

Butler County Board Minutes



BOARD PROCEEDINGS

January 3, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of January, 2011 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.

Jim Truksa, Highway Superintendent had no matters to bring before the board.

Moved by Cidlik, seconded by Zadina to approve Resolution No. 2011 - 01. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Krafka, and Mach. The following voted nay: None. Absent: Slama and Kozisek. Motion carried.

RESOLUTION NO. 2011 - 01

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

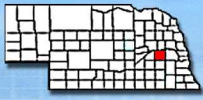
and said above mentioned institutions have placed collateral security as required by law with the County Treasurer of Butler County, Nebraska,

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned banks be so designated as County Depositories for the year 2011, so long as they comply with the laws of Nebraska.

Dated this 3rd day of January, 2011.

/s/ David W. Mach

David W. Mach



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Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Moved by Birkel, seconded by Krafka to approve Resolution No. 2011 – 02. Upon roll call vote the following voted aye: Birkel, Zadina, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek and Slama. Motion carried.

RESOLUTION NO. 2011 - 02

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 3rd day of January, 2011.

David W. Mach

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Kevin Slama arrived at 9:08 a.m.

Moved by Cidlik, seconded by Krafka to approve the following township official bonds.

Jerry Hoelscher	Bone Creek Township
Ronald M. Papa	Bone Creek Township
Michael G. DeWispelare	Bone Creek Township
Mark L. Stara	Ulysses Township
Daniel J. Rech	Ulysses Township
Douglas G. White	Ulysses Township

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

The quarterly jail inspection was conducted at 9:10 a.m..

William Kozisek arrived at 9:15 a.m.

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

Discussion was held in regards to the Agreement that was presented by Sequoia Consulting Group for preparing the indirect cost allocation plan. The board agreed to continue with the consultant that is currently providing this service to the county.



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The approval of the easement for the David City Northwest Project was tabled, pending additional information to be obtained by the County Attorney.

Saul Soltero, Juvenile Diversion Director gave a report on the diversion program and reviewed for the board the 2011 State and County Aid, Juvenile Justice Grant application. Moved by Cidlik, seconded by Zadina to approve the grant application 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.

Moved by Slama, seconded by Kozisek to go into Executive Session at 9:45 a.m. for the purpose of discussing pending litigation. 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 Slama to come out of Executive Session at 9:55 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 formal action was taken during the Executive Session.

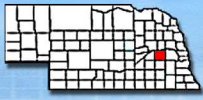
Discussion was held on the upcoming County Board Workshop that is scheduled for February 9-11.

Keith Marvin, Director of Butler County Development presented a report entitled 2010 Year in Review and also, a sample of the brochure that is being developed.

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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BOARD PROCEEDINGS

January 18, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of January, 2011 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.

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 Supervisors Meeting Room.

David W. Mach, Kevin Slama, William J. Kozisek, and Irvin Cidlik presented their Certificate of Election to the board. The certificates were accepted and will be filed in the office of the County Clerk.

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.

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

David Mach was declared the Temporary Chairman.

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

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

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

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

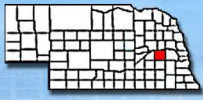
A vote by secret ballot was taken for Permanent Chairman.

Results of the vote by secret ballot are as follows:

6 votes – David Mach

1 vote – Max Birkel

David Mach was declared the Permanent Chairman for the Board of Supervisors for 2011.



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The Chairman declared the minutes of the previous meeting stand approved as presented.

Moved by Cidlik, seconded by Zadina to approve Resolution No. 2011 - 3. 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. 2011 - 3

WHEREAS, Julie L. Reiter, the duly elected and qualified County Attorney in and for Butler County, Nebraska, has nominated and appointed Denise J. Kracl as Deputy County Attorney, and

WHEREAS, Nebraska State Statute 23-1204 requires approval of a deputy county attorney by the County Board of Supervisors, and

WHEREAS, Vicki L. Truksa, the duly elected and qualified County Clerk in and for Butler County, Nebraska, has nominated and appointed Sharon M. Woolsey, Deputy County Clerk, and

WHEREAS, Karey L. Adamy, the duly elected and qualified County Treasurer in and for Butler County, Nebraska, has nominated and appointed Kristy L. Pohl, Deputy County Treasurer, and

WHEREAS, Vickie M. Donoghue, the duly elected and qualified County Assessor in and for Butler County, Nebraska, has nominated and appointed Marcella M. Howe, Deputy County Assessor, and

WHEREAS, Nancy L. Prochaska, the duly elected and qualified Clerk of District Court in and for Butler County, Nebraska, has nominated and appointed Sandra J. Hoeft, Deputy Clerk of District Court, and

WHEREAS, Mark A. Hecker, the duly elected and qualified County Sheriff in and for Butler County, Nebraska, has nominated and appointed Thomas R. Dion, Shawn A.R. Gray, Kirstina E. Poppe, Marcus A. Siebken, F. Jane Tooley and Todd W. Yost, Deputy County Sheriffs.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that said Denise J. Kracl be approved as Deputy County Attorney, in and for Butler County, Nebraska, and

BE IT FURTHER RESOLVED, by the Butler County Board of Supervisors that the following appointments be approved, in and for Butler County, Nebraska: Sharon M. Woolsey, Deputy County Clerk; Kristy L. Pohl, Deputy County Treasurer; Marcella M. Howe, Deputy County Assessor; Sandra J. Hoeft, Deputy Clerk of District Court; Thomas R. Dion, Deputy County Sheriff; Shawn A.R. Gray, Deputy County Sheriff; Kirstina E. Poppe, Deputy County Sheriff; Marcus A. Siebken, Deputy County Sheriff, F. Jane Tooley; Deputy County Sheriff and Todd W. Yost, Deputy County Sheriff.

Dated this 18th day of January, 2011.

/s/ David W. Mach

Chairman

Butler County Board of Supervisors

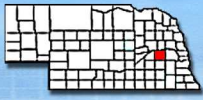
ATTEST:

s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

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

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



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Vicki Truksa, County Clerk presented a Summary Report of Expenditures for the 6 month period of July 1, 2010 – December 31, 2010.

Discussion was held in regards to the purchase of a new motorgrader with Reading Township utilizing the state bid. The county would own 51% and the township would own 49%, also, if purchased the county would own 100% of the hydraulic controls for a snow wing on this particular machine.

Moved by Slama, seconded by Zadina to approve the Interlocal Agreement with Reading Township for road maintenance, for a period of 5 years. 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 approve the purchase of a 2010 John Deere 772G motorgrader on the state bid; ownership to be 51% Butler County (\$114,031.92) and 49% Reading Township (\$109,560.08). Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Birkel to approve the county purchasing 100% of the option package for the 2010 John Deere 772G road maintainer (hydraulic controls for snow wing) in the amount of \$4,190.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Zadina to purchase the used 2001 Komatsu motor grader from Reading Township for \$25,000.00. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

The public hearing on the One & Six Year Road Plan for Butler County is set for February 22, 2011 at 9:30 a.m.

The following bids were received for the sale of a 1996 Mack semi truck and were opened at 9:30 a.m.

- | | |
|--------------------------|------------|
| 1. Fouts Sales/Joe Fouts | \$5,555.00 |
| 2. Mid-Nebraska Grading | \$5,100.00 |
| 3. Dan Donoghue | \$5,260.00 |
| 4. Larry Dolezal | \$4,100.00 |

Moved by Cidlik, seconded by Kozisek to accept the bid of Fouts Sales/Joe Fouts in the amount of \$5,555.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

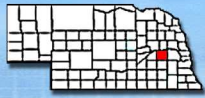
Rick Schneider, Emergency Manager presented the quarterly report for his department, which was accepted and placed on file.

Moved by Birkel, seconded by Kozisek to go into Board of Equalization at 10:00 a.m. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, 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 10:15 a.m.

Discussion was held in regards to appointing 2 individuals to fill the vacancies on the Butler County Senior Services Board.



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Moved by Slama, seconded by Kozisek to table appointing members to the Butler County Senior Services Board till at a future Board of Supervisors meeting. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

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

The Butler County Treasurer's Statement from July 1, 2010 to December 31, 2010 was accepted and placed on file.

Larry Zadina, Butler County Noxious Weed Control Superintendent submitted his letter of resignation effective January 31, 2011. The board members extended their thanks for the years of service in that position.

Moved by Slama, seconded by Kozisek to approve the Public Official Bond and Oath for the following Township Officials:

Douglas J. Spale	Alexis
Galen David Zimmerman	Alexis
Dannie D. Steager	Read
Corey Rathje	Reading
Kirk Selden	Reading
Ted Glock	Reading
Darrel Aerts	Center
Eric J. Stara	Center
Jerry Bongers	Center
Timothy A. Birkel	Savannah
Michael J. Ebel	Savannah
John R. Wood	Savannah
David W. Schmit	Franklin
Lane Sabata	Franklin
Roger J. Svoboda	Franklin
Jerry J. Prochaska	Olive
John Moore	Read
Eugene E. Siroky	Linwood
Randall C. Semrad	Linwood
Benedict J. Divis	Linwood
Bruce L. Meysenburg	Olive
Daniel W. Homan	Olive
Russell F. Moravec	Union

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

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

Correspondence was received from:

1. Blue Valley Behavioral Health – 6 month update of services
2. Blue Valley Community Action – meeting agenda and team reports

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

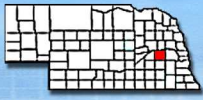
Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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BOARD PROCEEDINGS

February 7, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of February, 2011 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.

Jim Truksa, Highway Superintendent explained that the county will be receiving approximately \$100,000.00 in FEMA funds to help cover costs that were incurred last spring due to the abundant snow melt.

Moved by Cidlik, seconded by Zadina to authorize the Chairman to sign the necessary documents for the FEMA funds. 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 township form of government.

Mike Applegate, Detention Center Administrator was unable to be present at the meeting.

Julie Reiter, County Attorney reviewed the following Legislative Bills that may have an impact on Butler County:

1. LB 390 Pertaining to Jail Standards Board and Jail Standards; a letter opposing this bill has been drafted and will be sent to Senator Chris Langemeier, and Governor Dave Heineman
2. LB383 Elimination of County Aid; the Supervisors were asked to contact their senator and voice opposition for this bill
3. LB597 Consolidation of County Offices
4. LB62 Requirements for the budget revision process

Moved by Kozisek, seconded by Slama to go into Board of Equalization at 9:30 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.

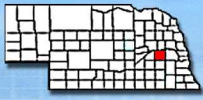
SEE SEPARATE BOARD PROCEEDINGS FOR BOARD OF EQUALIZATION

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

The following is a listing of individuals who have submitted their Public Official Bond and Oath for approval by the County Board:

David J. Nicolas
Russell F. Moravec

Board Member for Alexis Township
Chairman of Union Township



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Marianne Ziethen
Dean E. Heins

Clerk of Union Township
Treasurer of Union Township

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

The Chairman made the following committee and liaison appointments for the year 2011.

BUTLER COUNTY BOARD OF SUPERVISORS

2011 COMMITTEES

CHAIRMAN
VICE CHAIRMAN
REGION V
BLUE VALLEY
FOUR CORNERS DISTRICT HEALTH
ROADS & BRIDGES

BUILDING & GROUNDS
INSURANCE
HOSPITAL
NOXIOUS WEED
FINANCE & FEES
NRD
EMPLOYEE BENEFITS & POLICY
COMMUNITY DEVELOPMENT
911
SAFETY

Dave Mach
Irvin Cidlik
Zadina
Krafka
Kozisek
Mach & Slama
&/or Krafka, Cidlik, Zadina
by District
Kozisek, Birkel & Slama
Cidlik & Mach
Kozisek & Zadina
Krafka, Mach & Cidlik
Cidlik, Mach & Zadina
Cidlik & Krafka
Mach, Zadina, Krafka
Slama & Kozisek
Birkel & Slama
Zadina, Birkel & Krafka

Larry Aldrich, Jan DeWispelare,

Tom Dion
Kozisek
Mach, Zadina & Birkel
Vickie Donoghue, Larry Novak

SENIOR CENTER
LANDFILL

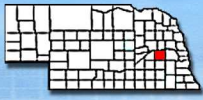
2011 LIAISONS

Assessor
Attorney
Clerk
Clerk of District Court
Custodian
E-911
Emergency Manager
Extension Agent
Highway Supt.
Noxious Weed
Sheriff/Detention Center
Surveyor
Treasurer
Veterans Service Officer

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

Moved by Kozisek, seconded by Zadina to accept the committee and liaison appointments as presented by the Chairman. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Larry Zadina presented the 2010 Activity Report, Budget Report, and Noxious Weed Infestation Report of the Butler County Noxious Weed Control Authority to the board.



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

Larry Pierce and Jerry Roh, members of the Butler County Area Foundation Fund Advisory Committee appeared before the board requesting the board clarify their approval (refer to May 10, 2010 board proceedings) of the placement of a marquee sign on the west side of the courthouse square. A letter confirming the board's conditional approval was presented.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign the letter confirming the board's conditional approval. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

The Butler County Veteran's Service Committee has recommended John J. Lavicky to fill the unexpired term of John R. Prochaska on the committee.

Moved by Cidlik, seconded by Zadina to appoint John J. Lavicky to the Butler County Veteran's Service Committee. 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 on the appointment of individuals to fill two vacancies on the Senior Services Board. Appointments will be made at the February 22, 2011 meeting.

Wesley Ehlers, Sequioa Consulting Group appeared before the board to discuss the preparation of indirect cost allocation plans for the county.

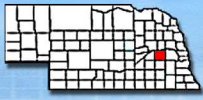
Discussion was held on the policy of courthouse closing due to inclement weather; the County Attorney will have the policy drafted for the board's approval at the next meeting.

The County Attorney updated the board on the agreement between Butler County Landfill and Butler County that pertains to Road R; a revised draft copy is being sent for the county's review.

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

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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BOARD PROCEEDINGS

February 22, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 22nd day of February, 2011 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.

Mike Applegate, Detention Center Administrator presented the quarterly report of the Butler County Detention Center which was approved and placed on file.

The following township official bonds were presented:

Ernest Kabourek	Oak Creek Township
Jerome Kudlacek	Oak Creek Township
Teresa Pernicek	Oak Creek Township
Anton N. Brecka	Plum Creek Township
Carol Bohuslavsky	Plum Creek Township
Val G. Lavicky	Plum Creek Township
Ralph E. Hein, Jr.	Franklin Township

Moved by Cidlik, seconded by Zadina to approve the township official bonds 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.

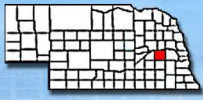
The Clerk of the District Court fee report for the month of January 2011 was accepted and placed on file.

The County Clerk fee report for the month of January 2011 was accepted and placed on file.

Moved by Slama, seconded by Kozisek to approve the Lease Cash Rent for county owned real estate in Linwood Township. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Alan Zavodny, Mayor of David City appeared before the board asking if they would consider designating a space in the courthouse to accommodate the city police department. The Building and Grounds committee will meet to investigate the possible options and report back to the board at the next meeting.

Moved by Kozisek, seconded by Krafka to open the One and Six Year Road Plan public hearing at 9:30 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.



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

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

Moved by Cidlik, seconded by Zadina to adopt 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 2011 – 4 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, 2011 and

WHEREAS, the Chairman and Board of Supervisors of Butler County, State of Nebraska, in compliance with the statutes and regulations of the State Highway Commission, did hold a public hearing on the proposed One and Six Year road improvement plans in the Butler County Courthouse on February 22, 2011, 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 22nd day of February, 2011.

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

ATTEST:

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

Discussion was held regarding the process of closing or abandoning a minimum maintenance road. The townships will be contacted, inquiring if there are any minimum maintenance roads that the township would be interested in having closed or abandoned.

Jim Truksa, Highway Superintendent reported that the county will be receiving an estimated \$100,924.00 from FEMA (Federal Emergency Management Agency) for damage caused by the excessive snow melt last spring. Also, in addition, the county may receive funds from NEMA (Nebraska Emergency Management Agency) that would be equal to 12.5% of the FEMA funds.

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

Moved by Birkel, seconded by Kozisek to go into Board of Equalization at 10:00 a.m.



Butler County Board Minutes



Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Krafka, Slama, Cidlik, 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 10:10 a.m.

The draft copy of the Road Improvement and Maintenance Agreement between Butler County and the Butler County Landfill, Inc. was presented to the board for their review. After discussion, the board instructed the County Attorney to request the final draft copy from Butler County Landfill, Inc. Approval of the agreement will be on the agenda for the March 7, 2011 meeting.

Moved by Kozisek, seconded by Slama to approve the claims for payment as presented.

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 Cidlik to adopt the Inclement Weather Policy as presented by the County Attorney. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

The following nominations were made to fill two vacancies on the Butler County Senior Services Board; Birkel nominated Betty Dolezal, seconded by Cidlik; Slama nominated Dorothy Barlean, seconded by Cidlik; and Kozisek nominated Jim Bathen, seconded by Birkel. Slama called for nominations to cease, seconded by Birkel. Ballots were cast, Betty Dolezal received six votes, Dorothy Barlean received seven votes, and Jim Bathen received one vote. Betty Dolezal and Dorothy Barlean are appointed to fill the two existing vacancies.

The Noxious Weed Control committee reported that there were nine applications received for the position of Noxious Weed Control Superintendent. Interviews were held with three of the candidates.

Moved by Cidlik, seconded by Kozisek to appoint Max Birkel as the Butler County Noxious Weed Control Superintendent at the rate of \$13.50 per hour. Upon roll call vote the following voted aye: Cidlik, Zadina, Kozisek, Krafka, Slama, and Mach. The following vote nay: None. Abstaining: Birkel. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:15 a.m. The next meeting will be on March 7, 2011, at 9:00 a.m.

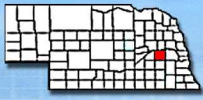
Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

March 7, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of March, 2011 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.

Jim Truksa, Highway Superintendent informed the board that Reading Township has a used John Deere 4840 tractor for sale that he would be interested in purchasing for the Road Department. If the purchase would be made, the Road Department would sell one of the tractors that are currently in use. The board would like additional information on the tractor and the price to be presented at the next meeting.

The following township official bonds were presented for the board approval:

Randy D. Niemann	Richardson Township
William D. Witzel	Richardson Township
Duane M. Tejral	Richardson Township
Jerome Kudlacek	Oak Creek Township
Carol Bohuslavsky	Plum Creek Township

Moved by Cidlik, seconded by Zadina to approve the bonds 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.

Moved by Slama, seconded by Kozisek to set the date of May 2, 2011 at 10:00 a.m. to accept bids for auditing services for the county. 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 February, 2011 was accepted and placed on file.

The Building and Grounds committee reported to the board on the meetings that they held to discuss possible office space in the Courthouse for the David City Police Department. A meeting is to be scheduled with the committee and representatives of the city.

The Road Improvement and Maintenance Agreement between the Butler County Landfill, Inc. and Butler County, Nebraska was presented for the board's approval. Comments were heard from several individuals in regards to the agreement.

Moved by Slama, seconded by Cidlik to table approval of the agreement for two weeks (March 21, 2011 meeting). Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, Krafka, and Mach. The following voted nay: Birkel. Motion carried.



Butler County Board Minutes



Bret Schlyer, MGT of America, Inc. presented a proposal for preparation of the Cost Allocation Plan & Indirect Cost Proposals.

The Chairman recessed the meeting at 10:45 a.m., and reconvened at 11:00 a.m.

Discussion was held on the status of the Butler County Planning Commission. Moved by Slama, seconded by Kozisek to keep the Butler County Planning Commission in place and that they meet as required by statute. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, and Birkel. The following voted nay: Zadina, Cidlik, and Mach. Motion carried.

2010 census information was presented by Keith Marvin of Butler County Development.

Tony Krafka received a request from Blue Valley Community Action that the county support their opposition of the House of Representatives Continuing Resolution proposal that would eliminate funding for several of Blue Valley's programs. The board asked Tony to see that the necessary correspondence be drafted to show their support of Blue Valley's opposition.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:30 a.m. The next meeting will be on March 21, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

March 21, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of March, 2011 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafska, 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 Krafska to set the date of May 2, 2011, at 9:15 a.m. to accept steel bids. Upon roll call vote the following voted aye: Slama, Krafska, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Kozisek to approve the utility permit for Windstream Nebraska, Inc. to install communications facilities between Section 35, T15N, R2E, and Section 36, T15N, R2E, southwest of David City. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafska, Slama, and Mach. The following voted nay: None. Motion carried.

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

The Building and Grounds committee reported that they have scheduled a meeting for March 21, 2011 at 1:30 p.m. to meet with Alan Zavodny, David City Mayor, regarding possible office space for the David City Police Department.

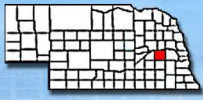
Moved by Krafska, seconded by Zadina to disband the Planning Commission. Upon roll call vote the following voted aye: Krafska, Zadina, Cidlik, and Mach. The following voted nay: Kozisek, Birkel, and Slama. Motion carried.

The agenda item listed as Reappointment/Appointment of Planning Commission members was not addressed due to the abovementioned motion.

Mike Applegate, Detention Center Administrator, informed the board of additional charges that will need to be incurred in connection with the security cameras that have been installed. Funds are available in the Detention Center budget for these costs.

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

The revised Road Improvement and Maintenance Agreement between Butler County Landfill, Inc. and Butler County was presented for the board's consideration. Several comments were taken from members of the audience.



Butler County Board Minutes



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

Dick Ronkar, County Surveyor appeared before the board and informed them that three of the surveyor's record books are in need of rebinding for an estimated cost of \$1,000.00 to \$1,500.00. The cost of repairing the books was not included in this fiscal year's budget. The board indicated that the work needs to be done and funds will be made available if needed for the Surveyor's office budget.

Karey Adamy, County Treasurer presented the Certification of Public Tax Sale Held in Butler County which lists all taxes sold; and a listing of the properties available after the public sale.

The Chairman recessed the meeting at 10:35 a.m., and reconvened at 10:45 a.m.

Correspondence was received from the following:

1. Nebraska Association of County Officials-reminder of upcoming Counties' Legislative Day on April 7, 2011
2. Governor Dave Heineman-response to correspondence from county opposing LB 390 (elimination of the Jail Standards Board)
3. NIRMA (Nebraska Intergovernmental Risk Management Association)-information on Employment Practices Seminars to be held in April
4. Northeast Nebraska Economic Development District-minutes from the Board of Directors meeting held on March 2, 2011
5. Nebraska Great Plains RC&D-minutes of previous meeting, agenda for upcoming meeting
6. Blue Valley Community Action-minutes of previous meeting, agenda for upcoming meeting

Moved by Cidlik, seconded by Slama to go into Executive Session at 10:45 for discussion relating to pending litigation (Butler County Dairy, LLC v Butler County, Nebraska, et al-discovery responses). Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

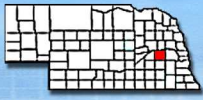
Moved by Slama, seconded by Birkel to come out of Executive Session at 11:30 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Zadina, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

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

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:30 a.m. The next meeting will be on April 4, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

April 4, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of April, 2011 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 approve the Permit to Construct Utilities on County Right-of-Way for Joe Birkel to install a culvert between Sections 29 & 30, T16N, R3E. 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 Permit to Construct Utilities on County Right-of-Way for John Kobza to construct a tile outlet in Section 36, T15N, R2E, pending approval by the township board. 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 Krafka, seconded by Zadina to approve the following 3 Permit to Construct Utilities on County Right-of-Way for John Kobza:

- 1.) to construct a tile outlet in Section 9, T16N, R3E;
- 2.) to construct a tile outlet in Section 12, T16N, R2E; and
- 3.) to construct a tile outlet in Section 9, T16N, R3E.

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

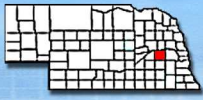
Moved by Slama, seconded by Kozisek to approve the following 2 utility permits for Windstream Nebraska, Inc.:

- 1.) to install communications facilities between Section 18, T16N, R4E, and Section 7, T16N, R4E, near Octavia;
- 2.) to install communications facilities in Section 9, T15N, R2E, near 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 Zadina, seconded by Krafka to approve the Permit to Construct Utilities on County Right-of-Way for Double Dutch Dairy to install a liquefied manure pipeline between Sections 19 and 30, T14N, R1E. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Zadina to approve the change of plans for the David City Northwest Drainage Project at the intersection of 36 Road and M Road. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



Jim Truksa, Highway Superintendent updated the board on the progress of the maintenance and road improvement on Road R.

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, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NO. 2011 – 6

WHEREAS, there are Federal Funds available under Section 18 of the Urban Mass Transportation Act of 1964, as amended and for 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 2011-2012.

Approved this 4th day of April, 2011.

/s/ David W. Mach

David W. Mach, Chairman
Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa
Butler County Clerk

Moved by Kozisek, seconded by Krafka to authorize the Chairman to sign the Application for Public Transportation Assistance for 2011-2012. 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 Kozisek, seconded by Zadina to authorize the Chairman to sign the Nebraska Department of Roads, Vehicle Application for Federal Transit Administration Funding 2011. 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 authorize the County Treasurer to issue County Certificates. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Vicki Truksa, County Clerk presented the quarterly budget report which was accepted and placed on file

Michael Rethwisch, Extension Educator informed the board that the amended by-laws that he was presenting for their approval had not yet been approved by the University of Nebraska. The matter will be tabled till a future meeting.

Notification was received from the State of Nebraska, Department of Environmental Quality of an application from Summit Heifer Ranch Concentrated Animal Feeding Operation (IIS#98019) NW ¼, Section 5, Township 14N, Range 1E for a Construction and Operating Permit; it was placed on file.

Representatives from the probation office appeared before the board to discuss the office space that is designated for their use. There is the possibility of reassigning a portion of the existing office to be used by the Juvenile Diversion Program.



Butler County Board Minutes



Rick Nation, Chief Executive Officer of Blue Valley Community Action presented the 2009-2010 Annual Report to the board. The request for general support to Blue Valley Community Action for the 2011-2012 fiscal year is \$5,653.00.

Discussion was held on the issue of the Camus boiler that was installed in the courthouse not meeting all the requirements of the Buy American provision. The boiler installation was part of the Energy Efficiency and Conservation Block Grant that was awarded to the county. The board instructed the County Attorney to draft a letter to the Nebraska Energy Office.

Correspondence was received from the State of Nebraska, Department of Motor Vehicles notifying the county that there will be a change in the driver licensing schedule. The examiners will be in Butler County on each Monday, instead of Wednesday starting on July 1, 2011.

Irvin Cidlik was excused at 11:30 a.m.

The quarterly jail inspection was conducted at 11:30 a.m.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:50 a.m. The next meeting will be on April 18, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

April 18, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of April, 2011 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 Krafka to approve the Permit to Construct Utilities on County Right-of-Way for Kendall Perry to install power for irrigation between Sections 18 & 19, T14N, R1E. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Birkel to approve the Permit to Construct Utilities on County Right-of-Way for Mark Shonka to install pivot main power in Section 16, T13N, R1E. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Kevin Slama arrived at 9:05 a.m.

Jim Truksa, Highway Superintendent informed the board that the county has received \$117,735.08 in FEMA funds.

The Clerk of the District Court fee report for the month of March, 2011 was accepted and placed on file.

The County Clerk fee report for the month of March, 2011 was accepted and placed on file.
The quarterly General Assistance report was accepted and placed on file.

Kevin Slama presented a letter, for the board's review, that he received from Butler County Ethanol LLC. It stated that the company has been dissolved.

Pat Lostroh, Victims Assistance Director, appeared before the board asking for support in the amount of \$2,000.00 for the upcoming fiscal year. She also presented the 2011-2012 Nebraska Crime Commission grant application.

Moved by Slama, seconded by Zadina to authorize the Chairman to sign the 2011-2012 Nebraska Crime Commission grant application for the Victims Assistance program. 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 Zadina to approve Resolution 2011 – 7. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



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 \$42,661.81.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$42,661.81 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 18th day of April, 2011.

/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 Birkel, seconded by Cidlik to approve the Special Designated Liquor License request from Presentation Parish, Marietta for the fundraiser to be held on June 12, 2011 at the Butler County Fairgrounds, David City, NE. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Motion carried.

Julie Reiter, County Attorney had information for the board concerning the issues with the Camus boiler that was installed under the grant funds that were awarded to the county. A representative of Camus has been in contact with the County Attorney.

2010 census information was distributed by Vicki Truksa, County Clerk. Discussion followed regarding the redistricting of the supervisor's districts. GIS Workshop is offering their services to create district maps for the supervisors to review. Funds are available in the Election Commissioner's budget for this expense.

Correspondence from the County Attorney addressed to Brian C. Buescher (re: Butler County Landfill/dust control application) was shared with the board members.

Correspondence was received from: Blue Valley Community Action (agenda, board proceedings, news articles); and Nebraska Great Plains RC&D (agenda, board proceedings).

The quarterly report of the Emergency Management department was accepted and placed on file.

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

Discussion was held in regards to the proposed feeding operation (Summit Heifer Ranch Concentrated Animal Feeding Operation (IIS#98019), to be located in the NW ¼, Section 5, Township 14N, Range 1E; the disbandment of the Planning Commission; the Proposed Comprehensive Plan; and the Proposed Zoning Regulations. Several members from the audience (Roger & Bonnie Topil, Leonard & Ardis Rosenberry, and Don Carley) addressed the board on these issues. Correspondence was also received by each supervisor from Greg Kuhnel regarding the proposed feeding operation.

Vickie Duey, Executive Director of Four Corners Health Department presented the 2010 annual report which was accepted and placed on file. She also informed the board that Dr. Darroll Loschen has resigned from his position for the Four Corners Board of Health, and that Dr. Joseph Erwin has accepted the position of Board Physician.



Butler County Board Minutes



Moved by Kozisek, seconded by Slama to approve the appointment of Dr. Joseph Erwin as Board Physician for the Four Corners Board of Health. 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 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.

The Chairman called for a recess at 11:10 a.m., and reconvened the meeting at 11:20 a.m.

Moved by Cidlik, seconded by Birkel to go into Executive Session at 11:20 a.m. for the following:

1. Security for the County Attorney's office
2. Discovery in Butler County Dairy LLC vs. Butler County
3. Tax Foreclosures-County Bid

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 Krafka, seconded by Kozisek to come out of Executive Session at 12:05 p.m.

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

Moved by Slama, seconded by Zadina to authorize the Chairman to sign the Answers to Interrogatories in Butler County Dairy LLC vs. Butler 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 Max Birkel to contact Polacek Construction regarding the County Attorney's office. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

In the matter of Tax Foreclosures-County bid, no action was taken.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:10 p.m. The next meeting will be on May 2, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

May 2, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of May, 2011 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.

Jim Truksa, Highway Superintendent presented information on the Federal Funds Purchase Program.

Moved by Cidlik, seconded by Krafka to approve the Permit to Construct Utilities on County Right-of-Way for John Kobza to install a tile outlet between Sections 23 & 24, T16N, R2E. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Consideration of the permits for Windstream Communications was tabled till a future meeting.

No steel bids were submitted.

Moved by Zadina, seconded by Krafka to set the date of June 20, 2011 at 9:15 a.m. to take steel bids. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

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

John Day, Executive Director of Blue Valley Behavioral Health presented the annual report for the agency. He also requested funding for the fiscal year 2011/2012 in the amount of \$5,720.00, which is the same as last year.

Bill Scribner discussed with the board the status of the available office space in the courthouse for the David City Police Department. At this time, the county is waiting on a response from the State Fire Marshal's office regarding the placement of a door in the south hallway.

The Chairman recessed the meeting at 9:40 a.m., and reconvened at 9:45 a.m.

Moved by Kozisek, seconded by Birkel to go into Board of Equalization at 9:45 a.m. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

SEE SEPARATE PROCEEDINGS FOR BOARD OF EQUALIZATION.



Butler County Board Minutes



Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 9:55 a.m.

Vickie Donoghue showed the board members a book that was found in the basement vault of the courthouse. It contains newspapers that were published in Butler County that dated back to the 1890's. The board agreed to donate the book to the Hruska Public Library.

At 10:00 a.m. bids for auditing services were opened. Bids were received from the following:

1. State of Nebraska, Auditor of Public Accounts
2. Contryman Associates, P.C.
3. Dana F. Cole & Company, LLP
4. Hayes & Associates, LLC

A decision on the audit bids is tabled till May 16, 2011.

Correspondence was received from a taxpayer concerned about the condition of the river road.

A reminder was given to all board members that the Nebraska Association of County Officials has scheduled a Board of Equalization workshop on May 26, 2011.

Daniel Duren and Dustin Will of Benefit Management, which is a financial services firm that works with businesses to find alternative ways and options to fund healthcare, gave a short presentation.

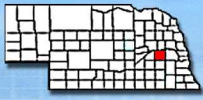
Tara Stevenson, Blue Cross-Blue Shield area representative explained to the board changes in the employee's health and dental insurance coverage and premium for the upcoming July 1st renewal.

Rick Schneider, Emergency Manager and Vicki Duey, Four Corners Health Department explained the Special Needs Registry Program. Moved by Birkel, seconded by Cidlik to proceed with the program. Upon roll call vote the following voted aye: Birkel, Cidlik, Krafka, Kozisek, Zadina, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:40 a.m. The next meeting will be on May 16, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

May 16, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of May, 2011 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.

Set Date for Culvert Bids

Moved by Cidlik, seconded by Slama to set the date of June 20, 2011 at 9:45 a.m. to accept culvert bids. Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Consideration of Utility Permits/Windstream Communications

Moved by Kozisek, seconded by Zadina to approve the utility permits request of Windstream Nebraska, Inc. to install communications facilities from the town of David City west on Butler County Road 36 to Road J North on Road J to Road 37 then West to a Verizon tower at 930 Road 37 in Butler County; and to install communications facilities in Section 22, T-16-N, R-4-E, West to Hwy#15 near David City in Butler County. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Consideration of Utility Permit/Northeast Nebraska Telephone Company

Tabled till next board meeting, further information will be requested.

Consideration of Utility Permit/Brezina Farms-Dave Brezina

Moved by Birkel, seconded by Kozisek to approve the utility permit request of Brezina Farms to install electrical wiring for a center pivot in Section 4, T-16-N, R-3-E in Butler County. Upon roll call vote the following voted aye: Birkel, Zadina, Kozisek, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Resolutions/Transfer of Funds

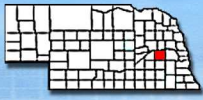
Moved by Cidlik, seconded by Slama to approve the following resolution. Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

RESOLUTION NO. 2011 - 8

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 \$852,114.63.



Butler County Board Minutes



THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$852,114.63 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

DATED this 16TH day of May, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

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

RESOLUTION NO. 2011 – 9

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 \$18,916.18.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$18,916.18 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 16th day of May, 2011.

/s/ David .Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

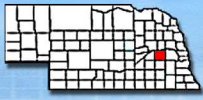
Moved by Slama, seconded by Cidlik to approve the following resolution. Upon roll call vote the following voted aye: Slama, Cidlik, Zadina, Kozisek, and Mach. The following voted nay: None. Abstaining: Birkel. Absent: Krafka. Motion carried.

RESOLUTION NO. 2011 – 10

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 \$24,910.22.



Butler County Board Minutes



THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$24,910.22 to the Noxious Weed Control Fund for the maintenance and operations of said Noxious Weed Control Department from the General Fund.

DATED this 16th day of May, 2011.

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

ATTEST:

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

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

RESOLUTION NO. 2011 - 11

WHEREAS, the Butler County Board of Supervisors at the September 7, 2010 Budget Hearing approved the transfer of money from the Inheritance Tax Fund to the General Fund as part of the budget process for general operations; and

WHEREAS, the amount approved through the budget hearing for said operations of the General Fund to be transferred from the Inheritance Tax Fund is \$500,000.00; and

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

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$500,000.00 to the General Fund for general operations from the Inheritance Tax Fund.

DATED this 16th day of May, 2011

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

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

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of April, 2011 was accepted and placed on file.

County Clerk Monthly Fee Report

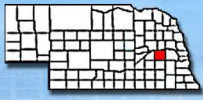
The County Clerk fee report for the month of April, 2011 was accepted and placed on file.

Request for Approval of Special Designated Liquor License

Moved by Cidlik, seconded by Birkel to approve the request from the Butler County Agricultural Society for a Special Designated Liquor License for the Butler County Fair to be held July 20-24, 2011. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Office Space for the David City Police Department

Alan Zavodny and Gary Kroesing, representing the City of David City discussed with the board the status of the office space in the courthouse for the David City Police Department. Max Birkel representing the Building and Grounds committee reported to the board that the Order from the State Fire Marshal's office has been received, and clarification will be sought on the findings.



Butler County Board Minutes



Bid Proposal from Polacek Construction

Moved by Slama, seconded by Cidlik to have Polacek Construction order the door that is to be placed between the County Attorney's office and the Probation office. 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 Birkel, seconded by Slama to accept the proposal from Polacek Construction for the County Attorney office remodel. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Kozisek, Zadina, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Region V Services & Region V Systems

C.J. Johnson, Regional Administrator for Region V Systems presented the Annual Report for the FY 2009-2010; and funding request for the FY 2011-2012.

Dave Merrill, Executive Director of Region V Services, and Tracy Ryba presented the 2010 Annual Report and requested funding from Butler County for the upcoming fiscal year.

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

GIS Workshop

Brenda Wilson of GIS Workshop gave a presentation on the new web-based mapping program that is being made available to Butler County. The web-based site will be used by the County Assessor and County Clerk with other departments to be added as requested.

Dana F. Cole & Associates

Jeff DeLine, Dana F. Cole & Associates, was unable to attend the meeting.

Decision on Audit Bids

Moved by Cidlik, seconded by Zadina to accept the bid from Hayes & Associates for auditing services. Upon roll call vote the following voted aye: Cidlik, Zadina, and Mach. The following voted nay: Birkel, Kozisek, and Slama. Absent: Krafka. Motion failed.

Moved by Birkel, seconded by Kozisek to accept the bid from Nebraska Auditor of Public Accounts for auditing services for 1 year. Upon roll call vote the following voted aye: Birkel, Kozisek, Slama, and Mach. The following voted nay: Zadina, and Cidlik. Absent: Krafka. Motion carried.

Nationwide Retirement Solutions

Chad Christensen, Nationwide Retirement Solutions presented information on the company's Deferred Compensation program.

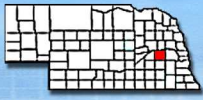
Moved by Kozisek, seconded by Zadina to make available Nationwide Retirement Solutions for employees to participate in. Upon roll call vote the following voted aye: Kozisek, Zadina, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

County Sheriff Quarterly Fee Report

The County Sheriff quarterly fee report (January through March 2011) was accepted and placed on file, also the Butler County Sheriff's Office K-9 Activity report (January through March 2011) was accepted and placed on file.

Detention Center Quarterly Fee Report

The quarterly report (January through March 2011) from the Detention Center was accepted and placed on file.



Butler County Board Minutes



Mike Applegate, Detention Center Administrator made a presentation to the board on Guardian RFID Corrections System, which is a jail management system that he would like to purchase. He informed the board that there will be sufficient funds in the Detention Center budget to make the purchase this fiscal year.

Proposed Application for Employment form

Moved by Cidlik, seconded by Zadina to approve as the official form; the Application for Employment and the Application for Employment (Drivers Only) as presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Interlocal Agreement with Polk County for Highway Patrol

Moved by Slama, seconded by Zadina to approve and authorize the Chairman to sign the Interlocal Agreement with Polk County for Highway Patrol. 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

The Board has 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 2011 satisfy all requirements.

Employee's Blue Cross-Blue Shield Health and Dental Insurance

Discussion was held regarding the Blue Cross-Blue Shield insurance coverage for the employees. The level of coverage will remain at the \$1,500 deductible plan, with the county continuing to pay \$1,000 of the deductible through the county's third-party administrator. The dental coverage will be the PPO Plan.

Moved by Cidlik, seconded by Kozisek to approve the amount of \$664.22 per employee, per month to be used toward the health and dental insurance coverage; contingent on resolving to keep Blue Cross-Blue Shield coverage. Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Claims

Moved by Cidlik, seconded by Slama to approve the claims for payment as presented with the following corrections and additions to be made:

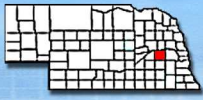
1. Walmart-additional invoice to be added in the amount of \$250.85
2. Guarantee Roofing & Sheet Metal-to be taken from Inheritance Tax Fund not General Fund

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

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:30 pm. The next meeting will be on June 6, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

June 6, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of June, 2011 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.

Discussion/Decision-Weight Limit on Prague Road

Discussion was held on placing weight limit restrictions on the Prague Road. The decision on the amount will need to be a joint decision by both Butler County and Saunders County. Jim Truksa, Highway Superintendent will inform the Saunders County Highway Superintendent that Butler County would like the weight limit to be set at 80,000#.

Discussion/Decision-Weight Limit on Bruno South

Discussion was held on placing weight limit restrictions on the Bruno South Road. It was decided not to place restrictions on this road at this time.

Fence Damage in Section 29 (Skull Creek Township)

The fence damage resulted from snow removal that was done during 2009/2010. The Highway Superintendent has been in contact with the landowner and the matter will be settled in the same manner as with other landowners that had fence damage.

Shane Stutzman, Acting Chief Probation Officer-Probation Office Space

Shane Stutzman presented a letter to the board stating concerns that she had regarding the possibility of assigning a portion of the Probation Office space to the Juvenile Diversion Office. The decision on reassigning office space is contingent on the David City Police Department occupying the offices in the south end of the courthouse building.

BOARD OF EQUALIZATION (SEE SEPARATE PROCEEDINGS)

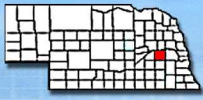
Moved by Cidlik, seconded by Slama to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 9:50 a.m.

Leander Stara-Flooding Issues

Leander Stara appeared before the board to discuss flooding issues in the W1/2 of Section 13 (Read Township). Since the flooding issue is on private property, the county has no jurisdiction in that area. The Highway Superintendent will contact the Natural Resources District to inquire about any programs that they would have that might aid the landowners.

Executive Session-Annual Employee Evaluations



Butler County Board Minutes



Moved by Cidlik, seconded by Kozisek to go into Executive Session at 10:00 a.m. for the purpose of conducting annual employee evaluations. 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 Kozisek to come out of Executive Session at 11:05 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.

Matt Hilger, Butler County Mutual Aid-Purchase of Air Trailer

Matt Hilger appeared before the board to discuss the possibility of the county purchasing a trailer that will contain equipment for refilling air tanks and equipment for the fire departments in the county. Additional information will be obtained and presented at the June 20, 2011 board meeting.

Resolution/Release of Pledged Collateral

Moved by Cidlik, seconded by Birkel 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. 2011 – 12

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
38374TFW9	\$200,000.00
31410FU52	\$310,000.00

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 6th day of June, 2011.

/s/ David W. Mach

David W. Mach, Chairman

Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Appointments to the Butler County Health Care Center Board

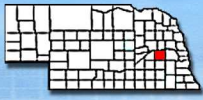
Moved by Slama, seconded by Zadina to reappoint Jerry Roh and Jodi Prochaska as members of the Butler County Health Care Center Board. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Resolution/Appointment of Budget Making Authority

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. 2011 – 13

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



Butler County Board Minutes



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 2011-2012 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 6th day of June, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

***Authorize Chairman to sign Letter Agreement with the State of Nebraska-Department of Roads
Funding for Handi-Bus Service***

Moved by Kozisek, seconded by Slama to authorize the Chairman to sign the Letter Agreement between the State of Nebraska, Department of Roads and Butler County for the purpose of providing federal and state funds to assist in transportation services. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Zadina, and Mach. The following voted nay: None. Motion carried.

Authorize Chairman to sign Letter of Support for Bone Creek Museum Grant Application

Moved by Krafka, seconded by Birkel to authorize the Chairman to sign a letter of support to be included with the grant application for Bone Creek Museum as presented by Keith Marvin. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Zadina, Kozisek, and Mach. The following voted nay: None. Motion carried.

Appointment of Highway Superintendent

Moved by Cidlik, seconded by Zadina to appoint Jim Truksa as Butler County Highway Superintendent effective July 1, 2011 through June 30, 2012, with a salary increase starting July 1, 2011 that is equal to the rate suggested by the county board at that time. Upon roll call vote the following voted aye: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Correspondence

A thank-you note was received from the Hruska Public Library for the donation of the 1890's county newspapers.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:15 pm. The next meeting will be on June 20, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

June 20, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of June, 2011 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.

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of May, 2011 was accepted and placed on file.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of May, 2011 was accepted and placed on file.

County/Township Road Maintenance Contracts

Moved by Cidlik, seconded by Zadina to approve the Interlocal Agreements with Linwood Township, Center Township, and Bone Creek Township for road maintenance. Upon roll call vote the following voted nay: Cidlik, Birkel, Zadina, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

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

Decision on Tonnage Limits on Prague Road

Moved by Zadina, seconded by Krafka to set a limitation of 80,000# gross weight on the Prague Road. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Discussion on Weight Limits on Octavia South Road

Discussion was held regarding the setting of a weight limit on the Octavia South Road. Comments were taken from the audience; and additional information will be obtained and reported to the board at a future meeting.

Steel Bids

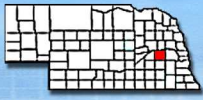
At 9:15 a.m. steel bids were received, opened and read from the following:

- | | |
|------------------------------|--------------|
| 1. Midwest Service and Sales | \$181,674.59 |
| 2. Husker Steel | \$170,533.00 |

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

Historical Bridge Grant Application

Keith Marvin reported to the board that there is a State of Nebraska, Department of Roads Enhancement Grant that could be applied for to aid in the funding of the repairs to the historical bridge that is in Alexis Township. Jim Truksa,



Butler County Board Minutes



Highway Superintendent will contact the Alexis Township board to inquire if the township would have funds available to help with the project financing.

Discussion/Decision on Options to the NIRMA Insurance

NIRMA (Nebraska Intergovernmental Risk Management Association) has offered to the county an opportunity to choose higher property deductibles in order to reduce the premiums being paid for the insurance coverage. After discussion, it was decided to not increase the deductible amounts.

Office Space for the David City Police Department

Gary Kroesing and Alan Zavodny, representing the City of David City, discussed with the board the lease agreement for the proposed office space, which will house the David City Police Department. The county has proposed a 5-year lease at \$750.00 per month, with the city paying approximately \$2,000.00 in remodeling costs.

Culvert Bids

At 9:45 a.m. culvert bids were received, opened and read from the following:

1. Metal Culverts, Inc.
2. Contech Construction Products, Inc.
3. Midwest Service and Sales Co.

Moved by Slama, seconded by Kozisek, to table the decision on the culvert bids until 9:15 a.m. on July 5, 2011. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Steel Bids

The Highway Superintendent reported to the board on the steel bids that were received. Moved by Krafka, seconded by Cidlik to accept the bid from Husker Steel in the amount of \$170,533.00 for steel. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Zadina, Kozisek, and Mach. The following voted nay: None. Motion carried.

Approval of Resolution/Transfer of Funds from Road Fund to Special Road Fund

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

RESOLUTION NO. 2011 - 14

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 road 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 \$125,000.00.

THEREFORE, BE IT RESOLVED, that the Butler County Treasurer is hereby empowered and instructed to transfer \$125,000.00 from the Road Fund to the Special Road Fund.

Dated this 20th day of June, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk



Butler County Board Minutes



Butler County Public Defender/Consideration of Public Defender Contract

Tim Wollmer presented to the board for their approval the Public Defender Contract for July 1, 2011 through June 30, 2013. Moved by Slama, seconded by Krafka to accept the contract as presented. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Zadina, Cidlik, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

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

Noxious Weed Control Superintendent/Introduction of New Noxious Weed

Max Birkel, Noxious Weed Control Superintendent informed the board that Japanese Knotweed has been added to the list of noxious weeds in Nebraska. He had a sample of the weed for the members to examine.

Dana F. Cole & Company, LLP/Audit Report

Jeff DeLine of Dana F. Cole & Company, LLP presented the audit report for the fiscal year of July 1, 2009 through June 30, 2010 to the board. Moved by Cidlik, seconded by Kozisek to accept the audit report as presented and place on file with the County Clerk. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Zadina, Birkel, and Mach. The following voted nay: None. Motion carried.

Extension Educator/Annual Report & Revised Constitution and ByLaws

Michael Rethwisch, Extension Educator presented the Butler County Extension Annual Report for 2010; it was accepted and placed on file.

The revised constitution and by-laws for the Butler County Extension were presented to the board. The County Attorney will review both documents and make a report back to the board at the July 5, 2011 meeting.

The Chairman recessed the meeting at 11:25 a.m., and reconvened at 11:30 a.m.

County Attorney/Foreclosure Costs

Julie Reiter, County Attorney informed the board that there are 15 tax certificates that will be foreclosed. There will be approximately \$1,500.00 of costs associated with these foreclosures and that amount will be budgeted for in the next fiscal year's budget.

Discussion/Decision on Purchase of Air Trailer for Butler County Mutual Aid

Discussion was held regarding the purchase of an air trailer for Butler County Mutual Aid as was presented by Matt Hilger at the June 6, 2011 board meeting. The board will be requesting more information from the Butler County Mutual Aid and the Rural Fire Districts on possible funding options. The matter is tabled till a future meeting when information becomes available.

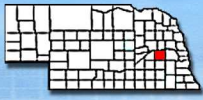
Discussion on Employee Wage Increase for 2011/2012

Information was presented that the Consumer Price Index percent of change from May 2010 to May 2011 is 4.5%, discussion on the recommended employee wage increase followed. Moved by Zadina, seconded by Krafka to recommend a 3% increase in employee wages. Upon roll call vote the following voted aye: Zadina, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

Payment in Lieu of Medical Insurance Benefit Policy

Moved by Cidlik, seconded by Krafka to amend the Payment in Lieu of Medical Insurance policy to allow for a payment of \$500.00 per month. Upon roll call vote the following voted aye: Cidlik, Krafka, Zadina, and Mach. The following voted nay: Slama, Kozisek, and Birkel. Motion carried.

Approval of Resolutions/Hold Checks



Butler County Board Minutes



Moved by Cidlik, seconded by Birkel 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. 2011 - 15

WHEREAS, on June 6, 2011, the Butler County Building & Grounds Department purchased doors, and windows for installation in the Butler County Courthouse from Superior Glass & Home Improvement, LLC at a cost of \$17,008.00; and

WHEREAS, the Butler County Building & Grounds Department has sufficient funds in their budget to pay for these supplies, and installation services; and

WHEREAS, Superior Glass & Home Improvements, LLC has informed the Butler County Building & Grounds Department that delivery of the supplies and installation will not be made for several weeks from the date of the order; and

WHEREAS, the Butler County Building & Grounds Department wish to pay for the supplies and installation 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 Superior Glass & Home Improvements, LLC in the amount of \$17,008.00 for payment of supplies, and installation, subject to the receipt of two additional informal bids & acceptance of successful bid.

Dated this 20th day of June, 2011.

/s/David W. Mach

David W Mach, Chairman

ATTEST:

s/ Vicki L. Truksa

Vicki Truksa, County Clerk

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. 2011 - 16

WHEREAS, on May 24, 2011, the Butler County Detention Center purchased the Guardian RFID Corrections Systems for use in the Butler County Detention Center at a cost of \$19,684.00; and

WHEREAS, on June 10, 2011, the Butler County Detention Center purchased a wireless network and installation labor from Connecting Point for the cost of \$550.00; and

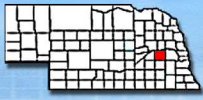
WHEREAS, on June 15, 2011, the Butler County Data Processing Department purchased a Sonic Firewall and installation labor from Connecting Point for the cost of \$1,091.00; and

WHEREAS, the Butler County Detention Center, and the Data Processing Department have sufficient funds in their budgets to pay for this equipment, supplies, and installation services; and

WHEREAS, Guardian RFID Corrections Systems and Connecting Point have informed the Butler County Detention Center, and the Data Processing Department that delivery of the equipment and supplies will not be made for several weeks from the date of the order; and

WHEREAS, the Butler County Detention Center, and the Data Processing 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".



Butler County Board Minutes



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 Guardian in the amount of \$19,684.00 and to Connecting Point in the amounts of \$550.00 and \$1,091.00, for the payment of equipment, installation, supplies, and all related expenses.

Dated this 20th day of June, 2011.

/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 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. 2011 – 17

WHEREAS, on May 27, 2011 the Butler County Assessor purchased the Standard Assessor Tab set-up for the cost of \$2,500.00, and the Customization of Buffer Tool on Tab for the cost of \$5,000.00, and

WHEREAS, on June 1, 2011 the Butler County Clerk purchased the Standard Clerk Tab set-up for the cost of \$2,500.00, and

WHEREAS, on June 1, 2011 the Butler County Clerk purchased the Census Redistricting service at the cost of \$2,500.00, and

WHEREAS, the Butler Data Processing Department, and the Re-Appraisal Department, and the Election Commissioner have sufficient funds in their budgets to pay for these services, and

WHEREAS, GIS Workshop has informed the Butler County Assessor, and the Butler County Clerk that completion of these services will not be made for several weeks from the date of the agreement, and

WHEREAS, the Butler County Assessor and the Butler County Clerk wishes to pay for these services 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 checks payable to GIS Workshop in the amounts listed above, for the payment of the Standard Assessor Tab setup, the Customization of Buffer Tool on Tab, Standard Clerk Tab setup, and the Census Redistricting service.

Dated this 20th day of June, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

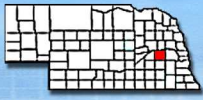
Vicki L. Truksa, County Clerk

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. 2011 – 20

WHEREAS, on June 20, 2011 the Butler County Highway Department purchased steel products for use by the Butler County Highway Department from Husker Steel at a cost of \$170,533.00, and

WHEREAS, the Butler County Highway Department has sufficient funds in their budget to pay for these steel products, and



Butler County Board Minutes



WHEREAS, Husker Steel, has informed the County that delivery will not be made for several weeks from the abovementioned date, and

WHEREAS, the Butler County Highway Department wishes to pay for these steel products 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 a check payable to Husker Steel in the amount of \$170,533.00 for the payment of the steel products.

Dated this 20th day of June, 2011.

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

ATTEST:

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

Claims

Moved by Cidlik, seconded by Birkel to approve the claims for payment as presented with the following corrections and additions to be made:

1. Addition of claim to Husker Steel in the amount of \$170,533.00 taken from the Road Fund
2. Correction of claim to Connecting Point from \$3,894.00 to \$1,895.00 taken from the Road Fund

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

Approval of Resolutions/Transfer within General Fund

Moved by Slama, seconded by Kozisek to approve the following resolutions. 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. 2011 - 18

WHEREAS, the budget which had been allocated to the Clerk of the District Court function of the General Fund for the 2010-2011 fiscal year is insufficient to meet operating expenses, due to costs associated with the District Court Bailiff, Juror Fees, and District Court Costs, 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 2010-2011 fiscal year,

NOW, THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that the sum of \$1,594.09 be transferred from the Miscellaneous function of the General Fund to the Clerk of the District Court function of the General Fund.

Dated this 20th day of June, 2011.

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

ATTEST:

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

RESOLUTION NO. 2011 - 19

WHEREAS, the budget which had been allocated to the County Surveyor function of the General Fund for the 2010-2011 fiscal year is insufficient to meet operating expenses, due to costs associated with the repair of permanent record books, to the extent that it will be unable to make final payment of claims for the balance of the current year, and



Butler County Board Minutes



WHEREAS, there are unexpended funds available in the Miscellaneous function of the General Fund for the 2010-2011 fiscal year,

NOW, THEREFORE BE IT RESOLVED by the Butler County Board of Supervisors that the sum of \$1,448.69 be transferred from the Miscellaneous function of the General Fund to the Clerk of the District Court function of the General Fund.

Dated this 20th day of June, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Discussion

The County Clerk informed the board that a letter of resignation had been received and filed. The letter from Larry Zadina, Supervisor District 6 was then read to the board.

Correspondence

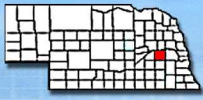
Correspondence was received from:

1. Aging Partners informing the board that as of June 30, 2011 there will be two vacant seats and no representation for Butler County on the Aging Partners Areawide Advisory Council.
2. Blue Valley Community Action; meeting agenda, minutes, and reports.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:40 pm. The next meeting will be on Tuesday, July 5, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

July 5, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of July, 2011 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, 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.

Consideration of Utility Permit/David Vandenberg

Moved by Cidlik, seconded by Birkel to approve the utility permit of David Vandenberg to place a drain tile between Sections 20 and 29, T15N, R3 E. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Historical Bridge Grant Application/Additional Information

Jim Truksa, Highway Superintendent and Tony Krafka, County Supervisor reported on the meeting of the Alexis Township Board that they attended. At the meeting, discussion was held on the repair of the historical bridge and if the township would possibly contribute funds towards the project. The issue will be addressed at the next township board meeting. At this time the county will not be submitting a grant application for this project due to the filing deadline.

Agreement for EPC Services/Region V Systems

Moved by Slama, seconded by Birkel to approve the agreement for EPC Services-Region V Systems and authorize the signing of the agreement. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

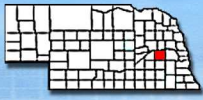
Approval of Township Official's Bond

Moved by Kozisek, seconded by Krafka to approve the Official Bond and Oath for Jim Rerucha, Skull Creek Township Clerk. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Decision on Culvert Bids

Moved by Slama, seconded by Birkel to accept the bid as presented on June 20, 2011 from Midwest Service and Sales Company for culverts. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Aging Partners



Butler County Board Minutes



June Pederson and Denise Boyd of Aging Partners appeared before the board to present the agency's annual report. The agency is requesting funds in the amount of \$13,938.00 from Butler County for the fiscal year 2011-2012, which is a \$1,267.00 increase from last year.

Quarterly Jail Inspection

The quarterly jail inspection was conducted by the members of the board at 9:50 a.m.

BOARD OF EQUALIZATION (SEE SEPARATE PROCEEDINGS)

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, Birkel, and Mach. The following voted nay: None. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 10:20 a.m.

Matt Hilger, Butler County Mutual Aid-Purchase of Air Trailer

Matt Hilger appeared before the board to discuss the purchase of a trailer that will contain equipment for refilling air tanks and equipment for the fire departments in the county. Several options for funding the purchase were discussed. Additional information will be obtained and presented at the July 18, 2011 board meeting.

Kevin Slama left the meeting at 11:05 a.m.

County Sheriff/Sale of Patrol Vehicle

Moved by Cidlik, seconded by Krafka to authorize the County Sheriff to sell the 2004 Ford Crown Victoria to OMB's Express Police Supply and receive credit toward the purchase of law enforcement equipment. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Discussion/Decision on Levy Allocation to Political Subdivisions

Discussion was held on the levy allocation by the county board. The county may allocate up to fifteen cents of its levy authority to the political subdivisions that do not have levying authority. Moved by Cidlik, seconded by Kozisek to allocate ten cents to the townships, four cents to the fire districts, and one cent to the agricultural society. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Building and Grounds Committee

A report was given by the Building and Grounds committee on the Diversion/Probation office space. The Diversion office will be moving to the Public Defender's office, and the Probation office will remain as is. The committee reported that the County Attorney is drafting the lease agreement with the City of David City for office space in the courthouse.

Correspondence

Correspondence was received from Northeast Nebraska Economic Development requesting the names of the county representatives. The county representatives for the fiscal year 2011-2012 will be David Mach and Keith Marvin.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:25 a.m. The next meeting will be on July 18, 2011, at 9:00 a.m.

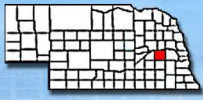
Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

July 18, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of July, 2011 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, 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.

Consideration of Utility Permit/Windstream Communications

Moved by Cidlik, seconded by Kozisek to approve the utility permit request of Windstream Nebraska, Inc. to replace communications facilities between Section 25, T13N, R3E and Section 30, T13N, R4E, near Dwight in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of June, 2011 was accepted and placed on file.

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of June, 2011 was accepted and placed on file.

Quarterly General Assistance Report

The quarterly report of General Assistance paid by the county was accepted and placed on file.

Preliminary Budget Requests Report

Vicki Truksa, County Clerk presented a report showing the 2011-2012 preliminary budget requests as submitted.

Subgrant Agreement for Child Support Enforcement Services

Moved by Kozisek, seconded by Krafka to approve and authorize the Chairman to sign the Subgrant Agreement for Child Support Enforcement Services/Clerk of the District Court. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Appointments/Aging Partners Areawide Advisory Council

Moved by Cidlik, seconded by Birkel to appoint Dorothy Barlean and Dorothy Schultz as Butler County Representatives on the Aging Partners Areawide Advisory Council. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Reappointment of Senior Services Board Members

Moved by Kozisek, seconded by Krafka to reappoint the following individuals as board members on the Senior Services Board: Karen Fendrich, Donna Steager, Dorothy Schultz, Dorothy Barlean, Betty Dolezal, and Virgil Vrbka. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.



Butler County Board Minutes



Butler County Regional Prevention Coordination

Derek Effle, Regional Prevention Coordination Specialist appeared before the board. Information was shared regarding funding and the development of the prevention system within Region V, and other contributing agencies including the Butler County Coalition. Mr. Effle highlighted a few of the upcoming events that area youth will be able to participate in.

Butler County Soldier & Sailor Financial Report

The annual Butler County Soldier & Sailor Financial Report for July 1, 2010 through June 30, 2011 was accepted and placed on file.

Kevin Slama arrived at 9:20 a.m.

Reappointment of Veteran's Service Committee Board Member

Moved by Cidlik, seconded by Slama to reappoint Joseph Scholz as a member of the Veteran's Service Committee. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Motion carried.

Discussion/Pickup from Butler County Health Care Center

Discussion was held regarding the pickup owned by the Butler County Health Care Center that they are willing to turn over to the county. The pickup will be used by the courthouse custodian.

Discussion/Purchase of Air Trailer for Butler County Mutual Aid

Matt Hilger appeared before the board with additional information on the purchase of an air trailer for use by all the fire departments in the county. Mr. Hilger has been in contact with, or will be contacting the rural fire districts asking if they would pledge funds towards the equipment purchase. So far the response he received from the rural fire districts has been favorable.

Moved by Slama, seconded by Birkel to solicit bids for review for the purchase of an air trailer. Bids to be opened on August 15, 2011 at 10:00 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

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

Benefit Management/Report on Health Insurance Options

Daniel Duren and Dustin Will of Benefit Management reported to the board the results of the health study that was completed by their firm. At this time the county will not be changing the health insurance provider for the employees.

County Treasurer/Treasurer's Statement

Karey Adamy, County Treasurer presented the Butler County Treasurer's Statement for the period of January 1, 2011 to June 30, 2011 which was accepted and placed on file.

Claims

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, Kozisek, Birkel, and Mach. The following voted nay: None. Motion carried.

Four Corners District Health

Vicki Duey, Executive Director of Four Corners District Health appeared before the board to give an update on the programs of the health department.

Presentation of Plaque to Larry Zadina



Butler County Board Minutes



David Mach, Chairman of the Board of Supervisors presented a plaque to Larry Zadina in appreciation of the years he served as Supervisor-District #6 and also Noxious Weed Control Superintendent.

Floodplain Resolution

Richard Ronkar, County Surveyor presented the floodplain resolution for the board's consideration. The new floodplain maps will become effective on August 16, 2011.

Moved by Slama, seconded by Kozisek to approve and authorize the Chairman to sign Resolution No. 2011- 21 Nebraska Zoning Overlay District Floodplain Management Ordinance. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Emergency Management Quarterly Report

Rick Schneider, Emergency Manager presented the quarterly report for his department which was accepted and placed on file.

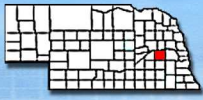
County Sheriff Quarterly Report

Mark Hecker, County Sheriff presented the quarterly report, which was accepted and placed on file.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:40 a.m. The next meeting will be on Monday, August 1, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

August 1, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of August, 2011 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, and Gregory A. Janak. Absent: Kevin Slama 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.

Chairman Mach welcomed Greg Janak, District 6 Supervisor.

Amend Road Maintenance Agreement with Read Township

Moved by Kozisek, seconded by Birkel to approve the amended road maintenance agreement with Read Township. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Krafka, and Mach. The following voted nay: None. Absent: Slama and Cidlik. Motion carried.

Consideration of Utility Permit/Northeast Nebraska Telephone Company

Moved by Krafka, seconded by Janak to approve the utility permit application of Northeast Nebraska Telephone Company to install fiber-optic cable. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama, and Cidlik. Motion carried.

Review/Approve Construction Plans for R Road (Landfill Road)

Construction Plans were received showing the proposed work to be completed on R Road. No action was taken until additional review and information is brought back to the board.

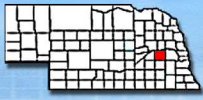
Linwood Village Board/Drainage Issue

Members of the Village Board of Linwood appeared before the County Board to discuss the drainage issues in and around the village. The Highway Superintendent, along with a village board member will be meeting with the Lower Platte North NRD representative to see if the NRD has any program available to aid the village. The village board will present a formal request to the county board at a future meeting, requesting the county to finance ditch cleaning and culvert relocation.

Ryan Nelson, Ryan's Roadhouse/Special Designated Liquor License

Moved by Kozisek, seconded by Krafka to approve the Special Designated Liquor License request that was submitted by Ryan Nelson, Ryan's Roadhouse for the special event to be held at the Butler County Fairgrounds on August 27, 2011. Upon roll call vote the following voted aye: Kozisek, Krafka, Birkel, Janak, and Mach. The following voted nay: None. Absent: Slama, and Cidlik. Motion carried.

Resolution 2011-22, Pre-Approval and/or Pre-payment of Various Expenses



Butler County Board Minutes



Moved by Janak, seconded by Birkel to approve Resolution 2011-22. Upon roll call vote the following voted aye: Janak, Birkel, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Slama, and Cidlik. Motion carried.

RESOLUTION NO. 2011-22

WHEREAS, the Butler County Board of Supervisors has determined that it is in the best interests of the County for the County to allow the preapproval and/or prepayment of various expenses of the County when said preapproval and/or prepayment would be cost-effective and/or result in a savings to the County; and

WHEREAS, the Board previously adopted Resolution No. 2002-29 and Resolution No. 2004-24 allowing such preapproved and/or prepaid expenses to include the following expenses: utilities, telephone/cell phone, postage, election costs, seminar registration, motor fuel tax, and vital statistic records, only when prepayment is required or results in a cost-savings to the County; and

WHEREAS, the Board has determined that internet charges shall also be included in the prepayment/preapproved expenses when prepayment is required or results in cost-savings to the County.

NOW, THEREFORE, LET IS BE RESOLVED, that preapproval is hereby allowed for the prepayment of expenses as set forth above and as set forth in Resolution No. 2002-29 and Resolution No. 2004-24, and only when said prepayment is required and/or would specifically result in a cost-savings to the County.

Dated this 1st day of August, 2011.

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

ATTEST:

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

BOARD OF EQUALIZATION (SEE SEPARATE PROCEEDINGS)

Moved by Birkel, seconded by Krafka to go into Board of Equalization at 10:05 a.m. Upon roll call vote the following voted aye: Birkel, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Slama, and Cidlik. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 10:20 a.m.

DISCUSSION

Greg Janak had a request from the East Butler Public School football coach, asking that the athletes be allowed to cross the county property in Brainard when walking from the school to the football field. The request is being referred to Larry Aldrich, Butler County Safety Committee Chairperson.

Ron Sedlak, appeared before the board asking if the county was responsible to pay for the towing charge for the pickup that was stolen from his farmyard. The board referred him to the County Sheriff.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:40 a.m. The next meeting will be on August 15, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

August 15, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15th day of August, 2011 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, Gregory A. Janak, 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.

Approval of Lease Agreement with the City of David City (Police Department)

Moved by Slama, seconded by Janak to approve the Lease between the County and the City of David City for office space. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Review/Approve Construction Plans for R Road (Landfill Road)

Jim Truksa, Highway Superintendent explained to the board the plans for construction work that is to be completed on R Road. Kelly Danielson, Butler County Landfill was present to answer questions from the board.

Moved by Krafka, seconded by Kozisek to approve the Construction Plans for the work to be completed on R Road. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Federal Funds Purchase Program Agreement

Moved by Cidlik, seconded by Krafka to approve the following Resolution #2011 – 24. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

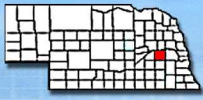
RESOLUTION NO. 2011- 24

WHEREAS, each year the federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects; and,

WHEREAS, certain federal-aid STP and HBP funds have historically been made available to the LPA by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and,

WHEREAS, LPA and the NDOR wish to enter into an Agreement to provide for the purchase, at a discount, certain federal-aid dollars currently made available to the LPA.

WHEREAS, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by the LPA.



Butler County Board Minutes



WHEREAS, the Board/Council has reviewed the Agreement and has determined that it is in its best interest to enter into the Agreement in the attached form.

BE IT RESOLVED, by the Board/Council of Butler County that:

David W. Mach is hereby authorized to sign the attached Federal Funds Purchase Program Agreement between Butler County and the NDOR.

Adopted this 15th day of August, 2011 at David City, Nebraska.

The Board/Council of Butler County:

/s/ David W. Mach

/s/ Gregory A. Janak

/s/ Max Birkel

/s/ Kevin Slama

/s/ William J. Kozisek

/s/ Tony Krafka

/s/ Irvin Cidlik

Attest:

/s/ Vicki L. Truksa

Request from the Village of Linwood

The Village Board of Linwood has made a written request to the county to lower the county's portion of a culvert. The matter is tabled till a future meeting.

Update on Bridge Program/Conditions

The Highway Superintendent presented a report on the 173 bridges in the county. The county has 8 bridges that have been determined to be structurally deficient, of which only 2 are open to traffic at this time.

Review bids for Air Trailer

There were no bids for the air trailer to review at this time.

Liberty National Life Insurance-Employee Benefits

Hank Schollmeyer and Karen Mostrom of Liberty National Life Insurance, presented information on employee benefits that are available through their company. They are to contact the County Clerk prior to the open enrollment period.

Discussion/Butler County Development Board

Discussion was held regarding the Butler County Development Board. The Interlocal Cooperation Act Agreement is in effect for one more year, with the County contributing \$30,000.00, the City of David City contributing \$20,000.00 and the Chamber of Commerce contributing \$5,000.00. Keith Marvin gave an update on the Butler County Development Board and the staffing of the Economic Development Director's position. Greg Aschoff, President of the Chamber of Commerce reiterated the chamber's support of the Butler County Development Board.

The Chairman recessed the meeting at 10:45 a.m., and reconvened at 10:50 a.m.

Purchase of Vehicle for County Assessor

Moved by Krafka, seconded by Slama to approve the purchase of a 2002 Ford Ranger Pickup from Irvin Cidlik in the amount of \$13,750.00 for use by the Butler County Assessor's office. Upon roll call vote the following voted aye: Krafka, Slama, Birkel, Janak, Kozisek, and Mach. The following voted nay: None. Abstaining: Cidlik. Motion carried.

Executive Session/Butler County Dairy, LLC vs. Butler County

Moved by Slama, seconded by Janak to go into Executive Session at 11:10 a.m. for the purpose of discussing ongoing litigation/additional discovery requests. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



Moved by Cidlik, seconded by Krafka to come out of Executive Session at 11:55 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

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

Discussion of 2011/2012 County Budget

Vicki Truksa, County Clerk presented information pertaining to the 2011/2012 County Budget. The figures that presented were preliminary; due to the valuation not being certified at this time.

Approval of 1% Additional Increase to Base of Restricted Funds

Moved by Cidlik, seconded by Birkel to approve an additional 1% increase in the Total 2011-2012 Restricted Funds Authority subject to limitation. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Set Date for Budget Hearing & Special Hearing to Set Final Tax Request

Moved by Slama, seconded by Janak to set the date and time of the budget hearing for September 6, 2011 at 10:00 a.m., and the hearing to set the final tax request at 10:15 a.m. on September 6, 2011. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Approval/Resolution 2011-23 Setting of Levy Allocations

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

RESOLUTION NO. 2011 - 23

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

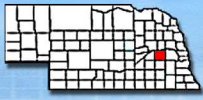
WHEREAS, on or before August 1st, all political subdivisions subject to county levy authority must submit a preliminary request for levy allocation to the County Board, and

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 request on or before August 1, 2011. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$134,000.00



Butler County Board Minutes



Read Township	\$120,000.00
Ulysses Township	\$ 80,000.00
Library	<u>\$ 15,500.00</u>
Total	\$ 95,500.00
Plum Creek Township	\$100,000.00
Richardson Township	\$ 95,000.00
Reading Township	\$ 94,000.00
Union Township	\$ 75,504.00
Center Township	\$115,000.00
Oak Creek Township	\$ 91 ,000.00
Summit Township	\$ 77,000.00
Olive Township	\$127,000.00
Franklin Township	\$ 105,000.00
Skull Creek Township	\$ 65,000.00
Alexis Township	\$ 75,000.00
Savannah Township	\$ 80,000.00
Bone Creek Township	\$ 86,000.00
Linwood Township	\$ 55,450.00
Platte Township	\$ 26,260.00
Ulysses Fire District #2	\$ 24,500.00
Sinking	<u>\$ 24,500.00</u>
Total	\$ 49,000.00
Rising City Fire Dist. #3	\$100,000.00
Bellwood Fire Dist. #5	\$ 45,000.00
Dwight Fire Dist. #6	\$ 12,557.12
Sinking	\$ 19,508.93
Bond	<u>\$ 17,296.65</u>
Total	\$ 49,362.70
Bruno Fire Dist. #7	\$ 45,000.00
Linwood Fire Dist. #8	\$ 36,000.00
David City Fire Dist. #9	\$149,000.00
Brainard Fire Dist. #10	\$ 31,000.00
Sinking	<u>\$ 8,000.00</u>
Total	\$ 39,000.00
Abie Fire Dist. #11	\$ 16,000.00

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



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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 15th day of August, 2011.

Voting Aye:

/s/ David W. Mach

/s/ William J. Kozisek

/s/ Gregory A. Janak

/s/ Max Birkel

/s/ Irvin Cidlik

/s/ Kevin Slama

/s/ Tony Krafka

Voting Nay:

NONE

Attest:

/s/ Vicki L. Truksa

Butler County Clerk

Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of July, 2011 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of July, 2011 was accepted and placed on file.

Approval of Annual Inventories of County Personal Property

Moved by Cidlik, seconded by Krafka to approve the Annual Inventory of County Personal Property as presented . Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Inventory forms approved:

County Assessor

County Attorney

Extension Office

County Court

District Court

County Sheriff

Senior Services

Noxious Weed Superintendent

County Board of Supervisors

County Treasurer

County Clerk

Veteran's Service

County Surveyor

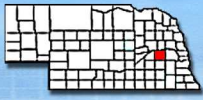
Probation Officer

Highway Superintendent

911 Communications

Emergency Manager

Detention Center



Butler County Board Minutes



Amendment to STOP Traffic Diversion Program Curriculum

Moved by Slama, seconded by Krafka to approve the following resolution allowing for a minimum of 4 hours of training time. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

RESOLUTION # 2011 – 25

WHEREAS, the Butler County Board of Supervisors (hereinafter “the Board”) believes it appropriate to continue to provide for the general public an opportunity to participate in Butler County Safety Training Option Program, commonly referred to as STOP program applicable to minor traffic infractions; and

WHEREAS, the Board previously passed Resolution #2007-4 creating the Butler County STOP program; and

WHEREAS, since the implementation of the Butler County STOP program, the Nebraska Department of Motor Vehicles has revised its rules and regulations to require the curriculum to provide for a minimum of four hours of instruction time, not including breaks; and

WHEREAS, the Board is desirous of approving the change to a minimum of four hour curriculum in accord with the revised rules and regulations of the Nebraska Department of Motor Vehicles.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF BUTLER COUNTY, NEBRASKA that the curriculum for STOP classes be and is hereby changes to a minimum of four hours in duration.

This Resolution passed and approved this 15th day of August, 2011.

/s/ David W. Mach

David Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, Butler County Clerk

Approval of Special Designated Liquor License for St. Joseph's Parish

Moved by Cidlik, seconded by Krafka to approve the Special Designated Liquor License request that was submitted by St. Joseph's Parish, Bellwood, Nebraska for the special event to be held September 24, 2011. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Authorize Chairman to sign Letter of Support (USDA Grant Application-Bone Creek Museum)

Moved by Janak, seconded by Kozisek to authorize the Chairman to sign the letter of support for the grant and loan application submitted by Bone Creek Museum of Agrarian Art to the United States Department of Agriculture-Rural Development. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Department of Environmental Quality Notice

Notice was received and placed on file from the State of Nebraska Department of Environmental Quality regarding the Phased Construction and Operating Permit Issued to Summit Heifer Ranch Concentrated Animal Feeding Operation located in the NW ¼, Section 5, Township 14N, Range 1E Butler County.

Correspondence

Jon Edwards, Legal Counsel for Nebraska Association of County Officials (requesting information pertaining to water litigation)

Travis Holland, Social Security Administration (incentive payments for program participation by the Detention Center)

State of Nebraska, Commission on Law Enforcement and Criminal Justice (verification of full compliance by the Butler County Jail)

Mike Applegate, Jail Administrator (response to Audit Exit Conference)

Blue Valley Community Action (Agenda for upcoming meeting, board proceedings, etc.)



Butler County Board Minutes



Claims

Moved by Kozisek, seconded by Krafka to approve for payment the claims as presented with the addition of the claim for the purchase of the vehicle by the County Assessor. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:50 p.m. The next meeting will be on September 6, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

September 6, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of September, 2011 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, Gregory A. Janak, 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.

Correction on Bridge Report

Jim Truksa, Highway Superintendent presented a Bridge Report to the board at the last meeting. There was a correction to that report which was presented today.

Resolution 2011 – 30 Release of Pledged Collateral

Moved by Slama seconded by Kozisek to approve Resolution 2011 -30. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS

BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 – 30

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
313370JB5	\$250,000.00
3136FPSR9	\$250,000.00

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

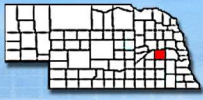
NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby instructed and empowered to sign off the above listed pledged securities as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 6th day of September, 2011.

/s/ David W. Mach
Chairman

ATTEST:

/s/ Vicki L. Truksa
County Clerk



Butler County Board Minutes



Resolution 2011 – 29 Butler County Joining the National Moment of Remembrance of the 10th Anniversary of September 11th

Moved by Janak, seconded by Birkel to approve Resolution 2011 -29. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 – 29

Joining the National Moment of Remembrance of the 10th Anniversary of September 11th

WHEREAS, the governing body of Butler County expresses their support of the United States Senate regarding coming together as a Nation and ceasing all work or other activity for a moment of remembrance beginning at 1:00 p.m. Eastern Daylight Time on September 11, 2011, in honor of the 10th anniversary of the terrorist attacks committed against the United States on September 22, 2001; and

WHEREAS, at 8:46 a.m., on September 11, 2001, hijacked American Airlines Flight 11 crashed into the upper portion of the North Tower of the World Trade Center in New York City, New York; and

WHEREAS, 17 minutes later, at 9:03 a.m., hijacked United Airlines Flight 175 crashed into the South Tower of the World Trade Center; and

WHEREAS, at 9:37 a.m., the west wall of the Pentagon was hit by hijacked American Airlines Flight 77, the impact of which caused immediate and catastrophic damage to the headquarters of the Department of Defense; and

WHEREAS, at approximately 10:00 a.m., the passengers and crew of hijacked United Airlines Flight 93 acted heroically to retake control of the airplane and thwart the taking of additional American lives by crashing the airliner in Shanksville, Pennsylvania, and, in doing so, gave their lives to save countless others; and

WHEREAS, nearly 3,000 innocent civilians were killed in the heinous attacks of September 11, 2001; and

WHEREAS, tens of thousands of individuals narrowly escaped the attacks at the Pentagon and World Trade Center and, as witnesses to this tragedy, are forever changed; and

WHEREAS, countless fire departments, police departments, first responders, governmental officials, workers, emergency medical personnel, and volunteers responded immediately and heroically to those horrific events; and

WHEREAS, the Fire Department of New York suffered 343 fatalities on September 11, 2001, the largest loss of life of any emergency response agency in United States history; and

WHEREAS, the Port Authority Police Department suffered 37 fatalities in the attacks, the largest loss of life of any police force in United States history in a single day; and

WHEREAS, the New York Police Department suffered 23 fatalities as a result of the terrorist attacks; and

WHEREAS, the impact of that day on public health continues through 2011, as nearly 90,000 people are at risk of or suffering from negative health effects as a result of the events of September 11, 2001, including 14,000 workers and 2,400 community residents who are sick, and tens of thousands of others whose health is being monitored; and

WHEREAS, 10 years later, the people of the United States and people around the world continue to mourn the tremendous loss of innocent life on that fateful day; and

WHEREAS, 10 years later, thousands of men and women in the United States Armed Forces remain in harm's way defending the United States against those who seek to threaten the United States; and



Butler County Board Minutes



WHEREAS, on the 10th anniversary of this tragic day, the thoughts of the people of the United States are with all of the victims of the vents of September 11, 2001 and their families; and

WHEREAS, the lives of Americans were changed forever on September 11, 2001, when events threatened the American way of life; and

WHEREAS, in 2009, Congress and the President joined together to designate September 11 as a National Day of Service and Remembrance under the Serve American Act (Public Law 111-13; 123 Stat. 1460); and

WHEREAS, in September 2009 and 2010, President Obama issued Proclamation 8413 (74 Fed. Reg. 47045) and Proclamation 8559 (75 Fed. Reg. 56463) proclaiming September 11, 2009, and September 11, 2010, respectively, as Patriot Day and National Day of Service and Remembrance; and

WHEREAS, September 11 will never, and should never, be just another day in the hearts and minds of all people of the United States;

NOW, THEREFORE, BE IT RESOLVED that the governing body of Butler County:

- (1) recognizes September 11, 2011, as a day of solemn commemoration of the events of September 11, 2001, and a day to come together as a Nation; and
- (2) offers its deepest and most sincere condolences to the families, friends, and loved ones of the innocent victims of the September 11, 2001, terrorist attacks; and
- (3) honors the heroic service, actions, and sacrifices of first responders, law enforcement personnel, State and local officials, volunteers, and countless others who aided the innocent victims of those attacks and, in doing so, bravely risked and often gave their own lives; and
- (4) recognized the valiant service, actions, and sacrifices of United States personnel, including members of the United States Armed Forces, the United States intelligence agencies, the United States diplomatic service, homeland security and law enforcement personnel, and their families, who have given so much, including their lives and well-being, to support the cause of freedom and defend the security of the United States; and
- (5) reaffirms that the people of the United States will never forget the challenges our country endured on and since September 11, 2001, and will work tirelessly to defeat those who attacked the United States; and

BE IT FURTHER RESOLVED that on the 10th anniversary of this tragic day in United States history the governing body of Butler County calls upon all of the people and institutions of the United States to observe a moment of remembrance on September 11, 2011, including: (i) media outlets; (ii) houses of worship; (iii) military organizations; (iv) veterans organizations; (v) airlines; (vi) airports; (vii) railroads; (viii) sports teams; (ix) the Federal Government; (x) State and local governments; (xi) police, fire, and other public institutions; (xii) educational institutions; (xiii) businesses; and (xiv) other public and private institutions; and

BE IT FURTHER RESOLVED that the governing body of Butler County encourages the observance of the moment of remembrance to last for 1 minute beginning at 1:00 p.m. Eastern Daylight Time by, to the maximum extent practicable ceasing all work or other activity; and marking the moment in an appropriate manner, including by ringing bells, blowing whistles, or sounding sirens.

Dated this 6th day of September 6, 2011.

/s/ David W. Mach

Chairman

ATTEST:



Butler County Board Minutes



/s/ Vicki L. Truksa
County Clerk

Lower Platte Weed Management Area/Phragmites Control

Max Birkel, Noxious Weed Control Superintendent reported to the board on the helicopter survey that was taken by the Lower Platte Weed Management Area to assess the phragmites infestation along the Platte River. Letters of explanation and agreements have been sent to the respective landowners; explaining the process to complete the spraying of these infested acres and the payment for this service.

Landfill Road (R Road) Subcontract work/waiving bidding requirements

Jim Truksa, Highway Superintendent explained to the board that no contractors submitted bids to the Butler County Landfill for the project to repair R Road. The county will assume the duty of overseeing the project; with a portion of the work being done by the Road Department and portions of the project being completed by private contractors. The Butler County Landfill will be responsible for the costs connected with this road project.

Board of Equalization (see separate proceedings)

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

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

Correspondence

Correspondence was received from NIRMA (Nebraska Intergovernmental Risk Management Association) announcing their annual membership meeting and luncheon.

The Nebraska State Historical Society announced that the State Historic Preservation Review Board will consider the Butler County School District No. 10 for nomination to the National Register of Historic Places.

Julie Reiter, County Attorney, notified the board that the hearing on the Motions for Summary Judgment in the Butler County Dairy, LLC v. Township of Read, Butler County, Nebraska et al., will be held on September 26, 2011 at 1:30 p.m. in the Saunders County District Courtroom.

Quarterly Report-Detention Center

Mike Applegate, Detention Center Administrator presented the quarterly report for 04/01/11 – 06/30/11. The report was accepted and placed on file.

Information on Social Security Incentives

The Detention Center Administrator reported to the board that he has been in contact with a representative from the Social Security Bureau regarding an incentive program that may be available for the county's participation.

Carpet in Contact Visitation Area

The carpet in the contact visitation area needs to be replaced. A quote has been obtained from Zegers Home Center and the expense will be paid from the Building and Grounds Fund.

Budget Hearing

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

No one was present to comment at the hearing.

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



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Resolution 2011 – 26 Creation of Equipment Sinking Fund

Moved by Cidlik, seconded by Krafka to approve Resolution 2011 – 26. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 – 26

WHEREAS, the Butler County Board of Supervisors has determined that it is in the best interests of the County for funds to be set aside for the purchase of equipment and vehicles that require specific funding; and

WHEREAS, funds will be required to be set aside and maintained for such equipment and vehicle purchases; and

WHEREAS, in order for those funds to be maintained for said expenditures, funds must be transferred from the County General Fund to an Equipment Sinking Fund.

NOW, THEREFORE, BE IT RESOLVED that there be established a fund specifically for the receiving and disbursing of Equipment Sinking funds. Such fund shall have the fund number of 0950 and function number of 985.

Dated this 6th day of September, 2011.

/s/ David W. Mach
Chairman

ATTEST:

/s/ Vicki L. Truksa
County Clerk

Resolution 2011 – 27 Adoption of County Budget

Moved by Janak, seconded by Cidlik to approve the 2011-2012 budget and to approve Resolution 2011 – 27. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 - 27

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2011 to June 30, 2012, prepared by the Budget Making Authority, was transmitted to the County Board on the 18th day of July, 2011.

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, 2011 to June 30, 2012, 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, 2011, and ending June 30, 2012.



Butler County Board Minutes



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 this 6th day of September, 2011.

/s/ David W. Mach
Chairman

/s/ Max Birkel
Supervisor

/s/ William J. Kozisek
Supervisor

/s/ Irvin Cidlik
Supervisor

/s/ Gregory A. Janak
Supervisor

/s/ Kevin Slama
Supervisor

/s/ Tony Krafka
Supervisor

ATTEST:

/s/ Vicki L. Truksa
County Clerk

Special Hearing – Final Tax Request/Resolution 2011 - 28

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

No one was present to comment at the hearing.

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

Moved by Kozisek, seconded by Janak to approve Resolution 2011 – 28. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 - 28

WHEREAS, pursuant to State Statute 77-1601.02 the Butler County Board of Supervisors held a hearing on September 6, 2011 at 10:15 a.m. in regard to setting the 2011-2012 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 2010-2011 Property Tax Request was:	\$2,911,006.31, and
The levy to fund the 2010-2011 tax request was:	0.240398, and
The levy to fund last year's tax request if it were	



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applied to the current valuation would be: 0.218645, and
The proposed tax request for the 2011-2012 year is: \$ 2,984,061.88, and
The proposed levy to fund the 2011-2012 tax request is: 0.224132, and

WHEREAS, no one was 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 \$2,984,061.88 for the 2011-2012 fiscal year.

Dated this 6th day of September, 2011.

/s/ David W. Mach

Chairman

ATTEST:

/s/ Vicki L. Truksa
County Clerk

The Chairman recessed the meeting at 10:25 a.m., and reconvened at 10:30 a.m.

Easement/David City Northwest Drainage Project

Autumn Anderson, Midwest Right-of-Way Services appeared before the board to review the easement request for the David City Northwest Drainage Project.

Moved by Cidlik, seconded by Krafka to approve the request for easement and to authorize the Chairman to sign the necessary documents. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Abstaining: Janak. Motion carried.

Discussion of marquee sign

Jerry Roh, Butler County Visitor's Committee was present at the meeting to discuss plans for the placement of a marquee sign on the west side of the courthouse square.

Distress Warrant Report

The Distress Warrant report was presented by Mark Hecker, County Sheriff; it was accepted and placed on file.

Discussion

The issue of garbage being dumped on gravel roads in the county, particularly along U Road was discussed with the County Sheriff.

Courthouse Tower Usage

Rick Schneider, Emergency Manager had a request from the David City Utilities Department to install a repeater on the tower by the courthouse. Approval for the tower usage was given by the board.

Authorize Chairman to sign EMPG Grant documents

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign the Final Grant Adjustment Notice for the 2010 EMPG Subaward. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:25 a.m. The next meeting will be on September 19, 2011, at 9:00 a.m.

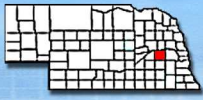
Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

September 19, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of September, 2011 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Consideration of Utility Permits/Windstream Communications

Moved by Krafka, seconded by Cidlik to approve the utility permit request of Windstream Communications, Inc. to replace communications facilities between Section 10, T15N, R4E and Section 3, T15N, R4E, near Dwight in Butler County; and the utility permit request of Windstream Nebraska, Inc. to install a communications facilities in Section 9, T16N, R2E, near Bellwood in Butler County. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Kozisek, and Mach. The following voted nay: None. Absent: Janak. Motion carried.

Approval of NBCS Forms

Moved by Slama, seconded by Kozisek to approve and authorize the Chairman to sign the Nebraska Board of Public Roads Classifications and Standards yearly reports. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Birkel, Cidlik, and Mach. The following voted nay: None. Abstaining: Janak. Motion carried.

Certification of Horizontal Curve Signage

Moved by Cidlik, seconded by Krafka to authorize the Chairman to sign the Certification of Compliance for the Horizontal Curve Signage project. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Set Date of Surplus Property Auction

Moved by Slama, seconded by Cidlik to set the date of October 27, 2011 for the County Surplus Property Auction to be held. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Consideration of Utility Permits/Tuls Dairies

Moved by Cidlik, seconded by Kozisek to approve the 3 utility permits for Tuls Dairies to place a culvert for a lagoon effluent hose between Sections 32 and 33, T14N, R1E; Sections 29 and 32, T14N, R1E; and Sections 28 and 19, T14N, R1E. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Update of Landfill Road (R Road)

Jim Truksa, Highway Superintendent updated the board on the progress being made on the repair of R Road. The first two miles north of Highway 92 are finished. Work has begun on the third mile, and will continue as weather permits.

Region V Building/Roof Repair



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Tracy Ryba of Region V Services presented a quote to the board from Weathercraft Co. of Lincoln for roof repairs that need to be completed on the Region V Services building. The board agreed that the repair work needs to be completed as soon as possible. They recommended that information be sought regarding the repair or replacement of the entire roof.

Board of Equalization(see separate proceedings)

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

Supervisor Max Birkel left the meeting at 9:30 a.m.

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

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court monthly fee report for August, 2011 was accepted and placed on file.

County Clerk Monthly Fee Report

The County Clerk monthly fee report for August, 2011 was accepted and placed on file.

Approval of 2011 Emergency Management Performance Grant

Moved by Slama, seconded by Cidlik to authorize the Chairman to sign the 2011 Sub-Recipient Agreement for the Emergency Management Performance Grant. Upon roll call vote the following voted aye: Slama, Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Claims

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

Distress Warrants

Karey Adamy, County Treasurer presented to 2010 Distress Warrant Register, which was accepted and placed on file.

Approval of 2011 Victims Assistance Grant

Moved by Slama, seconded by Krafka to authorize the Chairman to sign the 2011 Victims Assistance Grant. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:30 a.m. The next meeting will be on October 3, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

October 3, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of October, 2011 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Update of Landfill Road (R Road)

Jim Truksa, Highway Superintendent updated the board on the progress being made on the repair of R Road. The first three miles north of Highway 92 are finished. Work has begun on the fourth mile, and will continue as weather permits.

Resolution and Agreement/Butler County and Nebraska Department of Roads

The resolution and agreement between Butler County and the Nebraska Department of Roads pertaining to the Federal Aid Emergency Funds/Drop Structure Repairs on Skull Creek due to damage done during the 2008 flooding was tabled till additional information becomes available.

Discussion-Ordinance to Require Securing of Refuse Loads

Discussion was held regarding the possible adoption of an ordinance requiring all refuse loads being hauled in the county to be covered or secured in some manner. Additional information will be obtained and reported to the board at a future meeting.

Discussion-Mowing of Roadside Ditches

Discussion was held regarding a complaint that was received by Kevin Slama about roadside ditches not being mowed.

Redistricting of Supervisor's Districts

Discussion was held pertaining to the maps that have been supplied by GIS Workshop showing the options available for redistricting of the supervisor's districts. The matter is tabled till the next board meeting.

Board of Equalization(see separate proceedings)

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

Supervisor Max Birkel left the meeting at 9:35 a.m.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 9:42 a.m.

Quarterly Budget Report

Vicki Truksa, County Clerk presented the quarterly budget report showing the expenditures for the first quarter of the fiscal year.



Butler County Board Minutes



Runge/Political Subdivision Tort Claim

Julie Reiter, County Attorney explained to the board the tort claim that had been filed.

Bids for Air Trailer

Bids were received and opened at 10:00 a.m. for the purchase of an air trailer to be used by Butler County Mutual Aid. One bid was received from FireGuard of Omaha, Nebraska in the amount of \$65,380.00. Moved by Kozisek, seconded by Krafka to accept the bid from FireGuard for the air trailer. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Executive Session/Discussion of Claim Against a Detention Center Officer

Moved by Cidlik, seconded by Krafka to go into Executive Session at 10:15 a.m. for the purpose of discussing the claim against a Detention Center Officer. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Slama, seconded by Janak to come out of executive session at 10:25 a.m. Upon roll call vote the following voted aye: Slama, Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

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

Quarterly Jail Inspection

The board members conducted their quarterly jail inspection at 10:30 a.m.

Correspondence

Correspondence was received from the Butler County Veterans Service Office announcing November 14, 2011 as County Government Day in Butler County.

Correspondence was received from Lower Platte South Natural Resources District announcing their approval of the Long Range Implementation Plan for Fiscal Years 2012 through 2016.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:50 a.m. The next meeting will be on October 17, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

October 17, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of October, 2011 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Resolution & Agreement/Butler County & NDOR (Federal Aid Emergency Funds: Drop Structure Repairs on Skull Creek-08 Flood)/Letter

Moved by Cidlik, seconded by Slama to not approve the resolution and agreement for Project ER-3020 (1). Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Discussion was held on road and bridge issues and an update on the repairs to R Road was given.

Flu Vaccinations for County Employees

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

Adopt Resolution 2011-31 Release of Pledged Collateral

Moved by Cidlik, seconded by Kozisek to adopt Resolution No. 2011-31. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2011 – 31

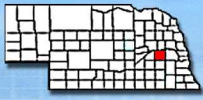
WHEREAS, Bank of the Valley, Bellwood, Nebraska, has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
3128M1L80	\$450,000.00
3128MBBN6	\$840,000.00

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 securities as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 17th day of October, 2011.



Butler County Board Minutes



David W. Mach

Chairman

ATTEST:

Vicki L. Truksa

County Clerk

Quarterly Report/General Assistance

The quarterly General Assistance report for July thru September 2011 was accepted and placed on file.

Butler County Sheriff/Quarterly Report

Mark Hecker, Butler County Sheriff presented the department's quarterly report. The board accepted the report and placed it on file.

Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of September 2011 was accepted and placed on file.

County Clerk Monthly Fee Report

The County Clerk fee report for the month of September 2011 was accepted and placed on file.

Authorize Chairman to sign Certification of Cost Allocation Plan with Maximus

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

Approve Employee Recognition Dinner

Moved by Janak, seconded by Krafka to approve up to \$15.00 per employee for an Employee Recognition Dinner to be held on December 2, 2011. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Reappointment of County Board member to the Blue Valley Community Action Partnership Board of Directors/Alternate Appointment

Moved by Cidlik, seconded by Janak to reappoint Tony Krafka as the Butler County representative on the Board of Directors of Blue Valley Community Action Partnership, and Kevin Slama as the alternate. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Discussion/Approval of Redistricting Map

Discussion was held in regards to the redistricting of the supervisor's districts. The proposed maps that were supplied by GIS Workshop were reviewed. The matter was tabled till the November 7, 2011 meeting.

Request for use of the Courtroom

Jim Egr appeared before the board requesting permission to use the courtroom for the mock trial teams. Moved by Birkel, seconded by Kozisek to authorize usage of the courtroom for the mock trial teams. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Report on Contributions

Matt Hilger appeared before the board to report that he has commitments from the fire departments and several businesses for approximately \$25,500.00 to be used towards the purchase of the air trailer for Butler County Mutual Aid.

Board of Equalization(see separate proceedings)

Moved by Krafka, seconded by Slama to go into Board of Equalization at 10:05 a.m. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Janak, Kozisek, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



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

Discussion Items

Max Birkel reported to the board that the phragmites spraying on the river has almost been completed; there had been some delay due to the high winds.

Emergency Management Quarterly Report

Rick Schneider, Emergency Manager presented the quarterly report for his department, it was accepted and placed on file.

Claims

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

There being no further business to come before the Board, the Chairman adjourned the meeting. The next meeting will be on November 7, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

November 7, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of November, 2011 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Consideration of Utility Permit/Windstream Communications

Moved by Cidlik, seconded by Kozisek to approve the utility permit application of Windstream Nebraska, Inc. to move existing communications facilities in Section 10, T15N, R4E, near Bruno in Butler County. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Consideration of Temporary Permit/Butler County Dairy

Moved by Janak, seconded by Birkel to approve the temporary permit request of Butler County Dairy to place a pipe over the road between Section 36, T14N, R1E and Section 31, T14N, R2E; and temporarily close the road. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Update of R Road (Landfill Road)

An update on the repair work done and the cost of the repair work on R Road (Landfill Road) was given by the Highway Superintendent.

Detention Center Administrator/Quarterly Report

Mike Applegate, Detention Center Administrator presented the quarterly report. The board accepted the report and placed it on file.

Recommitment to participate in NIRMA and NIRMA II

Moved by Birkel, seconded by Kozisek to adopt Resolution 2011 – 33, For Amendment and Addendum to NIRMA/NIRMA II Intergovernmental/Interlocal Agreements. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

RESOLUTION 2011 -33

FOR AMENDMENT AND ADDENDUM TO NIRMA/NIRMA II INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS

WHEREAS, Butler County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk



Butler County Board Minutes



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 the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 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

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed that provided by standard 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 loss exposures counties and other related public entities face not economically available from other sources; and

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

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2012, and

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

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2012 through June 30, 2015; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

After motion duly made by member Birkel and seconded by member Kozisek, the following members voted by roll call vote in favor of passage and adoption of said Resolution: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach.

The following members voted against the same: NONE

The following members were absent or not voting: NONE

PASSED AND APPROVED this 7th day of November, 2011.

Butler County Board

Attest:

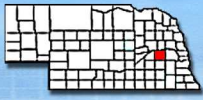
Vicki L. Truksa
County Clerk

By: David W. Mach
Chairperson/Presiding Officer

Correspondence

1. Nebraska Association of County Officials-NACO 2020 County Government Committee Report
2. Nebraska Association of County Officials-NACO Annual Audit Report
3. Nebraska Association of County Officials-Election Procedures

Discussion



Butler County Board Minutes



Julie Reiter, County Attorney reported to the board that a Notice of Dismissal was entered in the case filed by LaDamien J. Bradford.

Board of Equalization (see separate proceedings)

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

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

Decision on Redistricting of Supervisors' Districts

Moved by Birkel, seconded by Cidlik to accept Proposal #6 for the redistricting of the supervisors' districts. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Motion carried.

Authorize Chairman to sign Hospital Licensure Renewal Application

Moved by Janak, seconded by Birkel to authorize the Chairman to sign the DHHS Hospital Licensure Renewal Application for the Butler County Health Care Center. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Discussion on Possible Project for Butler County Health Care Center

Don Naiberk, Ron Jones, and Jerry Roh of the Butler County Health Care Center; along with Andy Snyder of Smith-Hayes appeared before the board to explain the expansion project that the Health Care Center is considering, and the issuance of bonds for a portion of the project financing.

County Treasurer/Distress Warrants

Karey Adamy, County Treasurer presented the Distress Warrant Summary to the board. The listing was turned over to the County Sheriff on November 1, 2011.

Adopt Resolution 2011 – 32 Release of Pledged Collateral

Moved by Birkel, seconded by Slama to adopt Resolution 2011 – 32. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2011 – 32

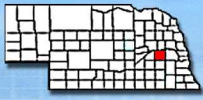
WHEREAS, Bank of the Valley, Bellwood, Nebraska, has on file the following pledged securities:

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
31402RSP5	\$1,485,000.00
2592877Q7	\$ 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 securities as requested by Bank of the Valley, Bellwood, Nebraska.

Dated this 7th day of November, 2011.



Butler County Board Minutes



David W. Mach
Chairman

ATTEST:
Vicki L. Truksa
County Clerk

Butler County Visitors Committee/Update on Marquee Sign Project

Jerry Roh, Butler County Visitors Committee reported to the board that the Visitors Committee had voted to commit \$10,000.00 towards the sign project. The marquee sign will be placed on the west side of the courthouse. The David City Area Foundation will be contributing to the project along with several donations that have been committed.

Discussion on additional costs for the Air Trailer/Authorize Chairman to sign the Fire Guard Sales Order

Matt Hilger was present at the board meeting to explain the changes and the additional costs involved in construction of the air trailer. Moved by Krafka, seconded by Slama to authorize the Chairman to sign the Fire Guard Sales Order which lists the additional costs. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Janak, Kozisek, and Mach. The following voted nay: None. Motion carried.

County Sheriff/Agreement with Village of Bellwood for Law Enforcement

Moved by Janak, seconded by Cidlik to approve the agreement with the Village of Bellwood for law enforcement. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:15a.m. The next meeting will be on November 21, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

November 21, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of November, 2011 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, Gregory A. Janak, 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 Vice-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 Vice-Chairman declared the minutes from the previous meeting shall stand approved as presented.

Clerk of the District Court Monthly Fee Report

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

County Clerk Monthly Fee Report

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

Deputy County Attorney Position

Julie Reiter, County Attorney informed the board that Denise Kracl, Deputy County Attorney is resigning the position effective November 30, 2011. Effective December 1, 2011, Leslie J. Buhl will assume the duties of Deputy County Attorney.

David W. Mach arrived at the meeting at 9:05 a.m.

Adopt Resolution 2011-38 Appointment of Deputy County Attorney

Moved by Cidlik, seconded by Slama to adopt Resolution 2011-38. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Janak, and Birkel. The following voted nay: None. Abstaining: Mach. Absent: Kozisek. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2011 – 38

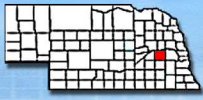
WHEREAS, Julie L. Reiter, the duly elected and qualified County Attorney in and for Butler County, Nebraska, upon the resignation of Denise J. Kracl as Deputy County Attorney, has nominated and appointed Leslie J. Buhl as Deputy County Attorney effective December 1, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the appointment of Leslie J. Buhl as Deputy Butler County Attorney effective December 1, 2011 is approved.

Dated this 21st day of November, 2011.

David W. Mach
Chairman

ATTEST:
Vicki L. Truksa
County Clerk



Butler County Board Minutes



Authorize the Chairman to sign the Certification of County Highway Superintendent

Moved by Janak, seconded by Birkel to authorize the Chairman to sign the Certification of County Highway Superintendent. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Designate the Official County Newspaper for 2012

Moved by Slama, seconded by Birkel the designate The Banner-Press as the official county newspaper for 2012. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Krafka, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Adopt Resolution 2011-34 Transfer of Funds from General Fund to 911 Emergency Services Fund

Moved by Janak, seconded by Cidlik to adopt Resolution 2011-34. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2011 - 34

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 \$20,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$20,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

Dated this 21st day of November, 2011.

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

ATTEST:

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

Adopt Resolution 2011-35 Transfer of Funds from General Fund to Emergency Management

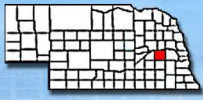
Moved by Birkel, seconded by Janak to adopt Resolution 2011-35. Upon roll call vote the following voted aye: Birkel, Janak, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2011 – 35

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 \$10,000.00.



Butler County Board Minutes



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

Dated this 21st day of November, 2011.

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

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

Adopt Resolution 2011-36 Transfer of Funds from General Fund to Noxious Weed Control Fund

Moved by Cidlik, seconded by Slama to adopt Resolution 2011-36. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Janak, and Mach. The following voted nay: None. Abstaining: Birkel. Absent: Kozisek. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2011 – 36**

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 \$10,000.00.

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

Dated this 21st day of November, 2011.

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

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

Adopt Resolution 2011-37 Supervisor Districts

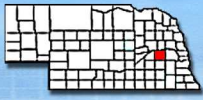
Moved by Krafka, seconded by Cidlik to adopt Resolution 2011-37. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2011 – 37**

WHEREAS, Section 23-269, R.R.S. 1943, provides that supervisor districts may be changed after each state and federal census, if it shall appear from an examination that the population has become unequal among the several districts, and

WHEREAS, a federal census was conducted in 2010, and

WHEREAS, an examination of the population of Butler County, Nebraska, based on said 2010 federal census reflected that said population has become unequal among the several districts.



Butler County Board Minutes



WHEREAS, in an effort to comply with the provisions of the above mentioned statute, the Butler County Board of Supervisors propose the following districts:

DISTRICT #1 – is comprised of all of Platte Township (including the village of Linwood), all of Linwood Township (including the village of Abie), Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Skull Creek Township (including the village of Bruno), Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Franklin Township, all of Bone Creek Township (including the village of Octavia) and Sections 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 of Savannah Township.

DISTRICT #2 - is comprised of all of Alexis Township, Sections 7, 8, 17, 18, 19, 20, 29, 30, 31 and 32 of Savannah Township (including the village of Bellwood).

DISTRICT #3 - is comprised of all of Olive Township, all of Summit Township, all of Reading Township (including the village of Rising City) and all of Union Township (including the village of Garrison).

DISTRICT #4 - is bounded by a line beginning at Highway 15 and Road 37, West on Road 37 to M Road, then South on M Road to Road 34, then East on Road 34 to Highway 15, then North on Highway 15 to Kansas Street, then East on Kansas Street to 9th Street, then North on 9th Street to C Street, then West on C Street to 5th Street, then North on 5th Street to O Street, then West on O Street to Highway 15, then North on Highway 15 to the point of beginning.

DISTRICT #5 - is bounded by a line beginning at Highway 15 and S Street, South on Highway 15 to O Street, then East on O Street to 5th Street, then South on 5th Street to C Street, then East on C Street to 11th Street, then North on 11th Street to the railroad tracks, then following the East city limit boundaries and the North city limit boundaries to the point of beginning.

DISTRICT #6 - is comprised of Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of Skull Creek Township, Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 17, 18, 19 and 20 of Oak Creek Township (including the village of Brainard), Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 of Center Township, Sections 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, and 36 of Franklin Township, the rural portion of Section 18 of Franklin Township that is not in the city limits of David City or Supervisor District 4, the rural portion of Section 20 of Franklin Township that is not in the city limits of David City, the rural portion of Section 29 of Franklin Township that is not in the city limits of David City, the rural portion of Section 30 of Franklin Township that is not in the city limits of David City, and that portion bounded by a line beginning at Highway 15 at the South city limits of David City, then North along Highway 15 to Kansas Street, then East along Kansas Street to 9th Street, then North along 9th Street to C Street, then East along C Street to 11th Street, then North along 11th Street to the railroad tracks, then following the East city limit boundaries and the South city limit boundaries to the point of beginning.

DISTRICT #7 - is comprised of Sections 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of Oak Creek Township, Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 and 36 of Center Township, all of Richardson Township (including the village of Dwight), all of Plum Creek Township, all of Ulysses Township (including the village of Ulysses) and all of Read Township (including the village of Surprise).

NOW, THEREFORE BE IT RESOLVED, by the Butler County Board of Supervisors that the boundaries for the Butler County Supervisor Districts shall be and are hereby changed to those boundaries legally described and set forth above.

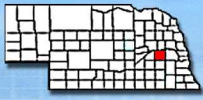
Dated this 21th day of November, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa



Butler County Board Minutes



Vicki L. Truksa, County Clerk

Adopt Resolution 2011-39 Ratify Creation of 911 Wireless Service

Moved by Slama, seconded by Birkel to adopt Resolution 2011-39. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Krafka, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2011 – 39

WHEREAS, Butler County, Nebraska (“Butler County”) provides a public safety answering point (“PSAP”) which receives 911 service calls and either directly dispatches emergency services or relays calls to the appropriate public service agency; and

WHEREAS, Butler County provides an enhanced-911 wireless service (“E911 Wireless”) by which wireless carriers can provide automatic number identification, pseudo-automatic number identification, and wireless automatic location identification information to the Butler County PSAP which has the capability of providing selective routing, selective transfer, fixed transfer, automatic number identification, and wireless automatic location identification; and

WHEREAS, the Nebraska Public Service Commission, pursuant to the Enhanced Wireless 911 Services Act, has set a surcharge to be collected by wireless carriers and paid by their wireless customers to help fund certain costs of E-911 Wireless; and

WHEREAS, it was necessary for Butler County to establish a separate fund in which to deposit the E-911 Wireless surcharge funds into and said fund was previously established on July 1, 2010 as the E911 Wireless Fund, Fund Number 2913.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the establishment of the Butler County E911 Wireless Fund, Fund Number 2913 on July 1, 2010 is hereby ratified. The fund shall consist of the surcharges credited to the fund, any money appropriated by the Legislature, the Nebraska Public Service Commission, any federal funds received for wireless emergency communication, and any other funds designated for credit to the fund. The monies in the fund shall be used for purposes allowed by the Enhanced Wireless 911 Services Rules and Regulations promulgated and adopted by the Nebraska Public Service Commission.

Dated this 21st day of November, 2011.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Board of Equalization (see separate proceedings)

Moved by Birkel, seconded by Cidlik to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Janak, 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 9:35 a.m.

Discussion Items

Max Birkel reported to the board that he has received the results of an infrared analysis of phragmites infestation in Butler County.

Correspondence

Correspondence was received from Blue Valley Community Action regarding the annual meeting of the Board of Directors, the proceedings of their October meeting, and updates of their activities.

Claims



Butler County Board Minutes



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

The Chairman recessed the meeting at 9:40 a.m., and reconvened the meeting at 9:45 a.m.

Executive Session-U.S. Department of Homeland Security Report

Moved by Slama, seconded by Krafka to go into Executive Session at 9:50 a.m., the purpose of which is regarding the security assessment of the Courthouse. Upon roll call vote the following voted aye: Slama, Krafka, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Those in attendance, in addition to the Supervisors and Julie Reiter, County Attorney, were: Mark Hecker, Rick Schneider, Karey Adamy, Nancy Prochaska, Vickie Donoghue, Vicki Truksa, and Garlyn Beeman.

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

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

Following discussion on the need of a Security Committee, the Chairman appointed the following to sit on the Security Committee: Kevin Slama, Tony Krafka, Rick Schneider, Ken Pelan, and Mark Hecker.

Claims

Moved by Janak, seconded by Krafka to approve for payment the claims as presented with the exception of the following claims that were denied: Douglas White Trucking \$287.74, Steve Samek \$328.63, United Farmers Coop \$195.05, Duane Wollenburg \$246.10, and Bryan LGH Physician Network \$104.99. Upon roll call vote the following voted aye: Janak, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting. The next meeting will be on December 5, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

December 5, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of December, 2011 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Consideration of Utility Permit Application/John Kobza

Moved by Cidlik, seconded by Kozisek to approve the utility permit application of John Kobza to install a tile outlet between Section 13 and 24, Township 16 North, Range 2 East, contingent on the approval of Savannah Township at their meeting on 12/27/11. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Windshield Claims/Hwy 81

Jim Truksa, Highway Superintendent discussed with the board mechanical issues on the gravel truck that resulted in gravel sifting out.

Authorize Chairman to sign Hartford/Deferred Compensation Plan Documents

Moved by Slama, seconded by Birkel to authorize the Chairman to sign the plan document for The Hartford Deferred Compensation Plan. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Authorize Chairman to sign Plan Document/First Concord Benefits Group, LLC

Moved by Janak, seconded by Krafka to authorize the Chairman to sign the Plan Documents for First Concord Benefits, LLC. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Discussion

Greg Janak extended a thank-you from the East Butler Public School football coach for allowing the players to cross over the county owned property in Brainard, when walking from school to the football field.

Correspondence

Correspondence was received from the State of Nebraska-Emergency Management Agency in regards to the scheduled visit on December 8, 2011. Butler County has been selected for a field monitoring visit and equipment inventory survey.

Butler County Agricultural Society/Building Project

Don Maxson, Cheryl Prothman, Marilyn Zeilinger, Scott Prigge, Steve Fuxa, Marilyn Smith and Bob Kobza, Butler County Agricultural Society Board members were in attendance at the meeting. Don Maxson summarized plans for a Butler County Fair Ag Pavilion Building, which would be constructed at the fairgrounds.



Butler County Board Minutes



Marc Munford, Ameritas Financial Corporation, explained options for financing the project.

More information will be gathered by the Ag Society and brought before the board at a later date.

There being no further business to come before the Board, the Chairman adjourned the meeting. The next meeting will be on December 19, 2011, at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

December 19, 2011

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of December, 2011 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, Gregory A. Janak, and Irvin F. Cidlik. (Kevin Slama arrived at 9:40 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Road Maintenance Agreement with Saunders County (Prague Road)

Moved by Cidlik, seconded by Kozisek to approve the Intergovernmental Agreement with Saunders County for snow and ice removal on the Prague Road. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Discussion-Renewal of 5 Year Township Road Maintenance Contracts

Jim Truksa, Highway Superintendent discussed with the board that the 5 year township road maintenance contracts that will be up for renewal next year. He will be meeting with the townships and report back at a later date.

Clerk of the District Court Monthly Fee Report

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

County Clerk Monthly Fee Report

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

Reappoint Four Corners Health Department Board Members

Reappointment of board members to the Four Corners Health Department Board is tabled till the next meeting.

Approval of Agreement with the State of Nebraska/Department of Roads (Van Purchase)

Moved by Birkel, seconded by Janak to approve and authorize the Chairman to sign the agreement with the State of Nebraska/Department of Roads for the purchase of a 2011 Dodge Grand Caravan Express for use in the rural transit program through the Butler County Senior Services. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Board of Equalization (see separate proceedings)

Moved by Kozisek, seconded by Cidlik to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Kozisek, Krafka, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Absent: Slama. Motion carried. Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 9:35 a.m.

The Chairman recessed the meeting at 9:35 a.m., and reconvened at 9:40 a.m.

Kevin Slama arrived at 9:40 a.m.



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Approval of Tourism Website

Jerry Roh, Chairman of the Butler County Visitors Committee appeared before the board to present a proposal that was received for the creation of a tourism website for Butler County. The funding for this project along with the creation of a website for the Rose Motel will be from the Visitor's Promotion Fund.

Moved by Birkel, seconded by Kozisek to approve the estimates for the creation of the websites. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Discussion

Discussion continued with Jerry Roh, he informed the board that two members of the Visitors Committee will need to be reappointed for another term (Jerry Roh and Mary Sohl). Also, another committee member, Kari Samuelson is no longer a resident of Butler County. Michael Rethwisch will need to be appointed to fill that vacancy on the committee. These appointments will be made at the next meeting.

Purchase of Patrol Vehicle

Mark Hecker, County Sheriff appeared before the board to discuss the purchase of a patrol vehicle for the Sheriff's department. Moved by Janak, seconded by Slama to purchase a 2012 Chevrolet Colorado LT compact crew cab 4x4 pickup as per the State of Nebraska Contract Award. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Claims

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

Moved by Cidlik, seconded by Kozisek to deny payment of the following claims: Marie Ahrens \$570.34, Brett C. Brown \$4,985.38, Scott Moore \$4,371.55, Ryan Robert Pavlik \$1,134.23, Grant Robertson \$395.00, and Erica J. Schott \$6,156.41. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Discussion

Reports were given by Max Birkel, David Mach, and Irvin Cidlik who were in attendance at the Nebraska Association of County Officials Conference.

Correspondence

Correspondence was received and placed on file from the following:

Larry Dix-Nebraska County Official's Association (Draft Bridge Selection Policy)

Ivan Fintel-Clay County Board Chairman (LR332 Lincoln meeting)

Upper Big Blue Natural Resources District (Notice of Board meeting and agenda)

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:40 a.m. The next meeting will be on January 3, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes

