

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 5, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, Mueller, Galusha, and Capek. The Deputy County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 10:00 a.m.

KEMPF SUBDIVISION

Planning & Zoning Administrator, Geraldine Daniels submitted a plat for the Kempf Subdivision, located in the NE ¼, Section 7-5-3, Hamilton Township.

Kimbrough moved and Galusha seconded the motion to approve the plat for the Kempf Subdivision as follows: commencing at the NE corner of said NE ¼ NE ¼; thence S00°46'09"W (assumed bearing) on the east line of said NE ¼ NE ¼, 65.00 feet to the point of beginning, said point being on the southerly R.O.W. line of State Hwy. #74; thence continuing S00°46'09"W on said east line, 351.10 feet; thence N89°52'33"W parallel with the north line of said NE ¼ NE ¼, 306.67 feet; thence S89°00'00"W, 116.00 feet; thence N44°33'17"W, 61.00 feet; thence N00°46'09"E parallel with the east line of said NE ¼ NE ¼, 30.00 feet; thence N89°52'33"W parallel with the north line of said NE ¼ NE ¼, 250.00 feet; thence N00°46'09"E parallel with the east line of said NE ¼ NE ¼, 50.00 feet; thence N89°52'33"W parallel with the North line of said NE ¼ NE ¼, 142.00 feet; thence N00°46'09"E parallel with the east line of said NE ¼ NE ¼, 250.00 feet of the southerly R.O.W. line of State Hwy. #74; thence S89°52'33"E on said R.O.W. line, 382.40 feet; thence S00°46'09"W on said R.O.W. line, 20.00 feet; thence S89°52'33"E on said R.O.W. line 475.60 feet to the point of beginning, containing 6.27 acres more or less. Additional certification of lots 1 and 2 on file in the County Clerk's office.

Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny
Nays: None

The Chairman declared the motion carried.

CLOSED SESSION

Simacek moved and Capek seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session personnel items authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, Yates, Simacek, Kimbrough, Cerny, and Mueller
Nays: None

The Chairman declared the motion carried and requested that the County Attorney and Assistant Highway Superintendent remain. Closed session began at 9:03 a.m.

RETURN TO REGULAR SESSION

Mueller moved and Galusha seconded the motion to return to open session at 9:45 a.m. Upon roll call, the vote was as follows:

Ayes: Capek, Yates, Simacek, Kimbrough, Cerny, Mueller, and Galusha
Nays: None

The Chairman declared the motion carried.

ROAD DEPARTMENT PERSONNEL

After discussion with Road Dept. personnel, Capek moved and Simacek seconded the motion to uphold the reinstatement of Joe Tucker to his position with the Road Department subject to normal evaluations. Upon roll call, the vote was as follows:

Ayes: Yates, Simacek, Kimbrough, Mueller, Galusha, and Capek
Nays: Cerny

The Chairman declared the motion carried.

ADJOURNMENT

As there was no other items to come before the Board, Cerny moved and Mueller seconded the motion to adjourn until 9:00 a.m., January 13, 2009. Upon roll call, the vote was as follows:

Ayes: Simacek, Kimbrough, Cerny, Mueller, Galusha, Capek, and Yates
Nays: None

The Chairman declared the motion carried.

Attest

Chairman