



Butler County Board Minutes



BOARD PROCEEDINGS

January 3, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of January, 2012 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.

Vicki L. Truksa, County Clerk, 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 County Clerk called for nominations for a Temporary Chairman.

Kevin Slama nominated David Mach for Temporary Chairman and William Kozisek seconded the nomination. Irvin Cidlik moved to cease nominations, seconded by Greg Janak. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Mach, Krafka and Slama. Motion carried.

David Mach was declared the Temporary Chairman.

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

Greg Janak nominated David Mach for the Permanent Chairman position, seconded by William Kozisek. Irvin Cidlik moved to cease nominations for the Permanent Chairman position, seconded by Tony Krafka. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Mach, Kozisek, Janak, and Birkel. Motion carried.

David Mach was declared the Permanent Chairman to the Board of Supervisors for 2012.

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

Appoint Four Corners Health Department Board Members

Moved by Janak, seconded by Cidlik to appoint Don Naiberk and William Kozisek as board members for the Four Corners Health Department. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Abstaining: Kozisek. Motion carried.

Appoint Butler County Visitor's Committee Board Members

Moved by Kozisek, seconded by Slama to appoint for a four-year term Jerry Roh and Mary Sohl as board members on the Butler County Visitor's Committee. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Kozisek to appoint Michael Rethwisch to complete the term vacated by Kari Samuelson on the Butler County Visitor's Committee. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Adopt Resolution-County Depositories

Moved by Birkel, seconded by Janak to adopt Resolution 2012-01. 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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BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2012 – 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 2012, so long as they comply with the laws of Nebraska.

Dated this 3rd day of January, 2012.

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

ATTEST:

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

Adopt Resolution-Investment of Surplus Funds

Moved by Cidlik, seconded by Slama to adopt Resolution 2012-02. 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. 2012 – 02

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



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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, 2012.

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

County Clerk-6 Month Budget Report

Vicki L. Truksa, County Clerk presented the budget report for the period including July 1, 2011 – December 31, 2011. The report was accepted and placed on file.

Designation of County Website/Official Publication Method

Moved by Krafka, seconded by Slama to designate the Butler County website as an additional means of publication. 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 Agricultural Society-Information on Proposed Building Project

Don Maxson, presented information on the proposed building project at the fairgrounds. The information included a listing of the projects estimated costs totaling \$1,425,000.00, and an estimated annual operating cost of \$50,000.00. Also, in attendance were Ag Society members: Steve Fuxa, Marilyn Smith, Bob Kobza, Cheryl Prothman, and Scott Prigge. Chuck Lacey of Lacey Construction, Inc. was available to answer questions pertaining to the preliminary project cost estimates that were compiled by his firm.

Repairs on Repeater at Camp Moses Merrill

Rick Schneider, Emergency Manager reported to the board that the repeater (store-forward unit) that is installed at Camp Moses Merrill needs repair. The board instructed Rick to price a new unit. Testing will also be completed to see if this unit is still required.

Notice of Application from Department of Environmental Quality

Notice was received and placed on file from the State of Nebraska, Department of Environmental Quality of an Application for Major Modification at the Green Gable Partnership Concentrated Animal Feeding Operation located in the NE ¼, Section 15, Township 15N, Range 01E, Butler County.

Approve and Authorize the Chairman to sign Annual Reports

Moved by Cidlik, seconded by Krafka to approve and authorize the Chairman to sign the annual reports of the Butler County Noxious Weed Control Authority. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

Correspondence

Correspondence was received from the Nebraska State Historical Society announcing that the Butler County School District No. 10 was officially listed on the National Register of Historic Places.

William Kozisek left the meeting at 10:55 a.m.



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Quarterly Jail Inspection

The board conducted the quarterly jail inspection from 10:55 a.m. – 11:05 a.m.

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 January 17, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

January 17, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of January, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

2012 Fracture Critical Bridge Inspection Agreement

Moved by Cidlik, seconded by Janak to approve and authorize the Chairman to sign the agreement with the Nebraska Department of Roads for fracture critical bridge inspection. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Consideration of Utility Permit/Mark Holoubek

This matter is tabled for additional information.

Set Date for One and Six Year Road Plan Public Hearing

The public hearing for the One & Six Year Road Plan for Butler County is set for February 21, 2012 at 9:30 a.m.

Certificate of Receipt/Traffic Control Devices

Authorization for the Chairman to sign the certificate of receipt for the traffic control devices is tabled till all the control devices have been received.

Approve and Authorize the Chairman to sign Resolution (Project Withdrawals)

Approval of, and authorization for the Chairman to sign the resolution is tabled till additional information can be obtained.

Board of Equalization (see separate proceedings)

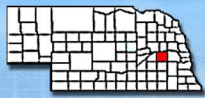
Moved by Slama, seconded by Kozisek to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 9:45 a.m.

Discussion/Possible Bids/Courthouse Improvements

Moved by Cidlik, seconded by Krafka to set the date of March 5, 2012 at 10:00 a.m. to open bids for the following courthouse improvements: additional camera systems, locking systems, and barriers for the Clerk's and Treasurer's offices. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Discussion



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Greg Janak reported that the Safety Committee met and discussed the smoke-free environment policies that the county has had in place since October, 2003. There was a question as to the proper procedures to follow if there has been a violation of the policies. The County Attorney explained that the procedures to follow are in the Employee Handbook.

Extension Board Member Appointment

Michael Rethwisch, Extension Educator presented the following resolution for the board's consideration. Moved by Slama, seconded by Janak to approve Resolution 2012-4. Upon roll call vote the following voted aye: Slama, Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

RESOLUTION 2012-4

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

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

WHEREAS: Public participation at the county level of government is respected civil service, and

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

WHEREAS: Sandra Rech has been an integral member of the Butler County Extension board representing District 4 since 2006 and has completed her term, and

WHEREAS: Dennis Kirby has applied and been recommended to fill the vacancy on the Butler County Extension board to represent District 4,

THEREFORE BE IT RESOLVED: The Butler County Board of Supervisors appoints Dennis Kirby to the Butler County Extension Board for a three year term, beginning January 2012, and

BE IT FURTHER RESOLVED: The Butler County Board of Supervisors expresses their gratitude to Sandra Rech for her diligent and outstanding service.

Given under my hand on this, the 17th day of January, 2012, in David City, Nebraska

ATTEST:

/s/ Vicki L. Truksa
Butler County Clerk

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

Quarterly General Assistance Report

The quarterly general assistance report was accepted and placed on file.

Approval of Public Official Bonds for Township Board Members

The following is a listing of public official bonds that were presented for the board's approval:

James R. Prochaska, Chairman	Read Township
Dannie D. Steager, Treasurer	Read Township
John Moore, Clerk	Read Township
Roger J. Svoboda, Clerk	Franklin Township
Lane Sabata, Chairman	Franklin Township
Ralph E. Hein, Jr., Treasurer	Franklin Township
Douglas J. Spale, Chairman	Alexis Township



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Galen David Zimmerman, Treasurer	Alexis Township
Michael J. Ebel, Clerk	Savannah Township
Timothy A. Birkel, Chairman	Savannah Township
John R. Wood, Treasurer	Savannah Township
Jerry J. Prochaska, Chairman	Olive Township
Daniel W. Homan, Clerk	Olive Township
Bruce L. Meysenburg, Treasurer	Olive Township
Benedict J. Divis, Clerk	Linwood Township
Randall C. Semrad, Chairman	Linwood Township
Eugene E. Siroky, Treasurer	Linwood Township
Jerry Bongers, Chairman	Center Township
Eric J. Stara, Clerk	Center Township
Darell Aerts, Treasurer	Center Township
Chairman, Clerk, Treasurer	Richardson Township
Chairman, Clerk, Treasurer	Plum Creek Township
Chairman, Clerk, Treasurer	Oak Creek Township

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

Clerk of the District Court Monthly Fee Report

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

County Clerk Monthly Fee Report

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

County Treasurer's Statement

The County Treasurer's Statement from July 1, 2011 to December 31, 2011 was accepted and placed on file.

Approve Resolution 2012-5/Transfer of Funds

Moved by Slama, seconded by Krafka to approve Resolution No. 2012-5. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 5

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

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

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Services Fund in an amount of \$50,000.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$50,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

DATED this 17th day of January, 2012.

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

ATTEST:



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/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Appointment of 2012 Committees and Liaisons

The Chairman of the Board presented the listing of committee appointments and liaison appointments for 2012.

Discussion/Proposed Building Project-Butler County Ag Society

Several issues relating to the building project that has been proposed by the Butler County Ag Society were discussed by the board members.

Claims

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

Correspondence

Correspondence was received from the following:

Linda Vandenberg (Senior Center concerns)

State of Nebraska-Emergency Management Agency (Homeland Security Grant Monitoring Visit Results)

State of Nebraska-Commission on Law Enforcement and Criminal Justice (Annual Inspection/Jail)

Blue Valley Community Action (Meeting Agenda and News Releases)

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 February 6, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

February 6, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of February, 2012 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.

Fracture Critical Bridge Inspection Resolution 2012-6

Moved by Cidlik, seconded by Birkel to approve Resolution 2012-6 Fracture Critical Bridge Inspections. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, and Mach. The following voted nay: None. Absent: Krafka and Slama.

RESOLUTION SIGNING OF AN ENGINEERING SERVICES AGREEMENT FOR FRACTURE CRITICAL BRIDGE INSPECTIONS

Butler County
Resolution No. 2012-6

Whereas: the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

Whereas: Butler County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: Butler County and the NDOR wish to enter into an Engineering Services Agreement to provide fracture critical bridge inspection and re-load rating (if necessary) services for the Federal-aid project.

Be It Resolved: by the Board of Commissioners or Supervisors of Butler County that:

David Mach, Chairperson of the Board is hereby authorized to sign the attached Engineering Services Agreement between Butler County and the NDOR.

Project No. BR-NBIS(95)

Control No. 00872

Project Name: 2012 Statewide Fracture Critical Bridge Inspections



Butler County Board Minutes



Adopted this 6th day of February, 2012 at David City, Nebraska.

The Board of Commissioners or Supervisors of Butler County:

/s/ Irvin Cidlik
/s/ Gregory A. Janak
/s/ David W. Mach

/s/ Max Birkel
/s/ William J. Kozisek

Board/Council Member Irvin Cidlik
Moved the adoption of said resolution
Member Max Birkel Seconded the Motion
Roll Call: 5 Yes 0 No 0 Abstained 2 Absent
Resolution adopted, signed and billed as adopted

Attest:
/s/ Vicki L. Truksa
Signature of County Clerk

Tony Krafka arrived at 9:05 a.m.

Certificate of Receipt/Traffic Control

Moved by Janak seconded by Kozisek to authorize the Chairman to sign the Certification of Receipt for Project No. HRRR-STWD (108). Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried. Absent: Slama.

Kevin Slama arrived at 9:08 a.m.

Resolution/Pledged Collateral Release

Moved by Birkel, seconded by Krafka to approve Resolution 2012-7 Release of Pledged Collateral. Upon roll call vote the following aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 7

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
238556BX1	\$105,000.00
123540FD3	\$120,000.00
123825AE1	\$ 80,000.00
123540EX0	\$180,000.00

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 February, 2012.

/s/David W. Mach
Chairman

ATTEST:
/s/ Vicki L. Truksa



Butler County Board Minutes



County Clerk

Correspondence

Correspondence was received and placed on file from Blue Valley Behavioral Health.

Update on Financing of Proposed Building Project

Marc Munford, Ameritas Investment Corporation, appeared before the board with information about financing for the proposed building project at the Butler County Fairgrounds. The Ag Society does not have bonding authority, so the county would have to utilize their bonding authority to finance the project. The bonding issue may be placed on the Primary Election or General Election ballot.

Butler County Senior Services Matters

Information was relayed by the County Attorney that when the Butler County Senior Services program merged with the David City Area Senior Citizens program the resulting entity became a function of the county. Steps will be taken to transition the senior services program to be under the county's financial umbrella.

Max Birkel left the meeting at 10:15 a.m.

The Chairman recessed the meeting at 10:15 a.m., and reconvened at 10:30 a.m.

Four Corner Health Department

Vicki Duey, Executive Director of Four Corners Health Department appeared before the board and presented the results of the 2011 Community Health Assessment for Butler County. Four Corners Health Department has also compiled a report that shows the results of the community health assessment as it was taken in all four counties that comprise the Four Corner Health Department area.

County Sheriff Quarterly Report

The County Sheriff's quarterly report was accepted and placed on file.

Emergency Management Quarterly Report

The quarterly report presented by Rick Schneider, Emergency Manager, was accepted and placed on file.

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 February 21, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

February 21, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of February, 2012 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.

City/County EOC Exercise

Rick Schneider, Emergency Manager informed the board that there will be an Emergency Operation Center training exercise scheduled that will include both the county and city personnel. He extended an invitation to participate to all the board members. Rick will be holding an informal training session for those board members who wish to participate prior to the exercise.

Approval of Public Official Bond for Township Board Member

Moved by Slama, seconded by Krafka to approve the Public Official Bond and Oath of David J. Nicolas, Clerk of Alexis Township. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Clerk of the District Court Fee Report

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

County Clerk Fee Report

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

Lease Cash Rent

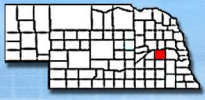
Discussion was held regarding the Lease Cash Rent for the tract of land that the county owns in Linwood Township. The amount of this year's lease will be the amount of the taxes that are due on the property. The board instructed the County Attorney to prepare the lease document.

NACo Prescription Drug Discount Card Program

The board discussed the NACo Prescription Drug Discount Card Program in which the county participates. The county has the option of receiving \$1.00 revenue for each time that the card is used. Residents in counties that do not want to receive revenue would receive a slightly greater average discount when purchasing a prescription. The board decided not to receive the revenue and pass on the savings to the individuals that use the discount card.

Consider Utility Permit Application/Windstream Nebraska, Inc.

Windstream Nebraska, Inc. plans to repair existing communications facilities in Sections 5 and 6, T14N, R4E, near Brainard in Butler County. Moved by Cidlik, seconded by Janak to approve the utility permit of Windstream Nebraska, Inc. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.



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Fracture Critical Bridge Inspections/Soft-Match Funding

Jim Truksa, Highway Superintendent informed the board that soft-match funds will be available to be used for the expense of the fracture critical bridge inspections.

Resolution-Withdrawal of Projects from Federal Funding

Moved by Janak, seconded by Slama to approve Resolution No. 2012-8. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

RESOLUTION NUMBER 2012 – 8

Whereas: Certain transportation facilities in Butler County, Nebraska, have been designated as being eligible for Federal-Aid transportation funds by the State of Nebraska, Department of Roads (NDOR) in compliance with Federal laws pertaining thereto; and

Whereas: Butler County has previously entered into Agreements (Programs) with NDOR, for said Federal-Aid transportation funds for improvements on these transportation facilities; and

Whereas: These projects are not included in NDOR's current long-range plan of projects; and

Whereas: The State of Nebraska, Department of Roads, recommends that Butler County withdraw these projects and cancel all agreements pertaining to such projects; and

Whereas: The State of Nebraska agrees to not seek reimbursement of State costs incurred on such projects.

Be it Resolved: That Butler County is hereby requesting that the Nebraska Department of Roads withdraw the following projects from the Federal Aid List. Those projects are described as:

Control #	Project Number	Project Name
12376	BRO-7012(22)	Surprise Northwest

Adopted this 21st day of February, 2012, at David City.

By Board of County Supervisors of Butler County, Nebraska.

/s/ David W. Mach
Chairman

Attest:

/s/ Vicki L. Truksa
County Clerk

Discussion

Discussion was held regarding the proposed legislation that would eliminate the Inheritance Tax. The board authorized Julie Reiter, County Attorney to draft a letter to show support in maintaining the Inheritance Tax at the county level.

One and Six Year Road Plan Public Hearing

Moved by Slama, seconded by Kozisek to open the One and Six Year Road Plan public hearing 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.



Butler County Board Minutes



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

Moved by Janak, seconded by Birkel to close the One and Six Year Road Plan public hearing at 10:05 a.m. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Resolution-Adoption of One and Six Year Road Plan

Moved by Kozisek, seconded by Cidlik to approve Resolution 2012-9. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

RESOLUTION 2012 – 9 One and Six Year Road Plan

WHEREAS, Section 39-2115 and Section 39-2119, 1969 Revised Statutes of Nebraska, 1943, require that each County and Municipality prepare a One and Six Year, specific road or street improvement plan, and to file same with State Highway Commission on or before March 1, 2012, 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 21, 2012, 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 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 21st day of February, 2012.

/s/ David W. Mach
Chairman

Attest:

/s/ Vicki L. Truksa
County Clerk

Butler County Health Care Center- Approval to Proceed with Project

Don Naiberk, Administrator of the Butler County Health Care Center, along with Ron Jones and Jerry Roh were present to answer any questions that the county board members might have after reviewing the Building Project Narrative and Addition and Renovation drawings.

Moved by Janak, seconded by Birkel to give approval to the Butler County Health Care Center to proceed with the addition and renovation project. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Issuance of Bonds

Moved by Slama, seconded by Janak to give approval to the Butler County Health Care Center to proceed with the issuance of bonds to finance the addition and renovation project. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



Consider Resolution calling for a Bond Issue Election/Butler County Fair Agricultural Pavilion

Steve Fuxa a member of the Butler County Ag Society Board read a narrative stating the Ag Society's stand on the building project. Several members of the Ag Society Board and Chuck Lacey of Lacey Construction were in attendance to answer questions that the county board might have relating to the building project.

Marc Munford, Ameritas Investment Corp. was present to explain the bonding process.

Board Member Kozisek offered the following Resolution and moved its passage and adoption:

RESOLUTION NO. 2012 – 10

BE IT RESOLVED BY THE BOARD OF SUPERVISORS (THE "BOARD") OF THE COUNTY OF BUTLER IN THE STATE OF NEBRASKA AS FOLLOWS:

Section 1. The Board hereby finds and determines that it is necessary and in the public interest that funds be provided for the purpose of constructing, equipping and furnishing a new Butler County Fair Agricultural Pavilion at the county fairgrounds; that in order to pay the cost of said improvements it will be necessary and in the public interest to issue bonds of the County in the amount of not to exceed One Million Four Hundred Sixty-Five Thousand Dollars (\$1,465,000); that the 2011 taxable valuation of all taxable property in the County is \$1,331,384,117; and that the average annual levy required to retire the bonds may cause the aggregate taxes of the County to exceed the rate of 50¢ on \$100.00 of the actual value of the taxable property in such County until the final maturity of such bonds.

Section 2. By Resolution of the Board, it is hereby ordered that at the statewide primary election to be held on May 15, 2012, there shall be submitted to the qualified voters in the County of Butler, State of Nebraska, the following proposition, to-wit:

“Shall The County of Butler, Nebraska issue its negotiable bonds in the principal amount of not to exceed One Million Four Hundred Sixty-Five Thousand Dollars (\$1,465,000) for the purpose of constructing, equipping, and furnishing a new Butler County Fair Agricultural Pavilion at the county fairgrounds, said bonds to be dated and become due on such dates as may be determined by the Board of Supervisors at the time of their issuance, to mature at such times and to bear interest at such rate or rates as shall be determined by the Board of Supervisors; provided, however, that any or all of said bonds shall be redeemable at the option of the County at any time on or after five years from date of issue, and

“Shall the Board of Supervisors cause to be levied and collected annually a tax upon all of the taxable property of said County, which may exceed the County's constitutional limitation for levying taxes of 50¢ per \$100 of taxable value sufficient to pay the principal of and interest on said bonds as the same become due and payable?”



FOR

said bonds and tax



AGAINST

said bonds and tax

Section 3. Qualified electors voting in favor of the proposition shall blacken the oval opposite the words “FOR said bonds and tax” following said proposition, and qualified electors voting against the proposition shall blacken the oval opposite the words “AGAINST said bonds and tax” following said proposition.

Section 4. The polling places for said election shall be the same as the polling places designated by the Board for primary elections. The polls shall be kept open from 8:00 a.m. to 8:00 p.m. on May 15, 2012, and a copy of the question submitted shall be posted at each place of voting during the day of election. The election boards and counting boards shall be appointed by the County Clerk of Butler County, Nebraska, for this purpose.



Butler County Board Minutes



Section 5. The County Clerk is authorized and directed to make all necessary arrangements for submitting said proposition at said statewide primary election and to cause ballots to be printed containing said proposition set out at length and furnish the same, together with all necessary election supplies, to the election boards.

Section 6. Notice of the submission of said proposition at said election shall be published **(a)** one (1) time no later than forty (40) days prior to the election, and **(b)** for four (4) weeks, five (5) times in the *Banner-Press*, a legal newspaper published and of general circulation in Butler County, the first publication to be on April 12, 2012, and the last publication on May 10, 2012. The sample ballot shall be published as provided by law.

The foregoing resolution having been read, Board Member Slama seconded the motion for its passage and adoption. After consideration, the roll was called and the following Board Members voted in favor of the passage and adoption of said resolution: Kozisek, Slama, Birkel, and Janak. The following Board Members voted against the same: Krafka, Cidlik, and Mach.

The passage of said resolution having been consented to by more than a majority of the members elected to the Board of County Supervisors, the Chairman declared the resolution duly passed and adopted.

PASSED AND ADOPTED this 21st day of February, 2012.

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

ATTEST:

/s/ Vicki L. Truksa
County Clerk

Discussion/Computer Application Issues

Discussion was held concerning on-line social networking during business hours.

Discussion/Butler County Senior Services Program

Irvin Cidlik reported on the meeting of the Butler County Senior Services Board that he attended.

Claims

Moved by Krafka, seconded by Kozisek to approve for payment the claims as presented, with the claim of Superior Glass and Home Improvements to be paid from the Inheritance Tax Fund. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Correspondence

Correspondence was received and placed of file from the following:

Nebraska Commission on Law Enforcement and Criminal Justice/Jail Standards Board Review
Blue Valley Community Action/Agenda, Board Proceedings, Reports of Agency Activities
NIRMA/2011 Annual Report

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:35 p.m. The next meeting will be on March 5, 2012 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 5, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of March, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

Consider Utility Permit Application/Windstream Communications

Windstream Communications, Inc. has submitted a utility permit application to relocate existing communications facilities at the customer's request in Section 21, T-16-N, R-1-E. Moved by Krafka, seconded by Janak to approve the utility permit application from Windstream Nebraska, Inc. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel and Slama. Motion carried.

Consider Utility Permit Application/Bob Kobza

Bob Kobza submitted a utility permit application to place a water line and electrical supply beneath the road between Section 19 of Bone Creek Township and Section 24 of Savannah Township. Moved by Cidlik, seconded by Kozisek to approve the utility permit application contingent on approval by Bone Creek Township and Savannah Township. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel and Slama.

Kevin Slama arrived at 9:10 a.m.

Nebraska Department of Roads Agreement

An agreement with the Nebraska Department of Roads was presented; this agreement provides that payment for the Senior Services van will be with funds made available through the ARRA of 2009 Transit Capital Assistance. There will be no county matching funds required.

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

Participation in Household Hazardous Waste Collection

The City of David City-David City Recycling has scheduled a Household Hazardous Waste Collection for April 7, 2012, and has asked if the county would share in funding the costs of the collection. Moved by Cidlik, seconded by Janak to allow up to \$500.00 to be paid towards the Household Hazardous Waste Collection. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Region V Systems and Region V Services

C.J. Johnson, Regional Administrator of Region V Systems presented the fiscal year report of services that have been provided by the agency and the funding request for the 2012-2013 budget year.



Butler County Board Minutes



Dave Merrill, Executive Director of Region V Services presented the Annual Report to the board. He stated that there will be no increase in the amount of funding that will be requested for the upcoming fiscal year.

Discussion/Training Workshop and Employee Handbook

Several county officials have inquired about the availability of training in the area of human resource management. Julie Reiter, County Attorney has been in contact with Pamela Bourne, NIRMA's employment law attorney, who would be available to hold training workshops on several employment matters. The County Attorney had also asked the County Board for approval to have Ms. Bourne complete a new Employee Handbook for Butler County.

Moved by Krafka, seconded by Slama to have the County Attorney contact Pamela Bourne to schedule the training workshop(s) and discuss the completion of a new employee handbook. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Janak, Kozisek, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Bids: Automated Door Entry System, Security Camera Systems, Glass Enclosure/Front Counters

The following bids were received and opened:

1. Sentrinx Security Solutions – Bid for Access Control and CCTV
2. Security Equipment, Inc. – Bid for Access Control System and Camera System
3. Johnson Hardware Company – Bid for Access Control System and Camera System

Moved by Slama, seconded by Cidlik to table a decision on the bids submitted until the committee meets and reviews the bids. 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 following bids were received and opened:

1. Superior Glass & Home Improvements, LLC – Bid for Glass Enclosure
2. Polacek Construction – Bid for Cabinets and Countertops

Moved by Cidlik, seconded by Janak to table a decision on the bids submitted until the committee meets and reviews the bids. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

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

Upper Big Blue Natural Resources District/Conservation Easements

John Cunningham, Wetlands America Trust, Inc. and Ken Feathers, Upper Big Blue Natural Resources District appeared before the board to explain the Conservation Easements for the properties that Wetlands America Trust, Inc. own in Section 31, T-14-N, R-2-E; and Section 27, T-14-N, R-1-E.

Moved by Slama, seconded by Kozisek to authorize the Chairman to sign for the approval of the Conservation Easements. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Cidlik, and Mach. The following voted nay: None. Abstaining: Janak. Absent: Birkel. Motion carried.

Discussion/Butler County Senior Services Program

Julie Reiter, County Attorney updated the board with information pertaining to the transition of the Butler County Senior Services program over to the county budget.

Discussion

Dave Korte, Leigh, Nebraska appeared before the board. He wanted to inform the board that he may purchase the property in Section 21, T-14-N, R-3-E that is currently owned by Gulf Central Storage & Terminal. He explained that if he is successful in the purchase, he intends to salvage what materials are left there.

Discussion/Computer Application Issues

Discussion was held concerning on-line social networking during business hours. Each elected official or appointed official was instructed to address this issue with their respective employees.

Discussion/Policy on Supplemental Benefits for Employees



Butler County Board Minutes



Discussion was held concerning the supplemental insurance benefits that companies offer to the county employees. Currently there are nine insurance companies that work with the county. The County Attorney will check on a policy that the county could adopt that would address how these companies relay insurance benefit information to the employees.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:15 p.m. The next meeting will be on March 19, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

March 19 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of March, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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.

Consider Utility Permit Application/Tom Vodicka

Tom Vodicka submitted a utility permit application to place an electrical line beneath the road between Section 34 and Section 35 T14N R1E. Moved by Cidlik, seconded by Slama to approve the utility permit application. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Consideration of Tabled Utility Permit Applications

Mark Holoubek submitted two utility permit applications for the board's consideration at the January 17, 2012 board meeting. Consideration of the utility permit applications was tabled for additional information. Moved by Slama, seconded by Janak to deny the two utility permit applications due to lack of information. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Discussion-David City Northwest Drainage Project

Jim Truksa informed the board that there is a pre-construction meeting, with the contractor, scheduled for March 22, 2012 at 10:00 a.m.

Certification of Tax Sale/Not Sold for Want of Bidders

Karey Adamy, County Treasurer certified that the Public Tax Sale in Butler County was held on March 5, 2012. She presented the board with a listing of the properties available after the public sale.

Board of Equalization (see separate proceedings)

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

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

Detention Center Quarterly

Mike Applegate, Detention Center Administrator presented the quarterly report for the period of October 1, 2011 through December 31, 2011. The board accepted the report and placed it on file.

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

Aging Partners/Consider Agreement for Services



Butler County Board Minutes



Denise Boyd and June Pederson from Aging Services appeared before the board to discuss the need for the board to approve an updated agreement for services. The representatives from Aging Services will work with the County Attorney to draft the document for the board's consideration.

Butler County Senior Services

Linda Vandenberg, Director of the Butler County Senior Services presented a budget report for the period of July 1, 2011 through February 29, 2012. Discussion continued pertaining to the budgeting process for the upcoming fiscal year.

Clerk of the District Court Fee Report

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

County Clerk Fee Report

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

Claims

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

Discussion/Possible Decision on Bids Submitted

Discussion was held regarding the bids for an automated door entry system, security camera system, and glass enclosure/front counter, that were submitted at the last county board meeting. Additional information will be obtained from the bidders and reported back to the board at the next meeting.

Correspondence

Correspondence received from Blue Valley Community Action included, an agenda for the March 20, 2012 meeting, minutes from the February 21, 2012 meeting, and program highlights.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:57 a.m. The next meeting will be on April 2, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

April 2, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of April, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, Gregory A. Janak, and Irvin F. Cidlík.

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.

Grant Funds/Victims Assistance

Pat Lostroh, Victims Assistance Coordinator presented the application for grant funds for the 2012-2013 fiscal year. Moved by Cidlík, seconded by Janak to approve and authorize the Chairman to sign the application for grant funds for the Victims Assistance program. Upon roll call vote the following voted aye: Cidlík, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Approve and Authorize Chairman to sign Cash Rent Lease

The Cash Rent Lease for county owned real estate was returned by the Lessee, and beings that all terms of the lease have been met, the Chairman is hereby instructed to sign the document.

Consider Utility Permit Application/Dean Heins, Richard Wurdeman, Maken Irrigation

Jim Truksa presented the following utility permit applications:

Dean Heins-to install a tile outlet between Sections 22 and 23, T14N, R2E

Richard Wurdeman-to install an electrical line between Sections 27 and 28, T15N, R1E

Maken Irrigation-to install an electrical line between Sections 22 and 23 T15N, R1E

Moved by Kozisek, seconded by Birkel to approve the utility permit applications as presented. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlík, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Kevin Slama arrived at 9:20 a.m.

Consider Utility Permit Application/Windstream Nebraska, Inc.

An application to install communications facilities between Section 13, T13N, R3E and Section 24, T13N, R3E, near Dwight was submitted by Windstream Nebraska, Inc. Moved by Cidlík, seconded by Janak to approve the application of Windstream Nebraska, Inc. Upon roll call vote the following voted aye: Cidlík, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

Executive Session/Personnel Matter

Moved by Slama, seconded by Janak to go into Executive Session at 9:22 a.m. for the purpose of discussing a personnel matter. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Janak, seconded by Birkel to come out of Executive Session at 9:34 a.m. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

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

Issuance of County Certificates

Karey Adamy, County Treasurer presented to the board a listing of the 2012 Available after Public Sale. Moved by Slama, seconded by Krafka to authorize the County Treasurer to issue County Certificates on the properties listed. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Review Budgeted Expenditure Reports

Vicki Truksa, County Clerk presented to the board the budgeted expenditure report for the period of July 1, 2011 thru March 31, 2012 for their review.

Quarterly Jail Inspection

The Board of Supervisors conducted the quarterly jail inspection at 9:40 a.m.

Discussion/Possible Decision on Bids Submitted for Courthouse Projects

Discussion was held on the bids that were submitted for the automated door entry system, security camera system, and glass enclosures and counters. A decision on these projects has been tabled till the next meeting.

Four Corners Health

Vicki Duey from Four Corners Health reported to the board on the various programs that the district health department has sponsored during the last quarter.

D.A. Davidson/Butler County Health Care Center

Paul Grieger of D.A. Davidson & Company presented the resolution authorizing General Obligation Bonds in an amount not to exceed \$8,000,000.00 to fund the addition to, improvements, and equipment for the existing Butler County Health Care Center. Moved by Janak, seconded by Slama to approve Resolution 2012 – 11 and authorize all necessary signatures. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried. (See Resolution 2012 – 11 attached to the Board Proceedings.)

Discussion

Discussion was held on purchasing blinds for the windows that were replaced in the courthouse. The board reviewed three informal bids that were received. Moved by Cidlik, seconded by Slama to accept the informal bid from Zegers Home Center for the purchase and installation of window blinds for all offices. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Max Birkel left the meeting at 10:55 a.m.

Consideration of Resolution for Rural Transit Program Funding for 2012/2013

Moved by Kozisek, seconded by Janak to approve Resolution 2012 – 12 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.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA**

RESOLUTION NO. 2012 – 12

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 Senior Services Program Manager to apply for the above mentioned funds on behalf of the County, and said funds are to be used for the fiscal year 2012-2013.

Approved this 2nd day of April, 2012.

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

ATTEST:

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

Application for Public Transportation Operating Assistance

Linda Vandenberg, Program Manager of the Butler County Senior Services Program presented the application for Public Transportation Operating Assistance for the Butler County Rural Transit Service for the project year July 1, 2012 thru June 30, 2013. Moved by Cidlik, seconded by Slama to authorize the Chairman to sign the application. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Discussion of Butler County Senior Services Budget

Linda Vandenberg, presented the 2012/2013 fiscal year budget for the Senior Services Program. The budget will be considered during the regular county budget process.

Discussion-Continuation of Butler County Development

Discussion was held on the continuation of Butler County Development, the Interlocal Agreement between Butler County and the City of David City will be expiring in August of this year.

Request for Approval of Special Designated Liquor License/Butler County Ag Society

Moved by Slama, seconded by Kozisek to approve the Special Designated Liquor License request that was submitted by the Butler County Agricultural Society to be used during the County Fair to be held

July 18-22, 2012. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Notification from Department of Environmental Quality

Notification was received from the State of Nebraska, Department of Environmental Quality that they have issued a Construction and Operating Permit-Approval to Operate, to Green Gable Farms Partnership Concentrated Animal Feeding Operation. The location of the facility is in the NE 1/4, Section 15, Township 15N, Range 1E. The notification was placed on file.

Correspondence

No correspondence for the board had been received.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:35 a.m. The next meeting will be on April 16, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

RESOLUTION NO. 2012 - 11

BE IT RESOLVED by the members of the Board of Supervisors of The County of Butler, in the State of Nebraska (the "Board") as follows:

Section 1. The Chairperson and Board Members hereby find and determine: that this County has had and presently has a population in excess of eighty thousand seven hundred sixty-seven inhabitants and taxable value of taxable property in excess of one billion three hundred million dollars and has previously established and now owns and operates a hospital, including real and personal property, as provided in Section 23-3501, R.R.S. Neb. 2007, as amended (the "Hospital Facilities"); that it is necessary and advisable that improvements be provided for in the form of an addition to, improvements and equipment for the existing Hospital Facilities (the "Project") and that the County borrow money and issue its bonds for such purposes; that the current replacement cost of the Hospital Facilities is not less than \$22,000,000; that to pay the costs of the Project it is necessary and advisable for the County to issue and sell its bonds; that the County currently has no bonded indebtedness outstanding with respect to the Hospital Facilities under Section 23-3508 R.R.S. Neb. 2007, as amended, and related statutory sections (the "Authorizing Legislation"), other than bonds currently outstanding in a principal amount not in excess of \$2,780,000; and that all conditions, acts and things required by law to exist or to be done precedent to the issuance of bonds of the County related to the Hospital Facilities in the stated principal amount of not to exceed \$8,000,000 pursuant to the Authorizing Legislation, do exist and have been done as required by law.

Section 2. To pay the costs of the improvements specified in Section 1 hereof, there shall be and there are hereby ordered issued the negotiable bonds of this County to be designated as "General Obligation Bonds, Series 2012, of The County of Butler, in the State of Nebraska, in

the principal amount of not to exceed Eight Million (\$8,000,000) (the "Bonds") with the Bonds to become due on January 15 of the years as indicated below:

<u>Maturing on January 15 of Year</u>	<u>Principal Amount</u>
2013	\$495,000
2014	515,000
2015	515,000
2016	520,000
2017	525,000
2018	315,000
2019	315,000
2020	320,000
2021	330,000
2022	335,000
2023	340,000
2024	350,000
2025	355,000
2026	365,000
2027	375,000
2028	385,000
2029	395,000
2030	405,000
2031	415,000
2032	430,000

provided, that the Bonds shall bear interest at the rates per annum as shall be determined in a written designation (the "Designation") signed by the Chairperson of the County, County Clerk of the County, Chief Executive Officer of the Hospital Facilities or Chief Financial Officer of the Hospital Facilities (each, an "Authorized Officer"; and together, the "Authorized Officers") on behalf of the County and which may be agreed to by D.A. Davidson & Co. (the "Underwriter"), which Designation may also determine or modify the principal amount for each maturity of the Bonds, mandatory redemption provisions (if any), and pricing terms as set forth in Section 8 below, all within the following limitations:

- (a) the aggregate principal amount of the Bonds shall not exceed \$8,000,000; provided, however, such aggregate principal amount may be increased, in the event the Bonds are sold with a net original issue discount, in an amount necessary to compensate for any such net original issue discount;*
- (b) the longest maturity of the Bonds may not be later than January 15, 2032;*
- (c) the principal amount due in any year (including principal due as mandatory redemption amounts) for each maturity may be decreased by any amount determined, but may only be increased by \$40,000 or 20%, whichever is greater;*

(d) the true interest cost on the Bonds shall not exceed 4.00% per annum;

(e) two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officer may determine the mandatory sinking fund payments and mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).

The Authorized Officers (or any one of them) are hereby authorized to make such determinations on behalf of the County and to evidence the same by execution and delivery of the Designation and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the County without further action of the County Board.

The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable on July 15, 2012 (or such other date determined in the Designation) and semiannually thereafter on July 15 and January 15 of each year (each of said dates an "Interest Payment Date") and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the last business day of the month immediately preceding the month in which the Interest Payment Date occurs (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the County Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or date of earlier redemption shall be made by the Paying Agent and Registrar, as designated

pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and accrued interest thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by the Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to the Paying Agent and Registrar. The County and the Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and the Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. The Paying Agent and Registrar for the Bonds shall be as determined in the Designation (sometimes herein referred to as the "Paying Agent"). The Paying Agent and Registrar shall keep and maintain books for the registration and transfer of the Bonds at its designated corporate trust office (the "Designated Office"), initially located in the city specified in the Designation, and such successor location as may be designated from time to time by the Paying Agent. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the Designated Office of the Paying Agent and Registrar by surrender of such Bond

for cancellation, accompanied by a written instrument of transfer, in form satisfactory to the Paying Agent and Registrar, duly executed by the registered owner in person or by said owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the County will deliver at its Designated Office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and the Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be

designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the Designated Office of the Paying Agent and Registrar is located, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. The Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof, at par plus accrued interest on the principal amount redeemed to the date fixed for redemption.

The County may select the Bonds to be redeemed in its sole discretion but the Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. The Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given at the direction of the County by the Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the Designated Office of the Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall

affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given. In the event term maturities and mandatory redemption amounts are determined in the Designation, the provisions of this Section 6 shall apply generally to mandatory redemptions. Any such mandatory redemptions shall be at the principal amount redeemed plus accrued interest to the date set for redemption. The Paying Agent and Registrar shall select the term bonds to be redeemed in any maturity using any random method of selection deemed appropriate, subject to the provisions of Section 8 of this Resolution.

Section 7. The Bonds shall be in substantially the following form:

GENERAL OBLIGATION BOND
SERIES 2012

\$

January 15, _____, 2012

Principal Amount: _____ Dollars (\$ _____)

The County, however, reserves the right and option of paying bonds of this issue maturing on or after January 15, 2018, in whole or in part, on the fifth anniversary of the date of original issue thereof, or at any time thereafter. Notice of such redemption shall be given by mail, sent to the registered owner of any bond to be redeemed at said registered owner's address

in the manner specified in the resolution authorizing said bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof.

This bond is one of an issue of fully registered bonds of the total principal amount of _____ (\$ _____), of even date and like tenor except as to denomination, date of maturity and rate of interest, which are issued by the County for the purpose of paying the costs of an addition to, improvements for, and equipment for existing hospital facilities, in strict compliance with Section 23-3508, R.R.S. Neb. 2007. The issuance of said bonds has been duly authorized by resolution (the "Resolution") legally passed and adopted, and by proceedings duly had by the Board of Supervisors of the County.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the resolution authorizing said issue of bonds, subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the office of the Paying Agent and Registrar is located, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

For the prompt payment of the principal and interest on this bond and the other bonds of the same issue, The County of Butler hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property, except intangible property, in The County of Butler at such rate or rates, within applicable statutory and constitutional limitations as will provide funds which will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due, to the extent not paid from other sources lawfully available for such payments.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law and that the indebtedness of the County, including this bond, does not exceed any limitation imposed by law.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IN WITNESS WHEREOF, the Chairperson and County Clerk have caused this bond to be executed on behalf of The County of Butler by being signed by facsimile signatures of the Chairperson and County Clerk and by causing the official seal of the County to be imprinted hereon or affixed hereto, all as of the date of original issue specified above.

THE COUNTY OF BUTLER,
IN THE STATE OF NEBRASKA

(SEAL)

By: _____
Chairperson

Attest:

County Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by Resolution passed and approved by the Board of Supervisors of The County of Butler, in the State of Nebraska, as described in said bond.

County Treasurer, of The County of Butler
Paying Agent and Registrar

By: _____
Authorized Signature

(Form of Assignment)

For value received hereby sells, assigns and transfers unto _____ (Social Security or Taxpayer I.D. No. _____) the within bond and hereby irrevocably constitutes and appoints _____, attorney, to transfer the same on the books of registration in the office of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Dated: _____

Registered Owner(s)

Witness: _____

Note: The signature(s) on this assignment MUST CORRESPOND with the name(s) as written on the face of the within bond in every particular, without alteration, enlargement or any change whatsoever, and must be guaranteed by a commercial bank or a trust company or by a firm having membership on the New York, Midwest or other stock exchange.

Section 8. Each of the Bonds shall be executed on behalf of the County with the facsimile signatures of the Chairperson and the County Clerk and shall have imprinted thereon the County's seal. The Bonds shall be issued initially as "book-entry-only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a Letter of Representations (the "Letter of Representations") in the form required by the Depository (which may be in the form of a blanket letter, including any such letter previously executed and delivered), for and on behalf of the County, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. With respect to the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds.

The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its

responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the ultimate beneficial owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee, or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this Resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for

issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Chairperson and County Clerk and by having affixed thereto or imprinted thereon the County's seal. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the County Treasurer, who is authorized to deliver them to D.A. Davidson & Co., (the, "Underwriter"), upon receipt of 98.70% of the principal amount of the Bonds (which purchase price may be modified by the terms of the Designation to account for original issue discount and original issue premium, if any). The County is hereby authorized to deliver the Bonds to the Underwriter, upon payment in full of the purchase price thereof, plus accrued interest, if any. The Underwriter shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this resolution. The Authorized Officers (or any one of them) are hereby authorized to execute and deliver a Bond Purchase Agreement, in substantially the form presented herewith, for and on behalf of the County. The Underwriter and its agents, representatives and counsel (and including bond counsel) are hereby authorized to take such actions on behalf of the County as are necessary to effectuate the closing of the issuance and sale

of the Bonds, including without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. For the prompt payment of the Bonds, both principal and interest as the same fall due, the County agrees that it shall levy ad valorem taxes upon all the taxable property, except intangible property, in the County at such rate or rates, within applicable statutory and constitutional limitations as will provide funds which will be sufficient to make payment of the principal of and interest on the Bonds as the same fall due, to the extent not paid from other sources lawfully available for such payments. The County covenants and agrees that it will observe all budget and spending limitations now or hereafter imposed by law in such a manner that a sufficient portion of its tax levy or other monies shall be lawfully available to pay all principal and interest due on the Bonds. The obligation to levy and collect taxes pursuant to this paragraph shall not be reduced or limited by the receipt of Hospital revenues sufficient for the payment of principal and interest on the Bonds; provided, however, that the County shall not be obligated to levy and collect taxes required by this paragraph to the extent (but only to the extent) and so long as revenues deposited by the Hospital with the County are sufficient for payment of principal and interest when due. The County Treasurer shall establish a separate fund to hold revenues received by the County from the Hospital for payment of principal and interest on the Bonds. The County covenants that the principal and interest payable on the Bonds will not exceed any limitation imposed by law, and that such amounts are not such as may reasonably be expected to require County to levy taxes in excess of any applicable levy limit. Specifically, but without limitation, County covenants and agrees that taxes levied and appropriations made to pay principal and interest on the Bonds, together with other taxes levied and appropriations made by County, will not exceed the limitations imposed by Sections 77-3442 and 23-3508, Reissue

Revised Statutes of Nebraska, 2009, as amended, and by the Constitution of the State of Nebraska all to the extent applicable to the Bonds. Such taxes are hereby irrevocably pledged for the payment of principal and interest on the Bonds.

Section 10. The County Clerk shall make and certify a transcript of the proceedings of the Board with respect to the Bonds which shall be delivered to said purchaser.

Section 11. The proceeds of the Bonds shall be applied to the costs of construction of the improvements described in Section 1 hereof and to the payment of issuance costs. Accrued interest, if any, received from the sale of the Bonds shall be applied to pay interest first falling due on the Bonds. Pending disbursement for project costs such funds shall be invested by the County Treasurer in such investments as are legal investments for a county as shall be determined by the County Treasurer.

Section 12. The County hereby covenants to the purchasers and holders of the Bonds hereby authorized that it will make no use of the proceeds of said Bond issue, including monies held in any sinking fund for the Bonds, which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and further covenants to comply with said Sections 103(b) and 148 and all applicable regulations thereunder throughout the term of said bond issue. The County hereby covenants and agrees to take all actions necessary under the Code to maintain the tax exempt status (as to taxpayers generally) of interest payable on the Bonds. The County hereby designates the Bonds as its "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code and covenants and warrants that it does not reasonably expect to issue tax exempt bonds or other tax exempt obligations aggregating in principal amount more

than \$10,000,000 during calendar year 2012 (taking into consideration the exception for current refunding issues).

Section 13. The County's obligations under this resolution with respect to any or all of the Bonds herein authorized shall be fully discharged and satisfied as to any or all of such Bonds and any such Bond shall no longer be deemed to be outstanding hereunder if such Bond has been purchased by the County and cancelled or when the payment of the principal of and interest thereon to the respective date of maturity or redemption (a) shall have been made or caused to be made in accordance with the terms thereof, or (b) shall have been provided for by depositing with the Paying Agent and Registrar or with a national or state bank having trust powers, or trust company, in trust, solely for such payment (i) sufficient money to make such payment, and/or (ii) direct general obligations of or obligations the principal and interest of which are unconditionally guaranteed by the United States of America (herein referred to as "U.S. Government Obligations") in such amount and bearing interest and maturing or redeemable at stated fixed prices at the option of the holder as to principal, at such time or times, as will ensure the availability of sufficient money to make such payment; provided, however, that, with respect to any Bond to be paid prior to maturity, the County shall have duly called such Bond for redemption and given notice of such redemption as provided by law or made irrevocable provision for the giving of such notice. Any money so deposited with the a bank or trust company may be invested and reinvested in U.S. Government Obligations at the direction of the County, and all interest and income from such U.S. Government Obligations in the hands of such bank or trust company, in excess of the amount required to pay principal of and interest on the Bonds for which such monies or U.S. Government Obligations were deposited, shall be paid over to the County as and when collected.

Section 14. In accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission, the County, being the only "obligated person" with respect to the Bonds, agrees that it will provide the following continuing disclosure information to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format as prescribed by the MSRB:

(a) not later than nine months after the end of each fiscal year of the County (the "Delivery Date"), financial information or operating data for the County of the type accompanying the audited financial statements of the County entitled "Management's Discussion and Analysis" ("Annual Financial Information");

(b) when and if available, audited financial statements for the County; audited financial information shall be prepared on the basis of generally accepted accounting principles; and

(c) in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds:

(1) principal and interest payment delinquencies;

(2) non-payment related defaults, if material;

(3) unscheduled draws on debt service reserves reflecting financial difficulties;

(4) unscheduled draws on credit enhancements reflecting financial difficulties;

(5) substitution of credit or liquidity providers, or their failure to perform;

(6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

(7) modifications to rights of the holders of the Bonds, if material;

(8) bond calls, if material, and tender offers;

(9) defeasances;

(10) release, substitution, or sale of property securing repayment of the Bonds, if material;

(11) rating changes;

(12) bankruptcy, insolvency, receivership or similar events of the County (this event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County);

(13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) appointment of a successor or additional trustee or the change of name of a trustee, if material.

The County has not undertaken to provide notice of the occurrence of any other event, except the events listed above.

(d) in a timely manner, notice of any failure on the part of the County to provide Annual Financial Information not later than the Delivery Date.

The County agrees that all documents provided to the MSRB under the terms of this continuing disclosure undertaking shall be in such electronic format and accompanied by such identifying information as shall be prescribed by the MSRB. The County reserves the right to modify from time to time the specific types of information provided or the format of the presentation of such information or the accounting methods in accordance with which such information is presented, to the extent necessary or appropriate in the judgment of the County, consistent with the Rule.

The County agrees that such covenants are for the benefit of the registered owners of the Bonds (including Beneficial Owners) and that such covenants may be enforced by any registered owner or Beneficial Owner, provided that any such right to enforcement shall be limited to specific enforcement of such undertaking and any failure shall not constitute an event of default under the Resolution. The continuing disclosure obligations of the County, as described above, shall cease when none of the Bonds remain outstanding.

Section 15. The Preliminary Official Statement is hereby approved and the Chairperson and County Clerk are hereby authorized to approve on behalf of the County a final Official Statement with any changes deemed appropriate by them.

Section 16. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 17. This resolution shall be in force and take effect immediately.

Wicki L. Spicka
County Clerk



Dan W. Mack
Chairperson

Tommy
Supervisor

Don O'Neil
Supervisor

James Stone
Supervisor

William J. Kozisek
Supervisor

Dwight A. Ford
Supervisor

Max Bubel
Supervisor

EXHIBIT "A"

POLICY AND PROCEDURES

[SEE ATTACHED]

**Policy and Procedures
Federal Tax Law and Disclosure Requirements for
Tax-exempt Bonds and/or Build America Bonds**

ISSUER NAME: The County of Butler, in the State of Nebraska

COMPLIANCE OFFICER (BY TITLE): Chief Financial Officer of the County's Hospital

POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for the Issuer's obligations issued as tax-exempt bonds to finance its hospital facilities (or as direct pay build America bonds, as applicable) to ensure, as applicable (a) that interest on such tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with such bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to such outstanding bonds.

PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):
 - (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
 - (ii) Form 8038 series filed with the Internal Revenue Service;
 - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
 - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
 - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
 - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.

- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

Use and Timely Expenditure of Bond Proceeds. Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

Arbitrage Yield Restrictions and Rebate Matters. The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

Use of Bond Financed Property. Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

Continuing Disclosure. Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

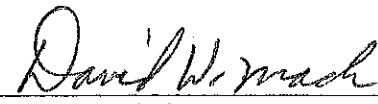
VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.

The foregoing resolution having been read in its entirety, Member
Slama seconded the motion for its passage and adoption. After
consideration, the roll was called and the following members voted "AYE:
Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach.

The following members voted "NAY": None.

The passage of said resolution having been consented to by more than a majority of the
members of the Board of Supervisors, the Chairperson declared the resolution duly passed and
adopted, this 2nd day of April, 2012.


County Clerk


Chairperson



Butler County Board Minutes



BOARD PROCEEDINGS

April 16, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of April, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, and Gregory A. Janak. Absent: 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.

Consider Utility Permit Application/Windstream

Windstream Nebraska Inc. submitted a utility permit application to install communications facilities between Section 31 T13N R4E and Section 36 T13N R3E near Dwight. Moved by Janak, seconded by Slama to approve the utility permit application. Upon roll call vote the following voted aye: Janak, Birkel, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Consider Utility Permit Application/Windstream

Windstream Nebraska Inc. submitted a utility permit application to relocate communications facilities in three different locations due to culvert placements for the Upper Big Blue Natural Resources District NW Drainage Project. Moved by Kozisek, seconded by Janak to approve the application to relocate facilities in the rural area only. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Slama, Krafka, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Consider Utility Permit Application/Larry Timoney

Larry Timoney submitted a utility permit application to install an irrigation pipe between Section 7 and Section 8 T13N R2E. Moved by Krafka, seconded by Janak to approve the application contingent on township approval. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Slama, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Consider Utility Permit Application/David Jisa

David Jisa submitted a utility permit application to install an irrigation pipe between Section 34 and Section 35, T14N R3E, and Section 2 and Section 3, T13N R3E. Moved by Slama, seconded by Janak to approve the application contingent on approval from the two townships and receipt of written approval from the landowner in the SE1/4 of Section 34 T14N R3E. Upon roll call vote the following voted aye: Slama, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Replacement of Bruno Repeater

Rick Schneider, Emergency Manager presented three informal bids that he received for the replacement of the Bruno repeater:

Shaffer Communications, Inc. \$7,507.10

Mid-Nebraska Communications, Inc. \$8,475.00



Butler County Board Minutes



Platte Valley Communications \$10,357.00

Moved by Janak, seconded Kozisek to accept the informal bid from Shaffer Communications, Inc. in the amount of \$7,507.10. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Birkel, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Quarterly Report-Emergency Manager

The Emergency Manager's quarterly report was accepted and placed on file.

Mark Holoubek, Request to Remove Obsolete Driveway Access

Mark Holoubek made a request to the board to allow for the removal of an obsolete driveway access in Section 24, T15N R2E. Jim Truksa, Highway Superintendent has contacted JEO Consulting to have a wetlands determination. The matter is tabled till the information from JEO Consulting has been received.

County Sheriff/Petty Cash Fund

Moved by Slama, seconded by Birkel to authorize the County Sheriff to maintain a Petty Cash Fund in the amount of \$3,500.00. Upon roll call vote the following voted aye: Slama, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Bill Scribner, Donation of POW/MIA Flags

Bill Scribner, a Butler County veteran offered to donate POW/MIA flags and requested that they be flown beneath the U.S. flags at the Courthouse. Moved by Kozisek, seconded by Krafka to accept the donation and to allow for display of the flags. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Birkel, Janak, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

The Chairman called for a recess at 10:35 a.m., and reconvened the meeting at 10:40 a.m.

Executive Session-Courthouse Security Devices

Moved by Slama, seconded by Krafka to go into Executive Session at 10:55 a.m. for the purpose of discussing security devices for the Courthouse. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

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

Moved by Janak, seconded by Krafka to accept the adjusted bid from Sentrixx in the amount of \$19,832.00 which includes outside cameras. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Birkel, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

City of David City/Discuss Merging Police Department and Sheriff's Office

Alan Zavodny, Gary Kroesing and Joan Kovar representing the City of David City appeared before the board to ask if the county board would consider merging the city police department with the sheriff's department. It is the general consensus of the county board that they would consider an agreement with the city for law enforcement services. The county has asked that the city provide a list of requested services, in order that the sheriff can estimate the cost of providing those services.

Jim Daro/Request to use the Courtroom for Memorial Day Services

Jim Daro submitted a letter requesting use of the Courtroom on May 28, 2012 for Memorial Day Services. Moved by Kozisek, seconded by Slama to approve usage of the Courtroom for Memorial Day Services. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Birkel, Janak, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Seward County/General Assistance Claim



Butler County Board Minutes



Seward County has requested reimbursement for a General Assistance claim for cremation services. The County Attorney informed the board, that the county in which the person dies is responsible for payment of the General Assistance claim according to statute. Moved by Janak, seconded by Kozisek to deny payment of the proposed claim from Seward County. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Birkel, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Quarterly General Assistance Report

The quarterly General Assistance Report for the period of January 1, 2012 thru March 31, 2012 was accepted and placed on file.

Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of March, 2012 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of March, 2012 was accepted and placed on file.

Consideration of Resolution 2012-13 Establishment of the Canine (K9) Fund

Resolution 2012-13 Establishment of the Canine (K9) Fund was presented for the board's consideration. Moved by Slama, seconded by Janak to adopt Resolution 2012-13. Upon roll call vote the following voted aye: Slama, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012-13

WHEREAS, Butler County, Nebraska ("Butler County") has a drug canine and certain grant funds and donations in the total amount of \$3,120 have been received for the maintenance of said canine; and

WHEREAS, the funds received thus far have been deposited into the General Fund of Butler County, Nebraska; and

WHEREAS, it is necessary for Butler County to establish a separate fund in which to deposit and expend funds for the drug canine with said fund to be called the "Canine (K9) Fund," fund #2430.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that a separate fund known as the "Canine (K9) Fund" is hereby established. Said fund shall be fund #2430.

BE IT FURTHER RESOLVED that the Butler County Treasurer is hereby directed to transfer the amount of \$3,120 from the General fund into the Canine (K9) Fund.

Dated this 16th day of April, 2012

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

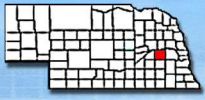
ATTEST:

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

Consideration of Resolution 2012-14 Release of Pledged Collateral

Resolution 2012-14 Release of Pledged Collateral was presented for the board's consideration. Moved by Birkel, seconded by Kozisek to adopt Resolution 2012-14. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA



Butler County Board Minutes



RESOLUTION NO. 2012 – 14

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
2592874F4	\$40,000.00

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 16th day of April, 2012.

/s/ David W. Mach
Chairman

ATTEST:

/s/ Vicki L. Truksa
County Clerk

Consideration of Resolution 2012-15 Transfer of Funds from General Fund to Emergency Management Fund

Resolution 2012-15 Transfer of Funds from General Fund to Emergency Management Fund was presented for the board's consideration. Moved by Janak, seconded by Krafka to adopt Resolution 2012-15. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Birkel, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 15

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 \$22,139.93.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$22,139.93 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 16th day of April, 2012.

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

David

ATTEST:

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

Consideration of Resolution 2012-16 Requiring Direct Deposits (Salaries & Reimbursable Expenses)

Resolution 2012-16 Requiring Direct Deposits (Salaries & Reimbursable Expenses) was presented for the board's consideration. Moved by Kozisek, seconded by Slama to adopt Resolution 2012-16. Upon roll call vote the following



Butler County Board Minutes



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

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2012-16
(REQUIRING DIRECT DEPOSITS)**

WHEREAS, pursuant to Nebraska Revised Statute §23-1114 (Cum. Sup. 2011) the County Board may make payments of salaries and reimbursable expenses by electronic funds transfer or a similar means of direct deposit; and

WHEREAS, on December 17, 2002, the Butler County Board passed a motion making it mandatory for the County Clerk to do the county payroll by direct deposit and following the passage of that motion, all county payroll payments have been paid via direct deposit; and

WHEREAS, the County Board believes that direct deposit of reimbursable expenses in addition to county payroll would be a more efficient and effective method to pay those reimbursable expenses that have been approved by the Board now that Nebraska laws have allowed for this method of payment.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that pursuant to Nebraska Revised Statutes §23-1114, all payments of reimbursable expenses as well as salaries and payroll shall be made by electronic funds transfer or a similar means of direct deposit. It is hereby made mandatory that the Butler County Clerk make all payments of reimbursable expenses and salaries/payroll by electronic funds transfer or a similar means of direct deposit.

Dated this 16th day of April, 2012

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

ATTEST:

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

Set Date for Audit Bids

Discussion was held regarding audit services for the fiscal year 2011-2012. Moved by Janak, seconded by Slama to extend the agreement with the State Auditor's office for an additional year. Upon roll call vote the following voted aye: Janak, Birkel, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Cidlik. Motion carried.

Claims

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

Discussion

Discussion was held regarding the status of the Interlocal Agreements between the county and the fire departments for payments to be made towards the purchase of the air trailer.

Correspondence

Correspondence was received from Blue Valley Community Action; which included an agenda for their April 17, 2012 Board of Directors meeting, proceedings from the March 20, 2012 meeting, and several newspaper articles highlighting Blue Valley Community Action.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:45 p.m. The next meeting will be on May 7, 2012 at 9:00 a.m.



Butler County Board Minutes



Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

May 7, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of May, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

Consider Utility Permit Application/Windstream

Windstream Nebraska Inc. submitted a utility permit application to replace communications facilities in Section 15, T15N, R4E, near Bruno in Butler County and in Section 6, T14N, R3E, near Brainard in Butler County. Moved by Cidlik, seconded by Slama to approve the utility permit applications. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Consider Utility Permit Application/Scott Prigge

Scott Prigge submitted a utility permit application to install an irrigation pipe between Sections 29 and 21, T13N, R1E. Moved by Cidlik, seconded by Kozisek to approve the utility permit application. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Consider Utility Permit Application/Howard Turner

Howard Turner submitted a utility permit application to install an irrigation pipe between Sections 6 and 7, T14N, R2E. Moved by Slama, seconded by Janak to approve the application contingent on approval from the township and landowner agreement to pay for the culvert. Upon roll call vote the following voted aye: Slama, Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Update on Prague Road/Resurfacing Project

Jim Truksa, Highway Superintendent reported that the project engineer has estimated the cost of resurfacing the Prague Road will be approximately \$200,000.00 per mile. Butler County has the responsibility of maintaining 1.75 miles of that road.

Request for NRD funds/Repair of Road Dam

Jim Truksa, Highway Superintendent reported to the board that the road dam between Section 16 and 21, T15N, R3E is in need of repair work, and would like to request partial funding from the Lower Platte North Natural Resources District. Moved by Slama, seconded by Krafka to request funding from the Lower Platte North Natural Resources District for road dam repair. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Set date for Steel Bids and Culvert Bids

Moved by Cidlik, seconded by Krafka to set the date of June 4, 2012 at 9:30 a.m. to accept steel bids, and the date of June 4, 2012 at 9:45 a.m. to accept culvert bids. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.



Butler County Board Minutes



Matt Hilger/Information for Interlocal Agreements

Matt Hilger presented information to the board on the amounts that have been pledged by the fire departments as reimbursement to the county for a portion of the cost of the air trailer. Also, included in the listing were donations that have been collected. The County Attorney will draft the Interlocal Agreements between the County and the Fire Departments for payment of these pledged amounts.

Discussion/Set Date for Equipment Bids

Moved by Kozisek, seconded by Janak to set the date of June 4, 2012 at 10:15 a.m. to accept bids for a gravel truck and pup or side dump. Upon roll call vote the following voted aye: Kozisek, Janak, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Cidlik, seconded by Slama to set the date of June 4, 2012 at 10:45 a.m. to accept bids for an excavator. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Update on NIRMA Seminar

Jim Truksa relayed information that he received at the NIRMA seminar that pertained to the procedures to follow when placing regulatory signs on county roads.

Blue Valley Behavioral Health

Jon Day, Executive Director of Blue Valley Behavioral Health appeared before the board to give the annual report of services provided to Butler County residents who have substance abuse issues. The agency is requesting \$5,720.00 for the upcoming fiscal year to continue services in the county. The board will consider this request when working on the 2012-2013 budget.

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

Rick Markham, Colonial Life

Rick Markham, Benefits Counselor with Colonial Life presented information to the board on supplemental employee insurance benefits.

Executive Session-Courthouse Security Devices

Moved by Slama, seconded by Krafka to go into Executive Session at 11:03 a.m., for the purpose of discussing security devices for the Courthouse. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Max Birkel. Motion carried.

Moved by Kozisek, seconded by Krafka to come out of Executive Session at 11:50 a.m., which was for the purpose of discussing security devices for the Courthouse. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Moved by Slama, seconded by Kozisek to accept the following bids:

1. Sentrinx in the amount of \$68,794.00 for an access control system
2. Polacek Construction in the amount of \$12,454.00 for replacement of cabinets and countertops
3. Superior Glass & Home Improvements in the amount of \$10,098.00 for installation of protective barriers

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

County Sheriff/Quarterly Report

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

Request for Special Designated Liquor License



Butler County Board Minutes



Moved by Cidlik, seconded by Slama to approve the Special Designated Liquor License request that was submitted by the Ulysses Recreation Center to be used on May 27, 2012 for a school reunion. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Request for Special Designated Liquor License

Moved by Kozisek, seconded by Krafka to approve the Special Designated Liquor License request that was submitted by the Presentation Parish to be used on June 10, 2012 for a fundraiser. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of April, 2012 was accepted and placed on file.

Correspondence

The draft copy of the 2010/2011 audit report was received from the Auditor of Public Accounts.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:30 p.m. The next meeting will be on May 21, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

May 21, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of May, 2012 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, Gregory A. Janak, 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 Chairman declared the minutes from the previous meeting shall stand approved as presented.

Consider Utility Permit Application/Windstream

Windstream Nebraska Inc. submitted a utility permit application to replace communications facilities in Section 6, T13N, R4E, near Brainard in Butler County. Moved by Cidlik, seconded by Krafka to approve the utility permit application. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Consider Utility Permit Application/Central Sand & Gravel

Central Sand & Gravel submitted a utility permit application to install culverts underneath road to run gravel line. Moved by Krafka, seconded by Janak to approve the utility permit application, contingent on township approval. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Advanced Railroad Signs/Federal Funding

Jim Truksa, Highway Superintendent presented a resolution for a project to install advanced railroad signs. Moved by Cidlik, seconded by Kozisek to adopt the resolution pertaining to the funding of the project. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

RESOLUTION COUNTY OF BUTLER COUNTY RESOLUTION 2012 – 22

Project No. HRRR-STWD(116)-Advance Railroad Signing C.N. 00868

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

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

WHEREAS, The High Risk Rural Road Committee has determined that it is desirable to install Advance Railroad Signing on rural county roads to prevent or minimize rail-vehicle crashes on rural county roads throughout the State of Nebraska.,



Butler County Board Minutes



WHEREAS, The High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR-STWD(116)-Advance Railroad Signing to accomplish the following:

Purchase and distribution of Advance Railroad Signing, by the State of Nebraska Department of Roads with installation of said signing materials by the County.

BE IT RESOLVED, That the State of Nebraska is hereby requested to act on behalf of said County to program a project for the installation of the advance railroad signing shown on Exhibit "A" (Response Form) attached,

BE IT FURTHER RESOLVED, That sufficient funds of said County are now available or will be made available and are hereby pledged to the Nebraska Department of Roads in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.

The estimated cost to said County is \$0.00.

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

Adopted this 21st day of May, 2012, By Board of County Supervisors of Butler County, Nebraska.

ATTEST: /s/ Vicki L. Truksa
County Clerk

/s/ David W. Mach
Chairman

Discussion of Township Road Maintenance Agreements

Discussion was held regarding the renewal of the township road maintenance agreements. Some of the 5 year agreements will be due for renewal, and will be offered with the same provisions as before.

Consideration of Resolution for Road Closure

Jim Truksa presented a resolution authorizing the installation of traffic signs for the board's consideration. Moved by Janak, seconded by Krafka to adopt Resolution 2012 – 23. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 23

AUTHORIZING THE INSTALLATION OF TRAFFIC SIGNS

WHEREAS, Neb. Rev. Stat. Sec. 60-6,121 provides that placement of traffic control devices is within the jurisdiction of the County; and

WHEREAS, the County Road Department has informed the County Board that the use of regulatory "ROAD CLOSED" and "ROAD CLOSED-LOCAL TRAFFIC ONLY" signs are classified as regulatory signs and require county board resolution to install; and

WHEREAS, the County Road Department used both aforesaid signs in the use of temporary and permanent road closures; and

WHEREAS, the County Road Department is required to use the aforesaid signs at different times of the day and night and cannot obtain a county board resolution each time their use is required, the County Road Department has requested the County Board adopt a blanket resolution to allow the use of the aforesaid signs when required.



Butler County Board Minutes



NOW, THEREFORE, BE IT RESOLVED, by the Board of County Supervisors of Butler County, Nebraska, that authorization is hereby given to install such signs at the required locations as needed.

Dated this 21st day of May, 2012, at the Butler County Courthouse, David City, Nebraska.

Supervisor Janak moved and Supervisor Krafka seconded the motion to approve and adopt the aforesaid resolution. Motion carried.

ATTEST:

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

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

APPROVED AS TO FORM this 21st day of May, 2012.

/s/ Julie L. Reiter
Julie L. Reiter, Butler County Attorney

Board of Equalization (see separate proceedings)

Moved by Janak, seconded by Krafka to go into Board of Equalization at 9:30 a.m. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, Birkel, 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 9:55 a.m.

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

Matured County Certificates

Karey Adamy, County Treasurer presented a listing of the County Certificates that matured on May 7, 2012.

Authorize County Attorney to Proceed with Foreclosure Action on Matured County Certificates

Moved by Krafka, seconded by Kozisek to direct the County Attorney to proceed with foreclosure proceedings. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Consideration of Resolution 2012-17/Release of Pledged Collateral

Moved by Cidlik, seconded by Birkel to adopt Resolution 2012-17. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2012 – 17**

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
31396Q4D8	\$1,000,000.00

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.



Butler County Board Minutes



Dated this 21st day of May, 2012.

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

ATTEST:

Vicki L. Truksa
County Clerk

County Clerk Monthly Fee Report

Vicki Truksa, County Clerk presented the fee report for the month of April 2012. The report was accepted and placed on file.

Authorize Chairman to sign Engagement Agreement with Auditor of Public Accounts

Moved by Janak, seconded by Cidlik to authorize the Chairman to sign the Engagement Agreement with the Auditor of Public Accounts for auditing services for the fiscal year 2011/2012. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Slama, Motion carried

Consideration of Resolution 2012-18/Transfer of Funds from General Fund to Road Fund

Moved by Cidlik, seconded by Kozisek to adopt Resolution 2012-18 Transfer of Funds from General Fund to Road Fund. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 18

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 \$679,600.49.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$679,600.49 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

Dated this 21st day of May, 2012.

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

ATTEST:

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

Consideration of Resolution 2012-19/Transfer of Funds from General Fund to Noxious Weed Control Fund

Moved by Janak, seconded by Kozisek to adopt Resolution 2012-19 Transfer of Funds from General Fund to Noxious Weed Control Fund. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Abstaining: Birkel. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA



Butler County Board Minutes



RESOLUTION NO. 2012 – 19

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 \$31,451.94.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$31,451.94 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 May, 2012.

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

ATTEST:

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

Consideration of Resolution 2012-21 Transfer of Funds from Inheritance Tax Fund to General Fund

Moved by Cidlik, seconded by Krafka to adopt Resolution 2012-21 Transfer of Funds from Inheritance Tax Fund to General Fund. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 20

WHEREAS, the Butler County Board of Supervisors at the September 6, 2011 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 \$350,000.00; and

WHEREAS, funds are available in the Inheritance Tax Fund to transfer to the General Fund in the amount of \$350,000.00.

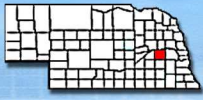
NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$350,000.00 to the General Fund for general operations from the Inheritance Tax Fund.

Dated this 21st day of May, 2012.

/s/ David W. Mach
Mach, Chairman

David W.

ATTEST:



Butler County Board Minutes



/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Consideration of Resolution 2012-21/Transfer of Funds from General Fund to 911 Emergency Services Department

Moved by Kozisek, seconded by Birkel to adopt Resolution 2012-21 Transfer of Funds from General Fund to 911 Emergency Services Department. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 21

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 \$20,522.23.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$20,522.23 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 May, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Appoint Representative to the East Central E911 Equipment Sharing Board

Moved by Cidlik, seconded by Birkel to appoint Rick Schneider to represent Butler County on the East Central E911 Equipment Sharing Board; and to appoint Mark Hecker as alternate. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Update on Renewal of Blue Cross-Blue Shield Insurance

Tara Stevenson, Blue Cross-Blue Shield representative gave the board an update on the July 1, 2012 renewal of the employee health insurance. She informed the board that there will be no rate increase for the upcoming year.

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

Discuss Policy-Payment in Lieu of Medical Insurance

Discussion was held regarding the policy that the board approved on June 1, 2009 (amended on June 7, 2010, and June 20, 2011) allowing an employee to receive a payment in lieu of medical insurance. It was the consensus of the board to continue the payment amount of \$500.00 per month for the 2011/2012 fiscal year.



Butler County Board Minutes



Blue Valley Community Action

Richard Nation, Chief Executive Officer of Blue Valley Community Action presented the board with the 2011 Annual Report from their agency. The request for county government general support to the Blue Valley Community Action Partnership is \$5,653.00 for next fiscal year. This amount is the same as the budget request from last year. The budget committee will consider this request when compiling the budget for the 2012/2013 fiscal year.

Claims

Moved by Cidlik, seconded by Kozisek to approve for payment the claims as presented with the exception of the claim submitted by Bob Fiala which is denied and will be forwarded to NIRMA for further investigation; and the claim from BryanLGH Medical Center which is tabled for additional information. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Correspondence

The final 2010/2011 audit report was received from the Auditor of Public Accounts, and distributed to the board members.

Correspondence was received from the Seward County General Assistance requesting a hearing before the Board of Supervisors for reconsideration of the denial of reimbursement for cremation services.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:55 a.m. The next meeting will be on June 4, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

June 4, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of June, 2012 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.

Executive Session/Annual Employee Evaluations

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

Moved by Slama, seconded by Kozisek to come out of Executive Session at 9:30 a.m; the Executive Session was for the purpose of conducting annual employee evaluations. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Steel Bids

At 9:30 a.m. the following bids for steel were received, opened and read:

Oden Enterprises, Inc.	Wahoo, NE	\$150,474.62
Husker Steel, Inc.	Columbus, NE	\$146,326.00
Midwest Sales & Service	Schuyler, NE	\$149,724.78

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

Consideration of Resolution 2012-24/Appointment of Budget Making

Moved by Cidlik, seconded by Kozisek to adopt Resolution 2012-24. 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. 2012 – 24



Butler County Board Minutes



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

authority, and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors, that Vicki L. Truksa is appointed the Budget Making Authority, to prepare and present the budget for the fiscal year 2012-2013 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 4th day of June, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Correspondence

Correspondence was received from Mid-American Benefits, Inc., which is the county's third-party administrator for the employee health and dental insurance. Included was a report of the claim utilization and savings that has been realized.

Culvert Bids

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

Metal Culverts, Inc.	Jefferson City, MO
Midwest Sales & Service	Schuyler, NE
Contech Construction Products, Inc.	Lincoln, NE

Moved by Slama, seconded by Krafka to table the decision on the culvert bids till 9:00 a.m. on June 18, 2012. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Claim Review from Region V Systems

Information was received from Region V Systems, related to a claim that was submitted by Bryan LGH Hospital for treatment of an Emergency Protective Custody patient. Additional information is still being sought at this time.

Renewal of GIS Mapping Contract

Rick Schneider, Emergency Manager presented information that he received from GIS Workshop pertaining to the E911 GIS, MSAG and Address Maintenance contract. Moved by Slama, seconded by Birkel to approve renewal of the 5-year contract. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Gravel Truck & Pup/Side Dump Bids



Butler County Board Minutes



At 10:15 a.m. the following truck bid was received, opened and read:

Nebraska Truck & Equipment Co., Inc.	Lincoln, NE	\$164,600.78
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Moved by Birkel, seconded by Krafka to accept the bid from Nebraska Truck & Equipment Co., Inc. for a 2013 Mack dump truck and pup trailer. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Child Support Enforcement Subgrant/Amendment One

An amendment to the Subgrant Agreement for Child Support Enforcement Services/Clerk of the District Court was presented. This amendment will extend the current agreement for three additional months to coincide with the Federal Fiscal Year.

Moved by Cidlik, seconded by Kozisek to authorize the Chairman to sign Amendment One, July 2012. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

William Kozisek left the meeting at 10:35 a.m.

Excavator Bids

At 10:45 a.m. the following excavator bids were received, opened and read:

Murphy Tractor & Equipment Co.	Lincoln, NE
2011 John Deere (used)	\$231,150.00
2012 John Deere	\$257,300.00
Road Builders Machinery & Supply Co., Inc.	Omaha, NE
2012 Komatsu	\$244,074.00
2012 Komatsu	\$227,585.00
Nebraska Machinery Company	Lincoln, NE
2012 Caterpillar	\$226,330.00
2012 Caterpillar	\$250,240.00

Moved by Cidlik, seconded by Slama to table the decision on the excavator bids till 9:15 a.m. on June 18, 2012. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Janak, Birkel, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Steel Bids

Moved by Slama, seconded by Krafka to accept the adjusted bid in the amount of \$148,951.00 from Husker Steel, Inc. Upon roll call vote the following voted aye: Slama, Krafka, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Executive Session/Annual Employee Evaluations

Moved by Cidlik, seconded by Janak to go into Executive Session at 11:55 a.m. for the purpose of conducting annual employee evaluations. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Krafka, Slama, and Mach. The following voted nay: None. Absent: Kozisek. Motion carried.

Moved by Cidlik, seconded by Krafka to come out of Executive Session at 12:15 p.m., which was for the purpose of conducting annual employee evaluations. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Janak, 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 at 12:30 p.m. The next meeting will be on June 18, 2012 at 9:00 a.m.

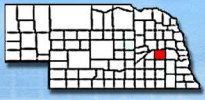


Butler County Board Minutes



Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

June 18, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of June, 2012 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.

Decision on Culvert Bids

Jim Truksa, Highway Superintendent presented the board members with a Culvert Bid Comparison, which showed the results of the bids that were opened on June 4, 2012. Moved by Cidlik, seconded by Slama to accept the bid from Contech Construction Products, Inc. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Consideration of Utility Permit Application/Windstream Nebraska, Inc.

Windstream Nebraska, Inc. submitted a utility permit application to replace communications facilities in Section 3, T-16-N, R-3-E, on County Road P-Q north of County Road 44.5, near Octavia in Butler County. Moved by Janak, seconded by Kozisek to approve the permit application. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Appointment of Highway Superintendent for 2012-2013

Moved by Cidlik, seconded by Birkel to appoint Jim Truksa as Butler County Highway Superintendent effective July 1, 2012 through June 30, 2013, with a salary increase to be the same percentage as other appointed officials. 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 Resolution 2012-25/Transfer of Funds

Jim Truksa, Highway Superintendent presented Resolution 2012-25 for the board's consideration. Moved by Slama, seconded by Krafka to adopt Resolution 2012-25. 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. 2012 - 25

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



Butler County Board Minutes



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 \$365,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$365,000.00 from the Road Fund to the Special Road Fund.

Dated this 18th day of June, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Notice for Roadside Mowing

Vicki Truksa, County Clerk informed the board that there will be a notice published in The Banner-Press on June 28, 2012 regarding the duty of all landowners to mow all weeds that can be mowed with the ordinary farm mower to the middle of all public roads and drainage ditches running along their lands at least twice each year, namely, before July 15, for the first time and sometime in August for the second time.

Decision on Excavator Bids

Moved by Janak, seconded by Slama to accept the bid from Road Builders Machinery & Supply Co., Inc. for a 2012 Komatsu Excavator in the amount of \$244,074.00. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Clerk of the District Court Fee Report

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

County Clerk Fee Report

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

Appeal of Decision-Consideration of Reimbursement for Cremation Services

Jeff Baker, Seward County General Assistance Director appeared before the board to appeal the board's decision that was made on April 16, 2012, to deny payment on the proposed claim from Seward County for reimbursement of the charge for cremation services in a General Assistance case. Moved by Birkel, seconded by Kozisek to table the reconsideration of the denial of the reimbursement claim from Seward County. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Aging Partners Yearly Financial Support

June Pederson, Director of Aging Partners appeared before the board to share information about the programs for older citizens that their agency provides in Butler County. Aging Partners is requesting that Butler County fund \$15,325.00 for the fiscal year 2012-2013. Also presented was an Interlocal Agreement for the board to review.

Consideration of Resolution 2012-26/County Attorney Petty Cash



Butler County Board Minutes



Julie Reiter presented Resolution 2012-26 which would allow for the establishment of a County Attorney Petty Cash Account. Moved by Cidlik, seconded by Janak to adopt Resolution 2012-26. 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. 2012 - 26**

WHEREAS, it is necessary for Butler County to establish a separate petty cash account at Bank of the Valley in which to deposit and expend funds for the payment of certain costs and expenses necessary to the operations of the Butler County Attorney's Office with said account to be called the "Butler County Attorney Account."

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the Butler County Attorney is hereby authorized to open a checking account at the Bank of the Valley for petty cash purposes of the Butler County Attorney's Office with an initial deposit of Five Hundred Dollars (\$500).

Dated this 18th day of June, 2012.

/s/ David W. Mach

David W. Mach, Chairman

Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Detention Center/Quarterly Report

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

Board of Equalization (see separate proceedings)

Moved by Slama, seconded by Kozisek to go into Board of Equalization at 10:30 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.

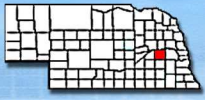
Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting at 10:55 a.m.

Consideration of Resolution 2012-27/Establish 911 Wireless Service Holding Fund

Resolution 2012-27 was presented to the board for their consideration, the resolution calls for the establishment of a 911 Wireless Service Holding Fund. Moved by Slama, seconded by Cidlik to adopt Resolution 2012-27. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2012 - 27**

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



Butler County Board Minutes



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, Butler County receives a portion of the surcharge funds from the Nebraska Public Service Commission, and

WHEREAS, Butler County is allowed to save or set aside up to 75% of the funds received from the Nebraska Public Service Commission for future equipment/software purchases and upgrades, and

WHEREAS, it is necessary for Butler County to establish a separate fund in which to deposit the funds to be set aside for future equipment/software purchases and upgrades, such fund to be named 911 Wireless Service Holding Fund, Fund #2914,

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the 911 Wireless Service Holding Fund, Fund #2914 be hereby created.

Dated this 18th day of June, 2012.

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

ATTEST:

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

Consideration of Resolution 2012 – 28/Transfer of Funds

Resolution 2012-28 was presented to the board for their consideration. Moved by Janak, seconded by Kozisek to adopt Resolution 2012-28. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 28

WHEREAS, Butler County, Nebraska (“Butler County”) provides a public safety answering point (“PSAP”) which receives 911 service calls and either dispatches emergency services or relays calls to the appropriate public service agency, 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, Butler County receives a portion of the surcharge funds from the Nebraska Public Service Commission, and is allowed to save or set aside up to 75% of the funds received for future equipment/software purchases and upgrades, and

WHEREAS, for the fiscal year 2010/2011 all funds received were deposited into the 911 Wireless Service Fund,

WHEREAS, for the fiscal year 2010/2011, Butler County is allowed to set aside funds in the amount of \$21,256.11, for future equipment/software purchases and upgrades,

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$21,256.11 from the 911 Wireless Service Fund to the 911 Wireless Service Holding Fund.



Butler County Board Minutes



Dated this 18th day of June, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Consideration of Resolution 2012-29/Transfer of Funds

Resolution 2012-29 was introduced for the board's consideration. Moved by Janak, seconded by Kozisek to adopt Resolution 2012-29. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 29

WHEREAS, Butler County, Nebraska ("Butler County") provides a public safety answering point ("PSAP") which receives 911 service calls and either dispatches emergency services or relays calls to the appropriate public service agency, 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, Butler County receives a portion of the surcharge funds from the Nebraska Public Service Commission, and is allowed to expend those funds for particular expenses incurred in connection with the E911 Wireless service, and

WHEREAS, for the fiscal year 2010/2011, funds in the amount of \$1,173.32, and for the fiscal year 2011/2012, funds in the amount of \$2,070.74 were expended for non-eligible phone charges, those funds need to be reimbursed to the 911 Wireless Service Fund, and

WHEREAS, the amount expended for non-eligible phone charges should have been paid with funds from the 911 Emergency Services Fund,

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$3,244.06 from the 911 Emergency Services Fund to the 911 Wireless Service Fund.

Dated this 18th day of June, 2012.

/s/ David W. Mach

W. Mach, Chairman

David

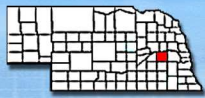
ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Summit Township Board/Contract Renewal for Road Maintenance

The Summit Township Board appeared before the County Board to discuss the contract renewal for road maintenance. The township submitted a proposed Interlocal Agreement for road maintenance for a three-year period. Moved by Cidlik, seconded by Slama to table a decision on the Interlocal Agreement till the July 2, 2012 board meeting. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



Ron Sedlak/Driveway Culvert

Ron Sedlak appeared before the board to discuss the replacement of a driveway culvert. The Highway Superintendent indicated that replacement of the culvert had already been scheduled prior to the meeting.

Butler County Chamber & Foundation Advisory/Agreement with County for Ownership of Digital Display Sign

Larry Peirce and Deanna Pohl were present to give the board an update on the status of the digital display sign that will be placed on the west side of the courthouse. Moved by Slama, seconded by Kozisek to accept the proposal for ownership of the digital display sign with final approval of the design to be made at a later date. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Kevin Slama left the meeting.

Consideration of Resolution 2012-30/Hold Checks-Road Fund

Resolution 2012-30 was introduced for the board's consideration. Moved by Janak, seconded by Krafka to adopt Resolution 2012-30. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 30

WHEREAS, during the Fiscal Year of July 1, 2011, to June 30, 2012, the Butler County Board of Supervisors purchased personal property which has not been delivered to Butler County, and

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

WHEREAS, the County Board wishes to pay for these purchases out of this years budget, and

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

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the County Clerk be hereby empowered and directed to make checks payable as follows:

Road Builders	\$244,074.00	For Excavator
Scotwood Industries	\$25,029.06	For Magnesium Chloride
Husker Steel	\$35,612.00	For Bridge Beams & End Terminals
Nebraska Truck & Equipment Co.	\$164,600.78	For Truck & Pup
Murphy Tractor & Equipment Co.	\$10,850.00	For Loader Grapple

Dated this 18th day of June, 2012.

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

ATTEST:
/s/ Vicki L. Truksa



Butler County Board Minutes



Vicki L. Truksa, County Clerk

Kevin Slama returned to the meeting between the introduction of the following resolution and the roll call vote.

Consideration of Resolution 2012-31/Hold Checks-General Fund

Resolution 2012-31 was presented for the board's consideration. Moved by Krafka, seconded by Janak to adopt Resolution 2012-31. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 31

WHEREAS, the Butler County Detention Center purchased office equipment for the cost of \$2,339.97, from Connecting Point, and

WHEREAS, the Butler Detention Center has sufficient funds in their budget to pay for this office equipment, and

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

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the County Clerk be hereby empowered and directed to make a check payable to Connecting Point for the equipment purchased.

Dated this 18th day of June, 2012.

/s/ David W. Mach

David W. Mach, Chairman ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Consideration of Resolution 2012-32/Transfer of Funds

Resolution 2012-32 was introduced for the board's consideration. Moved by Kozisek, seconded by Slama to adopt Resolution 2012-32. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 32

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

WHEREAS, the Ag Extension Agent Department will be required to set aside and maintain funds for the future purchase of equipment, and



Butler County Board Minutes



WHEREAS, said funds, in order to be maintained for the future purchase, must be transferred from the General Fund (Ag Extension Agent Department) to the Equipment Sinking Fund,

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$4,000.00 from the General Fund to the Equipment Sinking Fund.

Dated this 18th day of June, 2012

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Employee Wage Increase for 2012-2013

Discussion was held regarding the employee wage increase for the upcoming fiscal year 2012-2013. Moved by Cidlik, seconded by Krafka to allow a 2.5% increase for employees

Cidlik rescinded the motion, Krafka rescinded the second on the motion

The Chairman recessed the meeting at 12:30 p.m., and reconvened at 1:00 p.m.

Tony Krafka did not return to the meeting.

Discussion

Discussion was held with Mark Hecker, County Sheriff regarding the proposal that he has prepared to submit to the City of David City for law enforcement services. This is in response to the city's request for a proposal.

NIRMA/NIRMA II Insurance Deductible Options

The Nebraska Intergovernmental Risk Management Association, Butler County's insurance provider, had notified the county of options for increasing the deductible amounts on the county's insurance. Moved by Cidlik, seconded by Slama that the NIRMA/NIRMA II deductibles remain the same for 2012/2013. Upon roll call vote the following voted aye: Cidlik, Slama, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Claims

Moved by Janak, seconded by Kozisek to approve the claims for payment as presented with the exception of the claim from Bryan LGH Medical Center in the amount of \$5,499.38, and Bryan LGH Physicians Network in the amount of \$539.09, which are being tabled for additional information. Upon roll call vote the following voted aye: Janak, Kozisek, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Employee Wage Increase for 2012-2013

Moved by Cidlik, seconded by Janak to allow for a 3% wage increase for the Highway Superintendent, Custodian, Emergency Manager, and Noxious Weed Control Superintendent commencing July 1, 2012; and to allow a 3% increase to elected official's salaries commencing January 1, 2013; and a 3% increase in the budgets. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Abstaining: Birkel. Motion carried.

Correspondence

Correspondence was received from:

1. Jim McDonald, Recycling Manager-City of David City showing the results of the Household Hazardous Collection Day. Additionally, the City of David City has been awarded a grant to hold a scrap tire cleanup, to be held in September.
2. Seward County Zoning Administrator, public hearing notification.



Butler County Board Minutes



3. Blue Valley Community Action, Board of Directors notice of meeting, board proceedings from last meeting, and newspaper articles that highlight various projects.

There being no further business to come before the Board, the Chairman adjourned the meeting at 1:50 p.m. The next meeting will be on July 2, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

July 2, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of July, 2012 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 Applications

Windstream Nebraska, Inc. submitted a utility permit application to repair communications facilities in Section 18, T-14-N, R-4-E, near Brainard in Butler County, and a utility permit application to replace communications facilities in Section 13, T-14-N, R-1-E, near Rising City. Moved by Slama, seconded by Cidlik to approve the utility permit applications as presented. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Township Road Maintenance Contracts

Jim Truksa, Highway Superintendent presented Interlocal Agreements for road maintenance done by Bone Creek Township, Center Township, and Linwood Township. Moved by Cidlik, seconded by Kozisek to approve the Interlocal Agreements for the period of July 1, 2012 thru June 30, 2013 as presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Interlocal Agreements for road maintenance done by the County for Read Township and Franklin Township were presented to the board for their approval. Moved by Krafka, seconded by Birkel to approve the Interlocal Agreements for the period of July 1, 2012 thru June 30, 2013 as presented. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Janak, and Kozisek. The following voted nay: None. Abstaining: Mach. Motion carried.

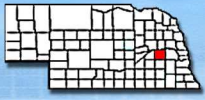
Discussion/Abandoned Cemetery Care

Discussion was held in regards to tree removal on abandoned cemeteries in the County. It was decided that any cost relating to the removal of trees on abandoned cemeteries will be an expense of the County.

Summit Township/Interlocal Agreement for Road Maintenance

Information was presented by the Highway Superintendent showing the costs relating to maintaining the roads in Summit Township, and also the amount that Summit Township has paid for road maintenance. At the June 18, 2012 meeting of the County Board, Summit Township had presented an Interlocal Agreement for Road Maintenance, for the board's approval, which would be for the period of July 1, 2012 thru June 30, 2015. Moved by Slama, seconded by Janak to deny the proposed three-year contract submitted by Summit Township. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Kozisek to allow for a one-year extension of the five-year Interlocal Agreement which terminated on June 30, 2012; and a \$4,500.00 allowance, not \$3,000.00. 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



Adoption of Butler County Senior Services Program By-Laws

Julie Reiter, County Attorney presented the proposed by-laws for the Butler County Senior Services Program. After review and discussion, changes need to be made. The adoption of the by-laws has been tabled till July 16, 2012.

Approval of Subdivision Plat

David Gerhold, representing GLC, Inc. presented the Final Plat of Bow String Lake, an addition to Butler County. Moved by Krafka, seconded by Kozisek to approve the final plat. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Waive Notification to Subdivisions for Tax Correction Refund

Moved by Janak, seconded by Slama to waive notification to subdivisions for the tax correction refund. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Possible Interlocal Agreement with Seward County

The County Attorney informed the board that an Interlocal Agreement between Butler County and Seward County for the Juvenile Diversion program may be presented at a later date.

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

Skull Creek Township Bond Approval

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

Correspondence

Correspondence was received from Betty Dolezal and Dorothy Barlean regarding their positions on the Butler County Senior Services Board.

A Notice of Public Hearing was received from Saunders County Planning Commission (application to amend zoning regulations).

A Notice of Public Hearing was received from City of David City (redevelopment plan).

Quarterly Jail Inspection

The quarterly jail inspection was held from 11:00 a.m. – 11:10 a.m.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:10 a.m. The next meeting will be on July 16, 2012 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 16, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of July, 2012 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.

Discussion-Dust Control on R Road (Landfill Road)

Discussion was held regarding dust control on R Road which is the landfill road. Representatives from Butler County Landfill were in attendance at the meeting, and informed the board that the dust control product was applied on July 10th and 11th to the entire road. They also will be applying additional water to the road surface to aid in the dust control.

Butler County Senior Services Program

Adoption of By-Laws

The Bylaws, Rules, and Regulation of the Butler County Senior Services Program were presented for the board's approval. Moved by Kozisek, seconded by Slama to adopt the Bylaws, Rules, and Regulation as presented. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Transfer of Real Estate

Discussion was held on the transfer of the building that houses the Senior Center. The property is currently owned by the David City Area Senior Citizens Organization. The County Attorney will continue to work on the real estate transfer.

Agreement with the Nebraska Department of Roads/Handi-Bus

The FY 2013 Federal and State Public Transportation Operating Assistance Letter Agreement for Project No. RPT-C121 (213) was received. The agreement provides for partial funding of the Butler County Rural Service program. Moved by Janak, seconded by Birkel to authorize the Chairman to sign the letter agreement. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Transfer of Certificates of Deposit and Investments

Discussion on the transfer of the Certificates of Deposit and Investments that the Senior Services Program have will be tabled till the August 6, 2012 board meeting.

Petty Cash Fund

Moved by Slama, seconded by Kozisek to allow for a \$500.00 petty cash fund to be established by the Butler County Senior Services Program. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Appointment of the Butler County Senior Services Advisory Board

The Advisory Board shall consist of seven members appointed by the Butler County Board of Supervisors from each of the supervisor districts. If no one is willing to serve from a district, that district's board seat may be filled by a Butler County resident meeting the other qualifications.

A list of individuals who have expressed an interest in serving on the advisory board was presented to the board for their consideration.



Butler County Board Minutes



Moved by Cidlik to nominate all the names on the list, Cidlik rescinds the motion.

Moved by Cidlik, seconded by Slama to appoint Karen Fendrich from District 1 to serve a 3 year term on the Advisory Board. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Move by Krafka, seconded by Kozisek to appoint Ethel Reha from District 2 to serve a 2 year term on the Advisory Board. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Krafka to appoint Dorothy Barlean from District 3 to serve a 3 year term on the Advisory Board. 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 Birkel, seconded by Cidlik to appoint Jan Rudolph from District 4 to serve a 2 year term on the Advisory Board. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following vote nay: None. Motion carried.

Moved by Kozisek, seconded by Slama to appoint Dorothy Schultz from District 5 to serve a 3 year term on the Advisory Board. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Moved by Janak, seconded by Cidlik to appoint Donna Steager from District 6 to serve a 2 year term on the Advisory Board. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Moved by Cidlik, seconded by Janak to appoint Pat Hilderbrand to serve a 3 year term on the Advisory Board. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and mach. The following voted nay: None. Motion carried.

County Sheriff-Quarterly Report

Mark Hecker, County Sheriff presented the quarterly report of the Sheriff's Department; it was accepted and placed on file.

The agenda item for the approval of fees was tabled till a future meeting.

The Sheriff informed the board that Jane Tooley has tendered her resignation, effective July 31, 2012.

Agreement with Region V Systems for EPC Services

An agreement with Region V Systems for EPC services was presented for the board's approval. Moved by Slama, seconded by Janak to approve and authorize the Chairman to sign the Agreement for EPC Services. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

General Assistance Quarterly Report

The quarterly report of General Assistance applications and payments was presented; the board accepted the report and placed it on file.

Discussion followed on the statutory requirement to review the General Assistance guidelines that are in place at the present time. A committee was formed to handle this review process; the members are Bill Kozisek, Greg Janak, and Kevin Slama.

County Clerk Monthly Fee Report

The County Clerk monthly fee report for the month of June, 2012 was accepted and placed on file.



Butler County Board Minutes



Clerk of the District Court Monthly Fee Report

The Clerk of the District Court fee report for the month of June, 2012 was accepted and placed on file.

Resolution 2012-33/Release of Pledged Collateral

Resolution 2012-33 was presented for the board's approval; the resolution calls for the release of pledged collateral.

Moved by Janak, seconded by Kozisek to adopt Resolution 2012-33. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2012 – 33

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

<u>CUSIP #</u>	<u>ORIGINAL FACE/PAR VALUE</u>
123825AY7	\$115,000.00
216181EV5	\$450,000.00
2592874W7	\$ 70,000.00
3136A2JV6	\$600,000.00
31396PVJ7	\$725,000.00
317153DN1	\$250,000.00
462297EE8	\$400,000.00

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 16th day of July, 2012.

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

ATTEST:

/s/ Vicki L. Truksa
County Clerk

County Treasurer's Statement

The Butler County Treasurer's Statement for the period of January 1, 2012 to June 30, 2012 was presented to the board. The statement was accepted and placed on file.

Preliminary FY2012-2013 Budget Report

Vicki Truksa, County Clerk presented a preliminary FY2012-2013 budget report, and net fund balance comparison to the board. The budget committee will meet on July 31, 2012 for additional review of the budget requests from the various offices.

County Attorney/County Aid Grant

Julie Reiter, County Attorney explained that a revised budget for the County Aid Grant needs to be submitted and it requires the signature of the Chairman of the Board. Authorization for the Chairman to sign the grant documents was given at an earlier meeting.

The County Attorney informed that Saul Soltero has resigned the position of Juvenile Diversion Coordinator, and that Denise Janssen has been hired to fill the vacancy.



Butler County Board Minutes



Claims

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

Correspondence

No correspondence was received for the board.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:45 a.m. The next meeting will be on August 6, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

August 6, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of August, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

Discussion on R Road (Landfill road) Signage

Jim Truksa, Highway Superintendent reported to the board that a speed study will be completed on R Road from the Bruno Spur to Highway 92. When the speed study is complete, and the results are brought to the board, they will consider lowering the speed limit on that road.

Kevin Slama arrived at 9:10 a.m.

Consideration of Utility Permit Application

Windstream Nebraska, Inc. submitted a utility permit application to replace communications facilities between Sections 14 and 23, T-14-N, R-3-E, near Brainard in Butler County. Moved by Cidlik, seconded by Janak to approve the permit application. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Butler County Senior Services Program

As of July 1, 2012 the Butler County Senior Service program and the Rural Transit program became a part of Butler County. Discussion was held with Linda Vandenberg, Senior Service Program Manager and Karey Adamy, County Treasurer, pertaining to the transfer of certificates of deposit, investments, checking accounts, and savings accounts. The board instructed the Program Manager to transfer the funds to the County Treasurer. Those funds will be credited to accounts that have been established for the Senior Service Program and Rural Transit Program.

Approval of Interlocal Agreement with City of Lincoln

An Interlocal Agreement with the City of Lincoln (designated by the Nebraska Division on Aging as the official Lincoln Area Agency on Aging, d/b/a Aging Partners) for the planning, coordination, monitoring and evaluation of community aging service programs was presented for the board's approval. Moved by Cidlik, seconded by Kozisek to approve the agreement and authorize the Chairman to sign. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Abstaining: Slama. Absent: Birkel. Motion carried.

Executive Session-Pending Litigation

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



Butler County Board Minutes



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

Discussion

Steve Gaston appeared before the board, requesting that the County Board schedule a public meeting prior to any vote on a contract with the City of David City for law enforcement. The board suggested that concerned individuals contact them directly.

Board of Equalization (see separate proceedings)

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

Following the Board of Equalization meeting, the Chairman reconvened the Board of Supervisors meeting at 10:30 a.m.

Approval of Fees

Mark Hecker, County Sheriff and Mike Applegate, Detention Center Administrator presented a fee schedule to the board for their approval. Moved by Slama, seconded by Krafka to approve the following fee schedule:

- | | |
|---|--|
| 1. Out of County Housing Fee | \$45.00 per day/per inmate |
| 2. County and District Court Work Release Fee | \$20.00 per day/per inmate |
| 3. House Arrest Fee | \$30.00 flat fee for hookup
\$15.00 per day |

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

The Chairman recessed the meeting at 10:40 a.m., and reconvened at 10:45 a.m.

Marquee Sign

Larry Peirce and Dee Pohl presented the design of the marquee sign that will be placed on the west side of the courthouse, and the agreement for purchase. Moved by Kozisek, seconded by Janak to approve the agreement for purchase and authorize the Chairman to sign the agreement. Upon roll call vote the following voted aye: Kozisek, Janak, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Funding for Butler County Development

Discussion was held regarding the continued funding for Butler County Development. A decision will be made following the next meeting of the Butler County Development Board.

Claims from Bryan LGH Physician Network & Bryan LGH Medical Center

The claim from Bryan LGH Physician Network will remain tabled for further information. Moved by Kozisek, seconded by Cidlik to approve the amount of \$2,791.36 as payment for the claim submitted by Bryan LGH Medical Center. Upon roll call vote the following voted aye: Kozisek, Janak, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Special Designated Liquor License

A request for a Special Designated Liquor License was received from St. Joseph's Parish for their annual pork barbecue to be held on September 8, 2012. Moved by Slama, seconded by Krafka to approve the Special Designated Liquor License request of St. Joseph's Parish. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of July, 2012 was accepted and placed on file.

Sale of Property in Linwood



Butler County Board Minutes



An inquiry has been made regarding the possible purchase of a piece of county owned property in Linwood. The county board is required to hold a public hearing prior to any sale of county owned real estate. The public hearing will be held on September 4, 2012 at 10:00 a.m. The purpose of the public hearing is for any interested party to appear and speak for or against such transaction.

Discussion

Discussion was held regarding the installation of an underground sprinkler system on the east side of the courthouse building.

Bill Kozisek left the meeting at 11:40 a.m.

Correspondence

Correspondence was received from:

1. Nebraska Association of County Officials addressing the use of Inheritance Tax Fund monies.
2. Northeast Nebraska Economic Development District-Request for appointment of board representatives

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 August 20, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

August 20, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of August, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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.

Emergency Manager-Quarterly Report

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

Rick discussed with the board the malfunction of a siren; and the possibility of scheduling a test of the sirens.

Bill Kozisek arrived at 9:05 a.m.

Discussion

The door locking systems being installed by Sentrixx is still ongoing.

Two representatives from Four Corners Health District discussed the West Nile outbreak in Butler County. At this time there are three Butler County individuals that have been diagnosed with West Nile. Discussed was the possibility of spraying for mosquitoes in the communities in Butler County as well as mosquito dunks for standing water.

Resolution 2012-37 Butler County Assuming the Butler County Senior Service Program

Karey Adamy, County Treasurer presented Resolution 2012-37 for the board's approval. Moved by Slama, seconded by Krafka to approve Resolution 2012-37. 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. 2012-37

WHEREAS, effective July 16, 2012, the Butler County Senior Services Program became a county program governed by the Butler County Board of Supervisors and managed and operated pursuant to the Bylaws, Rules, and Regulation of the Butler County Senior Services Program adopted by the Butler County Board of Supervisors on July 16, 2012;

WHEREAS, the Butler County Senior Services Program operating prior to July 16, 2012, has agreed to transfer all of its existing financial accounts, investments and assets to Butler County, Nebraska to be held, invested and managed by the Butler County Treasurer on behalf of Butler County, Nebraska for the benefit of the Butler County Senior Services Program.



Butler County Board Minutes



NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that all financial accounts and investments owned by, held in the name of, or held on behalf of the Butler County Senior Services Program shall be transferred to the Butler County Treasurer to be held, invested and managed by the Butler County Treasurer on behalf of Butler County, Nebraska for the benefit of the Butler County Senior Services Program.

Dated this 20th day of August, 2012.

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

ATTEST:

/s/ Sharon Woolsey, Deputy
County Clerk

Resolution 2012-35 Addition of County Depositories

Resolution 2012-35 for the addition of county depositories was presented for the board's approval. Moved by Cidlik, seconded by Birkel to approve Resolution 2012-35. 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. 2012 – 35

WHEREAS, the Butler County Board of Supervisors, according to the records in the office of the Butler County Clerk, has designated six (6) institutions to act as depositories for county funds, and

WHEREAS, the institutions are as follows:

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

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

and WHEREAS, it is now necessary to designate two (2) additional institutions to act as depositories for county funds,

WHEREAS, the institutions are as follows:

Butler County Area Foundation-Nebraska Community Foundation
COLE Investments

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned institutions be so designated as County Depositories for the year 2012, so long as they comply with the laws of Nebraska.

Dated this 20th day of August, 2012.

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

ATTEST:



Butler County Board Minutes



/s/ Sharon Woolsey

Sharon Woolsey, Deputy County Clerk

Claim from Bryan LGH Physician Network

Julie Reiter, County Attorney, upon review of the claim submitted by Bryan LGH Physician Network for medical services provided to an EPC prisoner, recommended to the board that the claim be denied. Moved by Kozisek, seconded by Janak to deny payment of the claim submitted by Bryan LGH Physician Network. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Approval of Grant Awards-Juvenile Services

Grant Award documents were presented relating to Juvenile Services grant number 11-CA-0537 and 12-CA-0519. Moved by Janak, seconded by Slama to authorize the Chairman to sign the Grant Award documents. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Juvenile Diversion Budget

Julie Reiter discussed with the board the 2012-2013 Juvenile Diversion budget that was submitted for their approval. She has requested an additional \$4,969.00 be added to the budget for additional programs dealing with domestic violence and felony drug abuse. Grant funds of \$8,835.00 were not received last year, and will be received during this fiscal year, which will help to fund these additional programs.

Approval of Revised Budget for Victims Assistance

Pat Lostroh, Victims Assistance Coordinator presented a revised budget for the Victims Assistance program. Moved by Cidlik, seconded by Janak to authorize the Chairman to sign the revised budget document. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Distress Warrant Report

The report of distress warrants that have been collected was presented to the board by Mark Hecker, County Sheriff. It was accepted and placed on file.

Discussion on Law Enforcement Contract with David City

Discussion was held regarding the proposed contract with the City of David City for law enforcement services. The County Attorney will prepare a proposed contract. A committee comprised of William Kozisek, Max Birkel, and Greg Janak have been appointed to review the proposal.

Funding for Butler County Development

Discussion was held by the board regarding the continuation of funding for Butler County Development. It was concluded that the County will not include funding for Butler County Development in the 2012-2013 county budget.

Discussion of 2012-2013 Budget

Information was relayed by the Budget Committee to the entire board on the 2012-2013 county budget. Again this year, funds will be transferred from the Inheritance Tax Fund in the amount of \$400,000.00 for tax relief to the taxpayers of the county.

Approval of 1% Additional Increase to Base of Restricted Funds

Moved by Cidlik, seconded by Slama to approve an additional 1% increase in the Total 2012-2013 Restricted Funds Authority subject to limitation. 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 for Budget Hearing & Special Hearing to Set Final Tax Request

Moved by Kozisek, seconded by Birkel to set the date and time of the budget hearing for September 4, 2012 at 10:30 a.m., and the hearing to set the final tax request at 10:45 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.



Butler County Board Minutes



Resolution 2012-34 Setting of Preliminary Levies for Townships, Fire Districts & Ag Society

Resolution 2012-34 was presented for the board's approval. Moved by Cidlik, seconded by Janak to approve Resolution 2012-34 as presented. 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. 2012 – 34

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, 2012. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$298,038.00
Read Township	\$120,000.00
Ulysses Township	\$ 94,000.00
Plum Creek Township	\$ 88,000.00
Richardson Township	\$ 95,000.00
Reading Township	\$105,000.00
Union Township	\$ 94,732.00
Center Township	\$ 88,000.00
Oak Creek Township	\$100,000.00
Summit Township	\$ 87,000.00
Olive Township	\$145,000.00
Franklin Township	\$119,000.00
Skull Creek Township	\$ 72,000.00
Alexis Township	\$108,000.00
Savannah Township	\$ 90,000.00
Bone Creek Township	\$ 95,000.00
Linwood Township	\$ 58,956.00



Butler County Board Minutes



Platte Township	\$ 27,282.00
Ulysses Fire District #2	\$ 59,000.00
Rising City Fire Dist. #3	\$115,000.00
Bellwood Fire Dist. #5	\$ 38,000.00
Dwight Fire Dist. #6	\$ 14,126.97
Sinking	\$ 21,948.02
Bond	<u>\$ 16,631.10</u>
Total	\$ 52,706.09
Bruno Fire Dist. #7	\$ 48,000.00
Linwood Fire Dist. #8	\$ 42,000.00
David City Fire Dist. #9	\$188,000.00
Brainard Fire Dist. #10	\$ 37,000.00
Sinking	<u>\$ 7,000.00</u>
Total	\$ 44,000.00
Abie Fire Dist. #11	\$ 19,000.00

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

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

<u>Political Subdivision</u>	<u>Levy</u>
Butler Co. Ag Society	.01
Read Township	.10
Ulysses Township	.10
Plum Creek Township	.10
Richardson Township	.10
Reading Township	.10
Union Township	.10
Center Township	.10
Oak Creek Township	.10
Summit Township	.10
Olive Township	.10
Franklin Township	.10
Skull Creek Township	.10
Alexis Township	.10
Savannah Township	.10
Bone Creek Township	.10
Linwood Township	.10
Platte Township	.10
Ulysses Fire District #2	.04
Rising City Fire Dist. #3	.04
Bellwood Fire Dist. #5	.04
Dwight Fire Dist. #6	.04
Bruno Fire Dist. #7	.04
Linwood Fire Dist. #8	.04
David City Fire Dist. #9	.04
Brainard Fire Dist. #10	.04
Abie Fire Dist. #11	.04

Dated this 20th day of August, 2012.



Butler County Board Minutes



Voting Aye:

Voting Nay:

/s/ David W. Mach

/s/ Tony Krafka

/s/ Kevin Slama

/s/ Gregory A. Janak

/s/ William J. Kozisek

/s/ Max Birkel

/s/ Irvin Cidlik

ATTEST:

/s/ Sharon Woolsey

Sharon Woolsey, Deputy County Clerk

Resolution 2012-36 Transfer of Funds

Resolution 2012-36 Transfer of Funds from General Fund to 911 Emergency Services Fund was presented for the board's approval. Moved by Janak, seconded by Kozisek to approve Resolution 2012-36. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 - 36

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

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

WHEREAS, funds are available in the General Fund to transfer to the 911 Emergency Services Fund in an amount of \$50,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$50,000.00 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

Dated this 20th day of August, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Sharon Woolsey

Sharon Woolsey, Deputy County Clerk

County Clerk Monthly Fee Report

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



Butler County Board Minutes



The Chairman recessed the meeting at 10:25 a.m. and reconvened at 10:45 a.m.

Approval of Annual Inventories of County Personal Property

Moved by Cidlik, seconded by Janak to approve the Annual Inventory of County Personal Property as presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, 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

Board of Supervisors

Building & Grounds

County Treasurer

County Clerk

Veteran's Service

County Surveyor

Probation Officer

Highway Superintendent

911 Communications

Emergency Manager

Detention Center

Claims

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

Discussion

A reminder was given to the board members of upcoming meetings; Southeast District County Officials meeting on September 7, 2012 and NACO Conference on December 12-14, 2012.

Bill Kozisek reported that he had contacted Keith Marvin who is willing to accept the Non-Elected Representative position on the Northeast Nebraska Economic Development District Council of Officials for another year.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:00 a.m. The next meeting will be on Tuesday, September 4, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

September 4, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of September, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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.

Discussion-Gravel Pit Lease

Jim Truksa, Highway Superintendent informed the board that the Gravel Pit Lease which was for a five-year period will be expiring on September 15, 2013. The board instructed the Highway Superintendent to begin negotiations for an extension of the lease.

Consideration of Utility Permit Application

Windstream Nebraska, Inc. submitted a utility permit application to replace communications facilities, Section 10, T-15-N, R-4-E, near Bruno in Butler County. Moved by Janak, seconded by Slama to approve the permit application. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Annual Regional Prevention Coalition County Visit

Sandy Morrissey, Prevention Director for Region V Systems appeared before the board to present the annual report of substance abuse prevention programs.

Board of Equalization (See separate proceedings)

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

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

Flu Vaccinations for County Employees

Four Corners Health Department has contacted the county in regards to flu vaccinations for county employees. Moved by Janak, seconded by Cidlik to pay for the flu vaccination for county employees. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Lease-G & D Enterprises

Julie Reiter discussed the lease with G & D Enterprises that she is preparing. The lease for vending services was one of the recommendations from the county's audit.

Distress Warrants

Karey Adamy, County Treasurer certified the 2011 Distress Warrant Register.



Butler County Board Minutes



Public Hearing-Sale of County Owned Real Estate

Sale of the following county owned real estate is being considered by the board; Pt. of the E ¼ of SW ¼ Section 26, T17N, R4E.

Moved by Slama, seconded by Birkel to open the public hearing at 10:00 a.m. for the sale of county owned real estate. 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 appeared before the board to speak for or against the sale of such property.

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

Moved by Kozisek, seconded by Krafka to authorize the advertisement and set the date and time to take bids to sell the county owned real estate at 9:30 a.m. on October 1, 2012. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

2012/2013 County Budget Hearing

Moved by Janak, seconded by Slama to open the budget hearing at 10:30 a.m. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

One individual was present at the budget hearing.

Moved by Kozisek, seconded by Janak to close the budget hearing at 10:40 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.

Resolution 2012-38 Adoption of County Budget

Moved by Cidlik, seconded by Slama to approve the 2012-2013 County Budget and to approve Resolution 2012-38. 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. 2012 - 38

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2012 to June 30, 2013, prepared by the Budget Making Authority, was transmitted to the County Board on the 16th day of July, 2012.

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, 2012 to June 30, 2013, 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, 2012, and ending June 30, 2013.

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 4th day of September, 2012.

/s/ David W. Mach

/s/ Irvin Cidlik



Butler County Board Minutes



Supervisor

Supervisor

/s/ Tony Krafka
Supervisor

/s/ Max Birkel
Supervisor

/s/ Kevin Slama
Supervisor

/s/ Gregory A. Janak
Supervisor

/s/ William J. Kozisek
Supervisor

ATTEST:
/s/ Vicki L. Truksa
County Clerk

Special Hearing – Final Tax Request/Resolution 2012-39

Moved by Slama, seconded by Birkel to open the special hearing to set the final tax request at a different amount than last year at 10:45 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.

One individual was present at the hearing, no comment.

Moved by Birkel, seconded by Krafka to close the special hearing at 10:50 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.

Moved by Kozisek, seconded by Janak to approve Resolution 2012-39. 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. 2012 - 39

WHEREAS, pursuant to Nebraska Revised Statute 77-1601.02 the Butler County Board of Supervisors held a hearing on September 4, 2012 at 10:45 a.m. in regard to setting the 2012-2013 final tax request at a different amount than the prior years' 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 2011-2012 Property Tax Request was:	\$2,984,061.88, and
The levy to fund the 2011-2012 tax request was:	0.224132, and
The levy to fund last years tax request if it were applied to the current valuation would be:	0.193343, and
The proposed tax request for the 2012-2013 year is:	\$3,184,678.08 and
The proposed levy to fund the 2012-2013 tax request is:	0.206342, and

WHEREAS, one individual was present, but no comment on the proposed modification of said tax request at said hearing.



Butler County Board Minutes



NOW, THEREFORE, BE IT RESOLVED, that the Butler County Board of Supervisors hereby approve the tax request of \$3,184,678.08 for the 2012-2013 fiscal year.

Dated this 4th day of September, 2012.

/s/ David W. Mach

Chairman

ATTEST:

/s/ Vicki L. Truksa

County Clerk

The Nebraska Association of County Officials is asking for assistance from all 93 counties in working to prevent legislation that would eliminate inheritance taxes that are currently available to the county. The following statement was presented for the board's approval. Moved by Cidlik, seconded by Janak to approve the statement. 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 BUDGET STATEMENT

The County tax rate will be 0.206342. If it were not for the use of inheritance dollars, the county rate would be increased to 0.233036 in order to maintain the current level of services that are both mandated under state law and that our county taxpayers deserve and expect.

Dated this 4th day of September, 2012.

COUNTY BOARD OF SUPERVISORS:

/s/ David W. Mach

/s Max Birkel

/s/ Tony Krafka

/s/ Gregory A. Janak

/s/ Kevin Slama

/s/ William J. Kozisek

/s/ Irvin Cidlik

ATTEST:

/s/ Vicki L. Truksa

County Clerk

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

Formal Approval of Contract for Law Enforcement Services

The agreement between Butler County and the City of David City to provide law enforcement services was presented for the board's formal approval. Moved by Kozisek, seconded by Janak to accept the agreement for law enforcement services 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.

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 Monday, September 17, 2012 at 9:00 a.m.



Butler County Board Minutes



Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

September 17, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of September, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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

Windstream Nebraska, Inc. submitted a utility permit application to replace communications facilities, between Section 31, T14N, R4E and Section 6, T13N, R4E, near Brainard in Butler County. Moved by Cidlik, seconded by Janak to approve the permit. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Approval of NBCS Forms

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

FEMA Update

The Highway Superintendent informed the board that Butler County has now received the final payment from FEMA for costs incurred during the 2008 flood. The amount received was \$101,700.35.

School Bus Stop Ahead Sign Request

A request has been made by the Center Township Board to have a school bus stop ahead sign installed. The required engineering study will be conducted, and a decision on the sign request will follow.

Kevin Slama arrived at 9:10 a.m.

Dust Control on R Road (Landfill Road)

The Highway Superintendent reported the need for a second application of dust control on R Road (Landfill Road). The County Attorney will draft a letter informing Butler County Landfill of the County Board's request for dust control application.

Update of Resurfacing Projects

Bid letting for resurfacing of the Prague Road and A Street East will be on October 2, 2012.

Sub-Recipient Agreement/EMPG Grant

Rick Schneider, Emergency Manager informed the board that the Emergency Management Grant in the amount of \$32,330.00 has been approved. Moved by Slama, seconded by Birkel to authorize the Chairman to sign the grant award



Butler County Board Minutes



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

Approval of Victims Assistance Grant

Pat Lostroh, Victims Assistance Coordinator informed the board that the grant for the Victims Assistance program has been approved. Moved by Cidlik, seconded by Kozisek to authorize the Chairman to sign the grant award documents. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Approval of Lease Agreement

A Vending Lease between Butler County and Glenn Bouc d/b/a G & D Enterprises was presented for the board's approval. Moved by Janak, seconded by Krafka to approve the lease as presented. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Motion carried.

Clerk of the District Court Monthly Fee Report

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

County Clerk Monthly Fee Report

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

Annual Soldier & Sailor Financial Report (Veterans Aid)

The annual Soldier & Sailor Financial Report was accepted and placed on file.

Appointment of Board Member/Veterans Service Committee

Emil Anderly has retired from the Veterans Service Committee. The committee has approved Clarence Greguras to fill the vacancy. Moved by Cidlik, seconded by Janak to appoint Clarence Greguras to the Veterans Service Committee. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Resolution 2012-40 Transfer of Funds

Resolution 2012-40 Transfer of Funds from the General Fund to the Rural Transit Service Fund was submitted to the board for their approval. Moved by Slama, seconded by Kozisek to approve Resolution 2012-40. 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. 2012 – 40

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

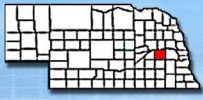
WHEREAS, the Rural Transit Service Fund is requiring funds in order to keep up the operation of said department; and

WHEREAS, funds are available in the General Fund to transfer to the Rural Transit Service Fund in an amount of \$10,799.00.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer is hereby directed to transfer \$10,799.00 to the Rural Transit Service Fund for the operation of said department from the General Fund.

Dated this 17th day of September, 2012.

/s/ David W. Mach



Butler County Board Minutes



David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Introduction of Denise Janssen

Julie Reiter, County Attorney introduced Denise Janssen who is the Juvenile Diversion Officer for Butler County.

Claims

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

Discussion

Mark Hecker, County Sheriff appeared before the board to discuss the purchase of patrol vehicles. He informed the board that he had included the purchase of patrol vehicles as part of this year's budget.

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 Monday, October 1, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

October 1, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of October, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Max Birkel, 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 Applications

Windstream Nebraska, Inc. submitted three utility permit applications:

1. Replace communications facilities, Sections 25 & 24, T15N, R2E, near David City
2. Install communications facilities, Section 16, T13N, R1E, near Surprise
3. Replace communications facilities, Section 9, T16N, R3E, near Octavia

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

Set Date of Surplus Property Auction

Moved by Kozisek, seconded by Krafka to schedule the Surplus Property Auction for October 24, 2012. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Final Statements

Jim Truksa, Highway Superintendent presented copies of the final settlement statements that were received from the State of Nebraska, Department of Roads for two bridge projects that have been completed. Total cost of Project #BRO 7012(23)-Ulysses North was \$580,471.80 of which the county's portion is \$1,046.70; total cost of Project #BRO 7012(25)-Ulysses Northeast was \$497,291.79 of which the county's portion is \$5,455.24.

Discussion

The highway superintendent informed the board that there has been a second application of dust control on R Road (Landfill Road), the cost of application is being paid for by Butler County Landfill.

Sale of County Owned Real Estate

One bid was received and opened at 9:30 a.m. for the sale of county owned real estate. Moved by Cidlik, seconded by Krafka to accept the bid from Dwight Adams in the amount of \$100.00 to purchase the county owned real estate in Linwood. 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 Equalization (See separate proceedings)

Moved by Cidlik, seconded by Slama to go into Board of Equalization at 9:35 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, 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 9:40 a.m.

Quarterly Jail Inspection

The county board conducted their quarterly jail inspection at 9:45 a.m., and returned to the meeting at 9:55 a.m.

Four Corners District Health

Vickie Duey, Director of Four Corners District Health appeared before the board to present the district's quarterly report. She reported on the number of West Nile cases that have been diagnosed in the district. Also, she informed the board of new programs that the district will be initiating in the future.

Purchase of Patrol Vehicle

Mark Hecker, County Sheriff appeared before the board to inform them of the availability of a patrol vehicle to purchase through the Kansas State Patrol. There is a 2009 Crown Victoria available at this time. Moved by Birkel, seconded by Janak to approve the purchase of the 2009 Ford Crown Victoria for \$13,000.00 from the Kansas State Patrol. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Quarterly Budget Reports

Vicki Truksa, County Clerk presented quarterly budget reports to the board for their review.

Consideration of Resolution 2012-41 Designation of Cyber Security Month

Resolution 2012-41 Designation of Cyber Security Month was presented for the board's consideration. Moved by Kozisek, seconded by Cidlik to approve Resolution 2012-41 and designate the month of October as Cyber Security Awareness Month. 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. 2012 – 41

WHEREAS, counties recognize the vital role that the Internet and information technology play in their county staffs and residents daily lives,

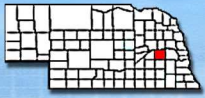
WHEREAS, counties understand that critical sectors are increasingly reliant on information systems to support financial services, energy, telecommunications, transportation, utilities, health care, and emergency response systems; and

WHEREAS, Internet users and the nation's information infrastructure face an increasing threat of malicious cyber attack, loss of privacy from spyware and adware and significant financial and personal privacy losses due to identity theft and fraud; and

WHEREAS, National Association of Counties President Chris Rodgers has established Cyber Security Awareness as a principal focus of his term and is encouraging the nation's county governments to enhance their cyber security efforts and encourage their citizens to adopt secure online practices, and

WHEREAS, The Stop.Think.Connect. Campaign (www.stoptCo) is a national effort coordinated by a coalition of private companies, nonprofits and government organizations to help all digital citizens stay safer and more secure online; and

WHEREAS, the Multi-State Information Sharing and Analysis Center (www.msissac.org) is designated by the U.S. Department of Homeland Security as a key resource for cyber threat prevention, protection, response and recovery for the nation's state, local, territorial and tribal governments, and



Butler County Board Minutes



WHEREAS, maintaining the security of cyberspace is a shared responsibility in which each of us has a critical role, and awareness of computer security essentials will improve the security of Butler County information infrastructure and economy; and

WHEREAS, the U.S. Department of Homeland Security, and the National Cyber Security Alliance (www.staysafeonline.org) have declared October as National Cyber Security Awareness Month; and all citizens are encouraged to visit their sites, to learn about cyber security and put that knowledge into practice in their homes, schools, workplaces, and businesses.

NOW, THEREFORE, I, David W. Mach, Chairman of the Butler County Board of Supervisors do hereby proclaim the month of October 2012 as:

CYBER SECURITY AWARENESS MONTH IN THE COUNTY OF BUTLER

Dated this 1st day of October, 2012.

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

ATTEST:

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

Correspondence

Correspondence received:

1. County Government Day is scheduled for November 26, 2012
2. Saunders County Notice of Public Hearing for Zoning changes

Discussion

Greg Janak relayed information that he had obtained regarding the Department of Environmental Quality notice of closure of the construction and demolition site at the Butler County Landfill.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:45 a.m. The next meeting will be on Monday, October 15, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

October 15, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15th day of October, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

Accept/Reject Bids

Bids were submitted to Saunders County for the Resurfacing Project on the Prague Road and on A Street East (35 Road); the Highway Superintendent presented a compilation of the bid information that was received. Moved by Cidlik, seconded by Janak to accept the bid from Constructor's Inc. in the amount of \$322,670.88 (Butler County's portion). Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Consideration of Utility Permit Application

A utility permit application was submitted for work to be done in Section 13 T15N R2E. This matter has been tabled for additional information.

Consideration of Utility Permit Application

A utility permit application was submitted by Gary Yindrick to place underground electric service between Sections 17 & 18 T15N R4E. Moved by Kozisek, seconded by Janak to approve the utility permit application 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.

Consideration of Utility Permit Application

A utility permit application was submitted by Windstream Nebraska, Inc. to replace communications facilities, Section 9 T15N R2E, near David City. Moved by Slama, seconded by Cidlik to approve the utility permit application as presented. Upon roll call vote the following voted aye: Slama, Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Maintenance of Road Dams

The Lower Platte North Natural Resources District has made a request that the county complete a cost estimate for the maintenance of a road dam in the NE corner of Section 12 T15N R3E. They will present the estimate to their Projects Committee, and if approved will move forward as a partner in the project.

The maintenance of a road dam between Sections 16 & 21 T15N R3E, will be a cost share project between the NRD, the county, and the landowner.

County Surplus Auction

A copy of the sale bill for the county surplus auction was distributed to each of the board members.



Butler County Board Minutes



County Clerk Fee Report

The County Clerk's fee report for September 2012 was accepted and placed on file.

Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of September 2012 was accepted and placed on file.

Quarterly General Assistance Report

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

Certification of Cost Allocation Plan

Maximus has completed the fiscal year 2011 Indirect Cost Allocation Plan for Butler County. Moved by Slama, seconded by Krafka to authorize the Chairman to sign the Certification of Cost Allocation Plan document. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Hospital Licensure Renewal Application

The Hospital Licensure Renewal Application to the Department of Health and Human Services was presented for the Chairman's signature. Moved by Janak, seconded by Krafka to authorize the Chairman to sign the document. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Board of Equalization (See separate proceedings)

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

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

Sub-grant Agreement for Child Support Enforcement

The agreement between the Nebraska Department of Health and Human Services, Division of Children and Family Service/Office of Child Support and the Butler County Clerk of the District Court was presented for the board's approval. Moved by Krafka, seconded by Kozisek to authorize the Chairman to sign the document. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Increase in Rural Transit Rates

Linda Vandenberg addressed the board regarding the rural transit rates. Currently the in town rate is \$1.25 one way, \$.50 per extra stops. The proposed increase would be \$.50, making a one way trip \$1.75.

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

Zoning Permit Application/Placement of Marquee Sign

A David City zoning permit application for placement of the marquee sign on the west side of the courthouse was presented to the board. The Chairman of the board signed on the county's behalf.

Correspondence

Correspondence was received from the following:

1. Nebraska Commission on Law Enforcement and Criminal Justice-annual inspection of jail facility
2. Lancaster County Board of Commissioners-need for Inheritance Tax funds
3. Blue Valley Community Action-meeting agenda and board proceedings

Claims



Butler County Board Minutes



Moved by Kozisek, seconded by Krafka to approve for payment the claims as presented. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Janak, 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 10:15 a.m. The next meeting will be on Monday, November 5, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

BOARD PROCEEDINGS

November 5, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of November, 2012 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

A utility permit application was submitted by Janak Farms for an electric service entrance to be installed in the SE ¼ of Section 33 T15N R4E. Moved by Cidlik, seconded by Slama to approve the utility permit application as presented. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Abstaining: Janak. Motion carried.

Report on County Surplus Sale

Jim Truksa, Highway Superintendent reported to the board that the proceeds from the County Surplus Sale totaled \$73,901.00.

Discussion/Road leading to Brown Cemetery

Discussion was held regarding the road leading to Brown Cemetery which is in Section 23 T14N R4E. It was decided that the county will apply white rock to stabilize the road.

Consideration of Utility Permit Application

A utility permit application was submitted for work to be done in Section 13 T15N R2E. The permit application has been retracted.

Butler County Health Care Center/D.A. Davidson

Moved by Janak, seconded by Birkel to call the callable Series 2009 Bonds for early redemption. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried. (Resolution 2012-42 attached)

Moved by Kozisek, seconded by Slama that the County issue General Obligation Refunding Bonds in an amount not to exceed \$2,600,000 and direct the Hospital CEO and County Clerk to sign off on the final terms. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried. (Resolution 2012-43 attached)

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 Monday, November 19, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman

RESOLUTION NO. 2012-42

BE IT RESOLVED by the members of the Board of Supervisors of The County of Butler, in the State of Nebraska (the "Board") as follows:

Section 1. That the following bonds of the County, which are callable at any time on or after March 25, 2014, are hereby authorized to be irrevocably called for redemption on a date to be determined, as provided in a Direction for Call (as defined below):

General Obligation Hospital Refunding Bonds, Series 2009, date of original issue – March 25, 2009, in the principal amount of Two Million Three Hundred Eighty-five Thousand Dollars (\$2,385,000), numbered as shown on the books of the Paying Agent and Registrar, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$265,000	January 15, 2015	2.65%	123529 DG1
210,000	January 15, 2016	2.85	123529 DH9
215,000	January 15, 2017	3.05	123529 DJ5
100,000	January 15, 2018	3.30	123529 DK2
355,000	January 15, 2019	3.55	123529 DL0
240,000	January 15, 2020	3.85	123529 DM8
250,000	January 15, 2021	4.10	123529 DN6
255,000	January 15, 2022	4.30	123529 DP1
270,000	January 15, 2023	4.50	123529 DQ9
285,000	January 15, 2024	4.60	123529 DR7

Said bonds are hereinafter referred to as the "Refunded Bonds."

Said Refunded Bonds are subject to redemption at any time on or after March 25, 2014, at the principal amount thereof plus accrued interest to the date fixed for redemption, and said interest is payable semiannually. Said Refunded Bonds were authorized by resolution duly passed and adopted by the Board and were issued for the purpose of refunding \$3,125,000 in aggregate principal amount of the County's Hospital Building Bonds, Series 2004, date of original issue – January 15, 2004, which were issued for the purpose of constructing additions to and improvements of the County's existing hospital facilities located in David City, Nebraska (the "Hospital").

Section 2. The Refunded Bonds are to be paid off at the principal corporate trust office of Union Bank and Trust Company, Lincoln, Nebraska (the "Paying Agent") as paying agent and registrar.

Section 3. The Chairperson or County Clerk of the County (each, an "Authorized Officer") are each individually hereby authorized at any time on or after the date of this resolution to direct the irrevocable call of all or a portion of the Refunded Bonds (such portion, as so designated, is referred to herein as the "Refunded Bonds") on behalf of the County and such direction, when made in writing (the "Direction for Call"), shall constitute the action of the County without further action of the Board. The Direction for Call shall include a description of that portion of the Refunded Bonds called for redemption as determined appropriate by the Authorized Officers. The Call Date shall be set for March 25, 2014, and such direction shall be made by an Authorized Officer not later than April 30, 2013, after which date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Board and this resolution shall be of no further force and effect.

Section 4. An executed Direction for Call shall be filed with Paying Agent, which delivery is necessary in order for the call of the Refunded Bonds as called for redemption in the Direction for Call to be effective hereunder. The Paying Agent shall be directed in the Direction for Call to mail notice to all registered owners of the Refunded Bonds as called for redemption to be redeemed not less than thirty days prior to the date fixed for redemption in accordance with resolution authorizing the issuance of the Refunded Bonds and to take all other actions deemed necessary in connection therewith.

PASSED AND APPROVED this 5th day of November, 2012.

ATTEST:

Licki R. Iuker
County Clerk

David W. Mad
Chairperson



Received by Union Bank and Trust Company,
Lincoln, Nebraska

By: _____

Title: _____

Date: _____

RESOLUTION NO. 2012-43

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUTLER, IN THE STATE OF NEBRASKA, as follows:

Section 1. The Chairperson and Board of Supervisors (the "Board") of The County of Butler, in the State of Nebraska (the "County") hereby find and determine that there have been heretofore issued and are now outstanding and unpaid valid interest bearing bonds of the County, consisting of General Obligation Hospital Refunding Bonds, Series 2009, dated March 25, 2009, of the total remaining principal amount of \$2,780,000 (the "Outstanding Bonds") which mature and bear interest as follows:

<u>Principal Amount</u>	<u>Maturing January 15</u>	<u>Interest Rate</u>
\$195,000	2013	2.25%
200,000	2014	2.50
205,000	2015	2.65
210,000	2016	2.85
215,000	2017	3.05
100,000	2018	3.30
355,000	2019	3.55
240,000	2020	3.85
250,000	2021	4.10
255,000	2022	4.30
270,000	2023	4.50
285,000	2024	4.60

of which Outstanding Bonds, bonds maturing on and after January 15, 2015 of the total principal amount of \$2,385,000 (the "Refunded Bonds") have been authorized to be called for redemption by resolution passed and approved by the Chairperson and Board of Supervisors on such date as shall be determined pursuant to the Call Resolution (the "Redemption Date"); that the Outstanding Bonds are valid, interest bearing obligations of the County; that since the Outstanding Bonds were issued, the rates of interest available in the market have so declined that by issuing its refunding bonds to provide, together with available cash of the County, for the payment and redemption of the Refunded Bonds, all as set out above, a substantial savings in the amount of yearly running interest will be made to the County; that for the purpose of providing for the payment and redemption of the Refunded Bonds as above set out, and to pay costs of issuance of said bonds, it is in the best interest of the County to issue General Obligation Hospital Refunding Bonds of the County in the principal amount of not to exceed \$2,600,000; that the County has no bond sinking funds on hand for the retirement of said Outstanding Bonds not required for the timely payment of principal and interest on said bonds due on the Redemption Date; and, that all conditions, acts and things required to exist or to be done precedent to the issuance of General Obligation Hospital Refunding Bonds of the County, in

the principal amount of not to exceed \$2,600,000 pursuant to Section 10-142, R.R.S., Neb. 2007, as amended, do exist and have been done as required by law.

Section 2. To provide for the refunding of the Refunded Bonds and to pay costs of issuance of the bonds herein authorized, there shall be and there are hereby ordered issued the negotiable bonds of this County of the principal amount of not to exceed TWO MILLION SIX HUNDRED THOUSAND DOLLARS (\$2,600,000) designated as General Obligation Hospital Refunding Bonds, Series 2013 (the "Bonds"), with said Bonds bearing interest calculated on the basis of a 360-day year consisting of twelve 30-day months at the rates per annum and to become due on January 15 of each of the years as indicated below:

<u>Principal Amount</u>	<u>Maturing January 15</u>
\$ 50,000	2014
240,000	2015
240,000	2016
240,000	2017
245,000	2018
250,000	2019
255,000	2020
260,000	2021
265,000	2022
275,000	2023
280,000	2024

provided, that the Bonds shall bear interest at the rates per annum as shall be determined in a written designation (the "Designation") signed by the Chairperson or County Clerk of the County (the "Authorized Officers") on behalf of the Board of the County and which may be agreed to by D.A. Davidson & Co. (the "Underwriter"), which Designation may also determine or modify the principal amount for each maturity of the Bonds, mandatory redemption provisions (if any), and pricing terms as set forth in Section 8 below, all within the following limitations:

- (a) the aggregate principal amount of the Bonds shall not exceed \$2,600,000;*
- (b) the true interest cost on the Bonds shall not exceed 3.00%;*
- (c) the aggregate amount of original issue premium and original issue discount (if any) may result in an aggregate net original issue discount (if any) not in excess of one percent (1.00%) of the stated principal amount of the Bonds;*
- (d) the longest maturity of the Bonds may not be later than January 15, 2024;*
- (e) the debt service payable on the Bonds must provide at least a net present value savings to the County, acceptable to the Authorized Officers, over the debt service payable on the Called Refunded Bonds;*
- (f) two or more of the principal maturities may be combined and issued as "term bonds" and the Authorized Officer may determine the mandatory sinking fund payments and*

mandatory redemption amounts. Any Bonds issued as "term bonds" shall be redeemed at a redemption price equal to 100% of the principal amount thereof plus accrued interest thereon to the date of redemption and may be selected for redemption by any random method of selection determined appropriate by the Registrar (as hereinafter designated) or by the Depository (as hereinafter designated).

The Authorized Officers (or any one of them) are hereby authorized to make such determinations on behalf of the Board and to evidence the same by execution and delivery of the Designation and such determinations, when made and agreed to by the Underwriter, shall constitute the action of the Board without further action of the Board.

The Bonds shall be issued in fully registered form as to both principal and interest on the books of the Paying Agent and Registrar for the Bonds hereinafter appointed in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable on July 15, 2013 and semi-annually thereafter on January 15 and July 15 of each year (each an "Interest Payment Date") and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later until maturity or earlier redemption. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing on each Interest Payment Date a check or draft in the amount due for such interest to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. Union Bank and Trust Company, in Lincoln, Nebraska, is hereby designated to serve as Paying Agent and Registrar for the Bonds. Said Paying Agent and Registrar shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the County and said Paying Agent and Registrar, the form of which is hereby approved. The Chairperson and Secretary are hereby authorized to execute said agreement in substantially the form presented to the Board with such changes as they shall deem appropriate or necessary. The County agrees to pay the reasonable and customary charges to the Paying Agent and Registrar for the services performed. The County reserves the right to remove the Paying Agent and Registrar upon thirty (30) days notice and upon the appointment of a successor Paying Agent and Registrar, in which event the predecessor Paying Agent and Registrar shall deliver all cash and Bonds in its possession to the successor Paying Agent and Registrar and shall deliver the bond register to the successor Paying Agent and Registrar. The Paying Agent and Registrar shall have only such duties and obligations as are expressly specified by this Resolution and the Paying Agent and Registrar's Agreement and no other duties or obligations shall be implied as to the Paying Agent and Registrar. The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at its principal corporate trust office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the principal corporate trust office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the County will deliver at its office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be canceled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of delivery of the Bonds at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may determine the principal amounts and the maturity or maturities of the Bonds to be redeemed in its sole discretion but the Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Any Bond redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for a new Bond evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption may be given, at the direction of the County in the case of optional redemptions and without further direction in the case of mandatory redemptions, by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the principal corporate trust office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given. If on or before the redemption date funds sufficient to pay the Bonds so called for redemption at the applicable redemption price and accrued interest to said date have been deposited or caused to have been deposited by the County with the Registrar for the purposes of such payment and notice of redemption thereof has been given or waived as hereinbefore provided, then from and after the date fixed for redemption, interest on such Bonds so called shall cease to accrue and become payable. If such funds shall not have been so deposited with the Registrar as aforesaid on or before the date fixed for redemption, such call for redemption shall be revoked and the Bonds so called for redemption shall continue to be outstanding the same as though they had not been so called, and shall continue to bear interest until paid at such rate as they would have borne had they not been called for redemption, and shall continue to be protected by this Resolution and entitled to the benefits and security hereof. In the event term maturities and mandatory

redemption amounts are determined in the Designation, the provisions of this Section 5 shall apply generally to mandatory redemptions. Any such mandatory redemptions shall be at the principal amount redeemed plus accrued interest to the date set for redemption. The Paying Agent and Registrar shall select the term bonds to be redeemed in any maturity using any random method of selection deemed appropriate, subject to the provisions of Section 8 this Resolution.

Section 6. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 7. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA

THE COUNTY OF BUTLER, IN THE STATE OF NEBRASKA
GENERAL OBLIGATION HOSPITAL REFUNDING BOND, SERIES 2013

No. R-

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	January 15,	, 2013	

Registered Owner: Cede & Co.
13-2555119

Principal Amount:

KNOW ALL PERSONS BY THESE PRESENTS: That The County of Butler, in the State of Nebraska (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue shown above or most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable on July 15, 2013, and semiannually thereafter on January 15 and July 15 of each year (each, an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal of this bond, together with unpaid accrued interest due at maturity or upon earlier redemption, is payable upon presentation and surrender of this bond at the principal corporate trust office of the Union Bank and Trust Company, the Paying Agent and Registrar, in Lincoln, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, on the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the

record date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of the County are hereby irrevocably pledged subject to the constitutional limit of \$0.50 per \$100 of taxable valuation of the County for all County purposes.

This bond is one of an issue of fully registered bonds of the total principal amount of _____ Thousand Dollars (\$_____), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, issued for the purpose of refunding \$2,385,000 of the County's General Obligation Hospital Refunding Bonds, Series 2009, dated March 25, 2009 (the "Series 2009 Bonds") which were issued for the purpose of refunding the County's Hospital Building Bonds, Series 2004, date of original issue - January 15, 2004 (the "Series 2004 Bonds") which were issued for the purpose of constructing additions to and improvements of the County's existing hospital facilities located in David City, Nebraska (the "Hospital"), and paying costs of issuance and underwriting associated with the issuance of said Series 2004 Bonds. The issuance of said bonds is authorized in full compliance with Section 10-142 and other applicable sections of the Reissue Revised Statutes of Nebraska, as amended. All of said bonds are issued pursuant to a resolution (the "Resolution") duly adopted by the Board of Supervisors of the County.

Bonds maturing on or after _____ shall be subject to prior redemption at the option of the County, in whole or in part, at any time on or after _____, 201__, in such principal amounts and from such maturity or maturities as the County, in its sole and absolute discretion, may determine, and in the event that less than all the bonds of a maturity are to be called for redemption, the particular bonds of such maturity to be redeemed shall be selected by lot. The redemption price of the bonds so called for redemption shall be equal to the principal amount thereof at par plus accrued interest on such principal amount to the date set for redemption. Notice of redemption shall be given by mail to the registered owner of any bond to be redeemed in the manner specified in the resolution authorizing said issue of bonds. Individual bonds may be redeemed in part but only in the amount of \$5,000 or integral multiples thereof.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the principal corporate trust office of the Paying Agent and Registrar, upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the resolution authorizing said issue of bonds, subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITH-

STANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

The County has, in the Resolution, designated the series of bonds of which this bond is one as "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond, and the bonds refunded hereby, did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of the County, including this bond and the bonds refunded thereby, does not exceed any limitation imposed by law. The County agrees that it shall cause to be levied and collected annually a special levy of taxes on all the taxable property in the County in accordance with the provisions of the Reissue Revised Statutes of Nebraska, as amended, for the purpose of paying and sufficient to pay the interest on and principal of this bond as and when such interest and principal become due, subject to the constitutional limit of \$0.50 per \$100 of taxable valuation of the County for all County purposes.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Board of Supervisors of the County has caused this bond to be executed on behalf of the County with the facsimile signatures of the Chairperson of said Board and County Clerk, all as of the date of original issue shown above.

THE COUNTY OF BUTLER, IN THE STATE
OF NEBRASKA

ATTEST:

(facsimile)

Chairperson

(facsimile) [SEAL]
County Clerk

CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds authorized by resolution of the Board of Supervisors of The County of Butler, in the State of Nebraska, as described in the foregoing bond.

UNION BANK AND TRUST COMPANY
Lincoln, Nebraska, Paying Agent and Registrar

By _____
Authorized Signature

(FORM OF ASSIGNMENT)

For value received _____ hereby sells, assigns
and transfers unto _____ the within bond and hereby
irrevocably constitutes and appoints _____
_____, attorney, to transfer the same on the books of registration in the office
of the within mentioned Paying Agent and Registrar with full power of substitution in the premises.

Date: _____

Registered Owner

Witness: _____

Note: The signature(s) of this assignment must correspond with the name(s) as written on the face
of the within bond in every particular, without alteration, enlargement or any change whatsoever.

Section 8. Each of the Bonds shall be executed on behalf of the County with the manual or facsimile signatures of the Chairperson of the Board and the County Clerk. The Bonds shall be issued initially as "book-entry-only" bonds using the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository. In such connection said officers are authorized to execute and deliver a letter of representations (the "Letter of Representations") in the form required by the Depository (which may be in the form of a "blanket letter", including any such letter previously executed and delivered), for and on behalf of the County, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Bonds. Upon the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the Bond Participants and/or Beneficial Owners of the Bonds and

so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee; or

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of Section 5 of this Resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such Bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement Bonds upon transfer or partial redemption, the County agrees to order printed an additional supply of certificates and to direct their execution by manual or facsimile signature of its then duly qualified and acting Chairperson and Secretary of such Board. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including any bond certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such Bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar. The Bonds shall be delivered to the Paying Agent and Registrar for registration and authentication. Upon execution, registration and authentication of the Bonds, they shall be delivered to the County's Treasurer, who is authorized to deliver them to D.A.

Davidson & Co. (the "Underwriter"), as the initial purchaser thereof, upon receipt of 98.7% of the principal amount of the Bonds plus accrued interest thereon to date of payment for the Bonds (which purchase price may be modified by the terms of the Designation to provide for original issue premium and original issue discount within the parameters set forth in Section 2 of this Resolution). Said initial purchaser shall have the right to direct the registration of the Bonds and the denominations thereof within each maturity, subject to the restrictions of this resolution. The Authorized Officers (or any one of them) are hereby authorized to execute and deliver a Bond Purchase Agreement, in substantially the form presented herewith, for and on behalf of the County. The Underwriter and its agents, representatives and counsel (and including bond counsel) are hereby authorized to take such actions on behalf of the County as are necessary to effectuate the closing of the issuance and sale of the Bonds, including without limitation, authorizing the release of the Bonds by the Depository at closing.

Section 9. The County Clerk is directed to make and certify a transcript or transcripts of the proceedings of the County precedent to the issuance of said Bonds, one of which transcripts shall be delivered to the purchaser of said Bonds.

Section 10. The net sale proceeds of the Bonds along with funds of the County on hand (if necessary) shall be applied to the payment and satisfaction of all of the principal of and the interest on the Refunded Bonds as called for redemption on the Redemption Date. Accrued interest received from the sale of the Bonds, if any, shall be applied to pay interest first falling due on the Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds. In order to satisfy the County's obligation on the Refunded Bonds, if the date of delivery of the Bonds occurs prior to the Redemption Date determined pursuant to the Call Resolution, such proceeds of the Bonds along with funds of the County on hand as may be necessary for such purpose shall be set aside and held and invested in a special trust account which is hereby ordered established. Union Bank and Trust Company, Lincoln, Nebraska, is hereby designated to serve as the escrow agent ("Escrow Agent"), to have custody and safekeeping of the funds and investments which are to be set aside for the payment of the Refunded Bonds as called for redemption. For purposes of governing such escrow account and the holding and application of such funds and investments, the County shall enter into a contract entitled "Escrow Agreement" (or similarly titled agreement) with the Escrow Agent. Each of the Authorized Officers are hereby authorized and directed to execute and deliver on behalf of the County said Escrow Agreement, including necessary counterparts, in substantially the form and content as presented to the meeting at which this resolution is adopted, but with such changes and modifications therein as to them seem necessary, desirable, or appropriate for and on behalf of the County. Each of said Authorized Officers is further authorized to approve the investments provided for in said Escrow Agreement, and to make any

necessary subscriptions for United States Treasury Securities, State and Local Government Series, or to contract for the purchase of securities in the open market. Said proceeds shall be invested in obligations of the United States Government, direct or guaranteed, including United States Treasury Securities, State and Local Government Series or held as cash in a bank depository account. To the extent that such proceeds are held in a bank depository account, such deposits shall be insured by insurance of the Federal Deposit Insurance Corporation or, to the extent not fully insured, fully collateralized in the same manner as is required for deposit of public funds. Any investment from the proceeds of the Bonds herein authorized shall mature not later than the Redemption Date. As provided in said Escrow Agreement, the proceeds of the Bonds herein authorized and investment earnings thereon shall be applied to the payment of the principal of and interest on the Refunded Bonds as the same become due on and prior to the Redemption Date, and as called for redemption on the Redemption Date. The County agrees that on the date of original issue of the Bonds it shall deposit or otherwise have on hand with the Escrow Agent, from tax levy or other available sources, funds sufficient after taking into consideration available proceeds of the Bonds and investment earnings to provide funds for all payments due on the Refunded Bonds on or before the Redemption Date, and as called for redemption on the Redemption Date.

Section 11. The Board shall cause to be levied and collected annually a special levy of taxes on all the taxable property in the County pursuant to the Reissue Revised Statutes of Nebraska, as amended, for the purpose of paying and sufficient to pay the interest on and principal of the Bonds as and when such interest and principal become due according to the terms thereof, subject to the constitutional limit of \$0.50 per \$100 of taxable valuation of the County for all County purposes.

Section 12. (a) The County hereby covenants with the purchasers and holders of the Bonds herein authorized that it will make no use of the proceeds of said issue, including monies held in any sinking fund for the payment of principal and interest on said Bonds, which would cause said Bonds to be arbitrage bonds within the meaning of Sections 103 and 148 and other related sections of the Internal Revenue Code of 1986, as amended, and further covenants to comply with said Sections 103 and 148 and related sections and all applicable regulations thereunder throughout the term of said issue. The County hereby covenants with the registered owners from time to time of the Bonds hereby authorized that it shall comply with all applicable provisions of the Code, prior to and after the date of issuance and delivery of the Bonds, and with all applicable provisions of any other tax laws, existing as of such date, and any regulations, published rulings and court decisions pursuant thereto, which relate to the exclusion from gross income of interest on the Bonds for federal income tax purposes, to the extent necessary to comply with such Code, laws, regulations, published rulings and court decisions or otherwise to preserve such exclusion,

including specifically, but without limitation, all arbitrage rebate and information reporting requirements required by the Code.

(b) The County hereby represents and warrants that (i) it reasonably anticipates issuing not more than \$10,000,000 of tax-exempt obligations (other than private activity bonds as defined in the Code) during the 2013 calendar year, (ii) it has not designated more than \$10,000,000 of obligations (including the Bonds herein authorized) during the 2013 calendar year to the date of this resolution as qualified tax-exempt obligations, (iii) the Bonds herein authorized are not "private activity bonds" as such term is defined in Section 141(a) of the Code, and (iv) it hereby designates the Bonds as "qualified tax-exempt obligations" pursuant to Section 265(b)(3)(B)(i)(III) of the Code. The County agrees to take all further actions, if any, necessary to qualify the Bonds herein authorized as such "qualified tax-exempt obligations," as and to the extent permitted by law.

Section 13. The County reserves the right to issue refunding bonds and provide for the investment of the proceeds thereof for purposes of providing for the payment of principal and interest on the Bonds in such manner as may be prescribed by law from time to time but specifically including the provisions of Sections 10-142 Reissue Revised Statutes of Nebraska, or any amendment thereto.

Section 14. The County's obligations under this resolution shall be fully discharged and satisfied as to the Bonds authorized and issued hereunder, and said Bonds shall no longer be deemed outstanding hereunder when payment of the principal thereof plus interest thereon to the date of maturity or redemption thereof (a) shall have been made or caused to have been made in accordance with the terms thereof and hereof, or (b) shall have been provided for by depositing with the Paying Agent and Registrar, or in escrow with a national or state bank having trust powers in trust solely for such payment, (i) sufficient monies to make such payment or (ii) direct general obligations of, or obligations the principal and interest of which are unconditionally guaranteed by, the United States of America, or obligations of any agency of the United States of America (herein referred to as "Government Obligations"), in such amount and with such maturities as to principal and interest as will insure the availability of sufficient monies to make such payment, and thereupon such Bonds shall cease to draw interest from the date of their redemption or maturity and, except for the purposes of such payments, shall no longer be entitled to the benefits of this resolution; provided that, with respect to any Bonds called or to be called for redemption prior to the stated maturity thereof, notice of redemption shall have been duly given or provided for. If monies shall have been deposited in accordance with the terms hereof with the Paying Agent and Registrar or escrow agent in trust for that purpose sufficient to pay the principal of such Bonds and all interest due thereon to the due date thereof or to the date fixed for the redemption thereof, all liability of the County for such payment shall

forthwith cease, determine and be completely discharged, and all such Bonds shall no longer be considered outstanding.

Section 15. Without in any way limiting the power, authority or discretion elsewhere herein granted or delegated, the Board hereby authorizes and directs all of the officers, employees and agents of the County to carry out, or cause to be carried out, and to perform such obligations of the County and such other actions as they, or any one of them, shall consider necessary, advisable, desirable, or appropriate in connection with this Resolution, and the issuance, sale and delivery of the Bonds, including, without limitation and whenever appropriate, the execution and delivery thereof and of all other related documents, instruments, certifications and opinions; and delegates, authorizes and directs the Chairperson the right, power and authority to exercise his own independent judgment and absolute discretion in determining and finalizing the terms, provisions, form and contents of each of the foregoing. The execution and delivery by the Chairperson or by any such other officer, officers, agent or agents of the County of any such documents, instruments, certifications and opinions, or the doing by him of any act in connection with any of the matters which are the subject of this Resolution, shall constitute conclusive evidence of both the County's and his approval of all changes, modifications, amendments, revision and alterations made therein, and shall conclusively establish his absolute, unconditional and irrevocable authority with respect thereof from the County and the authorization, approval and ratification by the County of the documents, instruments, certifications and opinions so executed and the action so taken.

Section 16. In accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission, the County, being the only "obligated person" with respect to the Bonds, agrees that it will provide the following continuing disclosure information to the Municipal Securities Rulemaking Board (the "MSRB") in an electronic format as prescribed by the MSRB:

(a) not later than nine months after the end of each fiscal year of the County (the "Delivery Date"), financial information or operating data for the County of the type accompanying the audited financial statements of the County entitled "Management's Discussion and Analysis" ("Annual Financial Information");

(b) when and if available, audited financial statements for the County; audited financial information shall be prepared on the basis of generally accepted accounting principles; and

(c) in a timely manner not in excess of ten business days after the occurrence of the event, notice of the occurrence of any of the following events with respect to the Bonds:

- (1) principal and interest payment delinquencies;
- (2) non-payment related defaults, if material;
- (3) unscheduled draws on debt service reserves reflecting financial difficulties;

- (4) unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) substitution of credit or liquidity providers, or their failure to perform;
- (6) adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) modifications to rights of the holders of the Bonds, if material;
- (8) bond calls, if material, and tender offers;
- (9) defeasances;
- (10) release, substitution, or sale of property securing repayment of the Bonds, if material;
- (11) rating changes;
- (12) bankruptcy, insolvency, receivership or similar events of the County (this event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for the County in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the County, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the County);
- (13) the consummation of a merger, consolidation, or acquisition involving the County or the sale of all or substantially all of the assets of the County, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) appointment of a successor or additional trustee or the change of name of a trustee, if material.

The County has not undertaken to provide notice of the occurrence of any other event, except the events listed above.

(d) in a timely manner, notice of any failure on the part of the County to provide Annual Financial Information not later than the Delivery Date.

The County agrees that all documents provided to the MSRB under the terms of this continuing disclosure undertaking shall be in such electronic format and accompanied by such identifying

information as shall be prescribed by the MSRB. The County reserves the right to modify from time to time the specific types of information provided or the format of the presentation of such information or the accounting methods in accordance with which such information is presented, to the extent necessary or appropriate in the judgment of the County, consistent with the Rule. The County agrees that such covenants are for the benefit of the registered owners of the Bonds (including Beneficial Owners) and that such covenants may be enforced by any registered owner or Beneficial Owner, provided that any such right to enforcement shall be limited to specific enforcement of such undertaking and any failure shall not constitute an event of default under the Resolution. The continuing disclosure obligations of the County, as described above, shall cease when none of the Bonds remain outstanding.

Section 17. The Authorized Officers, or any of them, are hereby authorized: (a) to approve and deem final, within the meaning of the Rule, a preliminary Official Statement for the Bonds, and (b) to approve, execute and deliver on behalf of the County a final Official Statement relating to and describing the Bonds. The Authorized Officers are further authorized to take any and all actions deemed necessary by them in connection with the carrying out and performance of the terms of this Resolution.

Section 18. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

Section 19. This resolution shall take effect and be in force from and after its passage as provided by law.

ADOPTED this 5th day of November, 2012.

THE COUNTY OF BUTLER, NEBRASKA

ATTEST:

Heidi R. Junka
County Clerk

By: David W. Mach
Chairperson



EXHIBIT "A"

POLICY AND PROCEDURES

[SEE ATTACHED]

Policy and Procedures
Federal Tax Law and Disclosure Requirements for
Tax-exempt Bonds and/or Build America Bonds

ISSUER NAME: The County of Butler, in the State of Nebraska

COMPLIANCE OFFICER (BY TITLE): Chief Financial Officer of the County's Hospital

POLICY

It is the policy of the Issuer identified above (the "Issuer") to comply with all Federal tax requirements and securities law continuing disclosure obligations for the Issuer's obligations issued as tax-exempt bonds to finance its hospital facilities (or as direct pay build America bonds, as applicable) to ensure, as applicable (a) that interest on such tax-exempt bonds remains exempt from Federal income tax, (b) that the direct payments associated with such bonds issued as "build America bonds" are received by the Issuer in a timely manner and (c) compliance with any continuing disclosure obligations of the Issuer with respect to such outstanding bonds.

PROCEDURES

Compliance Officer. Review of compliance with Federal tax requirements and securities law continuing disclosure obligations as generally outlined below shall be conducted by the Compliance Officer identified above (the "Compliance Officer"). To the extent more than one person has been delegated specific responsibilities, the Compliance Officer shall be responsible for ensuring coordination of all compliance review efforts.

Training. The Compliance Officer shall evaluate and review educational resources regarding post-issuance compliance with Federal tax and securities laws, including periodic review of resources published for issuers of tax-exempt obligations by the Internal Revenue Service (either on its website at <http://www.irs.gov/taxexemptbond>, or elsewhere) and the Municipal Securities Rulemaking Board (either on its Electronic Municipal Market Access website ["EMMA"] at <http://www.emma.msrb.org>, or elsewhere).

Compliance Review. A compliance review shall be conducted at least annually by or at the direction of the Compliance Officer. The review shall occur at the time the Issuer's annual audit takes place, unless the Compliance Officer otherwise specifically determines a different time period or frequency of review would be more appropriate.

Scope of Review.

Document Review. At the compliance review, the following documents (the "Bond Documents") shall be reviewed for general compliance with covenants and agreements and applicable regulations with respect to each outstanding bond issue:

- (a) the resolution(s) and/or ordinance(s), as applicable, adopted by the governing body of the Issuer authorizing the issuance of its outstanding bonds, together with any documents setting the final rates and terms of such bonds (the "Authorizing Proceedings"),
- (b) the tax documentation associated with each bond issue, which may include some or all of the following (the "Tax Documents"):

- (i) covenants, certifications and expectations regarding Federal tax requirements which are described in the Authorizing Proceedings;
 - (ii) Form 8038 series filed with the Internal Revenue Service;
 - (iii) tax certificates, tax compliance agreements, tax regulatory agreement or similar documents;
 - (iv) covenants, agreements, instructions or memoranda with respect to rebate or private use;
 - (v) any reports from rebate analysts received as a result of prior compliance review or evaluation efforts; and
 - (vi) any and all other agreements, certificates and documents contained in the transcript associated with the Authorizing Proceedings relating to federal tax matters.
- (c) the Issuer's continuing disclosure obligations, if any, contained in the Authorizing Proceedings or in a separate agreement (the "Continuing Disclosure Obligations"), and
- (d) any communications or other materials received by the Issuer or its counsel, from bond counsel, the underwriter or placement agent or its counsel, the IRS, or any other material correspondence relating to the tax-exempt status of the Issuer's bonds or relating to the Issuer's Continuing Disclosure Obligations.

Use and Timely Expenditure of Bond Proceeds. Expenditure of bond proceeds shall be reviewed by the Compliance Officer to ensure (a) such proceeds are spent for the purpose stated in the Authorizing Proceedings and as described in the Tax Documents and (b) that the proceeds, together with investment earnings on such proceeds, are spent within the timeframes described in the Tax Documents, and (c) that any mandatory redemptions from excess bond proceeds are timely made if required under the Authorizing Proceedings and Tax Documents.

Arbitrage Yield Restrictions and Rebate Matters. The Tax Documents shall be reviewed by the Compliance Officer to ensure compliance with any applicable yield restriction requirements under Section 148(a) of the Internal Revenue Code (the "Code") and timely calculation and payment of any rebate and the filing of any associated returns pursuant to Section 148(f) of the Code. A qualified rebate analyst shall be engaged as appropriate or as may be required under the Tax Documents.

Use of Bond Financed Property. Expectations and covenants contained in the Bond Documents regarding private use shall be reviewed by the Compliance Officer to ensure compliance. Bond-financed properties shall be clearly identified (by mapping or other reasonable means). Prior to execution, the Compliance Officer (and bond counsel, if deemed appropriate by the Compliance Officer) shall review (a) all proposed leases, contracts related to operation or management of bond-financed property, sponsored research agreements, take-or-pay contracts or other agreements or arrangements or proposed uses which have the potential to give any entity any special legal entitlement to the bond-financed property, (b) all proposed agreements which would result in disposal of any bond-financed property, and (c) all proposed uses of bond-financed property which were not anticipated at the time the bonds were issued. Such actions could be prohibited by the Authorizing Proceedings, the Tax Documents or Federal tax law.

Continuing Disclosure. Compliance with the Continuing Disclosure Obligations with respect to each bond issue shall be evaluated (a) to ensure timely compliance with any annual disclosure requirement, and (b) to ensure that any material events have been properly disclosed as required by the Continuing Disclosure Obligation.

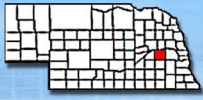
Record Keeping. If not otherwise specified in the Bond Documents, all records related to each bond

issue shall be kept for the life of the indebtedness associated with such bond issue (including all tax-exempt refundings) plus six (6) years.

Incorporation of Tax Documents. The requirements, agreements and procedures set forth in the Tax Documents, now or hereafter in existence, are hereby incorporated into these procedures by this reference and are adopted as procedures of the Issuer with respect to the series of bonds to which such Tax Documents relate.

Consultation Regarding Questions or Concerns. Any questions or concerns which arise as a result of any review by the Compliance Officer shall be raised by the Compliance Officer with the Issuer's counsel or with bond counsel to determine whether non-compliance exists and what measures should be taken with respect to any non-compliance.

VCAP and Remedial Actions. The Issuer is aware of (a) the Voluntary Closing Agreement Program (known as "VCAP") operated by the Internal Revenue Service which allows issuers under certain circumstances to voluntarily enter into a closing agreement in the event of certain non-compliance with Federal tax requirements and (b) the remedial actions available to issuers of certain bonds under Section 1.141-12 of the Income Tax Regulations for private use of bond financed property which was not expected at the time the bonds were issued.



Butler County Board Minutes



BOARD PROCEEDINGS

November 19, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of November, 2012 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

A utility permit application was submitted by Rodney Macholan to place an irrigation pipe between Sections 27 & 28 T17N R4E. Moved by Cidlik, seconded by Kozisek to approve the utility permit application as presented. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

County Clerk Fee Report

The County Clerk's fee report for October 2012 was accepted and placed on file.

Resolution 2012-44/Transfer of Funds

Resolution 2012-44 was presented for the board's approval. Moved by Kozisek, seconded by Janak to approve Resolution 2012-44 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 44

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

WHEREAS, funds are available in the General Fund to transfer to the Senior Services Program Fund in an amount of \$16,500.00.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$16,500.00 to the Senior Services Program Fund for the general operations of said Senior Services Program Fund from the General Fund.

DATED this 19th day of November, 2012.

/s/ David W. Mach

David W. Mach, Chairman



Butler County Board Minutes



ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Resolution 2012-45/Transfer of Funds

Resolution 2012-45 was presented for the board's approval. Moved by Cidlik, seconded by Slama to approve the resolution 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2012 – 45

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 \$30,261.22.

THEREFORE, LET IT NOW BE RESOLVED, that the Butler County Treasurer is hereby directed to transfer \$30,261.22 to the Emergency Management Fund for the maintenance and operations of said Emergency Management Department from the General Fund.

DATED this 19th day of November, 2012.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Designate the Official County Newspaper for 2013

Moved by Slama, seconded by Birkel to designate The Banner-Press as the official county newspaper for 2013. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Designation of County Website/Official Publication Method

Moved by Birkel, seconded by Janak to designate the Butler County website as an additional means of publication for 2013. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Senior Services Program

Linda Vandenberg, Manager of the Senior Services Program appeared before the board to discuss several issues:



Butler County Board Minutes



1. Snow Removal-sidewalk snow removal will be taken care of by Steager Lawn Service as in the past; and Max Birkel will check with the city officials if the city will continue to clear the parking areas.
2. Building Repairs-several ceiling tiles need to be replaced, Kevin Slama volunteered to line-up individuals to get the tiles installed.
3. Window Replacement-the windows on the south side of the building are in need of replacement. Superior Glass will be contacted to check on the project and give a cost estimate.
4. Deed to Property-the deed to the property has been recorded and is officially the property of Butler County; the building and contents are insured by the county.
5. Cell Phones-discussion was held regarding the possibility of adding the cell phones on to the package that the county already has in place.
6. Liaison-Linda Vandenberg requested that an additional liaison be appointed from the board. Greg Janak was appointed as liaison along with William Kozisek.

Public Hearing-Increase in Transit Rate

Moved by Slama, seconded by Janak to open the Public Hearing at 9:30 a.m. The public hearing is to afford an opportunity for interested persons or agencies to be heard with respect to the social, economic and environmental aspects of the project (increase of the transit rate).

Linda Vandenberg, explained that the increase of the transit rate will effect trips made within David City. The current rate is \$1.25 one-way, and the suggested increase would result in a \$1.75 one-way rate.

Discussion between the supervisors and members of the audience followed.

Moved by Cidlik, seconded by Birkel to close the public hearing at 9:37 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Kozisek, seconded by Krafka to raise the transit rate from \$1.25 to \$1.75 for a one-way trip. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

County Sheriff/Interlocal Agreement with Rising City

Mark Hecker, County Sheriff appeared before the board to discuss the possibility of entering into an Interlocal Agreement with Rising City. He explained that the Village Board of Rising City has approached him asking for additional law enforcement. Currently the County has an Interlocal Agreement with the Village of Bellwood for law enforcement, which provides for 60 hours per month. The Interlocal Agreement with Rising City would provide for the same number of hours that is provided to the Village of Bellwood. It was the consensus of the board that Mark proceeds.

Discussion

The following were items of discussion:

1. Julie Reiter, County Attorney informed the board that the Butler County Dairy, L.L.C. v. Township of Read, and Butler County appeal has been heard by the Nebraska Supreme Court
2. Ordinance requiring any peddler to register with the county prior to selling their products in the county

Correspondence

Correspondence was received from the following:

1. Nebraska Association of County Officials-update to directory information
2. Blue Valley Community Action-meeting notice, agenda, and board proceedings

Claims

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



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There being no further business to come before the Board, the Chairman adjourned the meeting at 10:25 a.m. The next meeting will be on Monday, December 3, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

December 3, 2012

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of December, 2012 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: David W. Mach, Tony Krafka, Kevin Slama, William J. Kozisek, Gregory A. Janak, and Irvin F. Cidlik. Absent: Max Birkel.

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

The Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the County Supervisor's Room.

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

Discussion

Jim Truksa, Highway Superintendent updated the board on a bridge replacement project in Savannah township.

Approval of Butler County Juvenile Services Comprehensive Community Plan

Julie Reiter, County Attorney presented the Butler County Juvenile Services Comprehensive Community Plan for 1/1/2013 – 12/31/2015 for the board's approval. Moved by Cidlik, seconded by Slama to approve the plan as presented. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Discussion-Window Replacement-Senior Services Building

The issue of replacing windows in the Senior Services building was discussed by the board. A cost estimate for the project will be sought and will be discussed at the next board meeting.

Certification of County Highway Superintendent

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

Four Corners Health District

Vickie Duey of Four Corners Health District appeared before the board to review projects that the health district is currently working on. Programs that she highlighted for the board were; Functional Needs Registry, Buckle-Up Stencil Project, Drive Safe Program, Patient Navigation, and Households with Environmental Issues.

Digger Hotline

Jim Daro, Village Clerk of Garrison appeared before the board with questions regarding the Diggers Hotline calls. He explained that the village is being billed for calls, and questioned if the county was receiving bills also. The county has not been billed for the calls, and the board suggested that an inquiry be made as to the billings being sent to the village.

Discussion

Vicki Truksa, County Clerk informed the board that the county will be receiving an additional \$38,674.74 in funds from the Energy Efficiency and Conservation Block Grant Program through the American Recovery and Reinvestment Act of 2009. Due to additional funds being available all grant matches have been reduced to 20%.



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Correspondence

Correspondence was received from the following:

1. Valley County Board of Supervisors-Elimination of Inheritance Tax
2. Nuckolls County Budget Committee-Elimination of Inheritance Tax
3. Nebraska Association of County Officials-Open Sky's Report on Inheritance Tax in Nebraska
4. Nebraska Department of Roads-Notification of Project No. 115-2(122) CN13019 (N-15, N-64-Schuyler)
5. Ann Giebler-Survey on Legal Shield

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 Monday, December 17, 2012 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman