



Butler County Board Minutes



BOARD PROCEEDINGS

January 12, 2015

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 12th day of January, 2015 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, Scott Steager, Gregory A. Janak, and David L. Potter.

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 Supervisor's Meeting Room.

Certificates of Election for David W. Mach, Kevin Slama, Scott Steager, and David L. Potter were presented for the board's review, 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. Upon roll call vote the following voted aye: Slama, Krafka, Mach, Steager, Janak, Birkel, and Potter. The following voted nay: None.

David Mach was declared the Temporary Chairman.

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

Max Birkel nominated David Mach for the Permanent Chairman, seconded by Greg Janak.

Kevin Slama nominated Max Birkel for the Permanent Chairman, seconded by Scott Steager.

After a secret ballot was taken, the votes were tallied, and David Mach was declared the Chairman of the Board of Supervisors for 2015.

Moved by Mach, seconded by Slama to appoint Max Birkel as Vice-Chairman of the Board of Supervisors for 2015. Upon roll call vote the following voted aye: Mach, Krafka, Slama, Potter, Janak, and Steager. The following voted nay: None. Abstaining: Birkel.

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

Resolution 2015 – 1 Designation of County Depositories

Resolution 2015 – 1 was presented for the board's consideration. Moved by Slama, seconded by Birkel to approve Resolution 2015 – 1 as presented. Upon roll call vote the following voted aye: Slama, Potter, Birkel, Janak, Steager, Krafka, and Mach. The following voted nay: None. Motion carried.



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**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2015 – 1**

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

WHEREAS, the institutions are as follows:

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

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

NOW, THEREFORE, BE IT RESOLVED by the Butler County Board of Supervisors that the above mentioned institutions be so designated as County Depositories for the year 2015, so long as they comply with the laws of the State of Nebraska.

Dated this 12th day of January, 2015.

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

ATTEST:

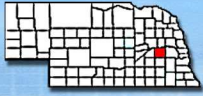
/s/ Vicki L. Truksa
Vicki L. Truksa, County Clerk

Resolution 2015 - 2 Investment of Surplus Funds

Resolution 2015 - 2 was presented for the board's consideration. Moved by Birkel, seconded by Potter to approve Resolution 2015 – 2 as presented. Upon roll call vote the following voted aye: Birkel, Potter, Slama, Krafka, Steager, Janak, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2015 – 2**

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



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

Dated this 12th day of January, 2015.

/s/ David W. Mach

Chairman

Butler County Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

6 month Budget Expenditure Report

The County Clerk presented the Summary Report of Expenditures from July 1, 2014 through December 31, 2014. The board reviewed the report and it will be placed on file.

Bellwood Northwest Project (River Road)

Moved by Krafka, seconded by Janak to award the contract for the Bellwood Northwest Project (River Road) to Gehring Construction & Ready Mix Co., Inc. under the recommendation of the project engineer. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

Approval of Reclassification of Roads

Jim Rerucha, Highway Superintendent presented maps showing the following roads that have been determined to need reclassification:

1. A portion of V Road, between 37 Road and 38 Road (Skull Creek Township); to be reclassified from Minimum Maintenance to Local
2. A portion of 42 Road, between W Road and X Road (Linwood Township); to be reclassified from Collector to Minimum Maintenance

The Skull Creek Township and Linwood Township boards have approved the reclassification of roads that are in their respective townships.

Moved by Slama, seconded by Krafka to approve the reclassification of the roads. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

Utility Permit Application

Windstream Nebraska, Inc., requests to construct telecommunications facilities occupying the right-of-way of Butler County public roads, crossing under County Road C going east to west, between 40 Road and 41 Road, west of Bellwood, Nebraska. Moved by Janak, seconded by Potter to approve the request of Windstream Nebraska, Inc. as presented. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

The County Board and the Road Department would like to take this opportunity to thank Windstream Nebraska, Inc. for their cooperation in notifying Butler County of all construction and maintenance projects that they schedule in the county.

County Sheriff

Marcus Siebken, County Sheriff introduced Anthony Whitmore to the board. Deputy Whitmore joined the department at the end of December.



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At the September 2, 2014 board meeting, approval was given to purchase a 2015 Ford Interceptor from Anderson Auto Group for \$24,946.00 for the Sheriff's Department. When the vehicle was ordered an option was added that increased the price.

Moved by Birkel, seconded by Steager to approve the purchase of the 2015 Ford Interceptor from Anderson Auto Group for \$25,519.00 for the Sheriff's Department. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.

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

BOARD OF EQUALIZATION (SEE SEPARATE PROCEEDINGS)

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

Senior Services/Transit Services

Linda Vandenberg, Senior Services Director appeared before the board to explain the method of reimbursement for Medicaid clients that utilize the rural transit service, and the problems that are being experienced. As of date, the Senior Service program has not been reimbursed for charges that date back to May of 2014. Additional information will be sought from the Department of Roads, Intelliride (third-party billing/paying agent), and Medicaid as to the reason why payments are delayed.

The July through December 2014 Income/Expense report for the Butler County Senior Services Program was presented to the board for their review.

Telecommunication Costs Audit

Davis McClure of The Spyglass Group held a conference call with the board to update on the telecommunication costs audit that is being completed by their company.

County Clerk Monthly Fee Report

The County Clerk's fee report for the month of December 2014 was accepted and placed on file.

Clerk of District Court Monthly Fee Report

The fee report for the month of December 2014 from the Clerk of District Court was accepted and placed on file.

General Assistance Quarterly Report

The quarterly report for the period of October through December 2014 for General Assistance was accepted and placed on file.

County Treasurer's Statement

The County Treasurer's Statement from July 1, 2014 to December 31, 2014 was accepted and placed on file.

Research Request Fee

Discussion was held regarding research and copy requests that are received and the fees that can be charged. The County Attorney will research and make a recommendation to the board.

Quarterly Jail Inspection

The quarterly jail inspection was conducted by the board from 12 noon till 12:15 p.m.

Executive Session



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Moved by Krafka, seconded by Birkel to enter into Executive Session at 12:15 p.m., for the purpose of reviewing Mike Applegate's claim. Upon roll call vote the following voted aye: Krafka, Slama, Potter, Birkel, Janak, Steager, and Mach. The following voted nay: None. Motion carried.

Moved by Janak, seconded by Steager to exit Executive Session at 12:55 p.m. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

Following the Executive Session the board is tabling the issue of the former Jail Administrator's claim till the next board meeting to allow for the County Attorney to consult with Pam Bourne.

Approval of Township Official Bonds

The following Township Official Bonds were presented for the board's approval:

Michael DeWispelare	Bone Creek Township
Jerry Hoelscher	Bone Creek Township
Ronald Papa	Bone Creek Township
Nicholas Prochaska	Read Township
Mark Shonka	Read Township
Margo Hlavac	Union Township
Brian Prochaska	Union Township

Moved by Slama, seconded by Steager to approve the Township Official Bonds as presented. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.

Resolution 2015 – 3/Appointment of Deputies

Resolution 2015 – 3 was presented for the board's consideration. Moved by Janak, seconded by Potter to approve Resolution 2015 -3 as presented. Upon roll call vote the following voted aye: Janak, Birkel, Potter, Slama, Krafka, Steager, and Mach. The following voted nay: None. Motion carried.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2015 - 3

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

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

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

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

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



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

WHEREAS, Marcus A. Siebken, the duly elected and qualified County Sheriff in and for Butler County, Nebraska, has nominated and appointed Thomas R. Dion, William J. Drozd, Shawn A.R. Gray, Jesse J. Headid, Christopher J. Schendt, Richard J. Schneider, Marla J. Schnell, Anthony J. Whitmore, and Andrew T. Yost, Deputy County Sheriffs.

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

BE IT FURTHER RESOLVED, by the Butler County Board of Supervisors that the following appointments be approved, in and for Butler County, Nebraska: Sharon M. Woolsey, Deputy County Clerk; Kristy L. Pohl, Deputy County Treasurer; Marcella M. Howe, Deputy County Assessor; Sandra J. Hoeft, Deputy Clerk of District Court; Thomas R. Dion, Deputy County Sheriff; William J. Drozd, Deputy County Sheriff; Shawn A.R. Gray, Deputy County Sheriff; Jesse J. Headid, Deputy County Sheriff; Christopher J. Schendt, Deputy County Sheriff; Richard J. Schneider, Deputy County Sheriff; Marla J. Schnell, Deputy County Sheriff; Anthony J. Whitmore, Deputy County Sheriff; and Andrew T. Yost, Deputy County Sheriff.

Dated this 12th day of January, 2015.

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

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

County Official Bonds

The following County Official Bonds were presented for the board's approval:

Karey Adamy	County Treasurer
Vickie Donoghue	County Assessor
Brian Foral	County Surveyor
Sandra Hoeft	Deputy Clerk of District Court
Marcella Howe	Deputy County Assessor
Leslie Nordhausen	Deputy County Attorney
Kristy Pohl	Deputy County Treasurer
Nancy Prochaska	Clerk of District Court
Julie Reiter	County Attorney
Marcus Siebken	County Sheriff
Sharon Woolsey	Deputy County Clerk

Moved by Potter, seconded by Krafka to approve the County Official Bonds as presented. Upon roll call vote the following voted aye: Potter, Slama, Krafka, Steager, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

Interim Emergency Manager/911 Coordinator



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Moved by Slama, seconded by Krafka to hire Scott Steager as the Interim Emergency Manager/911 Coordinator, for \$20.00 per hour/20 hours per week. Upon roll call vote the following voted aye: Slama, Krafka, Janak, Birkel, Potter, and Mach. The following voted nay: None. Abstaining: Steager. Motion carried.

ECCA Governance Board

Moved by Potter, seconded by Janak to make the interim appointment of Scott Steager to the ECCA Governance Board. Upon roll call vote the following voted aye: Potter, Birkel, Janak, Krafka, Slama, and Mach. The following voted nay: None. Abstaining: Steager. Motion carried.

EC911 Board

Moved by Slama, seconded by Janak to make the interim appointment of Scott Steager to the EC911 Board. Upon roll call vote the following voted aye: Slama, Krafka, Janak, Birkel, Potter, and Mach. The following voted nay: None. Abstaining: Steager. Motion carried.

Discussion

Discussion was held regarding IT costs incurred by the county, and options that may be available for those services.

Discussion was held regarding contact from members of the Butler County Agricultural Society regarding the possibility of revisiting the building of an event center at the fairgrounds.

Discussion was held on the position of Floodplain Administrator that was previously held by Karen Brightenburg.

Discussion was held on the possibility of alternative power sources/wind turbines being built in Butler County.

The Landfill Committee of the County Board reported on a meeting that they held with residents that live in close proximity to the landfill. Several of these individuals had been contacted by representatives of the landfill regarding a hard-surfacing road proposal.

Correspondence

Correspondence was received from:

1. Nebraska Commission on Law Enforcement and Criminal Justice – determination of full compliance for the Butler County Jail
2. NIRMA – Recommitment dividend in the amount of \$1,758.00 being issued to the county

There being no further business to come before the Board, the Chairman adjourned the meeting at 3:00 p.m. The next meeting will be on January 20, 2015 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman