



Butler County Board Minutes



BUTLER COUNTY BOARD OF SUPERVISORS

August 21, 2017

A meeting of the Board of Supervisors of Butler County, Nebraska was held on the 21st day of August, 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, Max Birkel, Scott Steager, Gregory 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 Chairman declared that the minutes from the previous meeting shall stand approved as presented.

Discussion on Resolution to Charge Townships for Road Maintenance

Jim Rerucha, Highway Superintendent presented a draft resolution to address charging townships for road maintenance. The County Attorney will review the draft, and the resolution will be placed on the agenda for the board's consideration at a later date.

Discussion

Discussion was held regarding issues that arose due to the large amount of rain that was received in the County.

Scott Steager, Emergency Manager informed the board that there has been a Disaster Declaration filed with the Nebraska Emergency Management Agency.

Discussion was held regarding road projects that are under construction or recently completed.

Presentation/Approval of Final Plat of Bow String Lake 2nd Addition

Stuart Gerhold appeared before the board seeking approval of the Final Plat of Bow String Lake 2nd Addition. The addition is situated in part of the NE1/4; Section 13, Township 16 North, Range 1 East. The board asked that Mr. Gerhold provide additional information and possible changes to the proposed subdivision. The matter is tabled till the next meeting.

Senior Services Garage Project

Moved by Potter, seconded by Birkel to set the date and time of September 5, 2017 at 9:30 a.m. to consider bids for the Senior Services Garage Project. Upon roll call vote the following voted aye: Potter, Birkel, Janak, Steager, Krafka, Slama, and Mach. The following voted nay: None. Motion carried.

Acceptance of Resignation/Clerk of District Court

Moved by Slama, seconded by Krafka to reluctantly accept the resignation of Nancy L. Prochaska, Clerk of District Court effective December 31, 2017. Upon roll call vote the following voted aye: Slama, Krafka, Steager, Janak, Birkel, Potter, and Mach. The following voted nay: None. Motion carried.



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Approval of Annual Inventories of County Personal Property

The Annual Inventory of County Personal Property was submitted by the following:

Emergency Management	County Assessor
Road Department	Detention Center
UNL Extension Service	Floodplain Administrator
County Real Estate	County Buildings
Board of Supervisors	County Sheriff
911 Emergency Management	County Clerk
Senior Services/Rural Transit	Noxious Weed Control
County Attorney	Building and Grounds
Probation Office	District Court
County Treasurer	County Surveyor
Veterans Service	County Court

Moved by Birkel, seconded by Janak to approve the Annual Inventories of County Personal Property as submitted by each department. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.

Recognition of Dean L. Kriz, Veterans Service Officer

Chairman Mach presented a plaque to Dean L. Kriz, recognizing him for the 26 years that he has served as Butler County Veterans Service Officer. He will be retiring on August 25, 2017.

The Chairman called for a recess as 10:03 a.m., and reconvened the meeting at 10:15 a.m.

Distress Warrants

Karey Adamy, County Treasurer and Marcus Siebken, County Sheriff appeared before the board to present the 2016 Distress Warrant Register. The Distress Warrant Register was accepted and placed on file.

2017-2018 County Budget Discussion

The Budget Committee reported to the full board on the status of the 2017-2018 County Budget. Discussion was held pertaining to the valuation that has been certified by the County Assessor, and the proposed levy.

Approval of 1% Additional Increase to Base of Restricted Funds

Moved by Birkel, seconded by Slama to approve an additional 1% increase in the total 2016-2017 Restricted Funds Authority subject to limitation. Upon roll call vote the following voted aye: Birkel, Potter, Slama, Krafka, Steager, Janak, and Mach. The following voted nay: None. Motion carried.

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

Moved by Krafka, seconded by Janak to set the date and time of the budget hearing for September 5, 2017 at 10:00 a.m.; and the hearing to set the final tax request for September 5, 2017 at 10:15 a.m. Upon roll call vote the following voted aye: Krafka, Steager, Janak, Birkel, Potter, Slama, and Mach. The following voted nay: None. Motion carried.

Resolution 2017-29/Letter of Credit

Resolution 2017-29 was presented for the board's consideration. Moved by Steager, seconded by Potter to approve and adopt Resolution 2017-29 as presented. Upon roll call vote the following voted aye: Steager, Krafka, Slama, Potter, Birkel, Janak, and Mach. The following voted nay: None. Motion carried.

**BOARD OF SUPERVISORS
BUTLER COUNTY, NEBRASKA
RESOLUTION NO. 2017 – 29**

WHEREAS, at various times throughout the year, the Butler County Treasurer may receive monies and deposit same at Bank of the Valley, which sum may exceed the amounts allowed by Nebraska law, and



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WHEREAS, in order to comply with Nebraska law and thereby secure deposits over and above the current FDIC insured amount, Federal Home Loan Bank of Topeka has established an Irrevocable Letter of Credit No. 46824, dated August 11, 2017, in the amount of \$2,000,000.00, for the account of Bank of the Valley, Bellwood, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, that the Butler County Board of Supervisors hereby approves the Irrevocable Letter of Credit in the amount of \$2,000,000.00, as security for deposits in said financial institution.

DATED this 21st day of August, 2017.

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

ATTEST:

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

Resolution 2017 – 30/Allocation of Levy Authority

Resolution 2017-30 was presented for the board's consideration. Moved by Potter, seconded by Krafka to approve and adopt Resolution 2017-30 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.

BOARD OF SUPERVISORS BUTLER COUNTY, NEBRASKA RESOLUTION NO. 2017 - 30

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, 2017. Requests from such subdivisions are as follows:



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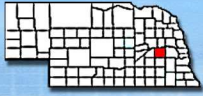


<u>Political Subdivision</u>	<u>Tax Request</u>
Butler County Ag Society	\$ 250,000.00
Read Township	\$ 175,000.00
Ulysses Township	\$ 174,000.00
Plum Creek Township	\$ 115,000.00
Richardson Township	\$ 95,000.00
Reading Township	\$ 180,000.00
Union Township	\$ 171,000.00
Center Township	\$ 139,500.00
Oak Creek Township	\$ 120,000.00
Summit Township	\$ 150,000.00
Olive Township	\$ 138,000.00
Franklin Township	\$ 131,000.00
Skull Creek Township	\$ 112,000.00
Alexis Township	\$ 110,000.00
Savannah Township	\$ 100,000.00
Bone Creek Township	\$ 105,000.00
Linwood Township	\$ 103,644.69
Platte Township	\$ 56,752.07
Ulysses Fire District #2	\$ 50,000.00
Sinking Fund	<u>\$ 50,000.00</u>
	\$ 100,000.00
Rising City Fire Dist. #3	\$ 165,000.00
Bellwood Fire Dist. #5	\$ 80,000.00
Bond Fund	<u>\$ 51,000.00</u>
	\$ 131,000.00
Dwight Fire Dist. #6	\$ 31,272.58
Sinking Fund	<u>\$ 24,006.67</u>
	\$ 55,279.25
Bruno Fire Dist. #7	\$ 46,000.00
Linwood Fire Dist. #8	\$ 68,000.00
David City Fire Dist. #9	\$ 240,000.00
Brainard Fire Dist. #10	\$ 55,000.00
Sinking Fund	<u>\$ 15,000.00</u>
	\$ 70,000.00
Abie Fire Dist. #11	\$ 23,000.00

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



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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	.035
Rising City Fire Dist. #3	.035
Bellwood Fire Dist. #5	.035
Dwight Fire Dist. #6	.035
Bruno Fire Dist. #7	.035
Linwood Fire Dist. #8	.035
David City Fire Dist. #9	.035
Brainard Fire Dist. #10	.035
Abie Fire Dist. #11	.035

Dated this 21st day of August, 2017.

Voting Aye:

/s/ David W. Mach

/s/ Gregory Janak

/s/ David Potter

/s/ Tony Krafka

/s/ Scott Steager

/s/ Max Birkel

/s/ Kevin Slama

Voting Nay: NONE

Attest:

/s/ Vicki L. Truksa

Vicki L. Truksa, County Clerk

Appointment of Alternate Representative/ECCA Governance Board & EC911

No action was taken.

Butler County Health Care Center Board of Directors

Moved by Slama, seconded by Birkel to re-appoint Jerry Roh and Beverly Struebing to the Board of Directors of the Butler County Health Care Center. Upon roll call vote the following voted aye: Slama, Potter, Birkel, Janak, Steager, Krafka, and Mach. The following voted nay: None. Motion carried.

Lease Agreement for Survey Equipment

An agreement between Butler County and FLS, LLC to lease the equipment used by Brian Foral in the performance of his duties as County Surveyor was presented for the board's consideration. Moved by Birkel, seconded by Janak to approve the Equipment Use Agreement as presented. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.



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Approval of Petty Cash/County Sheriff

Moved by Janak, seconded by Slama to authorize the County Sheriff to maintain a Petty Cash Fund in the amount of \$35.00. Upon roll call vote the following voted aye: Janak, Steager, Krafka, Slama, Potter, Birkel, and Mach. The following voted nay: None. Motion carried.

Nebraska State Patrol Software Sharing Agreement

An agreement between the Nebraska State Patrol and the Butler County Sheriff's office for use of certain licensed software systems was presented for the board's consideration. Moved by Birkel, seconded by Potter to approve and authorize the Chairman to sign the agreement. Upon roll call vote the following voted aye: Birkel, Potter, Slama, Krafka, Steager, Janak, and Mach. The following voted nay: None. Motion carried.

Nebraska Department of Veterans Affairs Memorandum of Understanding

A Memorandum of Understanding between the State of Nebraska Department of Veterans Affairs and Butler County, on behalf of the Butler County Veterans Service Center was presented for the board's consideration. The Memorandum of Understanding is to arrange for the shared use of the VETRASPEC system. Moved by Steager, seconded by Janak to approve the Memorandum of Understanding as presented. Upon roll call vote the following voted aye: Steager, Janak, Birkel, Potter, Slama, Krafka, and Mach. The following voted nay: None. Motion carried.

Appointment of Representative to Aging Partners Area-Wide Advisory Council

Moved by Birkel, seconded by Janak to appoint Sharon Reisdorff as the Butler County Representative to the Aging Partners Area-wide Advisory Council. Upon roll call vote the following voted aye: Birkel, Janak, Steager, Krafka, Slama, Potter, and Mach. The following voted nay: None. Motion carried.

Correspondence

Correspondence was received from the following:

1. Butler County Chamber of Commerce-announcement of Karla Wall, Executive Director
2. City of David City-Notice of Public Hearing
3. Blue Valley Community Action Partnership-Meeting Notice & Agenda, Board Proceedings, news articles

Julie Reiter, County Attorney relayed information on correspondence that she has received relating to the Butler County Landfill litigation.

Discussion

Supervisor Slama informed the board that he is scheduled to attend a meeting of University of Nebraska officials and the Butler County Extension Board to discuss the process of filling the vacancy that will be created when Michael Rethwisch leaves his Extension Educator position later this year.

Ron Sedlak had a question for the board regarding the availability of the Interlocal Agreement for Road Maintenance between Butler County and Read Township. The agreement is on file in the office of the County Clerk and he was instructed to obtain a copy from that office.

Claims

Moved by Krafka, seconded by Slama to approve for payment the claims as presented with the exception of the claim from Douglas Trade Service & Crematory which is denied; and correct the claim from Cummins Central Power to reflect the expense be paid by the County Sheriff (25%), Detention Center (50%), and 911 Emergency Management (25%). Upon roll call vote the following voted aye: Krafka, Slama, Potter, Birkel, Janak, Steager, and Mach. The following voted nay: None. Motion carried.



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There being no further business to come before the board, the Chairman adjourned the meeting at 11:28 a.m. The next meeting of the Board of Supervisors will be September 5, 2017 at 9:00 a.m.

Vicki L. Truksa
County Clerk

David W. Mach
Chairman



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