



# Butler County Board Minutes



## BUTLER COUNTY BOARD OF SUPERVISORS BOARD PROCEEDINGS

May 1, 2017

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 1<sup>st</sup> day of May, 2017 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, Scott Steager, Max Birkel, Gregory A. Janak, and David 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.

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

The following correction to the Board Proceedings from April 17, 2017 was presented. The Butler County ½ Century Bicycle Ride 2 committee requested \$1,000.00 from the Promotion Fund to assist with the cost of promotional supplies such as posters, flyers, magnets, additional signage and t-shirts. The board proceedings indicated that the Visitors Committee recommended \$500.00 be granted to the Butler County ½ Century Bicycle Ride 2. The correct amount recommended by the committee was \$250.00. Moved by Potter, seconded by Slama to approve the correction and the board proceedings as corrected. Upon roll call vote the following voted aye: Potter, Slama, Krafka, Steager, Janak, Birkel, and Mach. The following voted nay: None. Motion carried.

### ***Discussion***

Jim Rerucha, Highway Superintendent informed the board that he now holds a Class A County Highway and City Street Superintendent's license. Counties with a superintendent that holds a Class A license qualify for double the incentive payment for having a licensed superintendent.

### ***Stop Sign Placement***

A request has been made to re-locate the stop signs at the intersection of 22 Road and K Road. The Highway Superintendent was instructed to have a sign study completed.

### ***Wage Adjustment for Road Department Employees***

The Highway Superintendent reported that there are department employees that have successfully completed the crane certification training.

He is suggesting that wages need to be adjusted for the upcoming budget year to keep the county competitive with other employers within the county. The Road and Bridge committee will meet to further discuss this matter.

### ***Permit to Construct Utilities on County Right-of-Way***

A Permit to Construct Utilities on County Right-of-Way was submitted by Butler Public Power District to install a pole and anchors located 33' south of the center of B Road, at the intersection of B Road and 40 Road, located in the southwest corner of the intersection. The Highway Superintendent reported that he had received verbal confirmation that the Alexis Township board approves the utility permit request. Moved by Krafka, seconded by Steager to approve the utility



# Butler County Board Minutes



permit request as presented. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

## ***Board Authorization for Upcoming Bridge Replacements***

The Highway Superintendent discussed two bridge replacement projects:

1. Bridge on 24 Road in Richardson Township
2. Bridge on 22 Road in Plum Creek Township

## ***Decision on Truck Bids***

At the April 3, 2017 board meeting, truck bids were received. The Road and Bridge committee met with the Highway Superintendent to review the bids and inspect the trucks that were bid. The committee's recommendation is the bid for a 2018 Western Star 4700 SF from Wick's Sterling Trucks, Inc. in the amount of \$91,938.00. Moved by Slama, seconded by Krafka to accept the bid for a 2018 Western Star 4700 SF. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Potter, and Mach. The following voted nay: Birkel. Motion carried.

## ***Gravel Pit Lease***

The gravel pit lease between Butler County and Classic Sand and Gravel was presented. Moved by Potter, seconded by Birkel to approve the 2 year lease subject to County Attorney review. Upon roll call vote the following voted aye: Potter, Birkel, Janak, Steager, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

## ***Region V Systems***

C.J. Johnson, Regional Administrator of Region V Systems appeared before the board to present the FY15-16 Butler County Annual Report. Region V Systems is requesting funding in the amount of \$22,077.00 for FY2017-2018, for continued behavioral health programs in Butler County.

## ***Region V Services***

Dave Merrill, Executive Director of Region V Services, and Cecelia Banholzer, Residential Support Supervisor appeared before the board to present the 2016 Annual Report for Region V Services. The FY2017-2018 request from Butler County is \$14,783.00.

## ***District 5 Probation***

Carrie Rodriguez appeared before the board to introduce herself, and announce her appointment to the position of Chief Probation Officer for District 5. Butler County's share of funding to support District 5 Probation will be \$8,496.00 for FY2017-2018.

## ***Floodplain Administrator***

Robin Sullivan, Floodplain Administrator appeared before the board to present the quarterly report. The report was accepted and placed on file. She also, handed out copies of a publication by the Nebraska Department of Natural Resources entitled Floodplain Management Today.

The Chairman recessed the meeting at 10:30 a.m., and reconvened at 10:35 a.m.

## ***School Resource Officer***

Marcus Siebken, County Sheriff shared information that he had received from Arlington Public School and Fort Calhoun Community Schools on the position of School Resource Officer within their districts.

Supervisor Potter shared information pertaining to the School Resource Officer that is shared between Raymond Central Public Schools, and Malcolm Public Schools.

Comments were taken from Diane Schroeder, and Chad Denker, Superintendent of the David City Public Schools.



# Butler County Board Minutes



It was the consensus of the board that further discussion needs to take place on this matter.

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

## ***BOARD OF EQUALIZATION (SEE SEPARATE PROCEEDINGS)***

### ***Detention Center Quarterly Report***

Andrew Yost, Detention Center Administrator appeared before the board to present the quarterly report for the period of January 1, 2017 through March 31, 2017. The report was accepted and placed on file.

### ***Blue Valley Behavioral Health***

Jon Day, Executive Director appeared before the board to express appreciation for the support their agency receives from Butler County. He highlighted programs that are available through Blue Valley for youth and adults in the county. The funding request for FY2017-2018 will remain at \$5,720.00.

The Chairman recessed the meeting at 12:17 p.m., and reconvened at 12:25 p.m.

### ***Executive Session/Personnel Issue***

Moved by Slama, seconded by Birkel to enter Executive Session at 12:27 p.m., for the purpose of discussing a personnel issue. Upon roll call vote the following voted aye: Slama, Potter, Birkel, Janak, Steager, Krafka, and Mach. The following voted nay: None. Motion carried.

Moved by Birkel, seconded by Steager to exit Executive Session at 1:45 p.m. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.

The Chairman announced that no formal action was taken.

### ***Yearly Case Statistics***

Julie Reiter, County Attorney reviewed for the board yearly case statistics, and how those numbers compared with prior years.

### ***Quarterly General Assistance Report***

The General Assistance report for the period of January 1, 2017 through March 31, 2017 was presented. The report was accepted and placed on file.

### ***Notification from Department of Environmental Quality***

Notification was received from the State of Nebraska Department of Environmental Quality of the issuance of the NPDES General Permit for Operations Confining Cattle for Little Pine Ridge Feed Yard, Inc., which is located in Section 23, Township 16 North, Range 2 East.

### ***Resolution 2017 – 06/Tax Certificate Foreclosure***

Resolution 2017-06 was presented for the board's consideration. Moved by Slama, seconded by Krafka to approve and adopt Resolution 2017-06 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.



# Butler County Board Minutes



WHEREAS, the Butler County is the owner and holder of Tax Sale Certificate Numbers 409 and 414 issued by Butler County, Nebraska for all delinquent regular taxes thereon for the years set forth therein, under the provisions of Neb. Rev. Stat. Sec 77-1809 (Reissue 2014);

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 Sales Certificate Numbers 409 and 414 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 on said property were levied in foreclosing such certificate and subsequent special assessments and liens on said real estate.

Dated this 1<sup>st</sup> day of May, 2017.

/s/ David W. Mach

David W. Mach, Chairman Butler County  
Board of Supervisors

ATTEST:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

## ***Discussion***

Max Birkel, Noxious Weed Superintendent showed a map of areas in Butler County that are infested with phragmites.

## ***Executive Session/Update on Landfill Litigation***

Moved by Krafka, seconded by Steager to enter Executive Session at 2:10 p.m., for the purpose of discussing updates on the landfill litigation. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

Moved by Janak, seconded by Slama, to exit Executive Session at 2:32 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.

The Chairman declared that no action was taken.

There being no further business to come before the board, the Chairman adjourned the meeting at 2:35 p.m. The next meeting of the Board of Supervisors will be on May 15, 2017 at 9:00 a.m.

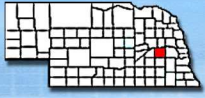
Vicki L. Truksa  
County Clerk

David W. Mach  
Chairman



# Butler County Board Minutes





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