



Butler County Board Minutes



BOARD PROCEEDINGS

January 7, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of January, 2013 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.

Tony Krafka, Max Birkel, and Gregory Janak presented their Certificate of Election to the board. The certificates were accepted and will be filed in the office of the County Clerk.

The County Clerk called for nominations for a Temporary Chairman.

Kevin Slama nominated David Mach for Temporary Chairman and Tony Krafka seconded the nomination. No other nominations were made.

Greg Janak moved to cease nominations, seconded by Irvin Cidlik. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Mach, and Kozisek. The following voted nay: None. Motion carried.

David Mach was declared the Temporary Chairman.

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

William Kozisek nominated David Mach for the Permanent Chairman, seconded by Greg Janak. No other nominations were made.

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

David Mach was declared the Permanent Chairman to the Board of Supervisors for 2013.

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

Set Date for One & Six Year Road Plan Public Hearing

The public hearing on the One & Six Year Road Plan will be set for February 19, 2013 at 9:30 a.m.

Adopt Resolution 2013 – 01 County Depositories

Resolution 2013 – 01 was presented for the board's consideration. Moved by Cidlik, seconded by Slama to adopt Resolution 2013 – 01 as presented. Upon roll call vote the following voted nay: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.



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**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2013 – 01**

WHEREAS, the Butler County Board of Supervisors designates the following institutions to act as depositories for county funds, and

WHEREAS, the designated banks 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

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

WHEREAS, the designated investment agencies are as follows:

Nebraska Public Agency Investment Trust (NPAIT)

Butler County Area Foundation-Nebraska Community Foundation

COLE Investment

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned institutions be designated as County Depositories for the year 2013.

Dated this 7th day of January, 2013.

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Adopt Resolution 2013 – 02 Investment of Surplus Funds

Resolution 2013 – 02 was presented for the board's consideration. Moved by Janak, seconded by Kozisek to adopt Resolution 2013 – 02 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.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2013 – 02**

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

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

Dated this 7th day of January, 2013.

/s/ David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

County Clerk-6 Month Budget Report



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Vicki L. Truksa, County Clerk presented the budget report for the period including July 1, 2012 – December 31, 2012. The report was accepted and placed on file.

Quarterly Jail Inspection

The County Board conducted the quarterly jail inspection from 9:15 a.m. – 9:30 a.m.

Approve and Authorize the Chairman to sign Annual Reports

Max Birkel, Noxious Weed Control Superintendent presented the Annual Reports of the Butler County Noxious Weed Control Authority. Moved by Slama, seconded by Kozisek 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: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Abstaining: Birkel. Motion carried.

Report on Noxious Weed

Max Birkel presented information to the board on the possibility of adding sericea lespedeza to the list of noxious weeds. As information becomes available, it will be relayed to the board.

Decision on Courthouse Roof Repair

Moved by Cidlik, seconded by Slama to accept the bid from Guarantee Roofing & Sheet Metal of Nebraska, Inc. for repair work to a portion of the courthouse roof, due to past experience with this company. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

County Treasurer-6 Month Treasurer's Statement

The Butler County Treasurer's Statement for the period of July 1, 2012 to December 31, 2012 was accepted and placed on file.

Clerk of the District Court Monthly Fee Report

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

County Clerk Monthly Fee Report

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

Discussion-County Surveyor Position

Discussion was held regarding the filling of the County Surveyor's position vacated by the resignation of Richard L. Ronkar. Moved by Cidlik, seconded by Janak to advertise the position, with the deadline for applications set for 5:00 p.m. on February 1, 2013. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Executive Session-Pending Litigation (SID #1 v. Butler County)

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

Moved by Birkel, seconded by Slama to come out of Executive Session at 10:45 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.

Correspondence

Correspondence was received from:

Lincoln County Board of Commissioners-Inheritance Tax

Nebraska Department of Roads-Project Report

Nebraska Commission on Law Enforcement and Criminal Justice-Nebraska Minimum Jail Standards Compliance Report



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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 January 22, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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BOARD PROCEEDINGS

January 22, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 22nd day of January, 2013 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 declared the minutes from the previous meeting shall stand approved as presented.

Concerns on Road Conditions/Abie North

Jim Truksa, Highway Superintendent provided copies of an email that was received by the Highway Department from Elizabeth Sarno. In the email, the condition of the road referred to as Abie North was addressed, along with the condition of a portion of 43 Road and X Road.

Appointment of 2013 Committees and Liaisons

The Chairman of the Board presented the listing of committee appointments and liaison appointments for 2013.

Quarterly General Assistance Report

The quarterly (10/01/12 – 12/31/12) General Assistance report was accepted and placed on file.

Board of Equalization (See separate proceedings)

Moved by Slama, seconded by Kozisek to go into Board of Equalization. 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.

Claims

Moved by Slama, seconded by Kozisek to approve for payment the claims as presented, except for the claim to the Butler County Sheriff in the amount of \$494.22 which is tabled for additional information. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Correspondence

Correspondence was received from Blue Valley Community Action, consisting of their board's proceedings and various newspaper articles highlighting their programs.

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 February 4, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

February 4, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of February, 2013 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.

Highway Superintendent

Discussion was held regarding the One & Six Year Road Plan. Jim Truksa, Highway Superintendent asked if any of the supervisors had road projects that need to be included in the road plan to please contact him. The public hearing on the One & Six Year Road Plan for Butler County will be held at the next board meeting.

County Sheriff-Patrol Vehicle

Mark Hecker, County Sheriff relayed information that he received on the purchase of a patrol vehicle utilizing the state bids. Moved by Slama, seconded by Krafka to authorize the County Sheriff to purchase a 2013 Chevrolet Pickup from Husker Auto Group for the state bid price. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik and Mach. The following voted nay: None. Motion carried.

Lease/Cash Rent

The cash rent lease for the county owned property in Linwood Township will expire on February 28, 2013. The county board instructed the County Attorney to send a letter to the current renter to renew the lease.

Review of General Assistance Guidelines

Julie Reiter, County Attorney provided each board member with a draft of the General Assistance Guidelines for their review. A public hearing will be held on March 4, 2013 at 10:00 a.m.

Correspondence

Correspondence was received from Blue Valley Behavioral Health; report on first six months of the fiscal year.

There being no further business to come before the Board, the Chairman adjourned the meeting at 9:50 a.m. The next meeting will be on February 19, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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BOARD PROCEEDINGS

February 19, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of February, 2013 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 (February 4, 2013) shall stand approved as presented.

The following is a correction to the minutes from the January 22, 2013 meeting. Moved by Slama, seconded by Janak to amend the January 22, 2013 Board Proceedings to include the following statement: 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. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Utility Permit Application/Windstream

A utility permit application was submitted by Windstream Nebraska, Inc. to install communications facilities, between Section 18 and 7, T-15-N, R-3-E, near David City in Butler County. Moved by Cidlik, seconded by Slama to approve the application 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.

Clerk of the District Fee Report

The Clerk of the District fee report for the month of January, 2013 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of January, 2013 was accepted and placed on file.

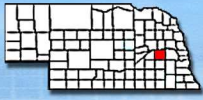
Department of Environmental Quality Notice

Notification was received from the Department of Environmental Quality of the Transfer of Construction and Operating Permit from Green Gables Concentrated Animal Feeding Operation to PFF, LLC.

Discussion-County Surveyor Position

Max Birkel reported on the committee meetings, where options for the County Surveyor position in the future were discussed. The following options were discussed; having the position remain a full-time position, changing the position to part-time, or contracting for surveying services. Members of the committee have contacted several other counties for information on their County Surveyor position. The committee members did stress that their main concern remains the best service for the county, while being diligent as to the cost.

Richard Ronkar, reviewed for the board, state statutes that pertain to the County Board's responsibility in the survey process, and the duties of the County Surveyor. He presented information that he had gathered comparing the expenditures (1980-\$33,665.00, 1981-\$34,063.00, 1982-\$28,438.00) that the county had for contracted surveying services prior to his taking office in 1983, to the expenditures for 1983. In 1983 the elected surveyor salary was \$18,000.00, and



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the total budget was \$21,000.00. He also, presented the board with a list and discussion of the duties and responsibilities of the County Surveyor office. In conclusion, he stated that in order for the best service to the taxpayers, the position should remain a full-time position.

Public Hearing-One and Six Year Road Plan

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

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

The Highway Superintendent prepared a map showing 329 bridge replacements, either with a new bridge or culverts, and stabilization projects that have been completed in the last 20 years.

Moved by Cidlik, seconded by Slama to close the One and Six Year Road Plan public hearing at 10:00 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.

Resolution-Adoption of One and Six Year Road Plan

Resolution 2013-04 was presented for the board's consideration. Moved by Janak, seconded by Birkel to adopt Resolution 2013-04 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.

RESOLUTION NO. 2013 – 04 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, 2013, 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 19, 2013, 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 that 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 19th day of February, 2013.

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

ATTEST:

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



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Purchase of Patrol Vehicle

Mark Hecker, County Sheriff relayed information that he received from Husker Auto Group regarding the patrol vehicle that was approved for purchase at the last board meeting. The 2013 Chevrolet Pickup that was approved is no longer in production. Moved by Krafka, seconded by Janak to approve the purchase of a 2013 Chevrolet 1500 Crew Cab pickup for \$25,097.00 from Husker Auto Group (under state bids) and to authorize the Sheriff to use the Dodge Durango as a trade-in. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Emergency Management Quarterly Report

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

Probation Office Request

A request has been made by Julie Smith, Probation Officer to use the meeting room here in the Courthouse for group meetings after hours. The board would like her to meet with them at their next board meeting to discuss this matter.

Resolution-Request for Rural Transit Program Funding

Resolution 2013-03 Request for Rural Transit Program Funding was presented for the board's consideration. Moved by Cidlik, seconded by Janak to adopt Resolution 2013-03 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. 2013 – 03

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 2013-2014.

Approved this 19th day of February, 2013.

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

ATTEST:

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

Approval of Rural Transit & Senior Services Budgets

Linda Vandenberg, Manager of the Senior Services and Rural Transit programs, presented the proposed 2013-2014 budget for the Butler County Senior Services, and the Application for Public Transportation Operating Assistance.

Claims

Moved by Janak, seconded by Birkel to approve for payment the claims as presented, except for the claim of Bryan Physician Network in the amount of \$539.09 which is tabled pending additional information, and to pay the claim of Butler County Sheriff in the amount of \$494.22 which was tabled last month. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Correspondence



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Correspondence was received from Blue Valley Community Action that included the agenda for their next meeting, board proceedings, and several newspaper articles highlighting programs sponsored by Blue Valley.

Discussion

Kevin Slama, Building & Grounds committee member reported on the meeting that the committee had with representatives from the Probation office. They met to review options for office space.

Max Birkel, announced that he was the recipient of the Outstanding Noxious Weed Control Superintendent of District 1. The award was presented during the Nebraska Weed Control Association Annual Conference.

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 March 4, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

March 4, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of March, 2013 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.

Formal Request for Maintenance

Correspondence was received from Barry L. Hemmerling, attorney for James Mick requesting the installation of a culvert, between Sections 17 & 20, Township 16N, Range 2E. Since this is considered a maintenance request and the road is a township road, this matter will be turned over to the township.

Special Designated Liquor License

A request for a Special Designated Liquor License was received from the Ulysses Recreation Committee for the Ulysses High School Alumni Association Reunion to be held on May 26, 2013. Moved by Cidlik, seconded by Slama to approve the Special Designated Liquor License request from the Ulysses Recreation Committee. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Department of Environmental Quality Notice

Notification was received from the Department of Environmental Quality of an application received referencing the Danbred Performance Research Center Concentrated Animal Feeding Operation, to be located in the SW¼ of Section 11, Township 16N, Range 1E.

Notification was received from the Department of Environmental Quality of an application received referencing the Hough Nursery Concentrated Animal Feeding Operation, to be located in the NE¼ of Section 23, Township 16N, Range 2E.

Public Hearing-Liquor License Application

Moved by Slama, seconded by Kozisek to open the public hearing at 9:30 a.m. on the application for a liquor license for Mary L. Sohl d/b/a District 10, 2030 45 ½ Road, Linwood, Nebraska. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Mary Sohl, the applicant, was present to answer any questions and give information.
Ernest and Henrietta Nekuda were present, voicing concerns they had.

Moved by Birkel, seconded by Cidlik to close the public hearing at 9:45 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.



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Moved by Kozisek, seconded by Janak to recommend the approval of the liquor license application of Mary L. Sohl d/b/a District 10 to the Nebraska Liquor Control Commission. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

County Surveyor Position

Discussion was held regarding the County Surveyor position and salary for the term beginning in January, 2015. Moved by Slama, seconded by Krafka to set the salary of the County Surveyor at \$15,000.00 for the term commencing January, 2015; the position will be considered part-time with no benefits. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Public Hearing-General Assistance Guidelines

Moved by Janak, seconded by Cidlik to open the public hearing at 10:00 a.m., to permit discussion on the proposed amendments to the Butler County General Assistance and Medical Assistance Program. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

No public comment.

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

Moved by Janak, seconded by Kozisek to adopt the General Assistance and Medical Assistance guidelines 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.

The following Resolution 2013-05 was presented for the board's approval. Moved by Cidlik, seconded by Janak to approve the resolution 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. 2013 – 05

WHEREAS, pursuant to Nebraska Revised Statutes sections 68-104 to 68-148, counties are to provide general assistance, medical assistance and burial assistance programs for the poor of each county. These programs, however, are considered "payer of last resort" in that an applicant must not be eligible for benefits under any Federal, State, public/private program or third party benefits to which he/she may be eligible; and

WHEREAS, on the 4th day of March, 2013 the Butler County Board of Supervisors has reviewed and held a public hearing to permit discussion of the attached guidelines by interested persons.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors after publication of notice and the holding of a public hearing on March 4, 2013 that the attached written County General Assistance and Medical Assistance Program guidelines for Butler County, Nebraska are adopted effective March 4, 2013.

Dated this 4th day of March, 2013.

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

ATTEST:

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

Correspondence



Butler County Board Minutes



Correspondence was received from the Seward County Board of Commissioners, sharing the letter that was penned and sent to Governor Heineman and Senator Adams regarding the possible elimination of the inheritance tax.

Public Hearing-Federal Transit Program Funding

Moved by Cidlik, seconded by Slama to open the public hearing at 10:30 a.m. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried. The purpose of the public hearing is to take public comment pertaining to a project in which financial assistance from the Federal Transit Administration is being sought.

No public comment.

Moved by Slama, seconded by Birkel to close the public hearing at 10:40 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.

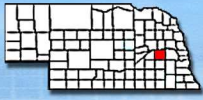
Request for Meeting Room

Julie Smith, Probation Officer, appeared before the board requesting use of the Supervisor's meeting room. She explained that she would like to use the room for group meetings that need to be held after working hours. It was the consensus of the board that she has access to the meeting room after hours to conduct these meetings.

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 March 18, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

March 18, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of March, 2013 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.

Utility Permit Application

A utility permit application was submitted by Lyle Jakub to install an underground electrical line between Section 34, Township 15N, Range 4E and Section 3, Township 14N, Range 4E. Moved by Janak, seconded by Cidlik to approve the utility permit application as presented, pending the approval of Skull Creek Township Board and Oak Creek Township Board. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Request for Mile Marker Signs

Jim Truksa, Highway Superintendent discussed with the board a request that was made to have mile marker signs installed along State Highway 81. The signs would designate the county roads in Butler County and possibly include the information for Polk County. The board instructed the highway superintendent to contact the State of Nebraska, Department of Roads for more information.

Review Policy

The Highway Superintendent reviewed for the board, the policy concerning gravel placement in the cemeteries in the county. It has been the policy, and will remain the policy, that the cemetery association will pay the cost of the gravel and the county will deliver that gravel at no charge.

Resolution 2013-07

Resolution 2013-07 was introduced for the board's approval. The Highway Superintendent explained the need for the resolution; support for the formation of a coalition of counties that would seek Federal, State and County funding sources to limit stream channel degradation in the impacted region of eastern Nebraska. There was a map presented that highlighted the impacted counties in eastern Nebraska. Moved by Slama, seconded by Kozisek to approve Resolution 2013-07 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION 2013 – 07

WHEREAS, much of eastern Nebraska consists of soils which are highly susceptible to erosion and stream degradation; and



Butler County Board Minutes



WHEREAS, the erodible streambeds of eastern Nebraska are unstable and are widening due to degradation which results in damage to public and private infrastructure such as bridges, culverts, utility lines, loss of farmland, etc., and

WHEREAS, the Hungry Canyon Alliance, Inc. is a coalition of counties in Iowa which was developed specifically to research and implement solutions to the problem of stream channel erosion and degradation of western Iowa, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Butler County, Nebraska would support a similar coalition of counties seeking County, State, and Federal funding sources to limit stream channel degradation in the impacted region of eastern Nebraska.

Dated this 18th day of March, 2013.

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

ATTEST:

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

Online Real Estate Tax Payments

Karey Adamy, County Treasurer presented an agreement with Nebraska Interactive, LLC and the Nebraska State Records Board for the board's approval. This agreement is subordinate to the State of Nebraska contract between the two entities to operate and manage the Nebraska.gov network. This agreement would allow Butler County real estate taxes to be paid through the Nebraska.gov network. Moved by Janak, seconded by Birkel to authorize the Chairman to sign the agreement. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

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 4, 2013. She presented the board with a listing of the properties available after the public sale.

The County Treasurer informed the board that there are eight County Certificates that will be due on April 19, 2013. If the taxes are unpaid at that time the certificates will be turned over to the County Attorney.

Board of Equalization (See separate proceedings)

Moved by Slama, seconded by Krafka to go into Board of Equalization meeting 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.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Reappoint Butler County Health Care Center Board Members

Moved by Slama, seconded by Janak to reappoint James Egr and Diane M. Moravec as members of the Butler County Health Care Center Board of Directors. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Special Designated Liquor License

A request for a Special Designated Liquor License was received from the Butler County Agricultural Society for the Butler County Fair to be held July 17 – July 21, 2013. Moved by Cidlik, seconded by Krafka to approve the Special Designated Liquor License request from the Butler County Agricultural Society. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Resolution 2013-06 Establishment of Butler County Attorney Restitution Account



Butler County Board Minutes



Resolution 2013-06 was introduced for the Board's approval. Julie Reiter, County Attorney explained to the board the need to have a separate account established for restitution funds. Moved by Janak, seconded by Cidlik to adopt Resolution 2013-06 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.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2013 – 06**

WHEREAS, it is necessary for the Butler County Attorney to establish a separate checking account at Bank of the Valley in which to deposit restitution payments received from defendants or individuals and from which to disburse such restitution payments to the individuals and/or entities rightfully entitled thereto with said account to be called the "Butler County Attorney Restitution 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 to receive and disburse restitution payments.

Dated this 18th day of March, 2013

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

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

Discussion on Butler County Surveyor Position

The committee reported to the board that they had held interviews with the three applicants. Each of the applicants was informed that the position would be changed to part-time starting with the term that commences in January of 2015.

Four Corners Health District Report

Vickie Duey, Four Corners Health District was unable to attend the board meeting.

Window Replacement in Senior Center Building

Lance Napier of Superior Glass presented an estimate to the board for replacement of the south windows in the Senior Center Building. Moved by Janak, seconded by Cidlik to approve option 2 with the addition for tinted glass. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Nebraska Supreme Court Decision

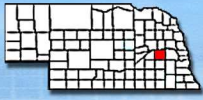
The County Attorney reviewed for the board the Supreme Court decision in the case of Butler County Dairy, L.L.C. v. Butler County, Read Township, and Summit Township.

Fiscal Officer-Coalition Block Grant

Moved by Slama, seconded by Janak to have Butler County serve as the fiscal officer for the Coalition Block Grant. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Request for Notice Board

Julie Reiter, County Attorney requested that she be allowed to place a notice board on the hallway wall next to their office. Funds are available in the County Attorney's budget for the purchase. Moved by Krafka, seconded by Kozisek to



Butler County Board Minutes



allow for the placement of the notice board. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Motion carried.

Clerk of the District Court Fee Report

The fee report for the month of February, 2013 was accepted and placed on file.

County Clerk Fee Report

The fee report for the month of February, 2013 was accepted and placed on file.

Claims

Moved by Kozisek, seconded by Krafka to approve for payment the claims as presented, except for the claim of Bryan Physician Network in the amount of \$539.09 which is denied. 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 Charles Campbell of Angle, Murphy & Campbell, updating the board on the status of the SID#1 vs. County Treasurer of Butler County, Nebraska et al case.

Blue Valley Community Action sent a copy of their meeting agenda, board minutes, and several news clippings that pertain to their program.

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 April 1, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

April 1, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of April, 2013 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.

Minutes of Previous Meeting

The board proceedings from the March 18, 2013 meeting need to be corrected. The information about the utility permit application submitted by Lyle Jakub needs to state the installation of an underground electrical line and underground water pipe. The minutes of the previous meeting stand approved with the abovementioned correction.

Interview with Applicant for Butler County Surveyor position

Karen D. Brightenburg, appeared before the board to interview for the position of Butler County Surveyor.

Kevin Slama arrived at 9:05 a.m.

Region V Systems & Region V Services

C.J. Johnson, Regional Administrator of Region V Systems appeared before the board to present the fiscal year 2011-2012 report. The proposed county contribution rate for the upcoming fiscal year will increase 2.25%. The total county contributions for the Region V Systems programs will be \$14,941.00 for 2013-2014.

Dave Merrill, Executive Director of Region V Services and Traci Ryba appeared before the board to present the 2012 Annual Report of Region V Services. Mr. Merrill informed the board that there will be no increase in the request for county contributions for the next fiscal year.

Traci Ryba informed the board that Region V Services in David City will be celebrating their 35th Anniversary this summer; she will be forwarding more information as it becomes available.

Max Birkel left at 10:00 a.m.

Victim Assistance Grant Funding

Pat Lostroh, Victim Assistance Coordinator appeared before the board asking for continued support of the program. The requested county matching funds for the upcoming grant year will be \$2,000.00. Moved by Cidlik, seconded by Janak to approve the county matching amount of \$2,000.00 and to authorize the Chairman to sign the necessary documents for the grant 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.

Issuance of County Certificates

Karey Adamy, County Treasurer, presented to the board a listing that showed the taxes that were not purchased at the Public Tax Sale. Moved by Slama, seconded by Kozisek to authorize the County Treasurer to issue County Certificates



Butler County Board Minutes



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

Request for Sign Placement Study

Jim Truksa, Highway Superintendent appeared before the board to request a sign placement engineering study be completed. Moved by Kozisek, seconded by Slama to authorize the Highway Superintendent to contact Mainelli Wagner & Associates, Inc. to request the sign placement engineering study be completed. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Janak, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Access Road in Section 1, T15N, R2E

Discussion was held regarding the public access road in Section 1, Township 15 North, Range 2 East, and the maintenance work that needs to be completed on the road.

Request for sand at Fairgrounds

Kevin Slama informed the board that additional sand is needed in the horse arena at the fairgrounds. The board would like him to contact the Fair Board, and have them make the request for the sand.

Four Corners Health Department

Vickie Duey of Four Corners Health Department appeared before the board to update them on the department's activities. This year the department is focusing on a program for Worksite Wellness, with pilot programs in Butler, Seward and York counties; and a Women's Health program.

Quarterly Budget Reports

Vicki Truksa, County Clerk presented the quarterly (Jan-Mar) budget reports for the board to review.

Discussion

Greg Janak and Bill Kozisek reported on the meeting of the Butler County Senior Services Advisory Board that they attended.

Audit Bids

Discussion was held regarding audit services for the fiscal year 2012-2013. Moved by Slama, seconded by Cidlik to extend the agreement with the State Auditor's office for an additional year. 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 Surveyor Position

Moved by Slama, seconded by Krafka to appoint Karen D. Brightenburg to fill the vacancy resulting from the resignation of Richard Ronkar, appointment to be effective April 1, 2013. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

Irvin Cidlik left at 11:30 a.m.

Quarterly Jail Inspection

The board conducted the quarterly jail inspection from 11:30 a.m. – 11:50 a.m.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:50 a.m. The next meeting will be on April 15, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

April 15, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15th day of April, 2013 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/Windstream

Windstream Nebraska, Inc. plans to replace communications facilities, between Sections 17 & 16, T14N, R2E, near Rising City in Butler County. Moved by Kozisek, seconded by Slama to approve the Windstream Nebraska, Inc. utility permit application 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.

Consideration of Utility Permit Application/Kendall Potter

A utility permit application was submitted by Kendall Potter to install underground electrical service between Section 18, T14N, R1E and Section 13, T14N, R1W (Polk County). Moved by Slama, seconded by Janak to approve the utility permit application 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.

Consideration of Utility Permit Application/Eric Stara

A utility permit application was submitted by Eric Stara to install water and electrical service between Sections 2 & 11, T13N, R2E. Moved by Cidlik, seconded by Janak 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.

Consideration of Utility Permit Application/Ron Sedlak

Tabled till the May 6, 2013 board meeting.

Butler County/Summit Township Motorgrader

Discussion was held on the sale or purchase of the Butler County/Summit Township motorgrader. Jim Truksa, Highway Superintendent informed the board that he had contacted Murphy Tractor & Equipment and Nebraska Machinery Company to calculate an appraised value of the motorgrader.

Murphy Tractor & Equipment	trade-in \$130,000.00	comparable sales amount \$160,000.00
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Nebraska Machinery Company	trade-in \$125,000.00	comparable sales amount \$150,000.00
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The average of the four amounts is \$141,250.00.

Moved by Slama, seconded by Cidlik providing Summit Township does not continue to contract with Butler County for road maintenance, the County will offer Summit Township the first option to purchase the County's 51% share of the motorgrader (51% of the appraised value \$141,250.00 (\$72,037.50)); or if Summit Township chooses not to purchase the



Butler County Board Minutes



County's share, the County will buy out the township's 49% share of the motorgrader (49% of the appraised value (\$69,212.50)). Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Executive Session/Pending Litigation (SID #1 vs. Butler County)

Moved by Cidlik, seconded by Kozisek to go into Executive Session at 9:15 a.m. for the purpose of discussing pending litigation. 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 Janak, seconded by Birkel to come out of Executive Session at 9:30 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.

Retention of Charles Campbell

Moved by Slama, seconded by Birkel under advisement of the County Attorney, to hire Charles Campbell to represent Butler County in the SID No. 1, Butler County, Nebraska vs. Beverly Davis, County Treasurer of Adams Co., NE et al case (Case ID: CI 13 121). Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Discussion

Elsie Ita, Wendell Ita, and Gloria Brandenburgh; residents of Brandenburgh Lakes, appeared before the board to discuss the proposed livestock confinement facility that will be located in Section 11, T16N, R1E. Points highlighted in the discussion were the impact on the quality of water, infrastructure-roads, odor from south wind, and possibility of diminished property valuation.

Kevin Slama, said he had been contacted by BJ Barcel, who voiced concerns about the facility impacting any further housing or recreational development in the area.

The County Attorney stated that individually the Supervisors can write a letter directly to the Department of Environmental Quality voicing any comments or concerns on the proposed facilities.

Moved by Birkel, seconded by Krafka to call for a Special Meeting of the Board of Supervisors on Tuesday, April 23, 2013 at 1:00 p.m., meeting to be held in the Courtroom. The purpose of the special meeting is to discuss, and take public comment on the proposed livestock facilities in Section 11, T16N, R1E and Section 23, T16N, R2E. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Irvin Cidlik indicated he would contact a representative of Danbred Production, LLC and PFF, LLC informing them of the meeting.

Special Designated Liquor License

An application for Special Designated License from Ken Jorgensen (The Max Again) for an event to be held at the Butler County Speedway, LLC on April 27 & 28, 2013 was presented. The law requires that no special designated license shall be issued by the Liquor License Commission without the approval of the local governing body. Moved by Cidlik, seconded by Krafka to approve the application as presented. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, 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 March, 2013 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of March, 2013 was accepted and placed on file.

General Assistance Quarterly Report



Butler County Board Minutes



The 3rd quarter (Jan-Mar) General Assistance report was accepted and placed on file.

Consideration of Resolution 2013-08 Transfer of Funds

Resolution 2013-08 was presented for the board's consideration. Moved by Slama, seconded by Kozisek to approve Resolution 2013-08 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA

RESOLUTION NO. 2013 - 08

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 \$67,955.42.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$67,955.42 to the 911 Emergency Services Fund for the maintenance and operations of said 911 Emergency Services Department from the General Fund.

Dated this 15th day of April, 2013.

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

ATTEST:

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

Department of Environmental Quality Notice

Notification was received from the Department of Environmental Quality regarding the NPDES (National Pollutant Discharge Elimination System) General Permit for Operations Confining Cattle for Little Pine Ridge Feedyard, Inc. Concentrated Animal Feeding Operation.

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.

Correspondence

Correspondence was received from:

1. Larry Novak, regarding the Butler County Landfill
2. Blue Valley Community Action, including the Board Meeting Notice, Agenda and Board Proceedings from March meeting, articles highlighting Blue Valley programs
3. Clay County, asking for support of LB57 (change provisions relating to grants from the Nebraska Environmental Trust (NET) Fund).

Discussion



Butler County Board Minutes

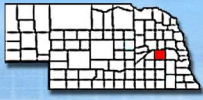


Max Birkel attended the Spring Training for Noxious Weed Control Superintendents, he reported on a session that was held by NIRMA regarding liability issues with roadside spraying.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:40 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

April 23, 2013

A special meeting of the Board of Supervisors of Butler County, Nebraska was held on the 23rd day of April, 2013 in the Courtroom at the Butler County Courthouse in David City, Nebraska at 1:00 p.m.

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

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

The Chairman announced that the purpose of this special meeting is to discuss the proposed livestock facilities.

The proposed livestock facilities are: Danbred Performance Research Center Concentrated Animal Feeding Operation (located in Section 11, T16N, R1E) and Hough Nursery Concentrated Animal Feeding Operation (located in Section 23, T16N, R2E).

A presentation on Pillen Family Farms and the proposed livestock facilities was made.

Following the presentation, the County Board welcomed public comment. Several individuals addressed the board voicing concerns or commenting on the proposed livestock facilities.

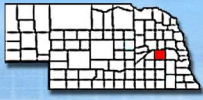
Bill Kozisek left the meeting at 3:10 p.m.

Moved by Krafka, seconded by Slama as a County Board, to write a letter to the Department of Environmental Quality voicing concerns such as the proximity to housing and the high water level. Upon roll call vote the following voted aye: Krafka and Slama. The following voted nay: Birkel, Janak, and Mach. Absent: Cidlik and Kozisek. Motion failed.

There being no further business to come before the Board, the Chairman adjourned the meeting at 3:40 p.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

May 6, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 6th day of May, 2013 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 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 in the Courtroom.

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

Consideration of Utility Permit/Ronald Sedlak

A utility permit application was submitted by Ronald Sedlak to place an irrigation pipe in Section 24, Township 13 North, Range 1 East. Moved by Slama, seconded by Kozisek to approve the permit application 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.

Fracture Critical Bridge Inspection Agreement

Jim Truksa, Highway Superintendent explained the 2013 Fracture Critical Bridge Inspections Agreement between Butler County and the State of Nebraska Department of Roads. Resolution 2013 – 09 Signing of a Program Agreement for 2013 Fracture Critical Bridge Inspections was presented for the board's approval. Moved by Cidlik, seconded by Janak to approve Resolution 2013 – 09. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

RESOLUTION SIGNING OF A PROGRAM AGREEMENT FOR 2013 FRACTURE CRITICAL BRIDGE INSPECTIONS BUTLER COUNTY RESOLUTION NO. 2013 – 09

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 a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

Whereas: Butler County has Soft Match credits available and wishes to utilize these credits to pay for their 20% share of the cost.

Be It Resolved: by the Board of Supervisors of Butler County, Nebraska that:



Butler County Board Minutes



David Mach, Chair of the Butler County Board of Supervisors is hereby authorized to sign the attached Program Agreement between Butler County and the NDOR.

Project No. STP-NBIS(99)
Control No. 00886
Project Name: 2013 Statewide Fracture Critical Bridge Inspections

Adopted this 6th day of May, 2013 at Butler County, Nebraska.

The Board of Supervisors of Butler County, Nebraska:

/s/ David W. Mach	/s/ Irvin Cidlik
/s/ William J. Kozisek	/s/ Kevin Slama
/s/ Gregory A. Janak	/s/ Tony Krafka
/s/ Max Birkel	

Attest:

/s/ Vicki L. Truksa, County Clerk

Federal Fund Purchase Program Supplemental Agreement

Jim Truksa, Highway Superintendent explained the Federal Fund Purchase Program Supplemental Agreement between Butler County and the State of Nebraska Department of Roads. Resolution 2013 – 10 Signing of the Federal Funds Purchase Program Supplemental Agreement No. 1 was presented for the board's approval. Moved by Kozisek, seconded by Janak to approve Resolution 2013 – 10 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.

RESOLUTION SIGNING OF THE FEDERAL FUNDS PURCHASE PROGRAM SUPPLEMENTAL AGREEMENT NO. 1 BUTLER COUNTY RESOLUTION NO. 2013 – 10

Whereas, in 2011, LPA and the State entered into a Federal-Aid Transportation Fund Purchase-Sale Agreement (hereinafter referred to as "the Original Agreement") that provided for the State to purchase at a discount LPA's share of certain Surface Transportation Program Funding (hereinafter referred to as "STP") and the Highway Bridge Program (hereinafter referred to as "HBP") federal-aid funds that had been available to Nebraska LPAs; and

Whereas, later in 2012, the federal government passed interim transportation funding legislation which eliminated the HBP category of funds and did not provide a replacement category of funds related solely to bridge replacement, rehabilitation and maintenance; and,

Whereas, the parties to this Supplemental Agreement intend to replace the HBP funds, which will no longer be available, with other federal-aid funds in a substantially similar proportional amount to provide LPAs with funds for bridge replacement, rehabilitation and maintenance; and

Whereas, it has also become necessary for the parties to further address certain National Bridge Inspection Standards compliance issues.

Whereas, Butler County and the Nebraska Department of Roads (NDOR) wish to enter into Supplemental Agreement No. 1 setting out the necessary modifications to the Original Agreement.

Be It Resolved: by the governing body of Butler County that:

David W. Mach is hereby authorized to sign the attached Federal Funds Purchase Program Supplemental Agreement No. 1 between Butler County and the NDOR.

Adopted this 6th day of May, 2013 at David City, Nebraska.



Butler County Board Minutes



The governing body of Butler County:

/s/ David W. Mach
/s/ William J. Kozisek
/s/ Gregory A. Janak
/s/ Max Birkel

/s/ Irvin Cidlik
/s/ Kevin Slama
/s/ Tony Krafka

Attest:

/s/ Vicki L. Truksa, County Clerk

National & State Functional Classification Maps

Maps showing the National & State Functional Classification of roads in Butler County were presented for the board's review. Moved by Slama, seconded by Krafka to approve and authorize the Chairman to sign the classification maps. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Jim Truksa informed the board that he had attended a pre-construction meeting for the resurfacing project that involves Prague Road and A Street east. The contractor on the project indicated that work will begin as soon as the weather permits.

Board of Equalization (See separate proceedings)

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

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Special Designated Liquor Licenses

The law requires that no special designated liquor license shall be issued by the Liquor Control Commission without the approval of the local governing body.

An application for a Special Designated Liquor License for Presentation Parish for an event to be held at the Hain Building on June 9, 2013 was presented. Moved by Cidlik, seconded by Krafka to approve the application as presented. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, Slama, Birkel, and Mach. The following voted nay: None. Motion carried.

An application for a Special Designated Liquor License for Ken Jorgensen (The Max Again) for an event to be held at the Butler County Speedway on May 18 & 19, 2013 (alternate dates: May 22 & 23, 2013) was presented. Moved by Slama, seconded by Krafka to approve the application 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

Kevin Slama discussed with the board the need for a vehicle for the County Surveyor. The Dodge Durango that was taken out of service for the Sheriff's department is available, but needs some repairs. The vehicle will be taken to have an estimate of the cost of the repairs, before a decision will be made.

County Sheriff Quarterly Reports

Mark Hecker, County Sheriff presented the quarterly reports for January 1, 2013 – March 31, 2013. The reports were accepted and placed on file.

County Certificates

Karey Adamy, County Treasurer informed the board that five Tax Sale Certificates matured on April 19, 2013, and that the County Attorney needs authorization to institute foreclosure proceedings. Resolution 2013 – 11 was presented for the board's approval. Moved by Slama, seconded by Janak to approve Resolution 2013 -11 as presented. Upon roll call vote



Butler County Board Minutes



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. 2013 -11

WHEREAS, Butler County is the owner and holder of Tax Sale Certificate Numbers 252, 254, 264, 270, 283, and 284 issued by Butler County, Nebraska for all delinquent regular taxes and/or special assessments thereon for the years set forth therein, under the provisions of Neb. Rev. Stat. Sec. 77-1809 (Reissue 2009);

WHEREAS, said certificates were sold to Butler County, Nebraska and the Certificates of Tax Sale was issued to Butler County, Nebraska; and

WHEREAS, Butler County, Nebraska is entitled to foreclose on the Tax Sale Certificates set forth above.

NOW THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Attorney is directed to institute and prosecute foreclosure of Tax Sale Certificate Numbers 252, 254, 264, 270, 283, and 284 in accord with the provisions of Article 19, of Chapter 77 of the Nebraska Revised Statutes and other laws governing such procedure, on behalf of Butler County, Nebraska and the State of Nebraska and other political subdivisions of the said State and municipal bodies on whose behalf such taxes and subsequent taxes and special assessments on said property were levied in foreclosing such certificate and subsequent special assessments and liens on said real estate.

Dated this 6th day of May, 2013

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

ATTEST:

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

Emergency Management Quarterly Report

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

Insurance Renewal Information

Tara Stevenson, Regional Service Representative of Blue Cross-Blue Shield appeared before the board with renewal information for the health and dental insurance that is offered to the employees. There will be a 12% rate increase on medical insurance and 0% on dental insurance for the period of 07/01/13 thru 06/30/14.

Correspondence

Correspondence was received from the following:

1. Brian J. Foral-concerns in how the vacancy to the County Surveyor's position was handled
2. State of Nebraska-Emergency Management Agency-Homeland Security Grant monitoring visit
3. Blue Valley Behavioral Health-request for continued financial support
4. Lower Platte South NRD-Multi Jurisdictional Hazard Mitigation Plan Update meetings
5. Barry L. Hemmerling, representative for Mr. and Mrs. James Mick-objection to Danbred Performance Research Center
6. Jim and Frances Mick-objection to Danbred Performance Research Center

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 May 20, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



BOARD PROCEEDINGS

May 20, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 20th day of May, 2013 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 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 in the Courtroom.

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

Set Date for Steel & Culvert Bids

Moved by Cidlik, seconded by Kozisek to set the date of June 3, 2013 at 9:00 a.m. to open bids for steel products, and set the date of June 3, 2013 at 9:30 a.m. to open bids for culverts. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Absent: Slama, and Janak. Motion carried.

Moved by Cidlik, seconded by Birkel to set the date of June 3, 2013 at 9:45 a.m. to open bids for a belly-dump trailer. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Janak, and Slama. Motion carried.

Kevin Slama arrived at 9:05 a.m.

Consideration of Utility Permit Application/Mike White

A utility permit application was submitted by Mike White to install electrical service between Section 31, Township 14 North, Range 2 East and Section 6, Township 13 North, Range 2 East. Moved by Slama, seconded by Kozisek to approve the application as submitted, contingent on the approval of both township boards. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Janak. Motion carried.

Greg Janak arrived at 9:08 a.m.

Consideration of Utility Permit Application/Commonwealth Electric

A utility permit application was submitted by Commonwealth Electric to install electrical service between Section 32, Township 15 North, Range 1 East and Section 5, Township 14 North, Range 1 E.

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

Jim Truksa, Highway Superintendent discussed with the board the purchase of traffic counters. It was agreed upon to purchase four units to be used throughout the county.

Detention Center Quarterly Reports

Mike Applegate, Detention Center Administrator presented quarterly reports for 7/01/12 – 9/30/12, 10/1/12 – 12/31/12, and 01/01/13 – 3/31/13. The reports were accepted and placed on file.



Butler County Board Minutes



Clerk of the District Court Fee Report

The Clerk of the District Court fee report for the month of April, 2013 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of April, 2013 was accepted and placed on file.

Blue Valley Behavioral Health

John Day, Executive Director of Blue Valley Behavioral Health appeared before the board to explain the services that their organization provides to the residents of Butler County, and to request funds for the fiscal year 2013-2014 in the amount of \$5,720.00. The board will consider this funding request as it prepares the 2013-2014 fiscal year budget.

Resolution 2013-12/Transfer of Funds

Resolution 2013-12 Transfer of Funds from the General Fund to the Road Fund was presented for the board's approval. Moved by Kozisek, seconded by Janak to approve Resolution 2013-12 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. 2013 - 12

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 \$812,760.23.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$812,760.23 to the Road Fund for the maintenance and operations of said Road Department from the General Fund.

Dated this 20th day of May, 2013.

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

ATTEST:

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

Resolution 2013-13/Transfer of Funds

Resolution 2013-13 Transfer of Funds from the Inheritance Tax Fund to the General Fund was presented for the board's approval. Moved by Cidlik, seconded by Slama to approve Resolution 2013-13 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. 2013 - 13



Butler County Board Minutes



WHEREAS, the Butler County Board of Supervisors at the September 4, 2012 Budget Hearing approved the transfer of money from the Inheritance Tax Fund to the General Fund as part of the budget process for general operations; and

WHEREAS, the amount approved through the budget hearing for said operations of the General Fund to be transferred from the Inheritance Tax Fund is \$400,000.00; and

WHEREAS, funds are available in the Inheritance Tax Fund to transfer to the General Fund in the amount of \$400,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$400,000.00 to the General Fund for general operations from the Inheritance Tax Fund.

Dated this 20th day of May, 2013.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Engagement Agreement/Nebraska Auditor of Public Accounts

The engagement agreement between Butler County and the Nebraska Auditor of Public Accounts was presented to the board. Moved by Cidlik, seconded by Kozisek to authorize the Chairman to sign the engagement agreement to audit Butler County's financial statements for the fiscal years ending June 30, 2013 and 2014. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Public Hearing/Liquor License Application

Moved by Slama, seconded by Birkel to open the public hearing at 9:45 a.m. on the application for a liquor license for Butler County Speedway, LLC, 3730 C Road, David City, Nebraska. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

No one was present to comment on the application for liquor license.

Moved by Janak, seconded by Krafka to close the public 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.

Moved by Slama, seconded by Kozisek to recommend the approval of the liquor license application of Butler County Speedway, LLC to the Nebraska Liquor Control Commission. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Claims

Moved by Cidlik, seconded by Janak to approve for payment the claims as presented, except for the claim from Bryan Medical Center in the amount of \$1,132.00 which is tabled. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Mid-American Benefits, Inc.

Amy Johnson from Mid-American Benefits, Inc., which is the third-party administrator for our employee health and dental insurance plan, appeared before the board with the fiscal year report of savings realized by the county.

County Sheriff/Budget Request

Mark Hecker, County Sheriff appeared before the board to explain that due to the City of David City contracting with the County for law enforcement services after the fiscal year budget was adopted, there is a need for additional funds in the Sheriff's budget. Moved by Cidlik, seconded by Janak to approve the amount of \$90,000.00 to be added to the operating



Butler County Board Minutes



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

Kevin Slama left the meeting.

Renewal of Employee's Health and Dental Insurance

Moved by Cidlik, seconded by Birkel to renew the Blue Cross-Blue Shield health and dental insurance, \$1,500.00 deductible plan; paying the health and dental insurance premiums for each full-time employee. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Kevin Slama returned to the meeting.

Payment in Lieu of Medical Insurance

Discussion was held regarding the county's policy for payment in lieu of medical insurance for county employees. Moved by Cidlik, seconded by Janak to continue with the payment in lieu of medical insurance; the payment being \$500.00 per month. Upon roll call vote the following voted aye: Cidlik, Janak, Krafka, Slama, and Mach. The following voted nay: Birkel, and Kozisek. Motion carried.

Correspondence

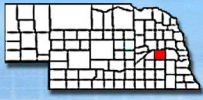
Correspondence was received from the following:

1. State of Nebraska-Department of Roads, ADA Policy Statement and Assurances
2. Nebraska Tax Equalization and Review Commission, Findings and Orders
3. Northeast Nebraska Economic Development District, Renewal of Membership

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:20 a.m. The next meeting will be on June 3, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

June 3, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of June, 2013 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 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 meeting room.

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

Change Date and Time for Bids

Due to advertising deadlines the date and times to consider bids for steel, culverts and equipment needs to be changed. Moved by Cidlik, seconded by Kozisek to set the date and times to consider bids:

June 17, 2013 – 9:00 a.m. – Bids for belly dump gravel trailer

June 17, 2013 – 9:45 a.m. – Bids for steel

June 17, 2013 – 9:50 a.m. – Bids for culverts

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

Correspondence

Correspondence was received from Polk County Planning & Zoning, announcing a hearing to amend their zoning regulations.

Discussion

Greg Janak reported on touring the Butler County Landfill, and distributed a copy of a Proposed Amendment (by the Landfill) to the Road Improvement and Maintenance Agreement to each of the Supervisors.

Board of Equalization (See separate proceedings)

Moved by Slama, seconded by Birkel to go into Board of Equalization meeting at 9:15 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.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Discussion of Housing Study & Economic Development

Keith Marvin, Marvin Planning Consultants presented a copy of the Butler County Housing Study to each of the board members and highlighted areas of interest in the findings. He also stressed the importance of Butler County maintaining their membership in the Northeast Nebraska Economic Development District, as it does provide services to new and existing business owners in Butler County.

Air Conditioner Replacement in Region V Building

The original HVAC units at the Region V Industries building are in need of replacement due to age and condition. Moved by Slama, seconded by Janak to set the date of July 1, 2013 at 9:30 a.m. to consider bids to replace the three existing units.



Butler County Board Minutes



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

Four Corners Health Department

Vicki Duey, Four Corners Health Department Executive Director presented the 2012 Annual Report for the department and highlighted programs that will be ongoing through 2013.

Blue Valley Community Action

Richard Nation, Executive Director of Blue Valley Community Action appeared before the board to review the agency's 2012 Annual Report. A request for funding for the next fiscal year in the amount of \$5,749.00 was left with the board. The request will be considered during the upcoming budget process.

Vision Care Direct

Mike Jones, Sales Director of Vision Care Direct appeared before the board to introduce a vision care plan for employees; the board will review the plan and make a decision at a later date.

Butler County Health Care Center Board of Directors

A vacancy exists on the Board of Directors of the Butler County Health Care Center due to the resignation of Jodi Prochaska. Moved by Janak, seconded by Cidlik to appoint Bev Struebing as a member of the Board of Directors of the Butler County Health Care Center. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Executive Session

Moved by Kozisek, seconded by Slama to go into Executive Session at 11:15 a.m., for the purpose of conducting annual employee evaluations. 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 Birkel, seconded by Janak to come out of Executive Session at 11:45 a.m. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

Moved by Slama, seconded by Cidlik to table the annual employee evaluation for Richard Schneider, Emergency Manager till June 17, 2013 due to a conflict in schedules. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Department of Environmental Quality

Notification was received from the Department of Environmental Quality pertaining to the NPDES General Permit issued to Grass Valley Farms, Inc. Concentrated Animal Feeding Operation.

Discussion

1. Dave Mach discussed with the board possible improvements to the Hain Building located at the Butler County Fairgrounds. It was suggested that he contact the Butler County Ag Society with the suggestions.
2. Max Birkel discussed with the board matters that pertain to the County Surveyor's position.
3. Report from the Road/Bridge committee on a meeting with Mark Holoubek relating to a road matter.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:50 p.m. The next meeting will be on June 17, 2013 at 9:00 a.m.



Butler County Board Minutes



County Clerk

Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

June 17, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 17th day of June, 2013 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 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 meeting room.

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

Bids-Belly Dump Gravel Trailer

Bids for a belly dump gravel trailer were opened and read at 9:00 a.m. Jim Hawk Truck Trailers, Inc. submitted a bid for the gravel trailer. Moved by Slama, seconded by Janak to table the decision on the trailer bid until the July 1, 2013 meeting. 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 Landfill-Discussion of R Road

Representatives from Waste Connections appeared before the board to discuss the maintenance and upkeep of R Road. Included in the discussion was the issue of dust on the road and within the landfill area and the methods being used to control the dust. Also, the expansion of the facility was discussed.

Public Hearing-Amend County Budget

Moved by Cidlik, seconded by Slama to open the public hearing for amending the 2012-2013 Butler County Budget. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

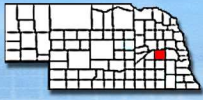
No comments were received during the public hearing.

Moved by Slama, seconded by Krafka to close the public hearing. 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 Cidlik, seconded by Kozisek to amend the 2012-2013 Butler County Budget as shown on the Summary of Proposed Revised Budget. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Bids-Steel

Bids for steel products were opened and read at 9:45 a.m. Bids were received from Midwest Service & Sales Co. for a total cost of \$56,784.57 and Husker Steel for a total cost of \$55,004.00. The Highway Superintendent will review the bids and report back to the board.



Butler County Board Minutes



Bids-Culverts

Bids for culverts received from Midwest Sales and Service Co., Metal Culverts, and Contech were opened and read at 9:50 a.m. Moved by Cidlik, seconded by Kozisek to table a decision till the meeting on July 1, 2013. 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 Equalization (See separate proceedings)

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

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Kevin Slama left the meeting.

Executive Session-Employee Annual Evaluations

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

Kevin Slama returned to the meeting.

Moved by Slama, seconded by Birkel to come out of Executive Session at 11:10 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.

Public Defender Position

Bryan Meismer appeared before the board to discuss the position of Public Defender. Moved by Birkel, seconded by Cidlik to contract with Bryan Meismer for the Public Defender position at the rate of \$57,000.00 per year for the two-year contract. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Motion carried.

Title VI Documentation

The County Board was presented with a copy of the Butler County, Nebraska, Section 504, Rehabilitation Act of 1973, and Americans with Disabilities Act of 1990 Policy Statement and Assurances. Upon review of the policy statement and assurances it was moved by Slama, seconded by Krafka to approve the policy with the stated changes. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Resolution 2013-20 Appointment of Section 504/ADA Compliance Coordinator was presented for the board's consideration. Moved by Krafka, seconded Janak to approve Resolution 2013-20 as presented. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Slama, and Mach. The following voted nay: None. Abstaining: Cidlik. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 – 20

WHEREAS, pursuant to the Policy Statement and Assurances adopted by Butler County pursuant to Section 504, Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990, Butler County must appoint an individual appropriately qualified to act as the Section 504/ADA Compliance Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that Irvin Cidlik is hereby appointed to serve as the Section 504/ADA Compliance Coordinator for Butler County pursuant to the Statement and



Butler County Board Minutes



Assurances adopted by Butler County. Said appointment shall remain in effect until Irvin Cidlik resigns, no longer serves in his elected office, or until a successor appointment is named.

Dated this 17th day of June, 2013.

/s/David W. Mach

David W. Mach, Chairman

Butler County Board of Supervisors

ATTEST:

s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Decision on Bids-Steel

Jim Truksa, Highway Superintendent reviewed the bids that were received from Midwest Service & Sales Co. and Husker Steel and recommended that the board accept the low bid from Husker Steel. Moved by Cidlik, seconded by Kozisek to accept the bid from Husker Steel in the amount of \$55,004.00. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Township Road Maintenance Contracts

Jim Truksa, Highway Superintendent presented Interlocal Agreements for road maintenance done for the County by Bone Creek Township, Center Township, and Linwood Township. The fee paid by the county to the township is \$1,060.00 per mile/per year which has been in place for several years; it was suggested that a 10% increase be made. Moved by Cidlik, seconded by Slama to approve the Interlocal Agreements for the period of July 1, 2013 thru June 30, 2014 with the fee paid by the county to the townships set at \$1,166.00 per mile/per year. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, 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 Kozisek, seconded by Janak to approve the Interlocal Agreements for the period of July 1, 2013 thru June 30, 2014 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.

Appointment of Highway Superintendent for 2013-2014

Moved by Cidlik, seconded by Janak to appoint Jim Truksa as the Butler County Highway Superintendent for the period of July 1, 2013 thru June 30, 2014. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Special Road Fund

Discussion was held regarding the Special Road Fund and the amount of funds to transfer from the Road Fund into the Special Road Fund. It was budgeted to transfer \$100,000.00, but there are sufficient funds in the Road Fund to increase that amount to \$250,000.00. Resolution 2013 – 16 Transfer of Funds from Road Fund to Special Road Fund was presented for the board's approval. Moved by Cidlik, seconded by Janak to approve Resolution 2013 – 16 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. 2013 - 16

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

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



Butler County Board Minutes



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 \$250,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Butler County Board of Supervisors that the Butler County Treasurer be hereby directed to transfer \$250,000.00 from the Road Fund to the Special Road Fund.

Dated this 17th day of June, 2013.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

County Clerk Monthly Fee Report

The County Clerk monthly fee report for the month of May, 2013 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 May, 2013 was accepted and placed on file.

Appointment of Budget Making Authority

Resolution 2013-14 Appointment of Budget Making Authority was presented for the board's approval. Moved by Slama, seconded by Birkel to approve Resolution 2013 – 14 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 14

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 2013-2014 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 17th day of June, 2013.

/s/ David W. Mach

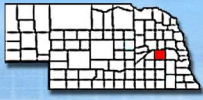
W. Mach, Chairman

David

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk



Butler County Board Minutes



Transfer of Funds from General Fund to Equipment Sinking Fund

Resolution 2013 – 15 Transfer of Funds from the General Fund to the Equipment Sinking Fund was presented for the board's consideration. Moved by Birkel, seconded by Kozisek to approve Resolution 2013 – 15 as presented. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 15

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

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 17th day of June, 2013.

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

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

Transfer of Funds 911 Wireless Service Fund to 911 Wireless Service Holding Fund

Resolution 2013 – 17 was presented for the board's approval. Moved by Slama, seconded by Janak to approve Resolution 2013 – 17 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 17

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 years 2011/2012 and 2012/2013 all funds received were deposited into the 911 Wireless Service Fund,



Butler County Board Minutes



WHEREAS, for the fiscal years 2011/2012 and 2012/2013, Butler County is allowed to set aside funds in the amount of \$17,936.54 for fiscal year 2011/2012 and \$43,259.09 for fiscal year 2012/2013 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 \$61,195.63 from the 911 Wireless Service Fund to the 911 Wireless Service Holding Fund.

Dated this 17th day of June, 2013.

/s/ David W. Mach

David W. Mach, Chairman

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Hold Checks/Road Fund Expenditures & General Fund Expenditures

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".

Resolution 2013 – 18 and 2013 – 19 were presented for the board's approval.

Moved by Kozisek, seconded by Janak to approve Resolution 2013 – 18 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 2013 – 18

WHEREAS, during the Fiscal Year of July 1, 2012, to June 30, 2013, Butler County Board of Supervisors purchased personal property which has not been delivered to Butler County, and

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

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

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

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

Scotwood Industries	\$27,000.00	For magnesium chloride
Husker Steel	\$55,004.00	For bridge & various steel

Dated this 17th day of June, 2013.

/s/ David W. Mach

David W. Mach, Chairman

Butler County Board of Supervisors

ATTEST:

Vicki L. Truksa

Butler County Clerk

Moved by Slama, seconded by Cidlik to approve Resolution 2013 – 19 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.

BOARD OF SUPERVISORS



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BUTLER COUNTY, NEBRASKA RESOLUTION 2013 – 19

WHEREAS, on June 10, 2013, the Butler County Attorney's Office purchased a computer and accessories plus labor to install the equipment from Connecting Point for the cost of \$2,138.96; and

WHEREAS, on May 2, 2013, the Butler County Building and Grounds Department purchased landscaping services from Autumn Blaze Landscaping for the cost of \$4,637.78; and

WHEREAS, the County Attorney and the County Building and Grounds Department have sufficient funds in their budgets to pay for this equipment, installation services and supplies; and

WHEREAS, Connecting Point and Autumn Blaze Landscaping have informed the County Attorney and the County Building and Grounds Department that delivery of the equipment and supplies will not be made for several weeks from the date of the order; and

WHEREAS, the County Attorney and the Building and Grounds Department wishes to pay for the equipment, labor and supplies out of this year's budget; and

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

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors, that the County Clerk be hereby empowered and directed to make a check payable to Connecting Point in the amount of \$2,138.96 and to Autumn Blaze Landscaping in the amount of \$4,637.78 for the payment of equipment, installation and supplies.

Dated this 17th day of June, 2013.

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

ATTEST:

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

Employee Wage Increase for 2013/2014 Fiscal Year

Discussion was held regarding the wage increase for the next fiscal year. Moved by Janak, seconded by Cidlik to allow for a 2 ½ % wage increase for elected and appointed officials. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

It was also discussed by the board that they would like all officials, when preparing their department's budget for the next fiscal year, to keep the increase at 3% or less.

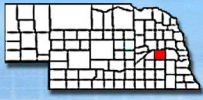
Contingencies for County Aid Grant

Documents pertaining to the County Aid Grant were presented by Julie Reiter, County Attorney for the Chairman to sign. Moved by Kozisek, seconded by Krafka to authorize the Chairman to sign. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Special Designated Liquor License Application

An application for a Special Designated Liquor License was received from Ken Jorgensen (The Max Again, Wayne, Nebraska) for events to be held on June 22, June 23, July 21, and July 22, 2013 at the Butler County Speedway.

Moved by Slama, seconded by Birkel to approve the Special Designated Liquor License request of Ken Jorgensen (The Max Again). 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



Agreement for EPC Services

An agreement for EPC Services between Region V Systems and Butler County was presented for the Board's approval. Moved by Janak, seconded by Cidlik to approve the agreement for EPC Services. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek and Mach. The following voted nay: None. Motion carried.

Jail Medical Services Agreement

Moved by Slama, seconded by Kozisek to table the Jail Medical Services Agreement till the next meeting. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Subgrant Agreement for Child Support Enforcement Services

The Subgrant Agreement for Child Support Enforcement Services between the Department of Health & Human Services and Butler County was presented for the Board's approval and Chairman's signature. Moved by Kozisek, seconded by Janak to approve and authorize the Chairman to sign the document. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Notice for Roadside Mowing

Vicki Truksa, County Clerk informed the board that there will be a notice published in The Banner-Press on June 27, 2013 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.

Claims

Moved by Kozisek, seconded by Janak to approve for payment the claims as presented with the exception of the claim of Taser International change the amount to \$3,712.66, the claim of Bryan Medical Services in the amount of \$1,132.00 is denied, and the addition of the claim of Husker Steel in the amount of \$55,004.00. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Discussion

Items under discussion were:

1. The upcoming changes in duties and responsibilities of the Probation office.
2. Utilization of office space within the Courthouse.

Correspondence

Correspondence was received from:

1. Blue Valley Community Action (meeting agenda, previous meeting minutes, newspaper articles)

There being no further business to come before the Board, the Chairman adjourned the meeting at 1:30 p.m. The next meeting will be on July 1, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

July 1, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1st day of July, 2013 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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

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

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

Decision on Gravel Trailer Bids

Moved by Janak, seconded by Kozisek to table a decision on the belly dump gravel trailer till July 15, 2013. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Decision on Culvert Bids

Moved by Cidlik, seconded by Janak to accept the bid from Contech Engineered Solutions for culverts. Upon roll call vote the following voted aye: Cidlik, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Meeting Room Request

A request was received from Blue Valley Community Action Partnership to use the meeting room. It was the consensus of the board to approve this request.

Budget Report

Vicki Truksa, County Clerk presented the board with a summary report of county expenditures for the fiscal year 2012-2013.

Jail Medical Services Agreement

The County Attorney informed the board that the agreement with Witter Family Medicine for jail medical services was not ready for their approval.

Discuss Title VI Plan

Julie Reiter, County Attorney explained to the board that she has contacted Pam Bourne of Woods & Aitken to continue with the development of the documents that are necessary to fulfill the ADA requirements.

Sub-agreement for Child Support Enforcement

Julie Reiter, County Attorney presented the Sub-agreement for Child Support Enforcement between the State of Nebraska, Department of Health and Human Services and Butler County. Moved by Cidlik, seconded by Janak to approve and authorize the Chairman to sign the Sub-agreement for Child Support Enforcement. Upon roll call vote the following voted



Butler County Board Minutes



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

Discussion/Decision on Levy Allocation to Political Subdivisions

Discussion was held on the levy allocation by the county board. The county may allocate up to fifteen cents of its levy authority to the political subdivisions that do not have levying authority. It was agreed by the board members that the allocation will remain as it has been in past years (an allocation of ten cents to the townships, four cents to the fire districts, and one cent to the agricultural society).

Agreement for Rural Transit

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

Bids/HVAC at Region V Building

At 9:30 a.m. bids for the replacement of HVAC units at the Region V Building were opened. One bid was received from Lee's Refrigeration of Seward, Nebraska in the amount of \$26,370.00. Moved by Janak, seconded by Kozisek to accept the bid from Lee's Refrigeration to install HVAC units at the Region V Building. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama and Birkel. Motion carried.

Discussion followed that funds for this expenditure will come from the Inheritance Tax Fund.

Quarterly Jail Inspection

The board conducted the quarterly jail inspection from 9:30 a.m. – 9:45 a.m.

Aging Partners/Senior Services Program

June Pederson and Denise Boyd of Aging Partners, and Linda Vandenberg, Director of the Senior Services Program appeared before the board to present the 2013 Annual County Board Report for Butler County. This report showed the services that are provided to older adults in the county. The fiscal year 2014 funding request for Aging Partners was also presented as part of the report.

Board of Equalization (See separate proceedings)

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

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Regional Prevention Coordination

Sandy Morrissey, Director of the Regional Prevention Coordination appeared before the board to share information regarding funding and the development of the prevention system within Region V. She announced that Butler Believes in Youth and Community is the recipient of a Prevention Federal Block Grant in the amount of \$6,909.00 for contract period of July 1, 2013 – June 30, 2014.

Discuss Parking Issue on 45 ½ Road

Ernest Nekuda and John Anderson appeared before the board to discuss parking issues on 45 ½ Road, between T Road and U Road. The two individuals have witnessed vehicles being parked on the road, which they stressed to be a safety concern for individuals that travel on that road. Other concerns raised were littering in the area and trespassing on private property. Mary Sohl, whose business District 10, is located on this road was present. She informed the board that the concerns voiced by these individuals had not been brought to her attention prior to this meeting.



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Julie Reiter, County Attorney stated that there are no land use regulations in place in Butler County, thus the County Board has no control over the location of businesses within the county. She informed those present that these issues raised are legal issues and recommended that the Sheriff's office be contacted.

Correspondence

No correspondence was received for the board.

Discussion

Greg Janak informed the board that he had been contacted by Brian Foral, who voiced concerns he had surrounding the appointment of the County Surveyor.

The County Attorney reiterated the guidelines that she relayed to the committee prior to the interviewing process for the County Surveyor.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:05 a.m. The next meeting will be on July 15, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

July 15, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 15th day of July, 2013 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 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 meeting room.

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

Decision on Gravel Trailer Bids

Bids for a belly-dump gravel trailer were received at the June 17, 2013 board meeting and a decision at that time was tabled. Moved by Janak, seconded by Slama to approve the purchase of the trailer with the addition of a tarp cover from Jim Hawk Truck Trailers, Inc. for \$45,625.00. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Slama, Krafka, Kozisek, and Mach. The following voted nay: None. Motion carried.

Discussion was held regarding the work being done on the Prague Road and A Street east. Also, discussion was held regarding the condition of R Road.

Benefit Management/Employee Benefits

Dustin Will and Daniel Duren of Benefit Management made a presentation to the board on group dental insurance that would be an employee benefit. The board indicated that they would readdress this issue after the first of the year.

Executive Session

Moved by Cidlik, seconded by Kozisek to go into Executive Session to discuss a personnel matter at 9:30 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 Slama, seconded by Janak to come out of Executive Session at 9:40 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.

Senior Services Program Purchases

Linda Vandenberg appeared before the board to discuss the purchase of security cameras for the Senior Center building. An estimate will be obtained from Sentrixx (the company that installed cameras in the Courthouse), and addressed at a future meeting.

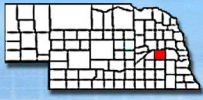
She also informed the board that she would like to purchase a portable salad bar unit, and will be obtaining a price quote.

The financial reports of the Butler County Senior Services Program were made available to all members of the board.

Financial Reports

The following reports were presented, accepted and placed on file:

1. Quarterly General Assistance Report



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2. General Assistance Fiscal Year Totals Comparison Report
3. Annual Soldier & Sailor Financial Report (Veterans Aid Fund)
4. Clerk of the District Court Fee Report for June
5. County Clerk Fee Report for June
6. County Treasurer's Statement

Reappoint Butler County Veterans Service Committee Board Member

Moved by Cidlik, seconded by Slama to reappoint Donald J. Prochaska to the Butler County Veterans Service Committee for a 5 year term beginning on July 1, 2013. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Preliminary Fiscal Year 2013-2014 Budget Request Report

Vicki Truksa, County Clerk presented a preliminary FY2013-2014 budget request report to the board. The budget committee will meet on July 22, 2013 for additional review of the budget requests from the various offices.

Diversion Program

Julie Reiter, County Attorney presented information to the board about the Butler County Diversion Program. The diversion program consists of three separate areas: Juvenile Diversion, Domestic Abuse Diversion and Felony Drug Diversion. The grant award for the Juvenile Diversion program is \$7,324.00 for FY 2013-2014. The County Attorney proposed that the county join in an Interlocal Agreement with Seward County for the Diversion Program. An Interlocal Agreement will be presented at a future meeting for the board's consideration.

Max Birkel left the meeting.

Sub-Grant Award/Butler County Juvenile Services

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

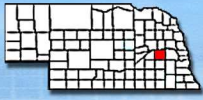
Claims

Moved by Slama, seconded by Kozisek to approve for payment the claims as presented with the exception of the claim submitted by Bryan Medical Center in the amount of \$5,994.00 which payment is denied. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Cidlik, and Mach. The following voted nay: None. Absent: Birkel. Motion carried.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:20 a.m. The next meeting will be on August 5, 2013 at 9:00 a.m.

Vicki L. Truksa , County Clerk

David W. Mach, Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

August 5, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 5th day of August, 2013 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

Present were the following: Tony Krafka, Max Birkel, William J. Kozisek, Gregory A. Janak, and Irvin Cidlik. Absent: David W. Mach and 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 Vice-Chairman called the meeting to order, and announced that a complete copy of the Open Meetings Act is posted on the wall in the meeting room.

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

Agreement with Nebraska Department of Roads

An agreement between Butler County and the Nebraska Department of Roads for underwater bridge inspection of the bridge at Surprise was presented for the board's approval. Resolution No. 2013-21 Signing of the Project Program Agreement for 2013 Underwater Bridge Inspection was also presented for the board's approval. Moved by Krafka, seconded by Birkel to approve the agreement and resolution. Upon roll call vote the following voted aye: Krafka, Birkel, Janak, Kozisek, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

RESOLUTION NO. 2013 - 21 SIGNING OF THE PROJECT PROGRAM AGREEMENT FOR 2013 UNDERWATER BRIDGE INSPECTION

Whereas: 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 law, rules, regulation, policies and guidelines applicable to the funding of the Federal-aid project;

Whereas: Butler County and NDOR wish to enter into a Program Agreement to provide for underwater bridge inspection services for the Federal-aid project.

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

Irvin Cidlik, Vice-Chair of the Butler County Board of Supervisors is hereby authorized to sign the attached Program Agreement between Butler County and the NDOR.

NDOR Project Number: NBIS(101)

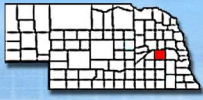
NDOR Control Number: 00895

NDOR Project Name: Statewide Underwater Bridge Inspection

Adopted this 5th day of August, 2013 at David City, Nebraska

The Board of Supervisors of Butler County
/s/ Irvin Cidlik

/s/ Max Birkel



Butler County Board Minutes



/s/ William J. Kozisek

/s/ Tony Krafka

/s/ Gregory A. Janak

Board/Council Member Tony Krafka
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

Butler County Clerk

Consideration of Windstream Utility Permits

The following two Windstream Utility Permit requests were submitted for the board's approval:

1. Replace section of temporary cable laying on the ground between Road 34 and 35 on U Road
2. Brainard replace drop U Road

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

The third request was on private property which does not need board approval.

Township Official Bond

The Official Bond and Oath for Jim Rerucha, Skull Creek Township Clerk was presented for the board's approval. Moved by Kozisek, seconded by Janak to approve the bond as presented. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Krafka, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

Nebraska Department of Environmental Quality Notifications

Notification has been received that the Nebraska Department of Environmental Quality has issued Construction and Operating Permit for the following:

1. Hough Nursery Concentrated Animal Feeding Operation (NE ¼, Section 23, Township 16N, Range 02E)
2. Danbred Performance Research Center Concentrated Animal Feeding Operation (SW ¼, Section 11, Township 16N, Range 01E)

Special Designated Liquor License

A Special Designated Liquor License approval has been requested by St. Joseph's Parish for an event to be held on September 7, 2013. Moved by Krafka, seconded by Birkel to approve the Special Designated Liquor License request of St. Joseph's Parish. Upon roll call vote the following voted aye: Krafka, Birkel, Janak, Kozisek, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

Interlocal Agreement for Diversion/Truancy Services

An Interlocal Agreement between Butler County and Seward County for Diversion/Truancy Services was presented for the board's approval. Moved by Kozisek, seconded by Janak to approve the Interlocal Agreement as presented. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Krafka, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

Agreement for Jail Medical Services

The Agreement for Jail Medical Services between Butler County and Witter Family Medicine was presented for the board's approval. Moved by Birkel, seconded by Krafka to approve the agreement as presented. Upon roll call vote the following voted aye: Birkel, Krafka, Kozisek, Janak, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

County Surveyor Software & Equipment

Karen Brightenburg, County Surveyor appeared before the board to explain repairs that need to be completed on the county surveying equipment and new items that she would like purchase, the estimated cost is \$1,000.00, which she has



Butler County Board Minutes



included in the budget. She also explained to the board that she would like to purchase a surveying software program that she has been working with on a trial basis. The cost related to this new software is \$1,595.00, and will be included as an expenditure in the Data Processing budget.

Airport Zoning Act/Preparation of Airport Zoning Plan

Julie Reiter, County Attorney and Keith Marvin relayed information to the board members regarding the passage of LB 140 by the State Legislature that requires every political subdivision that has an airport hazard area within its boundaries to adopt airport zoning regulations. More information will be gathered and relayed back to the board at future meetings.

Detention Center Quarterly Report

The Detention Center quarterly report for the period of 4/1/13 – 6/30/13 was accepted and placed on file.

Vehicle Purchases

Information was provided to the board members on vehicles that could be purchased utilizing the State Bids.

Moved by Birkel, seconded by Krafka to approve the purchase of a 2013 Dodge Charger from Gene Steffy for \$24,601.00 and a 2013 Chevrolet Impala from Husker Auto Group for \$22,997.00 for the Sheriff's Department. Upon roll call vote the following voted aye: Birkel, Krafka, Kozisek, Janak, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

Moved by Janak, seconded by Krafka to approve the purchase of a 2013 Chevrolet Silverado 1500 Pickup from Husker Auto Group for \$25,682.00 for the Emergency Management Department. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Birkel, and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

County Sheriff/Distress Warrants & Quarterly Reports

Mark Hecker, County Sheriff presented the board the listing of 2012-2013 Distress Warrants, which shows the amount that has been collected and the remaining four distress warrants that are outstanding.

The report was accepted and placed on file.

The Sheriff presented the quarterly report for the period of 4/1/13 – 6/30/13 from the Sheriff's department. The report was accepted and placed on file.

County Treasurer/Distress Warrants & Striking Taxes

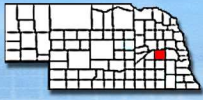
Karey Adamy, County Treasurer presented the 2012 Distress Warrant Register, which shows the amount that has been collected and the remaining outstanding balance.

The County Treasurer requested that the 2008 taxes be struck on Parcel #000018654, one of the outstanding distress warrants. All of the statutory requirements have been met that pertain to striking of taxes. Moved by Kozisek, seconded by Krafka to strike the 2008 taxes on parcel #000018654. Upon roll call vote the following voted aye: Kozisek, Krafka, Birkel, Janak and Cidlik. The following voted nay: None. Absent: Mach and Slama. Motion carried.

There being no further business to come before the Board, the Vice-Chairman adjourned the meeting at 10:30 a.m. The next meeting will be on August 19, 2013 at 9:00 a.m.

Vicki L. Truksa, County Clerk

David W. Mach, Chairman



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BOARD PROCEEDINGS

August 19, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 19th day of August, 2013 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 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 meeting room.

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

Consideration of Utility Permit Request

Windstream Nebraska, Inc. requests permission to replace cable on Road W & 41. Moved by Cidlik, seconded by Slama to approve the Windstream Nebraska, Inc. request. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Renewal of Gravel Pit Lease

The Lease Agreement between Roger and Cindy K. Nickolite and Butler County, which allows the county to operate a gravel quarry and pit was presented for the board's consideration. Moved by Janak, seconded by Kozisek to approve the lease agreement 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.

Olive Township-Future of Road Maintenance

The Olive Township board was present to discuss the future of road maintenance in Olive Township. The township board presented an analysis of county charges per contracting township, for the board to review. Currently road maintenance is provided by the county per an Interlocal Agreement.

Board of Equalization (See separate proceedings)

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

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Appointment of Extension Board Member

Michael Rethwisch, Extension Educator presented Resolution 2013 - 23 Appointment of Butler County Extension Board member. Moved by Krafka, seconded by Cidlik to approve Resolution 2013 - 23 as presented. Upon roll call vote the following voted aye: Krafka, Slama, Cidlik, Birkel, Janak, Kozisek, and Mach. The following voted nay: None. Motion carried.



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

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

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

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

WHEREAS, Roger Nieveen has applied and been recommended to fill the vacancy existing since January 2012 on the Butler County Extension board to represent the Savannah-Alexis District

THEREFORE BE IT RESOLVED, The Butler County Board of Supervisors appoints Roger Nieveen to the Butler County Extension Board for the completion of the three year term, beginning September, 2013.

Given under my hand on this, the 19th day of August, 2013, David City, Nebraska.

Attest:

/s/ Vicki L. Truksa
Butler County Clerk

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

Influenza Vaccinations for County Employees

Four Corners District Health will again be offering their services to administer influenza vaccinations to county employees. Moved by Kozisek, seconded by Krafka to approve payment for the influenza vaccination for county employees who chose to participate. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Detention Center Reports

Michael Applegate, Detention Center Administrator presented year-end reports to the board. The board accepted the reports and placed them on file.

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

Butler County Senior Services

Linda Vandenberg appeared before the board to discuss updates that need to be done to the building as a result of the ADA compliance survey that was completed. The board instructed her to obtain an estimate of the cost for the work that needs to be completed.

She reported that the meat slicer and lap top computer need to be replaced, and will be checking on prices of the new equipment. Also, the new salad bar has been delivered, but not used yet.

Discussion was held regarding the installation of security cameras on the north and east doors of the building. An estimate was received from Sentrixx (the company that installed the security system in the Courthouse). The installation of security cameras will be considered at a later date.

Clerk of the District Court Fee Report

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

County Clerk Fee Report

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



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Drug Law Enforcement and Education Fund

Julie Reiter, County Attorney relayed information to the board about the Drug Law Enforcement and Education Fund. This fund was originally established in Butler County in 1988, as per federal law. There will be a need to include this fund (for revenue and expenditures) in the 2013-2014 Budget Document.

Setting of Preliminary Levy Allocation for Townships, Fire Districts & Ag Society

Resolution 2013 – 22 Setting of Preliminary Levy Allocation for Townships, Fire Districts and Ag Society was presented for the board's consideration. Moved by Cidlik, seconded by Janak to approve Resolution 2013 – 22 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. 2013 – 22

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, 2013. Requests from such subdivisions are as follows:

<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$225,000.00
Read Township	\$140,000.00
Ulysses Township	\$ 94,000.00
Ulysses Library	<u>\$ 16,000.00</u>
Total	\$110,000.00
Plum Creek Township	\$113,000.00
Richardson Township	\$ 95,000.00
Reading Township	\$130,000.00
Union Township	\$108,127.00
Center Township	\$100,000.00
Oak Creek Township	\$100,000.00
Summit Township	\$110,000.00



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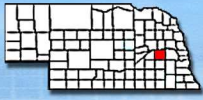


Olive Township	\$202,000.00
Franklin Township	\$109,000.00
Skull Creek Township	\$ 91,000.00
Alexis Township	\$ 95,000.00
Savannah Township	\$ 95,000.00
Bone Creek Township	\$101,000.00
Linwood Township	\$ 68,215.00
Platte Township	\$ 28,405.00
Ulysses Fire District #2	\$ 73,000.00
Rising City Fire Dist. #3	\$142,000.00
Bellwood Fire Dist. #5	\$100,000.00
Dwight Fire Dist. #6	\$ 18,363.00
Sinking	\$ 28,529.23
Bond	<u>\$ 15,965.55</u>
Total	\$ 62,857.78
Bruno Fire Dist. #7	\$ 57,000.00
Linwood Fire Dist. #8	\$ 51,000.00
David City Fire Dist. #9	\$230,000.00
Brainard Fire Dist. #10	\$ 54,000.00
Abie Fire Dist. #11	\$ 22,000.00

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



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Dated this 19th day of August, 2013.

Voting Aye:

/s/ David W. Mach

/s/ William J. Kozisek

/s/ Gregory A. Janak

/s/ Max Birkel

/s/ Irvin Cidlik

/s/ Kevin Slama

/s/ Tony Krafka

Voting Nay: None

Attest:

/s/ Vicki L. Truksa

County Clerk

Approval of 1% Additional Increase to Base of Restricted Funds

Moved by Slama, seconded by Janak 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: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, 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 Krafka to set the date and time of the budget hearing for September 16, 2013 at 10:00 a.m., and the hearing to set the final tax request for September 16, 2013 at 10:15 a.m. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Claims

Moved by Slama, seconded by Kozisek to approve for payment the claims as presented with the exception of the claim submitted by Woods & Aitken in the amount of \$3,641.90, an updated statement was received showing a balance due of \$3,369.19, which is the approved amount to pay. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

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 and inspected by the office liaisons. 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

Discussion

The Budget Committee gave a report to the board.

Correspondence



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Correspondence was received from:

1. NACO/NPZA, announcing the Joint Workshop on LB140 Airport Zoning Bill
2. NACO, announcing the Fall Meeting of the Southeast District County Officials
3. Blue Valley Community Action Partnership
4. Northeast Nebraska Economic Development

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 Tuesday, September 3, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

September 3, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 3rd day of September, 2013 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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 meeting room.

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

Consideration of Utility Permit Request

Windstream Nebraska, Inc. requests permission to replace damaged cable-Road X (southeast of Bruno). Moved by Cidlik, seconded by Slama to approve the Windstream Nebraska, Inc. request as presented. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Birkel, and Mach. The following voted nay: None. Absent: Janak. Motion carried.

Stop Sign Request-38 Road & R Road

A request for the placement of a stop sign at the intersection of 38 Road and R Road, for north bound traffic was received by the board at the December 17, 2012 meeting. An engineering study was to be completed to determine the necessity of the sign. The results of that study were relayed to the board by the Highway Superintendent. It was recommended that a four-way stop be implemented at that intersection. Moved by Birkel, seconded by Krafka to place stop signs and stop ahead signs as recommended. Upon roll call vote the following voted aye: Birkel, Kozisek, Krafka, Slama, Cidlik, and Mach. The following voted nay: None. Absent: Janak. Motion carried.

Correspondence

Correspondence was received from NIRMA announcing their annual membership meeting, and election of board members.

Discussion

Kevin Slama informed the board that he has been in contact with representatives from the Butler County Health Care Center inquiring about a reduced rate for county employees wishing to join the wellness center. He will report back to the board with any decision.

Irvin Cidlik and Max Birkel, Budget Committee members, reported to the board on the status of the fiscal year 2013-2014 county budget. The public hearing will be held during the next board meeting. The total county levy will be 0.189665. The county levy for 2012-2013 was 0.206342.

EMPG

Rick Schneider, Emergency Manager informed the board that the 2013 Emergency Management Performance Grant award amount for the fiscal year July 1, 2013 through June 30, 2014 is \$31,144.00.



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

Interlocal Agreement

An Interlocal Agreement creating the East Central 911 Region has been put on hold. Colfax County, which was one of the eight agencies comprising the East Central 911 Region has voted not to be included at this time. The remaining agencies are in contact with Madison County to see if they would be interested in being a part of this agreement.

Discussion of Airport Zoning Act/Request to certify No Zoning

Julie Reiter, County Attorney informed the board that she has received a request to certify that Butler County has no zoning regulations. The request came from the law firm that represents a company wanting to install MET (meteorological) towers in Butler County. In light of the Airport Zoning Act going into effect on September 6, 2013 she has asked that the law firm submit additional information as to the locations of these proposed towers before taking any action on their request.

Board of Equalization (See separate proceedings)

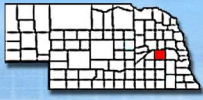
Moved by Cidlik, seconded by Birkel to go into Board of Equalization at 9:40 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Absent: Janak. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:00 a.m. The next meeting will be on Monday, September 16, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

September 16, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of September, 2013 at the Butler County Courthouse in David City, Nebraska at 9:00 a.m.

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

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

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

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

Consideration of Utility Permit Request

The utility permit request from Windstream Nebraska, Inc. was not received in time for the meeting.

Set Date for Surplus Sale

Moved by Slama, seconded by Janak to set the date of October 29, 2013 at 10:00 a.m. for the County Surplus Sale. Upon roll call vote the following voted aye: Slama, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Discussion on Graveling Dirt Road

A request for gravel on a mile of dirt road (33 Road, between I Road and J Road) has been received by the Road Department. After discussion, the Highway Superintendent was instructed to contact the Union Township Board to have them make a formal request to the County Board for this.

Correspondence

Correspondence was received from the Village Board of Trustees of Ulysses pertaining to the installation of stop signs on both sides of the railroad track that crosses between 3rd Street and 4th Street.

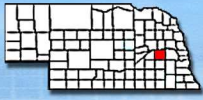
Quarterly Report

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

Approval of Interlocal Agreement

An Interlocal Agreement entitled East Central Region 911 Emergency Communications Equipment Sharing Agreement was presented for the board's consideration. The purpose of this interlocal agreement is to share E911 customer premise equipment (CPE) with other entities. Moved by Cidlik, seconded by Janak to approve the Interlocal Agreement and authorize the Chairman to sign the document on behalf of the county. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

Rick Schneider, E911 Coordinator informed the board that with the installation of the new E911 equipment, the CAD (Computer Aided Dispatch) system will need to be updated. He has obtained a quote from Sleuth Systems in the amount of \$25,744.50. Sleuth Systems is the only provider that has a system compatible with the current Records Management System that is use by the Sheriff's Office. Moved by Birkel, seconded by Kozisek to approve the purchase from Sleuth



Butler County Board Minutes



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

Clerk of the District Court Fee Report

The fee report for the month of August, 2013 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of August, 2013 was accepted and placed on file.

2013-2014 County Budget Hearing

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

One individual was present at the budget hearing, but no comment.

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

Resolution 2013 – 24 Adoption of County Budget

Moved by Janak, seconded by Slama to approve the 2013-2014 County Budget and approve Resolution 2013 – 24. Upon roll call vote the following voted aye: Janak, Kozisek, Slama, Cidlik, Birkel, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 24

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2013 to June 30, 2014, prepared by the Budget Making Authority, was transmitted to the County Board on the 15th day of July, 2013

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, 2013 to June 30, 2014, 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, 2013, and ending June 30, 2014.

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 16th day of September, 2013.

/s/ David W. Mach

/s/ Max Birkel

/s/ William J. Kozisek

/s/ Irvin Cidlik

/s/ Gregory A. Janak

/s/ Kevin Slama



Butler County Board Minutes



ATTEST:

/s/ Vicki L. Truksa
County Clerk

Special Hearing – Final Tax Request/Resolution 2013 – 25

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

One individual was present at the special hearing, no comment.

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

Moved by Kozisek, seconded by Janak to approve Resolution 2013 – 25 Setting of Tax Request. Upon roll call vote the following voted aye: Kozisek, Janak, Birkel, Cidlik, Slama, and Mach. The following voted nay: None. Absent: Krafka. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 25

WHEREAS, pursuant to Nebraska Revised Statute 77-1601.02 the Butler County Board of Supervisors held a hearing on September 16, 2013 at 10:15 a.m. in regard to setting the 2013-2014 final tax request at a different amount than the prior year's 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:

2012-2013 Property Tax Request	\$3,184,678.08, and
2012 Tax Rate	0.206342, and
Property Tax Rate	
(2012-2013 Request/2013 Valuation)	0.174660, and
2013-2014 Proposed Property Tax Request	\$3,458,257.68, and
Proposed 2013 Tax Rate	0.189665, and

WHEREAS, 1 individual was present/no comment on the proposed modification of said tax request at said hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Butler County Board of Supervisors hereby approve the tax request of \$3,458,257.68 for the 2013-2014 fiscal year.

Dated this 16th day of September, 2013.

/s/David W. Mach
Chairman

ATTEST:

/s/ Vicki L. Truksa
County Clerk

Claims



Butler County Board Minutes



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

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:40 a.m. The next meeting will be on Monday, October 7, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

October 7, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 7th day of October, 2013 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 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 meeting room.

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

Consideration of Utility Permit Request

Windstream Nebraska, Inc. is requesting permission to place communication facilities to provide new service to 3891 JK Road. Moved by Kozisek, seconded by Birkel to approve the request 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.

Consideration of Utility Permit Request

Utility permit applications were received from Brian Jakub to install a culvert between Sections 27 and 34, Township 15 North, Range 4 East and between Sections 22 and 27, Township 15 North, Range 4 East. Moved by Cidlik, seconded by Janak to approve the utility permit applications as presented, pending approval by the township. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Approval of NBCS Forms

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

Township Road Maintenance Contracts

Discussion was held regarding future township road maintenance contracts.

Board of Equalization (see separate agenda)

Moved by Kozisek, seconded by Slama to go into Board of Equalization at 9:40 a.m. Upon roll call vote the following voted aye: Kozisek, Krafka, Slama, Cidlik, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

Following the Board of Equalization meeting the Chairman reconvened the Board of Supervisors meeting.

Quarterly Jail Inspection

The board conducted the quarterly jail inspection from 10:05 a.m. – 10:15 a.m.

ADA Compliance/Review of Progress

A review of the progress made to update county facilities to be ADA compliant was conducted. During the budget process for the 2013-2014 fiscal year, the budget committee discussed the funding that will be needed to complete the updates.



Butler County Board Minutes



Updates that are needed in the Senior Center building will be paid for from the Senior Services Savings Fund; and the updates that are needed in the Courthouse building will be funded through the General Fund or the Inheritance Tax Fund.

The Braille signs to mark each door in the buildings have been purchased and will be installed as soon as possible.

Quarterly Budget Report

Vicki Truksa, County Clerk presented the Summary Report of Expenditures for the period of July 1, 2013 through September 30, 2013. The report was accepted and placed on file.

Quarterly General Assistance Report

The quarterly report of General Assistance for the period of July 1, 2013 through September 30, 2013 was presented. The board accepted the report and placed it on file.

Disposal of Surplus Property

Garlyn Beeman appeared before the board to discuss the disposal of surplus computer equipment. She conducted an informal survey of all the offices in the courthouse to obtain information on the number of pieces of computer equipment that are surplus (outdated or not working). She shared the results of the survey with the board, and also, information that she obtained on the Dell Reconnect program. Dell partners with Goodwill Industries to recycle computers and accessories.

All surplus county property, by statute, must be offered for sale at public auction. The county surplus sale is scheduled for October 29, 2013, at which time all the equipment will be offered for sale. The hard drives will be cleared of all information prior to the sale, and any remaining equipment after the sale will be donated to the recycling program.

Grant Award for Victim Assistance Program

Julie Reiter, County Attorney informed the board that the Victims Assistance grant award documents had been received. The county will be receiving \$25,082.00 for the program. Moved by Slama, seconded by Krafka to authorize the Chairman to sign the grant award document. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Discussion

Information was relayed to the board that County Government Day has been scheduled for November 20, 2013.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:55 a.m. The next meeting will be on Monday, October 21, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes





Butler County Board Minutes



NOTICE OF MEETING BUTLER COUNTY BOARD OF SUPERVISORS

Notice is hereby given that a meeting of the Board of Supervisors for the County of Butler, State of Nebraska, will be held at 9:00 a.m., on October 21, 2013 at the Butler County Courthouse, David City, Nebraska, which meeting will be open to the public. An agenda, for such meeting, kept continuously current, is available for public inspection at the County Clerk's office, but the agenda may be modified at such meeting.

/s/ Vicki L. Truksa

Vicki L. Truksa, Butler County Clerk

TENTATIVE AGENDA

ITEMS TO BE ADDRESSED AS TIME ALLOWS

- Clerk of District Court monthly fee report
 - County Clerk monthly fee report
 - Authorize Chairman to sign the Certification of Cost Allocation/Maximus
 - Resignation from Butler County Senior Services Advisory Board (Jan Rudolph)
 - Claims
 - Discussion
 - Correspondence
-

Roll Call & Acknowledgment of Receipt of Notice
Open Meeting Law Announcement
Minutes of previous meeting(s), approval &/or corrections

9:00 a.m. Linda Vandenberg, Senior Services
 -Window blinds
 -Information on ADA Compliance findings

9:15 a.m. Application for Addition to Liquor License/District 10

9:30 a.m. Allocation of vacant office space



Butler County Board Minutes



BOARD PROCEEDINGS

November 4, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of November, 2013 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 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 meeting room.

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

Surplus Sale Results

Jim Truksa, Highway Superintendent gave a report on the County Surplus Auction that was held on October 29, 2013.

Rededicate Road S (Section 31 T16N R4E)

Karen Brightenburg, County Surveyor presented information on the rededication of Road S in Section 31 T16N R4E. Moved by Cidlik, seconded by Krafka to rededicate Road S as per the legal description presented by the County Surveyor. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Office Space

Discussion was held regarding the available office space at the south end of the Courthouse. Additional office space is being requested for the County Attorney's office, and if the current probation office is relocated, that space would be allocated to the County Attorney. Shane Stutzman and Julie Smith representing the Probation Office were present to discuss the possible relocation of the office that is currently designated for probation. Moved by Slama, seconded by Janak to relocate the Probation Office to the south end of the Courthouse. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Senior Services/Rural Transit Quarterly Report

Linda Vandenberg, Program Director presented the quarterly reports for the Senior Services Program and Rural Transit Program; the reports were accepted and placed on file.

Cell Phone Usage

Julie Reiter, County Attorney reminded the board members that any cell phone use during a public meeting is subject to the open meetings act rules and regulations.

Special Designated Liquor License

An application for a Special Designated Liquor License was received from James Arthur Vineyards for an event to be held at Jisa's Farmstead Cheese on December 14, 2013. Moved by Cidlik, seconded by Slama to approve the Special Designated Liquor License request from James Arthur Vineyards. 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



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

Max Birkel was excused from the meeting at 10:20 a.m.

Distress Warrants

Karey Adamy, County Treasurer presented the listing of Distress Warrants as of November 1, 2013; these have been turned over to the County Sheriff for collection.

Correspondence

Correspondence was received from the Nebraska Association of County Officials:

1. NACO Audit Report
2. Election Procedures for Election of NACO Officers at December Conference

The Chairman recessed the meeting for members to travel to the Keystone Pipeline Pump Station.

Tour of Keystone Pipeline Pump Station

The Chairman reconvened the meeting at 10:45 to tour the Keystone Pipeline Pump Station.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:20 p.m. The next meeting will be on Monday, November 18, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

November 4, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 4th day of November, 2013 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 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 meeting room.

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

Surplus Sale Results

Jim Truksa, Highway Superintendent gave a report on the County Surplus Auction that was held on October 29, 2013.

Rededicate Road S (Section 31 T16N R4E)

Karen Brightenburg, County Surveyor presented information on the rededication of Road S in Section 31 T16N R4E. Moved by Cidlik, seconded by Krafka to rededicate Road S as per the legal description presented by the County Surveyor. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Office Space

Discussion was held regarding the available office space at the south end of the Courthouse. Additional office space is being requested for the County Attorney's office, and if the current probation office is relocated, that space would be allocated to the County Attorney. Shane Stutzman and Julie Smith representing the Probation Office were present to discuss the possible relocation of the office that is currently designated for probation. Moved by Slama, seconded by Janak to relocate the Probation Office to the south end of the Courthouse. Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Senior Services/Rural Transit Quarterly Report

Linda Vandenberg, Program Director presented the quarterly reports for the Senior Services Program and Rural Transit Program; the reports were accepted and placed on file.

Cell Phone Usage

Julie Reiter, County Attorney reminded the board members that any cell phone use during a public meeting is subject to the open meetings act rules and regulations.

Special Designated Liquor License

An application for a Special Designated Liquor License was received from James Arthur Vineyards for an event to be held at Jisa's Farmstead Cheese on December 14, 2013. Moved by Cidlik, seconded by Slama to approve the Special Designated Liquor License request from James Arthur Vineyards. 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



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

Max Birkel was excused from the meeting at 10:20 a.m.

Distress Warrants

Karey Adamy, County Treasurer presented the listing of Distress Warrants as of November 1, 2013; these have been turned over to the County Sheriff for collection.

Correspondence

Correspondence was received from the Nebraska Association of County Officials:

1. NACO Audit Report
2. Election Procedures for Election of NACO Officers at December Conference

The Chairman recessed the meeting for members to travel to the Keystone Pipeline Pump Station.

Tour of Keystone Pipeline Pump Station

The Chairman reconvened the meeting at 10:45 to tour the Keystone Pipeline Pump Station.

There being no further business to come before the Board, the Chairman adjourned the meeting at 12:20 p.m. The next meeting will be on Monday, November 18, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

November 18, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 18th day of November, 2013 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 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 meeting room.

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

The County Clerk informed the board that a correction needs to be made to the Board Proceedings from the May 6, 2013 and May 20, 2013 meetings. The board proceedings stated that the complete copy of the Open Meetings Act is posted in the Courtroom. The proceedings should state that a complete copy of the Open Meetings Act is posted on the wall in the meeting room.

Moved by Cidlik, seconded by Slama to correct the May 6, 2013 and May 20, 2013 Board Proceedings to read that a complete copy of the Open Meetings Act is posted on the wall in the meeting room. Upon roll call vote the following voted aye: Cidlik, Slama, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Discussion

Discussion was held with Jim Truksa, Highway Superintendent pertaining to the condition of R Road past the Butler County Landfill. Discussed also, were the results from the traffic counters that were placed on R Road. The highway superintendent will report back to the board with the result numbers.

Clerk of District Court Fee Report

The fee report for the month of October, 2013 from the Clerk of District Court was accepted and placed on file.

County Clerk Fee Report

The County Clerk's fee report for the month of October, 2013 was accepted and placed on file.

Approval of Township Official Bond

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

Employee Appreciation

Moved by Birkel, seconded by Slama to allow for each employee to receive a \$25.00 Butler County Chamber of Commerce/Chamber Bucks certificate in lieu of an employee appreciation or recognition dinner. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Motion carried.



Butler County Board Minutes



Senior Services-Operational Issues

Ethel Reha, Chairperson of the Butler County Senior Services Advisory Board appeared before the board to discuss several issues of concern.

The first issue discussed was the rental charge for use of the Senior Services facility. In years past there were organizations that were allowed to use the facility rent free.

Jackie Mahlin, spoke to the board on behalf of all veterans and their families, reiterating the sacrifices that were made by those individuals that were in the military and their families. She requested that the board consider continuing the policy of not charging rent to use the Senior Services facility for functions relating to the veterans.

Moved by Birkel, seconded by Cidlik that all veteran organizations are exempt from paying rent to use the Senior Services facility and that the activity is to be scheduled with the director of the Senior Services. Upon roll call vote the following voted aye: Birkel, Cidlik, Slama, Krafka, Kozisek, Janak, and Mach. The following voted nay: None. Motion carried.

The second issue that was discussed was the sale of a table at the County Surplus Auction. It was suggested by the Board of Supervisors that the Butler County Senior Services Advisory Board develop policies regarding issues that need to be brought before the Advisory Board for a decision.

Concern was also voiced about employee's children and or grandchildren being at the Senior Services facility during working hours. Again it was voiced that this issue needs to be addressed by the Advisory Board with the Director.

The last issue was relating to the question of what exactly are the duties of the advisory board. The County Attorney reviewed for all, the duties of the Butler County Senior Services Advisory Board that are stated in the by-laws that were adopted.

The Chairman called for a recess at 10:20 a.m., and reconvened the meeting at 10:25 a.m.

Child Support Enforcement Performance

Julie Reiter, County Attorney relayed information that was made available after conclusion of the federal audit. The results showed that the Butler County office of Child Support Enforcement exceeds all federal requirements or guidelines and is above all the state averages in the four areas of Child Support Enforcement.

DEQ Notification

Notification was received from the State of Nebraska, Department of Environmental Quality pertaining to the Modified Phased Construction and Operating Permit Issued relating to Danbred Production, LLC Concentrated Animal Feeding Operation in the SW ¼, Section 11, Township 16N, Range 1E.

Claims

Moved by Slama, seconded by Kozisek to approve for payment the claims as presented, with the exception of the claim from Region V Systems (Institution Fund) in the amount of \$372.00 which is tabled for further information and the addition of a claim to Butler County Chamber of Commerce in the amount of \$2,525.00 (General Fund). Upon roll call vote the following voted aye: Slama, Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Motion carried.

Correspondence

Correspondence was received from Blue Valley Community Action, including the meeting notice and agenda, minutes from previous meeting, and newspaper articles which highlight BVCA programs.



Butler County Board Minutes



Discussion

Discussion was held regarding board meetings that are held after the Courthouse closes, and the best means for those board members to enter the building. Further discussion on this matter will be held at the next board meeting.

The County Attorney informed the board that she has been contacted by an individual who voiced concern over the placement of the portable marquee sign in the courthouse parking lot. Members of the Building & Grounds committee will check into this matter.

There being no further business to come before the Board, the Chairman adjourned the meeting at 11:20 a.m. The next meeting will be on Monday, December 2, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

December 2, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 2nd day of December, 2013 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 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 meeting room.

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

Kevin Slama arrived at 9:05 a.m.

Consideration of Utility Permit Request

A permit request was received from Greg Sabata on behalf of Mary Norton. The permit request is for the construction of a tile outlet in the southeast corner of Section 13, T15N, R2E. Greg Sabata appeared before the board to explain the project and to answer any questions. Moved by Janak, seconded by Kozisek to approve the permit request, contingent on the approval of Olive Township. Upon roll call vote the following voted aye: Janak, Kozisek, Krafka, Cidlik, Birkel, and Mach. The following voted nay: None. Abstaining: Slama. Motion carried.

Request to use Meeting Room

The Butler County Agricultural Society has requested the use of the meeting room to hold their monthly meeting during January, February, March and April. Moved by Cidlik, seconded by Janak to approve the use of the meeting room by the Butler County 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.

Discussion/Setting of Salaries/Elected Officials/2015 Term

Discussion was held regarding the setting of salaries for the elected officials for the term that will begin in January of 2015. The salary committee reported to the board the results of their committee meetings. A resolution setting the salaries will be presented at the December 16, 2013 meeting for the board's consideration.

Stop Sign-G Street-Ulysses, Nebraska

Delores Kassik and Jeanine Wasser representing the Village of Ulysses appeared before the board to discuss the placement of stop ahead signs and stop signs at the railroad crossing on G Street in Ulysses. It was explained that G Street is the corporate limit line for Ulysses, thus the south side of the street is owned by Ulysses and the north side of the street is owned by Butler County. The village will need the county's approval to proceed with the project, but explained that all costs incurred will be paid by the village. An engineering study was completed by Olsson & Associates, with the results recommending yield signs not stop signs at this crossing. Jim Truksa, Highway Superintendent will be consulting with the railroad liaison at the Nebraska Department of Roads for information on placing these signs. This item is tabled and placed on the agenda for the December 16, 2013 meeting.

Certification of County Highway Superintendent



Butler County Board Minutes



Moved by Slama, seconded by Birkel to authorize the Chairman to sign the Certification of County Highway Superintendent for the calendar year January 1, 2013 – December 31, 2013. Upon roll call vote the following voted aye: Slama, Cidlik, Birkel, Janak, Kozisek, Krafka, and Mach. The following voted nay: None. Motion carried.

Appointment to Butler County Senior Services Advisory Board

A slate of names has been submitted to the county board to fill a vacancy on the Butler County Senior Services Advisory Board. This is being tabled till the next meeting as county board members would like to visit with the individuals.

Correspondence

Correspondence was received from Wellness Partners LLC, offering to do a complete health fair for counties in Nebraska. It was stated that the Butler County Health Care Center does a complete health fair, and no need to duplicate services.

There being no further business to come before the Board, the Chairman adjourned the meeting at 10:40 a.m. The next meeting will be on Monday, December 16, 2013 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



Butler County Board Minutes



BOARD PROCEEDINGS

December 16, 2013

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 16th day of December, 2013 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 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 meeting room.

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

Road Maintenance Agreement

An Interlocal Agreement with Ulysses Township for road maintenance services was presented for the board's consideration. Moved by Cidlik, seconded by Krafka to approve the agreement with Ulysses Township as presented. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Highway Superintendent Resignation

Jim Truksa, Highway Superintendent submitted his letter of resignation, effective January 1, 2014. Moved by Cidlik, seconded by Kozisek to regretfully accept the resignation of Jim Truksa. Upon roll call vote the following voted aye: Cidlik, Krafka, Kozisek, Janak, Birkel, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Village of Ulysses/Stop Signs at Railroad Crossing

Jim Truksa, Highway Superintendent reported that he had contacted a representative from the Burlington Northern Sante Fe Railroad Company concerning the placement of stop signs at the railroad crossing on G Street in Ulysses. The railroad company has placed stop signs at the crossing. Stop ahead signs will also be placed at this crossing by the county and the village.

Designate the Official County Newspaper for 2014

Moved by Janak, seconded by Birkel to designate The Banner-Press as the official county newspaper for 2014. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Township Bond Approval

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

Treasurer's Certification

The County Treasurer certified that the total tax revenue that will be lost to all taxing agencies with the county from taxes levied and assessed in 2013 because of 295 homestead exemptions is \$249,212.22. Moved by Birkel, seconded by Janak to accept the certification and place on file. Upon roll call vote the following voted aye: Birkel, Janak, Kozisek, Krafka, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.



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Clerk of District Court Fee Report

The Clerk of District Court fee report for the month of November, 2013 was accepted and placed on file.

County Clerk Fee Report

The County Clerk fee report for the month of November, 2013 was accepted and placed on file.

Resolution 2013 – 26 Elected Official's Salary

Resolution 2013 – 26 was presented for the board's consideration. Moved by Krafka, seconded by Kozisek to approve Resolution 2013 -26 as presented. Upon roll call vote the following voted aye: Krafka, Kozisek, Janak, Birkel, Cidlik, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2013 - 26

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

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

1. The annual salary for the office of the County Board be established at \$23,700.00 for the calendar year 2015, plus an annual increase during the term of office (2016, 2017, 2018); said increase to be equal in dollars to that of the County Clerk, County Treasurer, County Assessor, and Clerk of the District Court.

2. The annual salary for the office of the County Clerk be established at \$50,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

3. The annual salary for the office of the County Treasurer be established at \$50,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

4. The annual salary for the office of the County Assessor be established at \$50,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

5. The annual salary for the office of the Clerk of the District Court be established at \$50,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

6. The annual salary for the office of the County Sheriff be established at \$60,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

7. The annual salary for the office of the County Attorney be established at \$60,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by



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the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%). The County Attorney position is designated as part-time.

8. The annual salary for the office of the County Surveyor be established at \$15,000.00 for the calendar 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U. S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%). The County Surveyor position is designated as part-time and would include those duties prescribed by the Nebraska Statutes. This position receives no health or dental insurance benefits.

9. The annual salaries for the Deputy Clerk, Deputy Assessor, Deputy Clerk of the District Court, Deputy Treasurer and Deputy County Attorney be established at 75% of the Official's salary for the calendar year 2015, plus an annual increase during the term of office (2016, 2017, 2018) based on the Consumer Price Index as established by the Bureau of Labor Statistics, U.S. Department of Labor; said increase to be not less than two percent (2%) and said increase not to exceed five percent (5%).

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

Be it further resolved that in addition to the above stated salary; the County Board of Supervisors, County Clerk, County Treasurer, County Assessor, Clerk of the District Court, County Sheriff, and County Attorney shall receive during his or her term of office at county expense the employee's portion of the County's health and dental plan, the same as offered to all county employees.

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

Dated and adopted this 16th day of December, 2013.

/s/ David W. Mach

David W. Mach

Chairman, Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa

Butler County Clerk

Emergency Management

The Emergency Management quarterly reports were accepted and placed on file.

Discussion was held regarding the update of the 911 system and the need to replace the server that is currently in use. The funds to purchase this equipment will be taken from the Inheritance Tax Fund.

Board of Equalization (see separate agenda)

Moved by Cidlik, seconded by Birkel to go into Board of Equalization at 9:45 a.m. Upon roll call vote the following voted aye: Cidlik, Birkel, Janak, Kozisek, Krafka, 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.

Detention Center Quarterly Reports



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The quarterly reports from the Detention Center were accepted and placed on file.

Appointment to Butler County Senior Services Advisory Board

Moved by Janak, seconded by Birkel to appoint Ruby Langhorst to fill the vacancy on the Butler County Senior Services Advisory Board. Upon roll call vote the following voted aye: Janak, Birkel, Cidlik, Krafka, Kozisek, and Mach. The following voted nay: None. Absent: Slama. Motion carried.

Discussion

Max Birkel attended the NACO Conference and reported on the session that he attended on the NACO group health insurance.

Correspondence

No correspondence was received for the board.

Claims

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

There being no further business to come before the board, the Chairman adjourned the meeting at 11:00 a.m. The next board meeting will be January 6, 2014.

Vicki L. Truksa
Butler County Clerk

David W. Mach
Chairman