

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 27, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Kimbrough, Simacek, Mueller, Galusha, and Capek. Cerny was absent. 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 1:47 p.m.

REORGANIZATION MINUTES CORRECTED

Kimbrough moved and Mueller seconded the motion that the minutes of the Reorganization Meeting of January 13, be amended under "Road Reports" to include: "that the County Highway Superintendent shall inform the appropriate Supervisor of any work being done other than routine road maintenance in their district." Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the January 13th Regular Board meeting as presented.

OCCUPY COUNTY RIGHT-OF-WAY

Capek moved and Galusha seconded the motion to approve the following applications to occupy county right-of-way:

Charles Grothe Trust – to bury electrical line between the SE ¼ of section 19 and the NE ¼ of section 30-7-2, Madison Township. The owners agree to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road will be restored to the same condition as it was prior to the work and such restoration will be accomplished to the reasonable satisfaction of Fillmore County Officials.

Pat O'Brien – to bury electrical line in the NE ¼ of section 11-6-4, Momence Township. The owners agree to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road will be restored to the same condition as it was prior to the work and such restoration will be accomplished to the reasonable satisfaction of Fillmore County Officials.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NATURAL DRAINAGE IN FAIRMONT TOWNSHIP

Richard Horne was present for the discussion on natural drainage in the west ½ of Section 15-8-2, Fairmont Township.

After discussion, Mueller moved and Simacek seconded the motion to leave the natural drainage in the west ½ of Section 15-8-2 as is and have the County Attorney send letters to the landowners. At this time there is no need to clean out the ditches. Upon roll call, the vote was as follows;

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

The Chairman declared the motion carried.

PROJECT #C003003030

Capek moved and Kimbrough seconded the introduction of the following resolution:

RESOLUTION #2009- 5

The County Board of Supervisors of Fillmore County, having met on the 27th day of January, 2009, hereby authorize the County Board Chairperson and the County Highway Superintendent to sign on behalf of the County, a Certification of Compliance for Structure No. C003003030.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CERTIFICATION OF COMPLIANCE

Mueller moved and Capek seconded the motion to approve the Certification of Compliance for Project #C003003030 located between Section 9 & 16, Glengary Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT

Richard Kleinschmidt and Gary Kimbrough were present for the discussion.

After discussion, Galusha moved and Kimbrough seconded the motion to approve the floodplain permit between the SE ¼, Section 7 and the NE ¼, Section 18-7-3, Geneva Township. Will replace a small bridge with 3 – 48" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MANAGEMENT PROGRAM

After discussion, Capek moved and Mueller seconded the motion to approve the Road Dept. to purchase the Management program from MIPS for \$1,278.72 a year. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COMPUTERS

After discussion, Galusha moved and Mueller seconded the motion to approve the purchase of two new computers for the Road's Dept. in the amount of \$2,102.96. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

2009 WORK PLAN

Galusha moved and Kimbrough seconded the motion to approve the 2009 work plan for the Road's Dept. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING & ZONING HOURS

Planning Commission Board approved the Planning & Zoning Administration to change the hours the office was open to Monday through Thursday from 8:30 a.m. to 12:30 p.m. After discussion, the Board approved this change as well.

INTERLOCAL AGREEMENT FOR PUBLIC SAFETY

After discussion, Kimbrough moved and Mueller seconded the motion to approve the Interlocal Agreement for Cooperative Public Safety Services with Cass, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Seward, Thayer, and York counties. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WINTER SUBDIVISION

Planning & Zoning Administrator, Geraldine Daniels submitted a plat for the Winter Subdivision, located in the NE ¼ of the SE ¼, Section 7-7-4, Bennett Township.

Galusha moved and Simacek seconded the motion to approve the Winter Subdivision plat as follows: a tract of land located in the NE ¼ of the SE ¼, Section 7, Township 7 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, and being more particularly described as follows: beginning at the NE corner of the SE ¼ (5/8 inch rebar, found); thence on an assumed bearing of N89°37'16" west, on the north line said SE ¼, a distance of 784.50 feet to a 5/8 inch, capped rebar (set); thence S00°07'27" west, a distance of 277.63 feet to a 5/8 inch, capped rebar (set); thence S89°37'16" east, a distance of 784.50 feet to a section line; thence N00°07'27" east, on section line, a distance of 277.63 feet to the point of beginning. Containing a calculated area of 5.00 acres, more or less.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

MILLER SUBDIVISION

Planning & Zoning Administrator, Geraldine Daniels submitted a plat for the Miller Subdivision, located in the NE ¼ of Section 9-5-4, Bryant Township.

Kimbrough moved and Capek seconded the motion to approve the Miller Subdivision plat as follows: a tract of land comprising a part of the NE ¼ of Section 9, Township 5 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, described as follows: commencing at the NE corner of said NE ¼, and assuming the north line of said NE ¼ to have a bearing of S89°59'21"E; thence S00°16'44"W, and on the east line of said NE ¼, 60.00 feet to a point on the south R.O.W. line of Highway 74; thence S89°21'24"W, and on the South R.O.W. line of said Highway 74, 278.49 feet to the point of beginning, said point being a ¾" rebar w/cap; thence S00°52'27"W, 365.09 feet to a ¾" rebar w/cap; thence S68°44'33"W, 102.45 feet to a ¾" rebar w/cap; thence S55°03'47"W, 180.93 feet to a ¾" rebar w/cap; thence N69°55'46"W, 110.26 feet to a ¾" rebar w/cap; thence N74°58'47"W, 94.68 feet to a ¾" rebar w/cap; thence N01°04'57"E, 438.47 feet to a ¾" rebar w/cap on the south R.O.W. line of said Highway 74; thence N88°48'12"E, and on the south R.O.W. line of said Highway 74, 13.97 feet to a ¾" rebar w/cap; thence N89°21'24"E, and on the south R.O.W. line of said Highway 74, 422.16 feet to the point of beginning and containing 4/46 acres more or less.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ELEVATOR REPAIR

After discussion, Capek moved and Mueller seconded the motion to authorize the Chairman to sign for repairs needed on the elevator. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Alltel	Uti	413.63
Ameritas Life Insurance	Ins	2,779.88
Aramark Uniform Services Inhc	Ser	656.83
Joseph N Bixby, Attorney	Ser	817.00
Blue Cross/Blue Shield	Ins	15,411.99
Bottorf & Maser, Attorneys	Ser	1,149.24
Marilyn Christianity	Ser	25.00
City of Geneva	Rent	484.00
Erdkamp Motors	Ser	36.00
Executive Copier Services	Misc	18.81
F & S Supply Co Inc	Sup	625.22
First Concord Group Inc	Misc	4,196.93
The Garbage Co Inc	Uti	152.86
Geneva State Bank	Fees	25.00
Geneva State Bank	SS	2,908.66
Geneva TV & Appliance Inc	Sup	34.95
Sue Imig	Ser	45.00
Germer, Murray & Johnson, Attorneys	Ser	859.26
Norma Gregory	Ser	25.00
Barbara (Erdkamp) Hein	Ser	96.00

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JEO Consulting Group Inc	Ser	910.00
Dennis Kahl	Mile	65.52
Kalkwarf & Smith Law Offices	Ser	2,687.43
Galen Kuska	Mile	74.88
Lancaster County Court	Misc	9.50
Lafayette Life Insurance Co	Ins	161.35
Lancaster County Sheriff	Ser	22.54
Lease Consultants Corporation	Lease	249.00
Lincoln Area Agency on Aging	Misc	9,468.00
Ann H McDonald	Ser	18.00
Lincoln County Sheriff Office	Ser	13.70
Microfilm Imaging Systems Inc	Lease	100.00
MIPS	Sup	56.25
Rich Mueller/Thomas Biegert	Rent	650.00
National Sheriffs Assoc	Dues	50.00
Nebraska Public Power District	Uti	1,010.73
Nemaha County Clerk	Post	4.80
Neopost Inc	Misc	260.00
Galen Niederklein	Mile	77.22
Notary Public Underwriters of NE	Misc	175.00
Elaine Pavlish	Ser	84.00
Vernon Pearson	Ser	48.00
Region V Systems	Ser	550.00
Secretary of State	Sup	100.00
Ron Seymour, Ext Educ	Mile	58.50
Sioux Sales Company	Sup	49.70
Lee Bauer Smith	Ser	108.00
ST of NE; AS Central Finance	Ser	56.64
ST of NE; Dept of Mtr Vehicles	Misc	4.00
ST of NE; Public Health Env Lab	Misc	78.00
Deanna Strothkamp	Ser	72.00
Luetta Strothkamp	Ser	96.00
Mary C Tesar	Ser	24.00
Bea Vavra	Ser	84.00
Carol Vejraska	Ser	23.08
MaryLu Vossler	Mile	30.42
Daniel L Werner, Attorney	Ser	583.92
Williams Exterminating Inc	Ser	110.00
Windstream	Uti	1,135.30
York Boot N Repair	Rep	40.00
Payroll	Salaries	30,512.17

ROAD/BRIDGE FUND:

Ameritas Life Insurance jCorp	Ret	1,605.47
Baum Hydraulics	Sup	64.86
Blue Cross/Blue Shield	Ins	9,807.63
Farm Plan	Pts	506.28
The Garbage Company	Uti	73.60
Geneva State Bank	SS	1,764.15
Dale Goeking	Ser	96.00
Ralph Gould	Ser	18.00
Grafton Mini Mart	Fuel	14.41
Ronald Isley	Ser	103.86
Donovan Jirkovsky	Ser	25.00
Lafayette Life Ins Company	Ins	87.99
Lawson Products Inc	Sup	235.07
Lichti Oil	Fuel	2,862.23
NMC Exchange LLC	Sup/Pts	2,072.27
NE Assn County Eng, Supt	Dues	25.00
Nebraska Public Power	Uti	288.93
Perennial Public Power	Uti	111.51
Speece Lewis Engineers	Ser	227.50
US Postal Services	Ser/Sup	243.60
Windstream	Uti	135.05
Donald D Wittmack	Ser	12.00
Payroll	Salaries	17,943.53

INSTITUTIONS

ST of NE; Health & Human Service	Ser	93.00
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SENIOR SERVICES FUND:

Ameritas Life Insurance Corp	Ret	133.16
Blue Cross/Blue Shield	Ins	934.06
Judy Dondlinger	Ser	96.00
Geneva State Bank	SS	167.07
Lafayette Life Insurance co	Ins	9.00

JoAnn Vavra
Payroll

Ser
Salaries

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72.00
2,098.18

NOXIOUS WEED FUND:

Ameritas Life Insurance	Ret	86.64
Blue Cross/Blue Shield	Ins	467.03
Geneva State Bank	SS	134.53
Lafayette Life Insurance Co	Ins	1.36
Payroll	Salaries	935.38

E911 – COMMUNICATIONS CENTER

Nebraska Public Power District	Uti	150.26
Wahltek Inc	Sup	90.00
Windstream	Uti	987.27

CLAIMS APPROVED

Simacek moved and Kimbrough seconded the motion to approve the claims as presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item "Floodplain permit for project located in S21-22, Stanton Township" was held until a future Board meeting. As there were no other items to come before the Board, Mueller moved and Simacek seconded the motion to adjourn until 9:10 a.m., February 10, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman