

## **BOARD PROCEEDINGS**

January 4, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4<sup>th</sup> day of January, 2010 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. Cidlik, Jr. Absent: Tony Krafka.

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.

The County Clerk called for nominations for a Temporary Chairman.

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

The Temporary Chairman declared the minutes stand approved as presented.

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

Irvin Cidlik nominated David Mach for the Chairman position, seconded by Max Birkel.

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

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

A vote by secret ballot was taken for Permanent Chairman.

Results of the vote by secret ballot are as follows:

4 votes – David Mach

2 votes – Max Birkel

David Mach was declared the Permanent Chairman for the Board of Supervisors for 2010.

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

#### **RESOLUTION NO. 2010 - 02**

**WHEREAS**, the Butler County Board of Supervisors, according to its records in the office of the Butler County Clerk, has designated six (6) 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, 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, 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 2010, so long as they comply with the laws of Nebraska.

Dated this 4<sup>th</sup> day of January, 2010.

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

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

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

**RESOLUTION NO. 2010 - 03**

**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 4<sup>th</sup> day of January, 2010.

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

ATTEST:

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

Moved by Kozisek, seconded by Zadina to approve and authorize the Chairman to sign the Agreement for Communication Services with Windstream Communications. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Moved by Cidlik, seconded by Birkel to re-appoint Terry Kriz and Kari Samuelson to the Butler County Visitors Committee for a term of 4 years. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Moved by Slama, seconded by Kozisek to authorize payment of the claim of Shell Fleet Plus in the amount of \$48.01. Upon roll call vote the following voted aye: Slama, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Correspondence was received from the following:

1. The City of Columbus in regards to the Regional Transportation Planning Study
2. Thank-you note from the family of Bernice Nicolas
3. Nebraska Association of County Officials, information on the proposed PSAP funding mechanism
4. Nebraska Commission on Law Enforcement and Criminal Justice in regards to the annual evaluation of the Butler County Jail

Discussion was held on the rental of additional equipment by the Road Department for use in snow removal, and the excellent job that the department has done in the snow removal process.

Keith Marvin had information that the Butler County Development board has decided to delay the hiring of a permanent director, he will continue on as interim director.

Resolution 2010 -01 Elected Official Salaries 2011-2014 was presented for the board's consideration. Karey Adamy, County Treasurer questioned the county board as to the increase in the salary for the County Attorney's position. Vickie Donoghue, County Assessor explained to the board the appraisal work that is done by the staff in the office versus hiring an appraisal company. Dick Ronkar, County Surveyor had questions relating to the County Attorney's position being part-time or full-time and if part-time, when was it designated as a part-time position. Julie Reiter, County Attorney stated that in statute the County Attorney's position can be full-time or part-time.

Moved by Cidlik, seconded by Slama to open the public hearing at 10:00 a.m. for the sale of county property in the Village of Ulysses. Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

No one appeared before the board to speak for or against the sale of such property.

Moved by Slama, seconded by Birkel to close the hearing at 10:15 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Moved by Kozisek, seconded by Zadina to authorize the advertisement and set the date and time to take bids to sell the county property in the Village of Ulysses at 9:15 a.m. on January 19, 2010. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Moved by Cidlik, seconded by Slama to adopt the following Resolution 2010-01 with the addition of the wording: "The County Attorney position is designated as part-time." Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

### **RESOLUTION NO. 2010 - 01**

**WHEREAS**, Nebraska statutes instruct County Supervisors to establish salaries for elected county officials prior to the election year preceding the four-year term during which a person will hold the office.

**NOW, THEREFORE, BE IT RESOLVED** by the Butler County Board of Supervisors that the following annual salaries be established.

1. The annual salary for the office of the County Board be established at \$17,500.00 for the calendar year 2011, plus an annual increase during the term of office (2012, 2013, 2014); said increase to be equal to that of the County Clerk, County Treasurer, County Assessor, County Clerk of the District Court, and County Surveyor.

2. The annual salary for the office of the County Clerk be established at \$43,800 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

3. The annual salary for the office of the County Treasurer be established at \$43,800 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

4. The annual salary for the office of the County Assessor be established at \$43,800 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

5. The annual salary for the office of the County Clerk of District Court be established at \$43,800 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

6. The annual salary for the office of the County Sheriff be established at \$52,560 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

7. The annual salary for the office of the County Attorney be established at \$52,560 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%). The County Attorney position is designated as part-time.

8. The annual salary for the office of the County Surveyor be established at \$43,800 for the calendar 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

9. The annual salaries for the Deputy Clerk, Deputy Assessor, Deputy Clerk of the District Court and Deputy Treasurer be established at 75% of the Official's salary for the calendar year 2011, plus an annual increase during the term of office (2012, 2013, 2014) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

Be it further resolved that the County Board reserves the right to enter into any agreement with an elected official or officials who is/are qualified to serve as the budget-making authority as may be approved by the Board. It is in the intent of the Butler County Board that such agreement shall not constitute an increase in the herein adopted salary but shall be paid to said official as allowed by law.

Be it further resolved that in addition to the above stated salary, the elected officials and deputies shall receive during his or her term of office at county expense the employee's portion of the county's health and dental plan, the same as offered to all county employees.

Be it further resolved, if notice of the same be necessary, the county reserves the right to enter into any program for the benefit of employees of the county, any other programs as may be approved, with the right of elected officials and deputies granted to participate in such programs on the effective date of such programs as approved by the board. It is the intent of the Butler County Board of Supervisors that participation in such programs shall not constitute an increase in the herein adopted salary but shall be and is part of such salary as adopted and approved by this resolution.

Dated and adopted this 4th day of January, 2010.

/s/ David W. Mach

David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa

Butler County Clerk

The Chairman adjourned the meeting at 10:20 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

January 19, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19<sup>th</sup> day of January, 2010 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.

Jim Truksa, Highway Superintendent and Rick Schneider, Emergency Manager met with the board to update them on a recent meeting that was held with representatives of FEMA. The two departments are compiling information on the expenses incurred with the snow removal from December 22, 2009 till January 6, 2010, that will be submitted to FEMA if the county qualifies for disaster funding.

Moved by Slama, seconded by Zadina to set the date of the One & Six Year Road Plan public hearing; February 16, 2010 at 9:00 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.

Rick Schneider presented the quarterly report of the Butler County Emergency Management to the board. The report was accepted and placed on file.

After discussion, it was decided to allow Rick Schneider to take the Emergency Management pickup home every day. This will enable him to have access to it at all times.

At 9:15 a.m. bids for the sale of county owned real estate in the Village of Ulysses were opened. One bid was received from Star Farms, Mark & Steve Stara in the amount of \$7,000.00. Moved by Cidlik, seconded by Slama to accept the bid for the real estate in the Village of Ulysses. 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 appointed the committees and liaisons for the year 2010. Copies of the appointments were given to all board members.

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

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

Vicki Truksa, County Clerk reviewed with the board the 6-month budget report which shows the expenditures of the county by department.

A letter of resignation was received from Willow Holoubek. Moved by Cidlik, seconded by Kozisek to accept the resignation of Willow Holoubek from the Butler County Visitors Committee.

Moved by Cidlik, seconded by Zadina to appoint Mary Sohl to complete the remainder of the term held by Willow Holoubek on the Butler County Visitors Committee, and to appoint Stephanie Dubbs to a 4-year term on the Butler County Visitors Committee. 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 Birkel to create within the County General Fund budget a function entitled Victims Assistance Program. 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. 2010-4**

**WHEREAS**, the Butler County Board of Supervisors wish to continue the Butler/Polk County Victims Assistance program by administering the grant award from the Nebraska Crime Commission. In order to administer the grant award a function entitled Victims Assistance Program needs to be created within the General Fund, and

**WHEREAS**, there are unexpended funds available in the Miscellaneous function of the General Fund for the 2009-2010 fiscal year,

**NOW, THEREFORE BE IT RESOLVED** by the Butler County Board of Supervisors that the function entitled Victims Assistance Program be created within the General Fund and the sum of \$26,546.00 be transferred from the Miscellaneous function of the General Fund to the Victims Assistance Program function of the General Fund.

Dated this 19<sup>th</sup> day of January, 2010.

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

ATTEST:

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



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

At 9:30 a.m. bids for the replacement of windows in a portion of the courthouse were opened. One bid was received from Superior Glass & Home Improvements, LLC in the amount of \$69,605.00. No decision was made, and will be placed on the agenda for the February 1, 2010 meeting.

Correspondence was received from NIRMA (Nebraska Intergovernmental Risk Management Association), who has partnered with Spencer Fane Britt & Browne, LLP to perform HR audits for their member counties. Moved by Slama, seconded by Birkel to schedule an HR audit as per the information received from NIRMA. 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 Slama, seconded by Cidlik to authorize payment of the claims as presented. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

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

At 10:00 a.m. bids for the replacement of the heating / cooling system in a portion of the courthouse were opened. Bids were received from The Waldinger Corporation in the amount of \$130,211.00; and American Boiler Company in the amount of \$108,629.00. The matter was tabled until the Building and Grounds committee can meet with representatives from the two companies that have submitted bids.

At 10:20 a.m. the board made their quarterly inspection of the jail facility, they returned at 10:30 a.m.

Moved by Krafka, seconded by Kozisek to go into Board of Equalization at 10:30 a.m. Upon roll call vote the following voted aye: Krafka, Kozisek, Zadina, Birkel, Cidlik, Slama, 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 10:45 a.m.

Kevin Stout, Coordinator updated the board on the Juvenile Diversion Program. He requested that the county board approve the 2010 State County Aid Juvenile Justice Grant application that he presented. Moved by Birkel, seconded by Kozisek to approve the grant application and authorize the Chairman to sign the same. 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 to the board the County Treasurer's Statement from July 1, 2009 to December 31, 2009. The board accepted the statement and placed it on file.

Moved by Slama, seconded by Zadina 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. 2010-5**

**WHEREAS**, U.S. Bank National Association has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/CURRENT FACE</u>
31283HWP6	\$380,000.00/\$153,759.21
31402GS38	\$115,000.00/\$ 60,071.00
31402KAQ7	\$150,000.00/\$ 49,702.65
31416BNV6	\$ 50,000.00/\$ 37,020.05

**WHEREAS**, said U.S. Bank National Association is requesting that the above said receipts be released.

**NOW, THEREFORE, BE IT RESOLVED**, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged securities as requested by U.S. Bank National Association.

Dated this 19<sup>th</sup> day of January 2010.

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

ATTEST:

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

Discussion was held on the current snow/courthouse closing policy. The Employees Benefit and Policy committee, along with the County Attorney will meet to review the current policy.

Michael Rethwisch, Extension Educator presented the following resolutions for the appointment of two Butler County Extension Board members.

Moved by Cidlik, seconded by Krafka 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. 2010-6**

**WHEREAS**, the University of Nebraska – Lincoln Extension 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 at the county level of government is respected civil services, and

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

**WHEREAS**, A. Galen Juranek has been a member of the Butler County Extension board representing District 1 since 2009 and has completed his term, and

**WHEREAS**, Gary Humlicek has applied and been recommended to fill the vacancy on the Butler County Extension board to represent District 1,

**THEREFORE, BE IT RESOLVED**, that the Butler County Board of Supervisors appoints Gary Humlicek to the Butler County Extension Board for a three year term, beginning January 2010.

Given under my hand on this the 19<sup>th</sup> day of January, 2010, 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

Moved by Kozisek, seconded by Krafka 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 2010-7**

**WHEREAS**, the University of Nebraska – Lincoln Extension 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 at the county level of government is respected civil services, and

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

**WHEREAS**, Kent Ketteler has been an integral member of the Butler County Extension board representing District 5 since 2007 and has completed his term, and

**WHEREAS**, Jason Lavicky has applied and been recommended to fill the vacancy on the Butler County Extension board to represent District 5,

**THEREFORE, BE IT RESOLVED**, that the Butler County Board of Supervisors appoints Jason Lavicky to the Butler County Extension Board for a three year term, beginning January 2010.

**BE IT FURTHER RESOLVED**, the Butler County Board of Supervisors expresses their gratitude to Kent Ketteler for his diligent and outstanding service.

Given under my hand on this the 19<sup>th</sup> day of January, 2010, 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

Correspondence was received from Blue Valley Behavioral Health in regards to the number of clients in the Butler County area that their agency has seen and treated. They extended their appreciation for the financial support the county has given.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

February 16, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16<sup>th</sup> day of February, 2010 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 Kozisek to open the One and Six Year Road Plan public hearing at 9:00 a.m. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Kevin Slama arrived at 9:05 a.m.

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

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

### **RESOLUTION NO. 2010 – 8 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, 2010 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 plan in the Butler

County Courthouse on February 16, 2010, 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 16th day of February, 2010.

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

ATTEST:

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

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

#### **RESOLUTION NO. 2010 – 9**

WHEREAS: Certain Transportation facilities (roads, streets, trails, and others) in the County of Butler have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

WHEREAS: The County of Butler desires to continue to participate in Federal-Aid transportation construction programs;

WHEREAS: The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds;

WHEREAS: The County of Butler as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads, including the Consultant Selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems; and

WHEREAS: The County of Butler understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could

result in Butler County being required to repay some or all of the federal funds expended for a project(s).

BE IT RESOLVED: The County of Butler Board of Supervisors does hereby adopt and bind itself to comply with all applicable federal law including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems.

BE IT FURTHER RESOLVED: The County of Butler Board of Supervisors does hereby designate the following as responsible for the management of the following processes:

Consultant Selection process: Responsible Charge

The National Environmental Policy Act (NEPA): Responsible Charge

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act): Responsible Charge

The following individual is hereby authorized to sign the Financial Management Systems Certification attached to this Resolution: Jim Novacek

Adopted this 16<sup>th</sup> day of February, 2010 at David City, Nebraska.

The Butler County Board of Supervisors of the County of Butler

/s/ David W. Mach

/s/ Tony Krafka

/s/ Kevin Slama

/s/ Irvin Cidlik

/s/ Max Birkel

/s/ Larry Zadina

/s/ William J. Kozisek

Attest:

/s/ Vicki L. Truksa

County Clerk

The proposed Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions was discussed. A decision on adoption of the policy was tabled till the March 1, 2010 meeting.

Dick Ronkar, County Surveyor met with the board to explain the preliminary flood plain maps that were received. He also explained the comment period and appeal period that takes place before the finalization of the maps. After finalization the county board will need to pass a resolution adopting the flood plain maps.

Jeff DeLine of Dana F. Cole & Company, LLP presented the Preliminary Audit Report and conducted the Exit Conference pertaining to the audit of the fiscal July 1, 2008-June 30, 2009.

Moved by Kozisek, seconded by Cidlik to approve the Financial Statements of the County of Butler. 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 Kozisek, seconded by Zadina to authorize the Chairman to sign the Management Letter in regards to the fiscal year 2008-2009 audit. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

The Clerk of the District Court fee report for the month of January, 2010 was accepted and placed on file.

The County Clerk fee report for the month of January, 2010 was accepted and placed on file.

Moved by Slama, seconded by Birkel to reappoint the following Planning Commission members to three-year terms; Lyle Eckstein, District One; Marvin Coufal, District Seven; and appoint Justin Wynegar, At Large to a three year term. 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 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. 2010- 10**

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

CUSIP #  
826066BA9

ORIGINAL FACE/CURRENT FACE  
\$105,000.00

**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 Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 16<sup>th</sup> day of February, 2010.

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

ATTEST:

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



Moved by Birkel, seconded by Slama 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.

Mike Applegate, Detention Center Administrator presented information that he obtained on a water softener system for the Detention Center. Moved by Birkel, seconded by Cidlik to accept the quote from Ecowater Systems for the water softener system. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

Correspondence was received from William I. McLarty of the Dakota County Board of Commissioners in regards to LB955-The Correctional Facility Reimbursement Act.

The Chairman adjourned the meeting at 12:10 p.m.

## **BOARD PROCEEDINGS**

March 1, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1<sup>st</sup> day of March, 2010 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.

Richard Ronkar, County Surveyor informed the county board of an upcoming meeting on March 11, 2010 at 10:30 a.m. pertaining to the Flood Insurance Study.

Moved by Slama, seconded by Zadina to approve the following resolution and authorize the signature thereof. 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. 2010 - 12 (SIGNING OF THE PROJECT PROGRAM AGREEMENT)**

**WHEREAS**, Butler County is proposing a transportation project for which it would like to obtain Federal funds;

**WHEREAS**, Butler County understands that it must strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

**WHEREAS**, Butler County and Nebraska Department of Roads (NDOR) wish to enter into a Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

**BE IT RESOLVED**, by the Board of Supervisors of Butler County that: David W. Mach, Chairperson of the Board is hereby authorized to sign the attached Project Program Agreement between Butler County and the NDOR.

Butler County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number BR-NBIS (83),  
NDOR Control Number 00810,  
Fracture Critical Bridge Inspections.

Adopted this 1<sup>st</sup> day of March, 2010 at Butler County Nebraska.

The Board of Supervisors of Butler County

/s/ David W. Mach  
/s/ William J. Kozisek  
/s/ Larry Zadina  
/s/ Tony Krafka

/s/ Max Birkel  
/s/ Irvin Cidlik, Jr.  
/s/ Kevin Slama

ATTEST:

/s/ Vicki L. Truksa  
Butler County Clerk

Moved by Cidlik, seconded by Kozisek to approve the following resolution and authorize the Chairman to sign. 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. 2010 - 11**

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

CUSIP #  
3133XSX52

ORIGINAL FACE/CURRENT FACE  
\$500,000.00

**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 Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Cornerstone Bank, York, Nebraska.

Dated this 1<sup>st</sup> day of March, 2010.

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

ATTEST:

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

Rick Schneider, Emergency Manager appeared before the board with information on the Federal Disaster Declaration for Butler County. The declaration means that Butler County will receive FEMA funding for a portion of the expenses incurred relating to the December 23, 2009 through January 8, 2010 snow storms.

Discussion was held in regards to the Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions. The board will address the policy at the next board meeting.

Paul Grieger, D.A. Davidson & Company presented information to the board on refinancing the Jail Addition/Courthouse Renovation bonds.

Moved by Cidlik, seconded by Kozisek to proceed with the documents necessary to refund the bonds and preliminary approval of the timeline presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Pat Lostroh, Victims Assistance Program Coordinator appeared before the board to discuss the issue of the program's office location.

Vicki Truksa, County Clerk presented the Special Election by Mail – County Report. The report was accepted and placed on file.

Correspondence was received from: Sequoia Consulting Group, they specialize in preparing indirect cost allocation plans.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

Thomas County Commissioners  
Regular Meeting  
March 2, 2010

The Thomas County Board of Commissioners convened in open and public session at 10:00 a.m., March 2, 2010, in the Commissioners meeting room of the Thomas County Courthouse. Members present were Alan Atkins and Charles Daly. Motion to excuse absent member Stan Pettit made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent - Pettit. Motion carried. Also present throughout the morning were board secretary/Clerk Lorissa Hartman, Sheriff Gary Eng, Treasurer Judy Taylor, Emergency Manager Kevin Hood, Highway Superintendent Lloyd Smith, Road personnel Mike Kovanda and Thayne Rodocker, and Becky Hoaglund of the Rape & Domestic Abuse Program.

Chairman Atkins stated public meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on February 18, 2010.

Motion to adopt March 2, 2010 agenda made by Daly, second by Atkins. Roll call vote: Ayes – Daly, Atkins. Absent – Pettit. Motion carried.

Motion to approve February 16, 2010 regular meeting minutes as published made by Atkins, second by Daly. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Acknowledged Visitors. Becky Hoaglund, Outreach Coordinator for the Rape and Domestic Abuse Program visited with the board on the programs they offer.

Correspondence presented. No action taken.

Motion to approve payroll and claims as presented made by Daly, second by Atkins. Roll call vote: Ayes – Daly, Atkins. Absent – Pettit. Motion carried.

**GENERAL FUND-**

AFLAC	INSURANCE	569.53
AMERITAS	RETIREMENT	1723.24
AMERITAS GROUP DENTAL & EYE	INSURANCE	162.56
B & D OFFICE CITY	SUPPLIES	69.99
BLUE CROSS AND BLUE SHIELD	INSURANCE	2667.70
CONSOLIDATED	UTILITIES	400.48
CUSTER PUBLIC POWER DISTRICT	UTILITIES	359.96
HARTFORD LIFE INSURANCE CO	DEF COMP	1231.31
LORISSA HARTMAN	MILEAGE	68.50
HODGES CONOCO INC	FUEL	333.46
HOLIDAY INN	LODGING	438.00
KEVIN HOOD	MILEAGE	144.00
JOHN JONAS	BLDG SUPPLIES	29.53
L & L GRAVEL	SNOW REMOVAL	235.00
LECC	REGISTRATION	95.00
MIPS INC	DATA PROC	906.88
NEAL LUMBER CO	BLDG SUPPLIES	7.58
NEBRASKA DEPT OF REVENUE	STATE TAXES	391.53
UNITED STATES POSTMASTER	POSTAGE	17.00
LARRY REXROTH	SERVICES	2050.00
SANDHILL OIL COMPANY	FUEL	795.94
SANDHILLS DISTRICT HEALTH DEPT	ASSESSMENT	274.25
SECURITY FIRST BANK	FEDERAL TAXES	4574.12
JUDY TAYLOR	MILEAGE	80.96
THOMAS CO CLERK OF DISTRICT	FILING FEES	132.00
THOMAS CO CLERK PETTY CASH	POSTAGE	23.14
SALARIES		17086.02

**ROAD FUND-**

AMERITAS	RETIREMENT	1227.61
BLUE CROSS AND BLUE SHIELD	INSURANCE	619.81
CALLS GARAGE INC	REPAIRS	65.80
CUSTER PUBLIC POWER DISTRICT	UTILITIES	99.59
HODGES CONOCO INC	FUEL	257.75
KOVANDA MIKE	LODGING/MEALS	367.92
NEAL LUMBER CO	SUPPLIES	22.99
NEBRASKA DEPT OF REVENUE	STATE TAXES	115.30
NIOBRARA VALLEY CONSULTANTS	FEES	2456.86

SECURITY FIRST BANK	FEDERAL TAXES	1081.46
SALARIES		5305.96
<b>PRE-TRIAL FUND-</b>		
VERIZON WIRELESS	PHONE	52.56
<b>LIBRARY FUND-</b>		
AFLAC	INSURANCE	72.00
AMERITAS	RETIREMENT	93.07
AMERITAS GROUP DENTAL & EYE	INSURANCE	11.76
BRODART	BOOKS	241.50
CALLS GARAGE INC	REPAIRS	83.91
CONSOLIDATED	UTILITIES	82.69
RHONDA HAUMANN	BOOKS	151.00
MIDAMERICA BOOKS	BOOKS	147.28
NEBRASKA DEPT OF REVENUE	STATE TAXES	12.98
PUMPKIN BOOKS	BOOKS	121.43
SECURITY FIRST BANK	EMPE FICA	205.54
UPSTART	BOOKS	51.10
SALARIES		1190.14
<b>AIRPORT FUND-</b>		
CONSOLIDATED	UTILITES	99.80
CUSTER PUBLIC POWER DISTRICT	UTILITES	496.50
DEPARTMENT OF AERONAUTICS	LOAN PAYMENT	158.00
VILLAGE OF THEDFORD	TRASH	25.00

Office and fee reports presented:

Treasurer reported that she didn't have anyone show up on Monday to purchase tax sale certificates.

Sheriff reported that he sold the camper for \$2,300 at the sheriff's auction.

Clerk reported that the filing deadline had passed for the Primary Election. Those filed for County Commissioner at Large were Alan Atkins, Charles E. Daly, Lewis L. Herbaugh and William "Bill" Knoll. County Sheriff filings include Gary J. Eng and Blaine T. Hewett. County Treasurer – Judy C. Taylor, County Clerk – Lorissa Hartman, County Attorney – Warren R. Arganbright and Airport Authority Member – Steven A. Reed.

Assessor reported that ag-land values will be increasing. Final numbers will be ready on March 19<sup>th</sup>.

Emergency Manager reported that Viaero is requesting reimbursement for electricity from Region 26 if they would put a paging station on their tower; he also discussed how Region 26 may be doing the billing for the counties in the upcoming budget year.

Motion to approve office and fee reports as presented made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Chairman Atkins opened the sealed bid we had received for the lawn maintenance for this summer.

Motion to accept the bid of \$500 per month from Jerry Linn to do lawn maintenance for the year 2010 made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Discussion on the forest contract for FY 2010 was held. The sheriff noted that county would be paid \$5,955.29 to patrol the forest and \$2,944.71 to purchase equipment.

Motion to accept the forest contract for FY 2010 made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Discussion was held on the lease purchase option for the John Deere Gator using forest funds. John Deere has agreed to enter into a purchase contract with Thomas County stating that if the Forest funds would dry up the county could return the gator with no penalty.

Motion to approve the lease purchase of the John Deere Gator with forest funds made by Daly, second by Atkins. Roll call vote: Ayes – Daly, Atkins. Absent – Pettit. Motion carried.

Various road projects were discussed: Many roads have reports of water running across the road and causing washouts. Discussion of culverts being placed on Norway Ave, Daly Lane, and Paxton Ranch Rd. Bid opening on the Halsey North project will be on March 4<sup>th</sup>. Discussion was held on the best way to repair the W. North Loup Rd and N. Seneca Ave and the possibility of a hot mix plant being in the area this summer.

Discussion was held on the Auditors report from Don Wilson.

Motion to approve the Auditors Management Discussion & Analysis made by Daly, second by Atkins.

Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Discussion was held on the distress warrants on personal property parcel #860022141 for tax years 2007, 2008 and 2009. The total tax due is \$6,016.20. Sheriff sale brought in \$2,300 from the sale of the camper.

Motion to strike the remainder of personal property taxes on parcel #860022141 for tax year 2007 made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Motion to strike personal property taxes on parcel #860022141 for tax year 2008 made by Daly, second by Atkins. Roll call vote: Ayes – Daly, Atkins. Absent – Pettit. Motion carried.

Motion to strike personal property taxes on parcel #860022141 for tax year 2009 made by Daly, second by Atkins. Roll call vote: Ayes – Atkins, Daly. Absent – Pettit. Motion carried.

Motion to adjourn meeting made by Daly, second by Atkins. Roll call vote: Ayes – Daly, Atkins. Absent – Pettit. Motion carried.

Meeting adjourned at 12:04 p.m. The next regular meeting of the Thomas County Commissioners will be held March 16, 2010 at 10:00 a.m., in the Commissioners meeting room of the Thomas County Courthouse in Thedford, NE. An agenda will be kept continually current and available for inspection in the office of the Thomas County Clerk. Additions to the agenda may be made up to 24 hours before the meeting.

Thomas County Board of Commissioners

Attest:

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Alan Atkins, Chair

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Lorissa Hartman, Clerk

## **BOARD PROCEEDINGS**

March 15, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15<sup>th</sup> day of March, 2010 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 Birkel to authorize the Chairman to sign letters to Senator Mike Johanns and Senator Ben Nelson requesting that additional FEMA funds be allocated to Butler County under the disaster declaration. 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 updated the board on the David City Northwest Drainage Project.

Moved by Cidlik, seconded by Kozisek to approve the Interlocal Agreement with Read Township for Road Maintenance. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Pat Hilderbrand and Aaron Gilson of U.S. Bank presented information in regards to the NACO Purchasing Card Program through U.S. Bank.

The County Clerk fee report for the month of February 2010 was accepted and placed on file.

The Clerk of the District Court fee report for the month of February 2010 was accepted and placed on file.

Notification was received from the State of Nebraska Department of Environmental Quality of a revised Wellhead Protection Area map for the Village of Rising City; it was placed on file.

Moved by Cidlik, seconded by Slama to authorize the Chairman to sign the closing documents for the sale of the real estate in the Village of Ulysses. 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 recessed the meeting at 9:55 a.m., and reconvened at 10:00 a.m.

Moved by Kozisek, seconded by Zadina to go into Board of Equalization at 10:00 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 PROCEEDINGS FOR BOARD OF EQUALIZATION

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened.

Moved by Slama, seconded by Zadina to approve 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.

Dick Ronkar, County Surveyor appeared before the board to report on the meeting that was held on March 11, 2010 in regards to the floodplain mapping.

Discussion was held in regards to the Comprehensive Plan. Several members of the audience spoke in favor of and against the Comprehensive Plan that was forwarded to the Board of Supervisors by the Planning Commission.

Discussion was held in regards to the Inheritance Tax Fund and the best utilization of those funds.

Paul Grieger, D.A. Davidson & Co. presented documents providing for the call and redemption of the Series 2005 Refunding Courthouse Building Bonds and authorization of the issuance of \$2,230,000 Refunding Bonds, Series 2010.

Moved by Cidlik, seconded by Zadina to adopt the bond documents contingent on the savings being \$65,000.00 or more. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: Slama. Motion carried. (See Resolution 2010-13 and Resolution 2010-14 attached to the minutes.)

Discussion on the Policy Relating to Courthouse Closure due to Snow/Weather and other Emergency Conditions is tabled till the committee meets.

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

Vicki L. Truksa  
Butler County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

April 5, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5<sup>th</sup> day of April, 2010 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 appeared before the board with information on the rental of equipment; and fence damage from snow removal.

Julie Reiter, County Attorney informed the board that the computer equipment that was placed by the State of Nebraska for the use of the Child Support Enforcement worker will be removed; and the acquisition of new equipment by the county is a possibility.

Greg Sabata and Bob Hilger appeared before the board to discuss a drainage issue northwest of David City. The subject is being referred to the Road and Bridge Committee for further consideration.

Mike Applegate, Detention Center Administrator was not able to attend the board meeting.

Rick Schneider, Emergency Manager presented the following resolution for the board's approval.

Moved by Slama, seconded by Kozisek to approve and authorize the Chairman to sign 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 2010 – 15**

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-jurisdictional Hazard Mitigation Plan was prepared by Lower Platte North Natural Resources District with assistance from JEO Consulting Group, Inc. of Lincoln, NE, which includes Butler County.

WHEREAS, the purpose of the mitigation plan was to lessen the affects of disasters by increasing the disaster resistance of the District and participating jurisdictions located within the planning boundary by identifying the hazards that affect the District and prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Butler County in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of Butler County does herewith adopt the Lower Platte North Natural Resources District Multi-jurisdictional Hazard Mitigation Plan in its entirety and request approval of the plan at the Federal Level.

PASSED AND APPROVED this 5<sup>th</sup> day of April, 2010.

/s/ David W. Mach  
Board Chairperson

ATTEST:

/s/ Vicki L. Truksa  
County Clerk

The quarterly report of Activities of Butler County Emergency Management was accepted and placed on file.

Moved by Krafka, seconded by Zadina to authorize the Chairman to sign a letter addressed to Nebraska Emergency Management Agency appointing Richard Schneider as the authorized representative for Butler County for the federally declared disaster #1878. 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 go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, 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 10:10 a.m.

Kristy Pohl, Deputy County Treasurer presented the list of the taxes not sold for want of bidders and that are available for sale; also, she informed the board that 13 county certificates that are coming up for maturity will be turned over to the County Attorney.

The board conducted the quarterly jail inspection at 10:20 a.m.

Rick Nation, Chief Executive Officer of Blue Valley Community Action presented the 2008/2009 Annual Report to the board. The request for county government general support to Blue Valley Community Action Partnership for the upcoming fiscal year 2010-2011 is \$5,482.00.

Moved by Cidlik, seconded to Zadina to appoint Kevin Slama as the Butler County Alternate on the Board of Directors of Blue Valley Community Action. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Abstaining: Slama. Absent: Birkel. Motion carried.

Linda Vandenberg, Butler County Senior Services Director appeared before the board to request funding in the amount of \$16,500.00 for the fiscal year 2010-2011 for the Butler County Senior Services Program.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign the Application for Public Transportation Assistance (Butler County Transit Service). Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

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

#### **RESOLUTION 2010 – 16**

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 2010-2011.

Approved this 5<sup>th</sup> of April, 2010.

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

ATTEST:

/s/ Vicki L. Truksa  
Butler County Clerk

Brent Meyer, Department of Agriculture appeared before the board to review the 2009 Office Evaluation of the Butler County Noxious Weed Control.

Julie Reiter, County Attorney spoke to the board about the possibility of reconfiguring the County Attorney's office and the Probation office.

Pat Lostroh, Victims Assistance Coordinator and Julie Reiter, County Attorney appeared before the board to discuss the office space situation that is facing the Victims Assistance program. Pat also, updated the board on the upcoming grant application that needs to be submitted to the Nebraska Crime Commission by April 29, 2010.

Michael Rethwisch, Extension Educator presented the Butler County Extension Annual Report for the calendar year 2009. The board accepted and placed it on file.

A report was presented by Vicki Truksa, County Clerk as to the amount that has been paid to the county's third-party administrator Mid-American Benefits, Inc.

The Chairman adjourned the meeting at 12:05 p.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

April 19, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19<sup>th</sup> day of April, 2010 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.

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 Zadina, seconded by Kozisek to approve the minutes from the previous meeting as presented. 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 Slama, seconded by Krafka to approve the utility permit of Windstream Nebraska, Inc. to repair communications facilities between Section 7 and 8, T-15-N, R-2-E, northwest 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 Birkel to set the date of May 17, 2010 at 9:15 to take steel bids; and May 17, 2010 at 9:20 a.m. to take culvert bids. 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 day of May 17, 2010 at 9:45 a.m. to take bids for a semi-tractor as per bid specifications prepared by the Highway Superintendent. 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 Slama, seconded by Kozisek to approve, along with the approval of Reading Township, the utility permit of Double Dutch Dairy, LLC for installation of a liquefied manure pipeline between Section 30, T-14-N, R-1-E (Butler County) and Section 25, T-14-N, R-1-W (Polk County). 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 Zadina to authorize the County Treasurer to issue County Certificates. 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 Special Designated Liquor License request that was submitted by Ulysses Recreation Center. 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 the month of March, 2010 was accepted and placed on file.

The County Clerk fee report for the month of March, 2010 was accepted and placed on file.

Moved by Slama, seconded by Cidlik to approve and authorize the Chairman to sign the Lease Cash Rent agreement with Ben Divis for a parcel in Section 35, T-16-N, R-4-E. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Quarterly budget reports were presented by Vicki Truksa, County Clerk.

Pat Lostroh, Victims Assistance Director reported to the board that she has located her office at 382 4<sup>th</sup> Street; and also, reviewed the budget summary for the upcoming grant year.

Moved by Cidlik, seconded by Zadina to approve the funding request of \$2,000.00 for the fiscal year 2010-2011 for the Butler/Polk County Victim Assistance 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 Cidlik, seconded by Zadina to approve and authorize the Chairman to sign the necessary documents for the Crime Commission grant for the Victim Assistance program. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Don Maxson, Butler County Agricultural Society appeared before the board to inform the board that the Ag Society will be applying for a year-long liquor license instead of the special designated liquor license.

Moved by Cidlik, seconded by Zadina to approve the Butler County Agricultural Society applying for a year long liquor license. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Mark Hecker, County Sheriff reported to the board on the vehicle accident that involved one of the patrol units.

Moved by Slama, seconded by Birkel to authorize the purchase of a 2010 Chevrolet Impala as per the state bids in the amount of \$19,435.00 with an additional equipment package in the amount of \$590.00 for a total of \$20,025.00. 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 authorize the County Sheriff to dispose of two patrol units through the OMB Express Police Supply 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 County Sheriff quarterly report was accepted and placed on file.

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

#### **RESOLUTION NO. 2010 – 17**

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 \$23,003.95.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$23,003.95 to the Noxious Weed Control Fund for the maintenance and operations of said Noxious Weed Control Department from the General Fund.

DATED this 19<sup>th</sup> day of April, 2010.

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

ATTEST:

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

Moved by Slama, seconded by Kozisek to approve the claims for payment 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 in regards to executive sessions and the nature of business that can be discussed during an executive session.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



## **BOARD PROCEEDINGS**

May 3, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3<sup>rd</sup> day of May, 2010 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. 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 minutes of the previous meeting were approved as presented.

Moved by Kozisek, seconded by Zadina to approve the utility permit of Windstream Nebraska, Inc. to replace an exposed communications facilities between Section 23, T-15-N, R-4-E and Section 24, T-15-N, R-4-E, southeast of Bruno in Butler County. Upon roll call vote the following voted aye: Kozisek, Zadina, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Cidlik, seconded by Krafka to approve the utility permit of Ron Hotovy to install a seepage tile between S½ SW¼ Section 9-14-3 and SE¼ Section 16-14-3. 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 Slama, seconded by Cidlik to accept NIRMA's insurance settlement on the semi-tractor in the amount of \$12,703.18. Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

The Nebraska Game and Parks Seeding Program has been discontinued, so there was not an agreement presented for approval and signature.

The Lower Platte South Natural Resources District agreement was tabled.

Mike Applegate, Detention Center Administrator was unable to attend the board meeting.

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

Moved by Kozisek, seconded by Zadina to approve and authorize the Chairman to sign the Addendum #2 For Cooperative Reimbursement Agreement for Child Support Services. Upon

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

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

**RESOLUTION NO. 2010 - 18**

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/CURRENT FACE</u>
3133XPAU8	\$400,000.00/\$400,000.00

**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 Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Cornerstone Bank, York, Nebraska.

Dated this 3<sup>rd</sup> day of May, 2010.

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

ATTEST:

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

The Chairman recessed the meeting at 9:30 a.m., and reconvened at 10:00 a.m.

Jon Day, Executive Director of Blue Valley Behavioral Health was present to update the county board on the substance abuse services that Blue Valley has provided in the county; and to request funding in the amount of \$5,720.00 for fiscal year 2010/2011.

Discussion was held in regards to repairing or replacing a portion of the courthouse roof. The matter will be on the agenda for the May 17<sup>th</sup> meeting.

The Chairman declared the meeting adjourned at 10:15 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

May 17, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17<sup>th</sup> day of May, 2010 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.

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 minutes of the previous meeting were approved as presented.

Moved by Cidlik, seconded by Kozisek to set the date for June 21, 2010 at 9:15 a.m. to take bids for a road maintainer to be owned by Butler County (51%) and Olive Township (49%). Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Kevin Slama arrived at 9:10 a.m.

Moved by Birkel, seconded by Zadina to set the date for June 21, 2010 at 9:30 a.m. to take bids for a skid loader. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

The Clerk of the District Court fee report for the month of April, 2010 was accepted and placed on file.

The County Clerk fee report for the month of April, 2010 was accepted and placed on file.

Moved by Kozisek, seconded by Krafka to approve the Special Designated Liquor License request that was submitted by Presentation Parish, for a fundraiser to be held on June 13, 2010. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

At 9:15 a.m. the steel (bridge material) bids, which were received from the following companies were opened and read:

1. Midwest Service & Sales Co.  
Schuyler, Nebraska
2. Husker Steel  
Columbus, Nebraska

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

At 9:20 a.m. the culvert bids, which were received from the following companies were opened and read:

1. Midwest Service & Sales Co.  
Schuyler, Nebraska
2. Contech Construction Products, Inc.  
Wahoo, Nebraska

Moved by Slama, seconded by Zadina to table the decision on the culvert bids till the next meeting. 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 Slama to approve the Special Designated Liquor License request that was submitted for a fundraiser (Zitek Family) to be held on June 25, 2010, at the Ulysses Recreation Center. 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 Kozisek to approve the following resolution and authorize the Chairman to sign. 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. 2010 - 20**

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 \$70,278.59.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$70,278.59 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 17<sup>th</sup> day of May, 2010.

/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 Kozisek, seconded by Krafka to set the date for June 21, 2010 at 10:00 a.m. to take bids for the replacement of a portion of the courthouse roof. 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 Birkel, seconded by Zadina to approve the following resolution and authorize the Chairman to sign. 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. 2010 – 21**

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 \$10,585.45.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$10,585.45 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 17<sup>th</sup> day of May, 2010.

/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 Kozisek to revoke Resolution 2010 – 9, that was approved and adopted on February 16, 2010. 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 Slama, seconded by Krafka to approve the following resolution and authorize the signing of the same. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlk, and Mach. The following voted nay: None. Motion carried.

#### **RESOLUTION COMBINED CONSULTANT SELECTION, NEPA, UNIFORM ACT, SIGNING OF THE FINANCIAL MANAGEMENT SYSTEMS CERTIFICATION RESOLUTION NO. 2010 – 19**

WHEREAS: Certain Transportation facilities (roads, streets, trails, and others) in Butler County, Nebraska have been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

WHEREAS: Butler County, Nebraska desires to continue to participate in Federal-Aid transportation construction programs;

WHEREAS: The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds;

WHEREAS: Butler County, Nebraska as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads, including the Consultant Selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems; and

WHEREAS: Butler County, Nebraska understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in Butler County, Nebraska being required to repay some or all of the federal funds expended for a project(s).

BE IT RESOLVED: The Butler County Board of Supervisors does hereby adopt and bind Butler County, Nebraska to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems.

BE IT FURTHER RESOLVED: The Butler County Board of Supervisors does hereby designate the following as responsible for the management of the following processes:

Consultant Selection process: Butler County Board of Supervisors

The National Environmental Policy Act (NEPA): Butler County Board of Supervisors

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act): Butler County Board of Supervisors

The following individual is hereby authorized to sign the Financial Management Systems Certification attached to this Resolution: David Mach, Butler County Board of Supervisors Chairman

Adopted this 17<sup>th</sup> day of May, 2010 at David City, Nebraska.

The Butler County Board of Supervisors:

/s/David W. Mach

/s/ Tony Krafka

/s/ Kevin Slama

/s/ Irvin Cidlik

/s/ Max Birkel

/s/ Larry Zadina

/s/ William J. Kozisek

Attest:

/s/ Vicki L. Truksa  
Butler 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. 2010 - 22**

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
84522ADQ0	\$75,000.00

**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 Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 17<sup>th</sup> day of May, 2010.

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

ATTEST:

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

The Chairman recessed the meeting for 5 minutes.

At 9:45 a.m. the semi-tractor bids, which were received from the following companies were opened and read:

1. Wise-Mack, Inc.  
Omaha, Nebraska
2. Cornhusker International Truck  
Lincoln, Nebraska

A decision on the semi-tractor bids will be made at a later date; after inspection of the trucks has been completed.

Moved by Cidlik, seconded by Zadina to approve the agreement with the Lower Platte South Natural Resources District for the purpose of maintaining and preventing further erosion damage to a drainage culvert. 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 Krafka to go into Board of Equalization at 10:00 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

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 10:15 a.m.

Kelly Danielson, Butler County Landfill, appeared before the board to discuss the condition of R Road. The landfill wants to bear some financial responsibility in repairing the road north of the landfill. Jim Truksa, Highway Superintendent will meet with Mr. Danielson, to discuss options that may be available.

The quarterly report for the Butler County Detention Center was presented by Mike Applegate, Administrator. The report was accepted and placed on file.

Mike Applegate discussed with the board the procedures that are currently in place for the purchase of phone cards that are sold to the inmates. Moved by Cidlik, seconded by Kozisek to allow for a balance of \$3,500.00 to be maintained in the phone card account; any funds over that amount will be remitted to the County Treasurer on a monthly basis. 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 Zadina, seconded by Slama to approve the purchase of 10 additional security cameras and have them installed in areas of the Courthouse and Detention Center; the cost to be shared between the County Sheriff and Detention Center budgets. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

After a report back to the board from the Highway Superintendent, the following motion was introduced. Moved by Slama, seconded by Krafka to accept the bid from Husker Steel in the amount of \$93,913.00 for steel (bridge materials). Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Michael Moravec appeared before the board on behalf of the Butler County Area Foundation and the Butler County Chamber of Commerce. The two entities are planning to purchase a marquee sign that will announce county-wide community events; and would like to place that sign on the west side of the courthouse square. As more information becomes available, the committee will update the county board.

Moved by Kozisek, seconded by Krafka to approve the claims for payment as presented, with the exception of the following claims; Flower Designs by JF, \$61.25, and Paradise Floral, \$29.50. 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; and a copy of each was distributed to the board members:

1. Larry Novak-regarding the Butler County Landfill



2. Nebraska Jail Standards Board-regarding full compliance of the Butler County Jail
3. Clay County Board of Supervisors-regarding the Nebraska Environmental Trust

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

June 7, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7<sup>th</sup> day of June, 2010 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.

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 minutes of the previous meeting were approved as presented.

Moved by Slama, seconded by Kozisek to go into Executive Session at 9:05 a.m. for the purpose of annual employee evaluations. 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 come out of Executive Session 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.

The contract with Stahr & Associates, Inc. for the development of a Comprehensive Plan & Zoning Regulations was discussed.

Moved by Zadina, seconded by Krafka to pay in full the remainder of the contract with Stahr & Associates, Inc. Upon roll call vote the following voted aye: Zadina. The following voted nay: Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The motion failed.

Moved by Slama, seconded by Kozisek to publish for bids to contract with another consultant to prepare a comprehensive plan. Upon roll call vote the following voted aye: Slama, Kozisek, and Birkel. The following voted nay: Krafka, Zadina, Cidlik, and Mach. Motion failed.

It was suggested and agreed upon by all the board members that any action on the comprehensive plan should wait till negotiations with the Butler County Landfill have been completed.

Moved by Cidlik, seconded by Kozisek to go into Board of Equalization at 10:45 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 BOARD OF EQUALIZATION.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 11:05 a.m.

The Chairman called for a recess at 11:05 a.m., and reconvened at 11:10 a.m.

Keith Marvin, Butler County Development asked if the board would be willing to forward a letter of support with the grant applications that are being completed for the Thorpe Opera House. At the next board meeting a letter will be presented for the board's approval and the Chairman's signature.

Mark Headrick, Performance Matters Associates presented information on an employee benefits package that his company now offers to employees of governmental subdivisions. The board approved his presenting the program to county employees after working hours.

Vickie Duey, Four Corners Health Department reported to the board on several programs that the health department is currently involved with; the purchase of a building in York for their offices; and the nomination of Dr. Scott Wieting as the dentist on the Four Corners Board of Health.

Moved by Birkel, seconded by Slama to allow \$614.33 per employee, per month to be used toward the health and dental insurance coverage; and continue with the additional deductible being paid by the county through the county's third-party administrator. 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 Birkel, seconded by Kozisek to amend the Payment in Lieu of Medical Insurance policy to allow for a payment of \$450.00 per month. 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 to recommend to all officials a 2% increase in the total budget they will submit for the 2010-2011 fiscal year. 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 informed the board of upcoming changes that will need to be made in order to continue to receive Child Support incentive monies.

Moved by Cidlik, seconded by Slama 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. 2010 – 23**

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 2010-2011 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 7<sup>th</sup> day of June, 2010.

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

ATTEST:

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

Moved by Kozisek, seconded by Krafka to set the date for the public hearing to amend the 2009-2010 county budget for June 21, 2010 at 10:30 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.

Moved by Slama, seconded by Zadina to approve the utility permit of Windstream Nebraska, Inc. to replace a communications facilities in Section 21, T-15N, R-3-E, east 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.

The Clerk of the District fee report for the month of May, 2010 was accepted and placed on file.

Moved by Cidlik, seconded by Zadina to accept the bid in the amount of \$54,500.00 from Wise-Mack, Inc. for the purchase of a 2007 Mack Tractor. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

On April 5, 2010, the board gave approval to the Butler County Agricultural Society to apply for a year-long liquor license. The Nebraska Liquor Control Commission cannot guarantee that the license application will be processed in time for the Butler County Fair. The ag society will need to apply for a Special Designated Liquor License to be used for the fair this year.

Moved by Cidlik, seconded by Zadina to approve the Special Designated Liquor License request that was submitted by the Butler County Agricultural Society for the dates of July 21, 2010 – July 25, 2010 for the Butler County Fair. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Lee Waldo, who was scheduled to meet with the board at 11:00 a.m. was not present.

Sandy Morrissey, Director of the RPC, who was scheduled to appear before the board at 11:15 a.m., rescheduled for the June 21, 2010 meeting.

The board received the Findings and Orders from the Nebraska Tax Equalization and Review Commission showing that the levels of value of real property in Butler County for tax year 2010 satisfy all requirements. The report was accepted and will be placed on file.

Correspondence was received from NIRMA (Nebraska Intergovernmental Risk Management Association) informing the county of the increase in the premium amount for the upcoming fiscal year.

The Chairman adjourned the meeting at 12:40 p.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

June 21, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21<sup>st</sup> day of June, 2010 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. Absent: William J. Kozisek.

Notice of the meeting was given in advance thereof, by Publication, a designated method for giving notice, as shown by the Proof of Publication attached to the minutes. Notice of this meeting was given to all members of the Board and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to all members of the board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chairman 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 minutes of the previous meeting were approved as presented.

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

Kevin Slama arrived at 9:06 a.m.

Moved by Birkel, seconded by Slama to come out of Executive Session at 9:10 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.

Moved by Slama, seconded by Zadina to appoint Jim Truksa as Butler County Highway Superintendent effective July 1, 2010 through June 30, 2011. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

At 9:15 a.m. the following bids for a road maintainer to be owned by the county (51%), and Olive Township (49%) were opened and read.

- |  |              |
|--|--------------|
| 1. Murphy Tractor & Equipment Co. (2010 John Deere 772G) | \$218,301.00 |
| 2. Nebraska Machinery Co. (2010 Cat 140M AWD)            | \$235,267.00 |
| 3. Nebraska Machinery Co. (2010 Cat 140M AWD)            | \$242,404.00 |
| 4. Titan Machinery (declined to bid)                     |              |

The Highway Superintendent will take the bids and review them along with the representatives from Olive Township; he will make a report to the board later in the meeting.

Moved by Cidlik, seconded by Zadina to approve the Agreement for EPC Services between Region V Systems and Butler County, July 1, 2010 – June 30, 2011. 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 authorize the Chairman to sign the letter of support to be included with the grant applications that are being submitted on behalf of the Thorpe Opera House Foundation. 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 approve the appointment of Dr. Scott Wieting to the Four Corners Board of Health. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

At 9:30 a.m. the following bids for a skid loader were opened and read:

- |   |             |
|---|-------------|
| 1. Benes Service (New Holland L-185)                | \$32,685.00 |
| 2. Murphy Tractor & Equipment Co. (John Deere 326D) | \$31,731.00 |
| 3. Titan Machinery (Case 445)                       | \$44,400.00 |

- |   |             |
|---|-------------|
| 4. Diesel Power Machinery Co. (New Holland L185/2009) | \$31,875.00 |
| 5. Diesel Power Machinery Co. (New Holland L184/2010) | \$32,960.00 |

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

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

RESOLUTION NO. 2010 - 24

WHEREAS, First Nebraska Bank, Brainard, Nebraska, has on file the following pledged security:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
3133XLB93	\$125,000.00

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

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by First Nebraska Bank, Brainard, Nebraska.

Dated this 21<sup>st</sup> day of June, 2010.

/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 Slama, seconded by Zadina 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. 2010 - 25

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 \$749,844.51.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$749,844.51 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

DATED this 21<sup>st</sup> day of June, 2010.

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

ATTEST:

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

Moved by Cidlik, seconded by Birkel 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. 2010 – 26

WHEREAS, there is a \$0.00 balance in the account entitled “Canine (K9) Fund”, and

WHEREAS, there is no further need for this account, as all monies have been expended.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors to eliminate the Canine (K9) Fund.

Dated this 21<sup>st</sup> day of June, 2010.

/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 authorize the County Clerk to maintain a balance of \$200.00 in the office to make change for customers that pay with cash. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Jim Truksa, Highway Superintendent presented information to the board on the culvert bids that were received at the May 17, 2010 meeting.

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

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

Julie Reiter, County Attorney discussed with the board the Child Support Incentive funds and how they may need to be handled in the 2010-2011 budget.

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

At 10:00 a.m. the following bid for replacement of a portion of the Courthouse roof was opened and read.

1. Guarantee Roofing & Sheet Metal of Nebraska, Inc. \$29,282.00

Moved by Birkel, seconded by Krafka to accept the bid from Guarantee Roofing & Sheet Metal of Nebraska, Inc. for the replacement of a portion of the Courthouse roof. Upon roll call vote the following voted aye: Birkel, Zadina, Krafka, Slama, Cidlik, and Mach. The following vote nay: None. Absent: Kozisek. Motion carried.

The Chairman recessed the meeting at 10:20 a.m., and reconvened at 10:30 a.m.

Moved by Slama, seconded by Zadina to open the public hearing for amending the 2009-2010 Butler County Budget at 10:30 a.m. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

No comments were received during the public hearing.

Moved by Cidlik, seconded by Krafka to close the public hearing at 10:35 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.



Moved by Birkel, seconded by Slama to amend the 2009-2010 Butler County budget as shown on the Summary of Proposed Revised Budget. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Zadina, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

June Pederson, Director of Aging Partners appeared before the board to share information about the programs that are available to the older citizens of Butler County; and to request funding in the amount of \$12,671.00 for the 2010-2011 budget year.

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

#### RESOLUTION NO. 2010 - 27

WHEREAS, on June 7, 2010, the Butler County Attorney's Office purchased a scanner from Connecting Point for the cost of \$299.99 and labor to install the equipment for \$160.00; and

WHEREAS, on June 14, 2010, the Butler County Clerk's Office purchased replacement record binders from Bear Graphics, Inc. for the cost of \$1,130.50; and

WHEREAS, on May 7, 2010, the Butler County Detention Center purchased Janitorial Supplies and Hi-Speed Floor Buffer from Mid-American Research Chemical for \$4,675.00 and

WHEREAS, on May 7, 2010, the Butler County Detention Center purchased a replacement camera in the detention center kitchen from MidNebraska Communications for \$420.00; and

WHEREAS, on May 7, 2010, the Butler County Detention Center purchased chairs for the detention center library from Cornhusker State Industries for \$650.00; and

WHEREAS, on May 7, 2010, the Butler County Detention Center and the Butler County Sheriff's Department purchased security cameras for the detention center and courthouse hallway from ADT Security Systems for \$6,669.68; and

WHEREAS, on June 16, 2010, the Butler County Department of Roads purchased Magnesium Chloride for dust control from Scotwood Industries for \$19,500.00; and

WHEREAS, on May 17, 2010, the Butler County Department of Roads purchased 12-W21 X 44lb X 20' Beams from Husker Steel for \$5,400.00; and

WHEREAS, the County Attorney, the County Clerk, the Detention Center, the Sheriff's Department and the Roads Department have sufficient funds in their budgets to pay for this equipment, installation services and supplies; and

WHEREAS, Connecting Point, Bear Graphics, Inc., Mid-American Research Chemical, MidNebraska Communications, Cornhusker State Industries, ADT Security Systems, Scotwood Industries and Husker Steel have informed the County Attorney, the County Clerk, the Detention Center, the Sheriff's Department and the Roads Department that delivery of the equipment and supplies will not be made for several weeks from the date of the order; and

WHEREAS, the County Attorney, the County Clerk, the Detention Center, the Sheriff's Department and the Roads Department wishes to pay for the equipment, labor and supplies out of this year's 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 of 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 Connecting Point in the amount of \$459.99, to Bear Graphics, Inc. in the amount of \$1,130.50, to Mid-American Research Chemical in the amount of \$4,675.00, to MidNebraska Communications in the amount of \$420.00, to Cornhusker State Industries in the amount of \$650.00, to ADT Security Systems in the amount of \$6,669.68, to Scotwood Industries in the amount of \$19,500.00, to Husker Steel in the amount of \$5,400.00 for the payment of equipment, installation, and supplies.

/s/ David W. Mach  
David W. Mach, Chairman  
Butler County Board of Supervisors  
Dated: June 21, 2010

ATTEST:

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

Moved by Birkel, seconded by Krafka to approve the claims for payment as presented; with the addition of a claim from H & S Plumbing in the amount of \$7,124.94, and deletion of the claim from Colin Electric Motor Services, Inc. in the amount of 254.02. Upon roll call vote the following voted aye: Birkel, Zadina, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Members of the village board of Linwood, and other interested persons appeared before the board to discuss drainage issues within the village. The County Surveyor will take elevations on the east/west road on the south side of Linwood.

Jim Truksa, Highway Superintendent presented information to the board on the motorgrader bids.

Moved by Cidlik, seconded by Slama to accept the bid from Murphy Tractor & Equipment Company for a 2010 John Deere 772G motorgrader with options for \$233,426.00 (Butler County's 51% share-\$119,047.26). Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Zadina, and Mach. The following voted nay: Birkel. Absent: Kozisek. Motion carried.

Sandy Morrissey, Director, Region V Prevention Coalition reported to the board on the prevention coalition, funding, and programs that are being initiated here in Butler County.

Saul Soltero, Juvenile Diversion Coordinator was introduced to the county board; he discussed his plans for the juvenile diversion program here in the county.

Jim Truksa, Highway Superintendent, presented information to the board on the bids for a skid loader.

Moved by Slama, seconded by Cidlik to accept the bid from Benes Service for a New Holland L-185 skid loader in the amount of \$23,685.00. Upon roll call vote the following voted aye: Slama, Cidlik, Krafka, and Mach. The following voted nay: Birkel, and Zadina. Absent: Kozisek. Motion carried.

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

#### RESOLUTION NO. 2010 – 28

WHEREAS, during the Fiscal Year of July 1, 2009 to June 30, 2010, Butler County Board of Supervisors purchased personal property which has not been delivered to Butler County, and

WHEREAS, the County has sufficient funds in the Road/Bridge Fund to pay for these purchases, and

WHEREAS, the County Board wishes to pay for these purchases out of this year's 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 checks payable as follows:

Murphy Tractor & Equipment Company                      \$119,047.26 for motorgrader (51%)

/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 Slama, seconded by Zadina 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. 2010 - 29

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 \$50,000.00.

THEREFORE, BE IT RESOLVED, that the Butler County Treasurer is hereby empowered and instructed to transfer \$50,000.00 from the Road Fund to the Special Road Fund.

Dated this 21<sup>st</sup> day of June, 2010.

/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, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

RESOLUTION NO. 2010 - 30

WHEREAS, the budget which had been allocated to the County Surveyor function of the General Fund for the 2009-2010 fiscal year is insufficient to meet operating expenses, due to costs associated with the repair of equipment, 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 2009-2010 fiscal year,

NOW, THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that the sum of \$39.90 be transferred from the Miscellaneous function of the General Fund to the County Surveyor function of the General Fund.

Dated this 21<sup>st</sup> day of June, 2010.

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

ATTEST:

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

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

July 6, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6<sup>th</sup> day of July, 2010 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. Kevin Slama arrived at 9:10 a.m., and William J. Kozisek arrived at 9:15 a.m.

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 minutes of the previous meeting were approved as presented.

Moved by Cidlik, seconded by Krafka to approve and authorize the Chairman to sign the Interlocal Agreements with Olive Township, Read Township, Reading Township, and Franklin Township for the county to provide road maintenance. 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 Birkel, seconded by Zadina to approve and authorize the Chairman to sign the Interlocal Agreements with Center Township, Linwood Township, and Bone Creek Township for the townships to provide road maintenance. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Jim Truksa, Highway Superintendent reported that \$4,188.35 is the total FEMA Emergency Snow Removal allowance for Butler County.

Discussion was held in regards to R Road, running past the Butler County Landfill. Comments were taken from members of the audience.

Tim McGonigal from Mid-American Benefits, Inc. appeared before the board and reviewed the claim utilization and savings report that was presented. Mid-American Benefits, Inc. is the county's third-party administrator for the employee's health insurance.

Moved by Slama, seconded by Kozisek to go into Executive Session at 9:45 a.m. for the purpose of an annual employee evaluation. 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 9:55 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.

At 10:00 a.m. the board conducted the quarterly jail inspection.

Discussion was held on the levy allocation by the county board. The county may allocate up to fifteen cents of its authority to other political subdivisions. As in the past, the county will allocate ten cents to the townships, five cents to the fire districts, and one cent to the agricultural society.

Moved by Slama, seconded by Cidlik to approve Resolution 2010-31 as presented. 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. 2010 - 31**

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
31394TLH6	\$200,000.00
31294KZL2	\$885,448.00

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged securities as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 6<sup>th</sup> day of July, 2010.

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

ATTEST:

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

The Chairman recessed the Board of Supervisors meeting at 10:50 a.m., and reconvened at 1:00 p.m.

Moved by Cidlik, seconded by Kozisek to go into Board of Equalization at 1:00 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.

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 2:45 p.m.

The Chairman adjourned the meeting at 2:50 p.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

July 19, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19<sup>th</sup> day of July, 2010 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. Kevin Slama arrived at 9:15 a.m.

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 minutes of the previous meeting were approved as presented.

Moved by Kozisek, seconded by Zadina to approve the request for a stop sign to be placed at the intersection of 41 Road and W Road for southbound traffic. 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 Zadina, Seconded by Cidlik to approve the request for a stop sign to be placed on the south side of Brainard, contingent on approval by the Village Board of Brainard. Upon roll call vote the following voted aye: Zadina, Birkel, Cidlik, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Birkel, seconded by Krafka to approve the utility permit application from Liz Sarno for placement of a water line between Sections 11 and 14, Township 16 North, Range 4 East. Upon roll call vote the following voted aye: Birkel, Cidlik, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

The Clerk of the District Court fee report for the month of June 2010 was accepted and placed on file.

The quarterly General Assistance report dated 04/01/10 – 06/30/10 was accepted and placed on file.

The County Clerk fee report for the month of June 2010 was accepted and placed on file.

The annual Butler County Soldier & Sailor Financial Report for 07/01/09 thru 06/30/10 was accepted and placed on file.

Moved by Cidlik, seconded by Kozisek to reappoint Robert J. Litjen to the Butler County Veterans Service Committee for a 5-year term commencing on July 1, 2010. 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 Birkel, seconded by Slama to approve and authorize the Chairman to sign the Agreement for Jail Medical Services between Butler County and Witter Family Medicine. 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 Birkel to go into Executive Session at 9:25 a.m. for discussion of a personnel issue. 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 Birkel, seconded by Krafka to come out of Executive Session at 9:35 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 quarterly report presented by Rick Schneider, Emergency Manager was accepted and placed on file.

Karey Adamy, County Treasurer presented the Treasurer's Statement from January 1, 2010 to June 30, 2010. The statement was accepted and placed on file.

Dave Merrill, Executive Director of Region V Services presented the 2009 Annual Report and requested funding from Butler County for the next fiscal year.

Correspondence was received from Larry Novak in regards to the Butler County Landfill.

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

The Chairman recessed the meeting at 10:45 a.m., and reconvened at 1:00 p.m.

Moved by Birkel, seconded by Slama to go into Board of Equalization at 1:00 p.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 PROCEEDINGS FOR BOARD OF EQUALIZATION.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 2:10 p.m. and adjourned by the Chairman.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

August 2, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2<sup>nd</sup> day of August, 2010 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. 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 minutes of the previous meeting were approved as presented.

C. J. Johnson, Executive Director of Region V Systems appeared before the board to present their annual report, and request funding for the 2010-2011 fiscal year.

Moved by Cidlik, seconded by Kozisek to approve and authorize the Chairman to sign the agreement between the State of Nebraska, Department of Roads and the Butler County Rural Service. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Mark Hecker, County Sheriff presented the quarterly reports which were accepted and placed on file.

Mike Applegate, Detention Center Administrator presented the quarterly reports which were accepted and placed on file.

Moved by Zadina, seconded by Birkel to approve the utility permit of James Vandenberg to place a drain tile for a drain field around a house in Section 20, Township 15 North, Range 3 East. Upon roll call vote the following voted aye: Zadina, Birkel, Cidlik, Krafka, Kozisek, 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 Nebraska Energy Office-Financial Aid Agreement. 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 Krafka to go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

The Board of Supervisors meeting was recessed at 10:00 a.m.

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.

Correspondence was received from the following; Carroll & Sharon Krivanek in regards to the gravel road leading to the landfill, and Dick Ronkar, County Surveyor in regards to the Northwest Drainage Project.

Moved by Kozisek, seconded by Cidlik to approve and authorize the Chairman to sign the Interlocal Cooperation Act Agreement - Butler County Development Board - Butler County Contract Extension. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Birkel, seconded by Kozisek to appoint Keith Marvin as the non-elected representative to the Northeast Nebraska Economic Development District Council of Officials. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Cidlik, seconded by Birkel to go into Board of Equalization at 10:15 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

The Board of Supervisors meeting was recessed at 10:15 a.m.

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 11:15 a.m.

Julie Reiter, County Attorney presented correspondence that was received from the Office of the Attorney General pertaining to the maintenance of roads classified as Minimum Maintenance, discussion followed.

Rediscussion of landfill road issues was held. At this time the county is waiting to receive an agreement from Butler County Landfill for their consideration.

Moved by Birkel, seconded by Kozisek to rescind the motion appointing Keith Marvin to the Northeast Nebraska Economic Development District Council of Officials and place the appointment on the agenda for the next meeting. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

August 16, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16<sup>th</sup> day of August, 2010 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.

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 minutes of the previous meeting were approved as presented.

Moved by Slama, seconded by Zadina to approve, on the county right-of-way portion, the utility permit for Windstream Nebraska, Inc. to install communications facilities between Sections 21, T14N, R1E, Section 28, T14N, R1E, Section 22, T14N, R1E and Section 27, T14N, R1E, south of Rising City. 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 regarding a change to the sick leave portion of the Employee Manual. The county attorney will obtain additional information and report back to the board.

Moved by Cidlik, seconded by Birkel to approve an additional 1% increase in the Total 2010-2011 Restricted Funds Authority subject to limitation. 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 and time of the budget hearing for September 7, 2010 at 10:00 a.m., and the hearing to set the final tax request will be at 10:15 a.m. on September 7, 2010. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

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

Moved by Cidlik, seconded by Kozisek to approve the bond for Jim Rerucha, Skull Creek Township Clerk. 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 Special Designated Liquor License request from the Butler County Agricultural Society for the Demolition Derby to be held on August 28, 2010 at the Butler County Fairgrounds. 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 Krafka to approve the Special Designated Liquor License request from St. Joseph's Parish, Bellwood, Nebraska for their fundraiser on September 18, 2010. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

The Budget Committee reported to the board on the 2010/2011 budget, discussion followed.

Moved by Slama, seconded by Zadina to accept and authorize the Chairman to sign the 2010 Sub-Recipient Agreement for the Emergency Management Performance Grant. 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 appoint Keith Marvin as the non-elected representative to the Northeast Nebraska Economic Development District Council of Officials. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Abstaining: 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. 2010 - 32

WHEREAS, Pursuant to Nebraska 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 resources 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, 2010. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$130,000.00
Read Township	\$118,000.00
Ulysses Township	\$ 69,500.00
Library	<u>\$ 15,500.00</u>
Total	\$ 85,000.00
Plum Creek Township	\$ 81,000.00
Richardson Township	\$ 95,000.00
Reading Township	\$ 89,000.00
Union Township	\$ 74,000.00
Center Township	\$105,000.00
Oak Creek Township	\$ 85,000.00
Summit Township	\$ 70,000.00 or 10¢/\$100 of valuation
Olive Township	\$ 99,000.00
Franklin Township	\$ 97,000.00
Skull Creek Township	\$ 60,000.00
Alexis Township	\$ 65,000.00
Savannah Township	\$ 75,000.00
Bone Creek Township	\$ 82,000.00
Linwood Township	\$ 55,120.00
Platte Township	\$ 25,394.00
Ulysses Fire District #2	\$ 23,500.00
Sinking	<u>\$ 23,500.00</u>
Total	\$ 47,000.00
Rising City Fire Dist. #3	\$ 92,500.00
Bellwood Fire Dist. #5	\$ 47,500.00
Dwight Fire Dist. #6	\$ 11,592.10
Sinking	\$ 18,009.80
Bond	<u>\$ 17,610.00</u>
Total	\$ 47,211.90
Bruno Fire Dist. #7	\$ 43,000.00
Linwood Fire Dist. #8	\$ 31,000.00
David City Fire Dist. #9	\$145,000.00
Brainard Fire Dist. #10	\$ 30,000.00
Sinking	<u>\$ 8,000.00</u>
Total	\$ 38,000.00
Abie Fire Dist. #11	\$ 13,000.00

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 16th day of August, 2010.

Voting Aye:

Voting Nay:

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

NONE

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

Moved by Kozisek, seconded by Birkel to accept the bid from Superior Glass & Home Improvements, LLC for replacement of windows and exterior panels in a portion of the courthouse for a cost of \$69,605.00. 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 go into Board of Equalization at 10:00 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 Board of Supervisors meeting was recessed at 10:00 a.m.

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION.

Following the Board of Equalization meeting, the regular meeting of the Board of Supervisors was reconvened at 10:05 a.m.

Discussion on the landfill road issues was held. The Butler County Landfill is to present an agreement for road repair and maintenance to the board for their consideration.

Moved by Birkel, seconded by Krafka to approve the claims for payment as presented with the addition of the claim to Bank of the Valley in the amount of \$625.00. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

The County Board of Supervisors verified the following Annual Inventory of County Personal Property statements which will be filed in the office of the County Clerk:

County Assessor	County Treasurer
County Attorney	County Clerk
Extension Office	Veteran's Service
County Court	County Surveyor
District Court	Probation Officer
Sheriff	Highway Superintendent
Senior Services	911 Communications
Noxious Weed Superintendent	Emergency Manager
Board of Supervisors	Detention Center
Real Estate & Building	

Karey Adamy, County Treasurer presented the 2009 Distress Warrant Register to the board.

The Chairman adjourned the meeting at 10:20 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman





## **BOARD PROCEEDINGS**

September 7, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7<sup>th</sup> day of September, 2010 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.

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 minutes of the previous meeting were approved as presented.

Moved by Cidlik, seconded by Slama to approve the utility permits of Northeast Nebraska Telephone Company to bury fiber optic cable in or on the public right-of-way in Section 24, Township 13N, Range 1E and in Section 3, Township 13N, Range 2E. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

A copy of the letter, addressed to the Butler County Landfill, from Schemmer & Assoc., Inc. showing the results of the Geotechnical Engineering - County Road 'R' Evaluation was presented to the board members. Discussion on the condition of the landfill road followed.

The County Attorney has received the Road Improvement and Maintenance Agreement draft from the Butler County Landfill which pertains to R Road. The agreement has been placed on the agenda for September 20, 2010 at 9:30 a.m.

The change in the personnel policy, which would allow an employee to donate personal leave time earned to another employee, was discussed. The County Attorney will draft a policy for the board to review at the next board meeting.

Keith Marvin, Executive Director of Butler County Development Board appeared before the board to discuss the funding of a study for the Linwood drainage issue. David Mach and Keith Marvin will contact the Linwood Village Board and relay the information.

Julie Reiter, County Attorney reviewed the Title VI requirements for the county board, which included the county's responsibilities and possible procedures to follow. She will be obtaining additional information to report at the next board meeting.

Moved by Slama, seconded by Birkel to open the budget hearing 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.

No one was present to comment at the hearing.

Moved by Cidlik, seconded by Zadina to close the budget hearing at 10:15 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 Kozisek, seconded by Zadina to approve the 2010-2011 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. 2010 - 33**  
**RESOLUTION OF ADOPTION AND APPROPRIATIONS**

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2010 to June 30, 2011, prepared by the Budget Making Authority, was transmitted to the County Board on the 19<sup>th</sup> day of July, 2010.

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, 2010, to June 30, 2011, 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, 2010, and ending June 30, 2011

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 7<sup>th</sup> day of September, 2010.

/s/ David W. Mach

/s/ William J. Kozisek

/s/ Larry Zadina

/s/ Max Birkel

/s/ Irvin Cidlik

/s/ Kevin Slama

/s/ Tony Krafka

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

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

No one was present to comment at the hearing.

Moved by Cidlik, seconded by Birkel to close the hearing at 10:25 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 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. 2010 - 34**

WHEREAS, pursuant to State Statute 77-1601.02, the Butler County Board of Supervisors held a hearing on September 7, 2010 at 10:15 a.m. in regard to setting the 2010-2011 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 2009-2010 Property Tax Request was:	\$2,623,974.70, and
The levy to fund the 2009-2010 tax request was:	0.233326, and
The levy to fund last year's tax request if it were applied to the current valuation would be:	0.216695, and
The proposed tax request for the 2010-2011 year is:	\$2,911,006.31, and
The proposed levy to fund the 2010-2011 tax request is:	0.240398, 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 \$2,911,006.31 for the 2010-2011 fiscal year.

Dated this 7<sup>th</sup> day of September, 2010.

/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 August, 2010 was accepted and placed on file.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



## **BOARD PROCEEDINGS**

September 20, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20<sup>th</sup> day of September, 2010 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.

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 minutes of the previous meeting were approved as presented.

The appointment scheduled by Phyllis Baker, Honeywell was cancelled.

The County Clerk fee report for the month of August, 2010 was accepted and placed on file.

Moved by Slama, seconded by Kozisek to approve payment for the flu vaccination for any county employee that wishes to receive it. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney introduced Denise Kracl, Deputy County Attorney to the board.

Moved by Cidlik, seconded by Zadina to authorize the Chairman to sign the engagement letter with Dana F. Cole & Company, LLP for auditing services for the fiscal year 2009-2010. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

The requirements for Title VI compliance were discussed. The County Attorney had received information from other counties as to how they have addressed the compliance issue; she is waiting for information from Mark McQueen of Spencer Fane Britt & Browne, LLP. Title VI compliance will be placed on the agenda for a future meeting.

The County Attorney presented a draft of a Sick Leave Bank Policy for employees. The Employee Benefits committee will meet with the County Attorney to review the draft; further discussion/decision on the policy will be placed on the agenda at a future meeting.

Discussion was held with Jon Holmes, City of David City Administrator in regards to the possibility of the county co-oping with the city for an Information & Technology Manager.

The Road Improvement and Maintenance Agreement from the Butler County Landfill was tabled till a future meeting.

Moved by Cidlik, seconded by Kozisek to approve the four Windstream Nebraska, Inc. permits as presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

1. Install communications facilities between Section 20 and 17, T16N, R1E, near Bellwood in Butler County
2. Install communications facilities between Section 6, T15N, R4E and Section 31, T16N, R4E, near Bruno in Butler County
3. Install communications facilities between Section 6, T15N, R4E and Section 31, T16N, R4E, near Bruno in Butler County
4. Install communications facilities between Section 13 and 14, T15N, R4E, near Bruno in Butler County

Moved by Slama, seconded by Zadina to authorize the Chairman to sign the NBCS forms. 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 Birkel, seconded by Zadina to authorize the Chairman to sign a Butler County Disaster Declaration to be used in applying for funds from FEMA and the State of Nebraska. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Pat Lostroh, Victims Assistance Director appeared before the board to review the grant application for the new grant year that begins on October 1, 2010. Signing of the document was tabled till the next county board meeting.

Moved by Slama, seconded by Krafka to approve the claims for payment as presented; the claim from Woolsey Electric to be taken from the General Fund/Building & Grounds. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

The County Board was informed that Boys and Girls County Government Day has been scheduled for November 15, 2010.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman





## **BOARD PROCEEDINGS**

October 4, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4<sup>th</sup> day of October, 2010 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. 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 minutes of the previous meeting were approved as presented.

The State of Nebraska Agreement for Bridge Maintenance and Inspection was tabled till the next board meeting.

Moved by Kozisek, seconded by Cidlik to approve the Windstream Nebraska, Inc. permit to replace a communications facility due to trouble between Section 24, T15N, R3E and Section 25, T15N, R3E, east of David City. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Zadina, Kozisek, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

The quarterly budget expenditures report was presented by Vicki Truksa, County Clerk. The report was accepted and placed on file.

Discussion was held in regards to the EECBG Grant documents that are required to be completed.

Moved by Kozisek, seconded by Krafka to authorize the Chairman to sign the Nebraska Commission on Law Enforcement and Criminal Justice Grant Award for the Butler/Polk Victim Assistance project. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Moved by Cidlik, seconded by Zadina to adopt the Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

### **BUTLER COUNTY EMPLOYEE MANUAL POLICY RELATING TO COURTHOUSE CLOSURE DUE TO SNOW/WEATHER AND OTHER EMERGENCY CONDITIONS**

Courthouse closing due to snow/weather conditions or other emergency shall be determined by the Chairman of the Board of Supervisors, a Board of Supervisor elected from David City and the Butler County Sheriff. If a decision is made to close the courthouse due to weather conditions or other emergency, the above listed parties shall immediately notify all elected and appointed officials of the closing. For purposes of notification, the attached phone tree shall be utilized.

Non-essential employees shall not report to work or shall leave employment as soon as possible after the emergency closure unless otherwise directed by their supervisor or department head. Vacation leave will be deducted for non-essential employees for any period of time in which the courthouse is closed during normal business hours. Non-essential employees who have accumulated sufficient compensatory leave time may use it for bad weather instead of taking a reduction in vacation leave. If a non-salaried employee's vacation and compensatory time have been exhausted, then a pay reduction would be imposed.

Essential employees who are required to work even though the courthouse has been closed due to weather conditions or other emergency shall receive straight time compensation. The following employees are hereby declared essential employees and absent specific release from their immediate supervisor or department head shall report to work per their work schedules:

1. Deputies of the Butler County Sheriff's Office;
2. Jailers employed by the Butler County Jail;
3. Dispatchers employed by the Butler County E-911 Department;
4. Employees of the Butler County Roads Department except secretarial staff;
5. Grounds Maintenance Staff as necessary.

This policy adopted by Butler County Board Resolution No. 2010-35  
Effective Date: 10/04/10

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

#### SEE SEPARATE BOARD OF EQUALIZATION PROCEEDINGS

The Chairman reconvened the meeting of the Board of Supervisors at 9:40 a.m.

Rick Schneider, Emergency Manager appeared before the board to report on the IT requirements for his department, and the E911 department.

Moved by Kozisek, seconded by Zadina to approve the Interlocal Agreement and authorize the Chairman to sign the Resolution Authorizing Participation in the Northeast Nebraska Economic Development District. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

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

Correspondence was received from the following:

1. Nebraska Commission on Law Enforcement and Criminal Justice, informing the board of the annual inspection scheduled for October 27, 2010.

2. National Association of County Officials, report on the NACo Prescription Drug Discount Program
3. Butler County American Legion, informing the board that Boys and Girls County Government Day has been rescheduled to November 22, 2010.

The Chairman adjourned the meeting at 10:15 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman

## **BOARD PROCEEDINGS**

October 18, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18<sup>th</sup> day of October, 2010 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.

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 minutes of the previous meeting were approved as presented.

Moved by Birkel, seconded by Cidlik to adopt the Waste Management Plan for the Energy Efficiency and Conservation Block Grant Program. Upon roll call vote the following voted aye: Birkel, Cidlik, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign any documents that pertain to the Energy Efficiency and Conservation Block Grant Program. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

The County Clerk fee report for the month of September, 2010 was accepted and placed on file.

The Clerk of the District Court fee report for the month of September, 2010 was accepted and placed on file.

The General Assistance quarterly report for the period of July 1, 2010 – September 30, 2010 was accepted and placed on file.

Moved by Cidlik, seconded by Zadina to authorize the Chairman to sign the Certification of Cost Allocation Plan as provided by Maximus Consulting Services, Inc. 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 use of available rooms in the Courthouse building (courtroom, jury room, and meeting room). The board has requested that the County Attorney draft a policy for their review at the next board meeting.

Moved by Kozisek, seconded by Krafka to approve and authorize the Chairman to sign 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 2010 – 39**

A Resolution adopting and approving the execution of an agreement with the State of Nebraska, Department of Roads regarding the National Bridge Inspection Standards Responsibilities.

Be it resolved by the County Board and Chairperson, Butler County, Nebraska, that:

1. The County shall enter into an Agreement with the Nebraska Department of Roads for the purpose of defining responsibilities in meeting the National Bridge Inspection Standards
2. The Chairperson for the County Board is hereby authorized and directed to execute said agreement on behalf of Butler County, and the County Clerk is authorized to attest said execution.
3. The resolution will be marked Exhibit “A” and a copy attached to each original agreement.

Passed and approved this 18<sup>th</sup> day of October, 2010.

/s/ David W. Mach  
Chairperson, County Board

ATTEST:

/s/ Vicki L. Truksa  
County Clerk

Jim Truksa, Highway Superintendent presented a letter that he had received from Tom and Aloha Schmid pertaining to a drainage issue in the SE ¼ 26-15-1. This involves a township road, and the board agreed to support the township’s policy on drainage issues.

Moved by Slama, seconded by Zadina to approve the permit of Windstream Nebraska, Inc. to provide a communications facility in Section 24, T-16-N, R-3-E near Octavia. 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 authorize the Chairman to sign the Nebraska Department of Health and Human Services, Hospital Licensure Renewal Application for the Butler County Health Care Center. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Rick Schneider, Emergency Manager presented the quarterly reports for his department; they were accepted and placed on file.

Discussion was held in regards to the Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions. The following expressed concerns related to the wording of the policy; Karey Adamy, Vickie Donoghue, Carol Fuxa, Nancy Humliceck, and Sharon Woolsey.

Moved by Cidlik, seconded by Kozisek to rescind the Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

Moved by Slama, seconded by Zadina to allow up to \$20.00 per employee for an Employee Appreciation Dinner to be held on November 20, 2010. 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 approve the following resolutions to transfer funds/ 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. 2010 – 37**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Emergency Management Fund through the 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 \$20,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$20,000.00 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 18<sup>th</sup> day of October, 2010.

/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. 2010 – 38**

WHEREAS, the Butler County Board of Supervisors is obligated to levy funds for the Noxious Weed Control Fund through the 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 \$20,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$20,000.00 to the Noxious Weed Control Fund for the maintenance and operations of said Noxious Weed Control Department from the General Fund.

DATED this 18th day of October, 2010.

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

ATTEST:

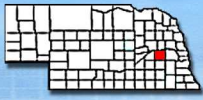
s/ Vicki L. Truksa  
Vicki L. Truksa, County Clerk

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

The Chairman adjourned the meeting at 10:35 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



# Butler County Board Minutes



## BOARD PROCEEDINGS

November 1, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1<sup>st</sup> day of November, 2010 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. Cidlik. Absent: Tony Krafka.

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 minutes of the previous meeting were approved as presented.

Information was provided by Jim Truksa, Highway Superintendent on the need to make improvements (asphalt overlay) to the 1.75 miles of the Prague Road (39 Road) that is in Butler County.

Moved by Cidlik, seconded by Zadina to authorize the Chairman and the Highway Superintendent to sign the Certification of Receipt from the Nebraska Department of Roads regarding the Horizontal Curve Signage project. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

A policy governing the usage of the Board of Supervisors Room, Courtroom, and Jury Room was presented to the board for their approval. Moved by Slama, seconded by Kozisek to accept the policy as presented. Upon roll call vote the following voted aye: Slama, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Delores Berck appeared before the board to request that a stop sign be placed at the intersection of 23 Road & G Road. The intersection is on township roads. The Read and Ulysses Township Board members will be notified of the request and the matter will be placed on the agenda for the next meeting which will be November 15, 2010.

Discussion was held on the issue to fix and reopen bridge #C001200305P, located in Section 5 of Alexis Township (historical bridge). A letter was submitted to the County Board by the Alexis Township Board supporting the repair and reopening of the bridge. Edward Schmit and Nick Schmit, members of the Alexis Township Board were present to discuss the matter with the County Board. The item will be placed on the agenda for November 15, 2010 at 10:30 a.m.

Kyle Dailey, Legal Benefit Consultants, Inc. presented information to the board on Legal Benefit Consultants' program for Identity Theft and Life Events Legal Plans.

A copy of the Financial Statements and Report of Independent Certified Public Accountants was received from the Nebraska Association of County Officials.

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

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman





# Butler County Board Minutes





# Butler County Board Minutes



## BOARD PROCEEDINGS

November 15, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15<sup>th</sup> day of November, 2010 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. Absent: William J. Kozisek.

Notice of the meeting was given in advance thereof, by Publication, a designated method for giving notice, as shown by the Proof of Publication attached to the minutes. Notice of this meeting was given to all members of the Board and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to all members of the board of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

The Chairman 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 minutes of the previous meeting were approved as presented.

Discussion was held in regards to the maintenance of the road on the south side of Linwood. The maintenance of the road is the responsibility of the county and the village. The county will contract to have the ditch cleaned, and the village will utilize the dirt to have the road raised.

Jim Truksa, Highway Superintendent informed the board that there is not enough surplus property to warrant having a surplus sale this year.

Moved by Slama, seconded by Zadina to accept sealed bids for the sale of a semi-tractor on January 17, 2011 at 9:30 a.m. 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 authorize the Chairman to sign the Certification of County Highway Superintendent for Determining Incentive Payment. 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 designate The Banner-Press as the official county newspaper for 2011. Upon roll call vote the following voted aye: Slama, Krafka, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

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

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

Jim Truksa, Highway Superintendent reported to the board that he had been in contact with both the Read Township Board and the Ulysses Township Board regarding the stop sign request that was placed by Delores Berck at the November 1, 2010 board meeting. She requested that a stop sign be placed at the intersection of 23 Road and G Road for eastbound traffic. It was concluded by both township boards that they would rather not have an additional stop sign placed at this intersection due to the fact that it is a thru road for east and west bound traffic, that has been designated as highway 66 route.

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



# Butler County Board Minutes



## RESOLUTION 2010-40

WHEREAS, the Board of Supervisors of Butler County, Nebraska, pursuant to Nebraska Statute, is vested with the authority of administering the affairs of Butler County, Nebraska; and

WHEREAS, it has been determined that a Butler County Local Emergency Operations Plan has been developed in order to provide for a coordinated response to a disaster or emergency in Butler County, the City of David City and other cities and villages in Butler County; and

WHEREAS, the Board of Supervisors of Butler County, deems it advisable and in the best interest of Butler County to approve said Local Emergency Operations Plan;

WHEREAS, the acceptance of this 2010 Local Emergency Operations Plan supersedes all previous approved Butler County Local Emergency Operations Plans;

N OW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Butler County, Nebraska, that the Butler County Local Emergency Operations Plan be, and hereby is, approved.

PASSED AND APPROVED THIS 15<sup>TH</sup> DAY OF NOVEMBER, 2010.

Board of County Supervisors,  
Butler County, Nebraska

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

/s/ Larry Zadina  
/s/ Irvin Cidlik  
/s/ Tony Krafka

ATTEST:

/s/ Vicki L. Truksa, County Clerk

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

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

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

## RESOLUTION 2010-41 FOR AMENDMENT AND ADDENDUM TO NIRMA/NIRMA II INTERGOVERNMENTAL AGREEMENTS

WHEREAS, Butler County has previously entered into Intergovernmental Agreements with other Nebraska Counties and Public Agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb.Rev.Stat.§44-4301 et seq.); and

WHEREAS, Counties and other Public Agencies as defined in Neb.Rev.Stat.§44-4303 are allowed to participate in said cooperative undertakings; and



# Butler County Board Minutes



WHEREAS, NIRMA and NIRMA II have provided coverages to Butler County which meet and exceed that provided by traditional insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverages tailored to address liability exposures counties and other related entities faces not economically available from other sources; and

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of taxpayer dollars; and

WHEREAS, the current Intergovernmental Agreements expire on December 11, 2010, and

NOW, THEREFORE, BE IT RESOLVED that the Butler County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for an additional time covering the period December 11, 2010 through June 30, 2012; and
2. Declares that this Resolution shall serve as an amendment and addendum to the original Intergovernmental Agreements entered into by the Board, said Intergovernmental Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Zadina and seconded by member Krafka, the following members voted by roll call vote in favor of passage and adoption of said Resolution: Zadina, Krafka, Slama, Cidlik, Birkel, and Mach. The following members voted against the same: None. The following member were absent or not voting: Kozisek.

PASSED AND APPROVED this 15<sup>th</sup> day of November, 2010.

Attest:

Butler County Board

/s/ Vicki L. Truksa  
County Clerk

By: /s/ David W. Mach  
Chairman/Presiding Officer

Karey Adamy, County Treasurer certified the Distress Warrant Summary as of November 1, 2010 to the board.

Moved by Slama, seconded by Zadina to approve the following resolution and authorize the Chairman to sign. 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. 2010 – 42

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

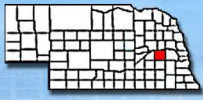
CUSIP #  
238556BV5

ORIGINAL FACE/PAR VALUE  
\$100,000.00

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

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 15<sup>th</sup> day of November, 2010.



# Butler County Board Minutes



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

Keith Marvin, Butler County Economic Development Director relayed information that he obtained at the conference on wind generation farms that he attended.

Vickie Duey, Director of Four Corners Health Department appeared before the board and presented the quarterly report of programs and activities of the health department.

Discussion to fix and reopen bridge #C001200305P, located in Section 5 of Alexis Township (historical bridge) was held. Jack Selzer, Nancy Hartman, and Ed Schmit spoke in favor of having the bridge repaired and reopened. A letter of support for the project from John Selzer was read by Supervisor Krafka. Nancy Hartman relayed information that she had about possible funding for the project through the Transportation Enhancement Program of the Nebraska Department of Roads. Application for this funding would need to be made in 2011, for funds (if available) to be awarded in 2012. Jim Truksa, Highway Superintendent will obtain an estimate on engineering costs that would be involved in the repair project and report back to the board on December 6, 2010.

Discussion was held in regards to the Policy Relating to Courthouse Closure due to Snow/Weather and Other Emergency Conditions. The board requested that Julie Reiter, County Attorney draft a policy stating that the courthouse will not close for any conditions.

The board discussed changing the designation of sick leave in the employee handbook to be referred to as personal leave time. The County Attorney will draft a resolution addressing the change and present it to the board on December 6, 2010.

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

Vicki L. Truksa  
County Clerk

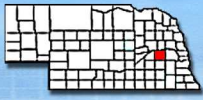
David W. Mach  
Chairman



# Butler County Board Minutes







# Butler County Board Minutes



## BOARD PROCEEDINGS

December 6, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6<sup>th</sup> day of December, 2010 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.

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 minutes of the previous meeting were approved as presented.

The Windstream Communications permit was not brought before the board for their approval due to the permanent cable being placed on private property not in the county right-of-way.

Moved by Cidlik, seconded by Slama to adopt and authorize the Chairman to sign 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 2010-43

**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 Road Committee to oversee facets of the HSIP,

**Whereas:** The High Risk Rural Road Committee has determined that it is desirable to provide work zone and or road closure traffic control devices for use on rural county roads to prevent or minimize vehicle crashes in the State of Nebraska.,

**Whereas:** The High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR-STWD(108) – Work Zone and Road Closure Traffic Control devices to accomplish the following:

For the purpose and distribution, by the State of Nebraska Department of Roads, of Work Zone and Road Closure Traffic Control Devices for use by Counties on rural roads throughout the State of Nebraska.

**Be It Resolved:** That the State of Nebraska is hereby requested to act on behalf of said County to program a project for the purchase of traffic control devices shown on Exhibit "A" (Response Form) attached,

**Be It Further Resolved:** That sufficient funds of said county are now available or will be made available and are hereby pledged to the Nebraska Department of Roads in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.



# Butler County Board Minutes



The cost to said County is 10% of the work described herein which is estimated to be \$82.40 per set of single lane closure traffic control devices and \$80.40 per set of six Type III barricades and signs to fully close a road. Number of sets of each ordered is shown on Exhibit A attached to this resolution.

**Be It Further Resolved:** That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Adopted this 6<sup>th</sup> day of December, 2010, at David City,  
By Board of County Supervisors of Butler County, Nebraska

Attest: /s/ Vicki L. Truksa  
County Clerk

/s/ David W. Mach  
Chairman

Mike Jones, Sales Director for Vision Care Direct presented materials to the County Board on the Vision Care plans that could be made available to county employees. The board will review the materials; and may place it on the agenda at a future meeting.

Wesley Ehlers, Manager of Sequoia Consulting Group explained that his organization would like to offer their services in the preparation of the indirect cost allocation plan for the county. The board members and the county attorney will review the agreement that was presented and will place the matter on the agenda for the January 6, 2011 meeting.

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. 2010 – 44

**WHEREAS,** Union Bank & Trust Company, Lincoln, Nebraska, has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
654477AH1	\$15,000.00

**WHEREAS,** said Union Bank & Trust Company, Lincoln, Nebraska is requesting that the above be released.

**NOW, THEREFORE, BE IT RESOLVED,** by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged security as requested by Union Bank & Trust Company, Lincoln, Nebraska.

Dated this 6<sup>th</sup> day of December, 2010.

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

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

The Clerk of the District Court fee report for the month of November, 2010 was accepted and placed on file.

The County Treasurer certified to the board that the total tax revenue that will be lost to all taxing agencies with the county from taxes levied and assessed in 2010 because of 333 homestead exemptions is \$281,455.24.





# Butler County Board Minutes



Jim Truksa, Highway Superintendent had obtained an estimate from JEO Consulting Group, Inc. for engineering costs that would be involved in the historic bridge repair project (bridge located in section 5 of Alexis Township). The board asked that he obtain another estimate, so that a cost comparison could be made. The Alexis Township board members were present at the meeting, and asked that a meeting be scheduled with the three new board members that will take over in January, so that they will be up to date with all the information that has been presented.

The agenda item regarding the Policy Relating to Courthouse Closure and the Policy on Employee's Personal Leave Time will be tabled till the December 20, 2010 meeting.

Jon Holmes, City Administrator and Jack Borgmeyer of Midwest Right of Way Services, Inc. updated the county board on the progress of the Northwest Drainage Project. They requested that the county grant a permanent easement along the west side of the Butler County Noxious Weed Control Authority property. The documents will be reviewed by the County Attorney, and considered at a future board meeting.

Moved by Birkel, seconded by Kozisek to go into Executive Session at 10:10 a.m for the purpose of a personnel issue. 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 Birkel, seconded by Slama to come out of Executive Session at 10:25 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 no formal action was taken during the Executive Session; and adjourned the meeting at 10:30 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



# Butler County Board Minutes



## BOARD PROCEEDINGS

December 20, 2010

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20<sup>th</sup> day of December, 2010 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.

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 minutes of the previous meeting were approved as presented.

Michael Rethwisch, Extension Educator appeared before the board with the following resolutions for the board's consideration.

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

### **RESOLUTION 2010 – 45**

WHEREAS, the University of Nebraska – Lincoln Extension 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 at the county 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, Carol Albrecht has been an integral member of the Butler County Extension board representing District 7 since 2005 and has completed her term, and

WHEREAS, Jolene Rathje has applied and been recommended to fill the vacancy on the Butler County Extension board to represent District 7,

THEREFORE BE IT RESOLVED, the Butler County Board of Supervisors appoints Jolene Rathje to the Butler County Extension Board for a three year term, beginning January 2011, and

BE IT FURTHER RESOLVED, the Butler County Board of Supervisors expresses their gratitude to Carol Albrecht for her diligent and outstanding service.

Given under my hand on this the 20<sup>th</sup> day of December, 2010 in David City, Nebraska.

ATTEST:



# Butler County Board Minutes



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

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

Kevin Slama arrived at 9:05 a.m.

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

## **RESOLUTION 2010 – 46**

WHEREAS, the University of Nebraska – Lincoln Extension 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 at the county 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, Sandy Archuleta has been an integral member of the Butler County Extension board representing District 6 since 2005 and has completed her term, and

WHEREAS, Malinda Hilfiker has applied and been recommended to fill the vacancy on the Butler County Extension board to represent District 6,

THEREFORE BE IT RESOLVED, the Butler County Board of Supervisors appoints Malinda Hilfiker to the Butler County Extension Board for a three year term, beginning January 2011, and

BE IT FURTHER RESOLVED, the Butler County Board of Supervisors expresses their gratitude to Sandy Archuleta for her diligent and outstanding service.

Given under my hand on this the 20<sup>th</sup> day of December, 2010 in David City, Nebraska.

ATTEST:

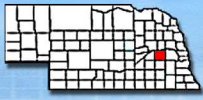
/s/ Vicki L. Truksa  
Vicki L. Truksa  
Butler County Clerk

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

A report was given to the board by Michael Rethwisch on the activities of the Extension department and upcoming changes being made through the University of Nebraska; also, the 2010 4-H Member/Leader Recognition Event.

Jim Truksa, Highway Superintendent presented the Interlocal Agreement with Saunders County for snow removal on the Prague road.

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



# Butler County Board Minutes



Discussion was held in regards to publishing a notice in The Banner-Press addressing the issue of snow removal on Minimum Maintenance roads in the county. It was the consensus of the board members that a notice needs to be published informing the public that snow will not be removed from the minimum maintenance roads.

The County Clerk fee report for the month of November, 2010 was accepted and placed on file.

Moved by Kozisek, seconded by Krafka 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. 2010 - 47**

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 \$25,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$25,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 20<sup>th</sup> day of December, 2010.

/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 Slama, seconded by Birkel to approve the Official Bond and Oath for Clinton L. Hohndorf - Summit Township Clerk. 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 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 BOARD OF EQUALIZATION

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

Mark Hecker, County Sheriff presented the following information on the state bid for a patrol vehicle: 2011 Chevrolet Impala Police Sedan \$19,433.00, 2011 Ford Crown Victoria Police Sedan \$23,449.00 and 2011 Dodge Charger Police Pursuit \$21,926.00



# Butler County Board Minutes



Moved by Birkel, seconded by Zadina to authorize the purchase of the 2011 Chevrolet Impala in the amount of \$19,433.00 according to the state bid as presented. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Correspondence was received from:

1. Blue Valley Community Action, thanking for the county's continued support
2. NIRMA, soliciting nominations for position on the Board of Directors
3. Nebraska Great Plain R.C. & D. meeting agenda and meeting minutes

Discussion was held on the Road Improvement and Maintenance Agreement between Butler County Landfill and Butler County. A report was given from the committee meeting that was held on December 13, 2010.

Julie Reiter, County Attorney discussed with the board the lawsuit that has been filed involving Butler County Dairy, LLC and Butler County.

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

Keith Marvin, Economic Development Director relayed information that he received on the 2010 Census results for Butler County.

The Chairman declared the meeting adjourned at 10:25 a.m.

Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman