.

The County Clerk fee report for the month of October, 2009 was accepted and placed on file.

The Clerk of the District Court fee report for the month of October, 2009 was accepted and placed on file.

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

RESOLUTION NO. 2009 – 34

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

WHEREAS, the Butler County Emergency Management 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 Emergency Management Fund in an amount of \$15,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$15,000.00 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 16th day of November, 2009.

/s/ David W. Mach
David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

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

RESOLUTION NO. 2009 – 35

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

WHEREAS, the Butler County Noxious Weed Control 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 Control Fund in an amount of \$15,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$15,000.00 to the Noxious Weed Control Fund for the maintenance and operations of said Noxious Weed Control Department from the General Fund.

DATED this 16th day of November, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Moved by Slama, seconded by Cidlik to authorize the Chairman to sign the Certification of County Highway Superintendent for Determining Incentive Payment for the Nebraska Department of Roads. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Mike Applegate, Detention Center Administrator presented information to the board on the cost of installing a water softener system in the Detention Center. At this time he has received quotes from Ecowater Systems and Culligan. A third quote will be obtained from H & S Plumbing. The matter was tabled till the next board meeting.

Discussion was held in regards to trapping in the county right-of-way. Jim Kallenbach demonstrated for the board several types of traps that he uses for trapping. After further discussion, the board asked that the County Attorney gather additional information and present it at the next board meeting. The matter was tabled till the next meeting.

Larry Zadina left the meeting at 10:30 a.m.

Additional information was received from Michael Grubbs, Business Account Representative of Windstream Communications in regards to the rate proposal for the county's phone service. The board would like to meet with him at the next meeting.

Vicki Truksa, County Clerk presented information to the board in regards to the Refunding General Obligation Building Bonds, Series 2005 (Courthouse Renovation & Jail Addition). The first optional call date on these bonds is on or after May 1, 2010. The board agreed that funds from the Inheritance Tax Fund should be used to make an additional payment on these bonds. The matter will be scheduled on the agenda for the first meeting in February, 2010 for further discussion.

The Chairman called for a recess at 10:40 a.m., and reconvened the meeting at 10:45 a.m.

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

Correspondence was received and relayed to the board from Senator Arnie Stuthman, extending his appreciation for the board agreeing to enter into an Interlocal agreement for the regional traffic study.

NIRMA (Nebraska Intergovernmental Risk Management Association) sent a notice to the county board members of their annual membership meeting and awards luncheon to be held on December 9, 2009.

Moved by Birkel, seconded by Slama to go into Executive Session at 10:55 a.m. to discuss a personnel issue. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Zadina. Motion carried.

Moved by Birkel, seconded by Kozisek to come out of Executive Session at 11:15 a.m. Upon roll call vote the following voted aye: Birkel, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Zadina. Motion carried.

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

The Chairman adjourned the meeting at 11:20 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

December 7, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of December, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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 called the meeting to order, and 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 last meeting were approved as presented.

Moved by Cidlik, seconded by Slama to approve the utility permit for Wayne A. Dunker to install a water line between Section 29 and Section 32, Township 13 North, Range 1 East. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent gave a report to the board on the proceeds from the County Surplus sale.

Julie Reiter presented additional information to the board on the Trapping in County Right-of-Way issue. After discussion, the board requested that the proposed resolution be modified to read that it will be legal to trap in the county right-of-way with written permission of the adjacent landowner. The revised resolution will be presented for the board's consideration at the December 21, 2009 meeting.

Discussion was held in regards to the announcement of a Financial Assistance Funding Opportunity for cities and counties in Nebraska that did not receive direct funding under the Energy and Conservation Block Grant Program. The county would qualify as an applicant for grant funds from the Nebraska Energy Office to help fund the replacement of windows in the courthouse building, and possibly other energy efficiency improvements.

Moved by Cidlik to take bids for window replacement for the original courthouse building. Motion withdrawn by Cidlik.

Moved by Kozisek, seconded by Birkel to approve the bond of Gary Yindrick, Skull Creek Township Chairman, and the bond of Craig Jelinek, Skull Creek Township Treasurer. Upon toll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Michael Grubbs, Business Account Representative from Windstream Communications was unable to attend the meeting.

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

RESOLUTION NO. 2009-36

WHEREAS, Cornerstone Bank, York, Nebraska has on file the following pledged security:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
3136F83J2	\$250,000.00

WHEREAS, said Cornerstone Bank, York, 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 pledged security receipt CUSIP#3136F83J2 as requested by Cornerstone Bank, York, Nebraska.

Dated this 7th day of December, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

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

Moved by Slama, seconded by Zadina to appoint Bill Kozisek and Monica Polivka as Butler County's representatives on the Board of Health of the Four Corners Health Department. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Abstaining: Kozisek. Motion carried.

The audit report for the Butler County Health Care Center was received, and copies are available for the county board members.

The Chairman adjourned the meeting at 9:45 a.m.

Vicki L Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

December 21, 2009

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of December, 2009 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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 called the meeting to order, and 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 last meeting were approved as presented.

Lance Napier, Superior Glass reviewed specifications for the window replacement project which includes replacement of the exterior panels on a portion of the courthouse.

Moved by Cidlik, seconded by Zadina to advertise for bids for the window replacement project. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Kozisek to set the date of January 19, 2010 at 9:30 a.m. to open the bids for the window replacement project. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Michael Rethwisch, Extension Educator explained to the board that the appointment of the Extension Board Member will be placed on the agenda at a later date.

Moved by Slama, seconded by Birkel to begin the bidding process for the replacement of the heating/cooling system in a portion of the courthouse. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to set the date of January 19, 2010 at 10:00 a.m. to open the bids for the replacement of the heating/cooling system in a portion of the courthouse. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

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

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 9:40 a.m.

The Chairman called for a recess at 9:40 a.m., and reconvened the meeting at 9:45 a.m.

Michael Grubbs, Business Account Representative for Windstream Communications appeared before the board to answer any questions pertaining to the 5-year rate proposal that had been presented to them at an earlier meeting. The board asked that he forward a copy of the agreement to the County Attorney for review. The matter will be placed on the agenda for the next meeting.

Julie Reiter, County Attorney reviewed with the board the additional wording that was added to the resolution for Trapping in County Right-of-Way. Trapping in the county road right-of-way will be prohibited, unless landowner permission in writing is obtained by the trapper.

TRAPPING IN COUNTY RIGHT-OF-WAY

After discussion, Larry Zadina moved and Tony Krafka seconded the introduction of the following resolution:

RESOLUTION 2009- 37

WHEREAS, the Board of Supervisors of the County of Butler, Nebraska, pursuant to Neb. Rev. Stat. Sec. 39-1402 (Reissue 2008), provide the general supervision and control of the public roads in Butler County, Nebraska; and

WHEREAS, the State of Nebraska Legislature has passed 2009 Neb. Laws LB5, effective August 30, 2009 providing Butler County with the authority to adopt a resolution having the force and effect of law to prohibit the trapping of wildlife in the county road right-of-way or in a certain area of the right-of-way as designated by the county; and

WHEREAS, a resolution prohibiting the trapping of wildlife without landowner permission in the county road right-of-way is deemed necessary as an exercise of Butler County's authority for the following purposes: to protect landowners' rights and interests in and to their property and to protect the livestock and domestic animals of rural Butler County residents; and

WHEREAS, it may be necessary in the future to allow the trapping of nuisance wildlife without landowner permission in specific instances on Butler County road right-of-ways where wildlife may endanger the infrastructure of the county road system or bridges; and

WHEREAS, all violations of the provisions of this Resolution shall be punishable as provided in Neb. Rev. Stat. Sec. 37-248 (Reissue 2008).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Butler, Nebraska pursuant to the authority under Neb. Rev. Stat. Section 37-513, that trapping as defined in Neb. Rev. Stat. Section 37-243 (Reissue 2008), in and along the entire width of all county road right-of-ways including roadside ditches adjacent to the traveled roadway, and beneath bridges within such county road right-of-way, is hereby expressly prohibited and declared to be unlawful unless the owner of the trap obtains written permission from the

underlying landowner to place the traps in the designated county road right-of-way. Said permission must be in writing, identify the person authorized to trap, identify the location where the traps are to be set by designation of the mile in which the trap is to be set, and be signed and dated by the landowner. Said permission must be renewed each trapping season. The person receiving such permission must make the written permission available for inspection and copying by law enforcement and/or the Nebraska Games and Parks Officers upon request. The landowner may revoke the permission granted at anytime by notifying the trapper in writing of the revocation of permission. Upon receipt of a notification that the landowner has withdrawn his/her permission allowing trapping, the owner of the traps shall immediately remove the traps from the county road right-of-way.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the State of Nebraska Game & Parks Department and the Butler County Sheriff's Department for enforcement of this law.

Upon roll call, the vote was as follows:

Ayes: Zadina, Kozisek, Krafka, Slama, Cidlik, Birkel and Mach

Nays: None

The Chairman declared the resolution adopted.

Dated this 21st day of December, 2009.

/s/ David W. Mach
Dave Mach, Chairman,
Butler County Board of Supervisors

ATTEST:

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

Moved by Cidlik, seconded by Zadina to approve payment to Murphy Tractor & Equipment Company for the 2010 John Deere motorgrader purchased with Skull Creek township (County 51%, Skull Creek Township 49%) in the amount of \$122,523.93, and approve the 5-year road maintenance agreement with the township. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Slama to approve the following resolution for the transfer of funds from the Inheritance Tax Fund to the General Fund. Upon roll call vote the following voted nay: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2009-38

WHEREAS, the Butler County Board of Supervisors at the September 8, 2009 Budget Hearing approved the transfer of money from the Inheritance Tax Fund to the General Fund as part of the budget process for general operations; and

WHEREAS, the amount approved through the budget hearing for said operations of the General Fund to be transferred from the Inheritance Tax Fund is \$400,000.00; and

WHEREAS, funds are available in the Inheritance Tax Fund to transfer to the General Fund in the amount of \$400,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$400,000.00 to the General Fund for general operations from the Inheritance Fund.

DATED this 21st day of December, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

Vicki L. Truksa
Vicki L. Truksa, County Clerk

Moved by Slama, seconded by Krafka to approve the following resolution for the transfer of funds from the General Fund to the 911 Emergency Services Fund. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2009-39

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the 911 Emergency Services Fund through the 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 \$50,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$50,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 21st day of December, 2009.

/s/ David W. Mach
David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Discussion was held about the policy in regards to snow days. The board agreed that the policy will remain the same as stated in the Employee Handbook, until the revised handbook is in effect.

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

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

Moved by Kozisek, seconded by Zadina to reappoint Dr. Darroll Loschen to the Four Corners Board of Health. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Kozisek to set the date of January 4, 2010 at 10:00 a.m. to hold a public hearing and authorize publication of the notice. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

The purpose of the hearing is so that any interested party may appear and speak for or against the sale of county owned property, legally described in the Notice of Public Hearing.

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

The monthly report from the National Association of Counties Prescription Drug Discount Card Program was presented to the county board members.

Julie Reiter, County Attorney informed the board of pending litigation against all County Attorneys and all Law Enforcement personnel in the State of Nebraska.

Information was relayed to the board by members of the committee appointed to review salary recommendations for the next elected official's term of office. The committee's recommendation is to increase the elected official's salaries to coincide with the minimum recommendations made by the Nebraska Association of County Officials. Also recommended, that the salary of the County Attorney and County Sheriff will be set at 120% of the other elected officials. A resolution setting the salary amounts will be on the agenda for January 4, 2010.

Discussion was held in regards to the issue of law enforcement for the City of David City.

The Chairman declared the meeting adjourned at 11:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman