

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., February 10, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, Mueller, Galusha, and Capek. Cerny was absent at 10:55 a.m. The Deputy County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. 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 2:12 p.m.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the January 27, 2009 Board meeting as presented.

FEE REPORTS

Cerny moved and Simacek seconded the motion to approve the following fee reports for the month of January 2009:

County Clerk: \$9,353.92 (State \$5,768.37 & County \$3,585.05)
Clerk of District Court: \$649.40
Sheriff: \$1,521.34

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.

DRIVEWAY PERMITS

Galusha moved and Mueller seconded the motion to approve the following applications for driveway permits:

Edward Griffiths – widen existing driveway to 40' on the south side of the SW ¼, Section 14-6-2, Chelsea Township;
Francis Keenan – move existing driveway and widen to 40' on the west side of the NW ¼, Section 35-8-4, Grafton Township.

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.

CLEAN SILT PERMITS

Simacek moved and Capek seconded the motion to approve the following applications to clean silt from the road ditch:

Arnold Heinrichs – clean silt from the road ditch on the east side of the NE ¼, Section 34-5-3, Hamilton Township.

Lowell and James Stephenson – clean silt from the road ditch on the east side of the SE ¼, Section 27-8-2, Fairmont Township.

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.

PUBLIC HEARING ON ONE AND SIX YEAR PLAN

The public hearing on the One and Six Year Plan was opened at 9:45 a.m., as advertised.

FLOODPLAIN PERMIT

After discussion, Kimbrough moved and Cerny seconded the motion to approve the floodplain permit between the SE ¼, Section 21 and the SW1/4, Section 22-6-3, Stanton Township. Will replace small bridge with three 60" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENEVA TOWNSHIP ROADS

Larry Biester and James Oberlander, Geneva Township Board Members, met with the Board requesting assistance in maintaining township roads. After discussion, Board needs more information and will discuss at the February 24th Board meeting.

HEARING ON BRIDGE PROJECT

After discussion regarding procedures, Kimbrough moved and Mueller seconded the motion to schedule a public hearing for the bridge project between Sections 32 and 33-7-3, Geneva Township to be held on February 24, 2009 at 9:55 a.m. 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.

PUBLIC HEARING FOR 1 TO 6 YEAR PLAN

Mueller moved and Simacek seconded the motion to close the hearing on the One and Six Year Plan at 10:30 a.m. No one appeared to testify either for or against the proposal. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VETERAN'S SERVICE OFFICER REPORTS

Eric Williams, Veteran's Service Officer, reported to the Board of a newly Combat Veterans group and the veteran's mileage reimbursement. He also requested to place the traveling Memorial Wall on the Courthouse lawn for the dates of July 9, 10, 11, 12 and 13; 2009, which was approved.

PUBLIC HEALTH SOLUTIONS

Eric Williams, President of Public Health Solutions District Board, (in absence of Jane Ford Wittoff) presented to the Board the annual report and answered questions.

KEYSTONE PIPELINE

Tracy Calhoun, Permit Specialist, met with the Board to field questions regarding the pipeline that will be going through Fairmont, Exeter and Liberty townships. Construction is slated to start in the year of 2011 and ending in the year of 2012. There will be one pump station located in Fillmore County. There is a public meeting to discuss this pipeline at the York Community Center, York, Nebraska, on Monday, February 23, 2009.

REPLACING PLEDGE SECURITY

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

RESOLUTION 2009-06

RESOLVED, that the Farmers & Merchants Bank of Milligan, Nebraska, be allowed to substitute the following security held by FHL Bank Topeka, Irrevocable Letter of Credit:

#17283 in the amount of \$125,000,000.00 expiring January 29, 2010

and that the following securities be released with Kansas Bankers Surety Company:

Bond No DG 1736 NE 007 in the amount of \$100,000.00
Bond No DG 1736 NE 010 in the amount of \$200,000.00
Bond No DG 1736 NE 013 in the amount of \$150,000.00
Bond No DG 1736 NE 019 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

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:

Howard Ach	Rent, Exp	3,301.04
All Around Lawn Care	Ser	90.00
Ameritas Life Insurance Corp	Ret	2,795.79
Jon Anderson	Uni	35.00
Axis Capital Inc	Lease	243.32
Black Hills Energy	Uti	2,322.27
William Burgess	Uni	35.00
Daryl L Callenius	Uni	35.00
Randall G Capek	Mile	15.40
Century Lumber Center	Sup	20.47
City of Geneva	Uti	128.20
Constellation Energy	Uti	367.71
Jill Cunningham	Meals	7.49
Eakes Office Plus	Sup	814.85
Earls Window Service	Ser	5.00
Erdkamp Motors	Rep	112.85
Fillmore County Clerk of District Court	Misc	236.00
Fillmore County Hospital	Ser	602.40
Fillmore County Treasurer	Misc	48,488.99
First Concord Benefits Group	Ser, Claims	3,411.04
Geneva State Bank	SS	2,909.44
Geneva TV & Appliance Inc	Sup/Ser	318.50
Hall County Sheriff	Ser	5.50
Hometown Leasing	Lease	704.65
Steve Julich	Uni	35.00
Kerry's Auto Repair & Service	Ser, Sup	172.11
Richard Kleinschmidt	Mile	8.80
Knoche Appraisal & Consulting LLC	Ser, Mile	1,204.00
Stephen J Kraviec	Ser	1,711.52
Lawson Products Inc	Sup	39.00
Robert McFarland	Uni	35.00
Mid-American Research Chemical	Sup	270.87
Midwest Radar & Equipment Inc	Sup	40.00
MIPS Inc	Ser	2,802.52
NE Assoc County Clerks	Dues	75.00
NE Assoc of County Officials	Reg	400.00
NE Signal	Sup, Ad, Pro	1,436.47
Platte Valley Communications	Sup	92.75
Ralphs Geneva Tire & Service Center	Rep, Sup	560.96
Steven G Roemmich	Uni	35.00
Secretary of State	Sup	80.00
Seiler & Parker PC	Ser	510.00
Ron Seymour	Mile	50.60
Shell Fleet Plus	Fuel	1,414.67
ST of NE; AS Central Fin/Interagency	Ser	448.00
Chad Summers	Uni	35.00
Thayer County Treasurer	Subs	1,078.52
UN-L IS-Telecommunications	Uti	10.61
University of NE; UNL IS/Computer Sales	Sup	142.00
USDA, APHIS	Ser	1,835.00
Carroll L Verhage MD	Ser	191.00
Daniel L Werner	Ser	1,473.62
Eric Williams	Mile, Post, Lodging	304.11
Windstream	Uti	228.45
Payroll	Salaries	30,512.17

ROAD/BRIDGE FUND:

Alltel	Uti	86.84
Ameritas Life Insurance Corp	Ret	1,606.41
Andrews Electric Co Inc	Rep	292.54
Auto Value Parts Stores	Sup	2,867.94
Black Hills Energy	Uti	1,393.79
Century Lumber Center	Sup	261.07
City of Geneva	Uti	57.00
Dell Marketing LP	Equip	1,048.31
Exeter Lumber Company	Sup	33.40
Filter Care of Nebraska	Sup	87.70
Friesen Chevrolet Inc	Ser, Sup	2,183.50
Geneva Implement	Pts	26.45
Geneva State Bank	SS	1,745.85
Geneva Welding & Supply Inc	Ser, Sup	909.35
Hilty's of Geneva	Sup	38.57
Jill's Sweet Shop	Misc	19.26
Lichti Oil	Fuel	2,442.65
Michl Service	Fuel	118.00
Mid-American Research Chemical	Sup	41.47
Midwest Service & Sales	Pts	760.00
NE Iowa Industrial Fasteners	Sup	100.65

NE Signal	Adv	18.01
Nicks Farm Store	Rep/Sup	189.67
Perennial Public Power	Uti	93.09
Power Plan	Pts	2,375.35
R & D Parts	Pts	7.43
Ralphs Geneva Tire & Service	Sup/Rep	229.25
Shell Fleet Plus	Fuel	224.56
Village of Grafton	Uti	21.07
Payroll	Salaries	17,943.53
<u>JUVENILE DIVERSION FUND:</u>		
Fillmore County Clerk	Copies	5.00
<u>ECONOMIC DEVELOPMENT FUND:</u>		
Hanna Keelan Associates PC	Ser	3,600.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp	Ret	133.16
Dawg's Smokehouse	HDM	299.00
Judy Dondlinger	Ser	144.00
Eakes Office Plus	Sup	68.98
Janet Bartak	Mile	77.00
Exeter Care Center	HDM	180.00
Exeter Senior Center	USDA	293.32
Fairmont Senior Center	USDA	1,819.85
Fillmore County Transit	Mile	60.00
Fillmore County Treasurer	Post	10.00
Geneva State Bank	SS	172.76
Geneva Senior Center	Misc	3,252.50
Susan Kerl	Ser	156.00
Jeannine Krejci	Ser	132.00
Elizabeth Mattox Manning	Ser	144.00
Brenda Motis	Mile	51.15
NE Assoc of Senior Centers	Dues	20.00
Ron's Tavern	HDM	160.00
Shell Fleet Plus	Fuel	4.84
Payroll	Salaries	2,098.18
<u>INHERITANCE TAX:</u>		
Fillmore County Treasurer	Transfer	10,000.00
<u>HOSPITAL OPERATING</u>		
Fillmore County Hospital	Taxes	2,797.74
<u>NOXIOUS WEED FUND:</u>		
Alltel	Uti	37.91
Ameritas Life Insurance	Ret	79.55
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	90.16
Payroll	Salaries	935.38

CLAIMS APPROVED

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

Ayes: Mueller, Galusha, Capek, Simacek, and Kimbrough
 Nays: None Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

NOXIOUS WEED SUPERINTENDENT

Brent Meyer, Ag Inspection Specialist for the Noxious Weed Program, Gaylord Craddock, Ron Isley and Darlene Vodicka, Noxious Weed Board Members, met with the Board of Supervisors to discuss the hiring of a new Noxious Weed Superintendent. An ad will be placed in the paper with a closing date of March 3, 2009.

ADJOURNMENT

As there were no other items to come before the Board, Capek moved and Simacek seconded the motion to adjourn until 9:00 a.m., February 24, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

 Attest

 Chairman