

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 24, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, Mueller, Galusha, and Capek. The 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 3:00 p.m.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the March 10, 2009 Board meeting as presented.

NOXIOUS WEED BOARD

Gary Richards submitted his resignation of the Noxious Weed Board effective May 1, 2009.

HOUSING STUDY

Patt Lentfer, Executive Director with Fillmore County Development Corp. presented a completed Housing Study for Fillmore County to the Board.

DRIVEWAY PERMIT

After discussion, Galusha moved and Cerny seconded the motion to approve the following application for a driveway permit:

William Hofmann – widen existing driveway to 85' on the west side of the SW ¼, Section 6-8-4, Grafton Township.

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.

DRIVEWAY PERMITS

Capek moved and Simacek seconded the motion to approve the following applications for driveway permits:

Dirk Johnson – widen existing driveway to 40' on the north side of the NW ¼, Section 22-5-4, Bryant Township;

Jason Bernasek – install a new 40' driveway on the east side of the SE ¼, Section 29-6-1, Glengary Township;

Mel Taylor – install a new 20' driveway on the north side of the NW ¼, Section 3-6-1, Glengary Township;

Keith Spohn – install a new 40' driveway on the south side of the SW ¼, Section 11-7-1, Liberty Township.

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.

CLEAN SILT PERMITS

Cerny moved and Galusha seconded the motion to approve the following applications to clean silt from the road ditch:

Mel Taylor – clean silt along the north side of the NW ¼, Section 3-6-1, Glengary Township;

Kevin Songster – clean silt along the north side of the NE ¼, Section 19-8-1, Exeter Township.

Upon roll call, the vote was as follows:

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

Nays: None Absent: Mueller

The Chairman declared the motion carried.

STATE OF NEBRASKA AGREEMENT

After discussion, Simacek moved and Kimbrough seconded the motion to approve and sign the agreement with the State of Nebraska to locate the land monuments on west Highway 41, from Highway

reference post 18.91 to 22.91 State of Nebraska will reimburse Fillmore County \$100.00 per monument, not to exceed \$900.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FIVE DAY WORK WEEK

Simacek moved and Galusha seconded the motion to continue with a five day work week at the Road's Department. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

FOUR DAY WORK WEEK

Kimbrough moved and Mueller seconded the motion that the Road's Department will work a four day work week beginning June 1st and ending August 28th, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CULVERT PIPE BIDS

Opened culvert pipe bids at 9:45 a.m. as advertised, the following bids were received:

	<u>ROUND CMP</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	7.98	9.54	12.66	19.70	23.57	37.99	43.32	49.52	67.82	81.25	115.19
Contech	7.90	9.30	12.20	18.80	22.70	38.40	42.30	48.80	68.00	83.00	122.00
Metal Culverts	6.72	7.98	10.68	16.50	19.68	32.34	36.84	42.00	59.10	70.56	101.82
Midwest Services	8.62	10.25	13.68	20.56	24.57	40.49	46.10	51.71	73.74	87.87	102.02

	<u>ELLIPTICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	8.38	9.94	13.06	20.10	23.91	38.39	43.72	49.92	68.22	81.65	115.59
Contech	8.30	9.60	12.50	20.60	23.90	39.90	44.50	51.90	70.80	84.90	129.00
Metal Culverts	7.32	8.60	11.59	17.51	20.86	33.86	38.49	43.86	61.37	73.32	105.80
Midwest Services	9.45	11.19	14.71	21.81	25.80	41.97	47.79	53.82	76.90	92.09	106.93

	<u>ROUND HELICAL (SPIRAL)</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	7.20	8.50	11.40	17.80	21.25	34.50	39.80	45.50	62.80	76.00	108.00
Contech	7.40	8.60	11.80	18.00	21.40	35.70	40.30	45.80	61.60	74.00	117.00
Metal Culverts	6.72	7.98	10.68	16.50	19.68	32.34	36.84	42.00	59.10	70.56	101.82
Midwest Services	7.68	9.14	12.20	18.35	21.91	36.12	41.11	46.11	65.76	78.35	90.96

	<u>ELLIPTICAL HELICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	7.60	8.90	11.80	18.20	21.50	35.50	40.30	46.00	63.20	77.00	111.00
Contech	7.90	8.90	12.40	18.90	22.10	37.10	42.40	49.00	64.00	78.80	123.00
Metal Culverts	7.32	8.60	11.59	17.51	20.86	33.86	38.49	43.86	61.37	73.32	105.80
Midwest Services	8.43	9.98	13.12	19.44	23.02	37.43	42.61	47.99	68.57	82.11	95.35

CULVERT PIPE LETTING

After discussion, Kimbrough moved and Capek seconded the motion to accept all bids with the Highway Superintendent selecting the lowest bid depending upon availability. 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.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the Highway Superintendent, Elmer Hessheimer, Cerny moved and Mueller seconded the motion to declare an emergency in order to add an item to the agenda, said item "Project #STR-81-1(1040)". 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.

PROJECT #STR-81-1(1040)

Highway Superintendent, Elmer Hessheimer informed the Board that on March 23rd he had a meeting with several people from District 4 and Larry Legg from the NDOR regarding this project. Mr. Legg is requesting to change the plan and request a relaxation of design standards and build the bridge 30' wide instead of the original width of 40'.

After discussion, Cerny moved and Mueller seconded the motion to build the bridge replacement on old Highway 81 north of Geneva according to design standards at 40'. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HOSPITAL BOARD SALARY

Paul Utemark, CEO presented an update and a quarterly report for the Fillmore County Hospital. Paul also requested that the Hospital Board salary be increase from \$900.00 a year to \$1,200.00 a year.

After discussion, Mueller moved and Cerny seconded the motion to increase the hospital board salary to \$1,200.00 a year, which is the maximum beginning July 1, 2009. 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.

GASRITE

Jeff Ramold, President of Gasrite gave a presentation in regards to contracting fuel for the County. There are three different options for incentive pricing, forward contract pricing, and price later gas/diesel at the pump. Board will discuss at the next board meeting.

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:

All Around Lawn Care	Ser	60.00
Alltel	Uti	414.62
Ameritas Life Insurance Corp.	Ret	2,704.97
Aramark Uniform Services, Inc.	Ser	506.87
Blue Cross Blue Shield of Nebraska	Insur	15,411.99
Buzz's Alignment	Rep	160.00
Marilyn Christianity	Ret	25.00
City of Geneva	Rent	484.00
Corner Stop	Fuel	81.09
Dell Marketing, L.P.	Sup	179.98
Eakes Office Plus	Sup	919.53
Erdkamp Motors	Rep	36.00
Executive Copier Services	Ser	109.75
Fillmore County Hospital	Ser	75.00
Fillmore County Medical Center	Ser	73.26
First Concord Group, Inc.	Insur	3,865.12
Franklin County Treasurer	Ser	13.20
Geneva State Bank	SS	2,809.97
Gambles	Sup	77.95
The Garbage Co., Inc.	Ser	161.63
Norma Gregory	Ret	25.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,652.00
Stephen J. Kraviec	Ser, Post	1,703.87
Lincoln County Sheriff	Ser	31.60
Lafayette Life Insurance Co.	Insur	161.35
Lynn Peavey Company	Sup	47.88
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	100.00
Mid-American Research Chemical	Sup	507.21
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Public Power District	Uti	893.76
The Nebraska Signal	Sup	122.70
Northeast Nebraska Juvenile Services	Boarding Prisoner	2,486.25
Phelps County Court	Ser	6.50
Saline County Sheriff	Ser	50.00

March 24, 2009

State of Nebraska AS Central Finance	Ser	57.61
State of Nebraska Dept. of Correctional Ser	Boarding Prisoner, Med	314.10
State of Nebraska Dept. of Motor Vehicle	Ser	4.00
State of Nebraska Public Health Env. Lab.	Ser	252.00
Brandy VanDeWalle	Mile, Wksh	24.40
Weaver Pharmacy	Sup	102.55
Eric Williams	Mile, Sup	165.85
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,146.44
Steven Yates	Mile	99.00
York County Sheriff	Ser, Mile	16.65
Payroll	Salaries	39,230.87
<u>ROAD/BRIDGE FUND:</u>		
Ameritas Life Insurance Corp.	Ret	1,605.25
Auto Value Parts Stores	Parts, Sup	523.34
B's Enterprises	Sup	6,630.00
Baum Hydraulics	Parts	30.33
Blue Cross Blue Shield of Nebraska	Insur	9,807.63
City of Geneva	Fencing, Sup	2,726.82
Dorchester Farmers Coop	Fuel	171.00
Gambles	Sup, Parts	163.32
The Garbage Company	Ser	78.76
Geneva Gun Club, Inc.	Easement	30.00
Geneva State Bank	SS	1,747.32
Ralph Gould	Ret	18.00
Mitchel T. & Cheryl L. Hedden	ROW	670.00
Donovan Jirkovsky	Ret	25.00
Kabredlo's Inc.	Fuel	80.69
Kerry's Auto Repair & Service	Rep	12.00
L. J. Webb Contractor, Inc.	Sup	300.00
Lafayette Life Insurance Co.	Insur	87.99
Lichti Oil	Fuel	1,830.96
NMC Exchange, LLC	Parts, Sup	2,920.35
Nebraska Public Power	Uti	323.47
Perennial Public Power	Uti	112.56
Speece Lewis Engineers	Ser	305.50
Superior Deshler, Inc.	Fuel	37.78
Village of Fairmont	Uti	57.42
Windstream	Uti	145.38
Yant Equipment	Rep	216.37
Zep Manufacturing	Sup	99.77
Payroll	Salaries	23,781.39
<u>EXONOMIC DEVELOPMENT – TOURISM FUND:</u>		
Fillmore County Development Corp.	Sup, Mile, Wksh, Ser	399.07
Milligan Auditorium Corp.	Grant	500.00
<u>INSTITUTIONS FUND:</u>		
State of Nebraska Health & Human Service	Febr. Patient Care	84.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp.	Ret	134.78
Blue Cross Blue Shield of Nebraska	Insur	934.06
Geneva State Bank	SS	173.18
Jeannine Krejci	Ser	120.00
Lafayette Life Insurance Co.	Insur	9.00
Rhonda Stokebrand	Mile	59.00
Payroll	Salaries	2,280.15
<u>NOXIOUS WEED FUND:</u>		
Ameritas Life Insurance Corp	Ret	444.86
Merlin Ehmen	Ret	22.00
Geneva State Bank	SS	504.19
Payroll	Salaries	6,590.60
<u>E911 COMMUNICATIONS FUND:</u>		
Nebraska Public Power District	Uti	118.99
Windstream	Uti	986.24

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

LIBERTY TOWNSHIP BOND

Mueller moved and Galusha seconded the motion to approve the Liberty Township bond for Galen Kuska beginning April 3, 2009 and ending April 3, 2010. 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.

RURAL TRANSIT

Jane Crock and Crystal Norvell presented the budget for 2009-2010 for the Fillmore County Rural Transit in the amount of \$18,780.00, which will be discussed later this summer. They also presented documents for Federal and State funding.

FEDERAL FUNDING FOR RURAL TRANSIT

After discussion, Mueller moved and Cerny seconded the introduction of the following resolution:

RESOLUTION 2009-11

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act (FTA), and for Nebraska Public Transportation Act funds, and

WHEREAS, Fillmore County desires to apply for said funds to be used to provide public transportation in Fillmore County with special emphasis on meeting the needs of the elderly and disabled of Fillmore County.

NOW THEREFORE, BE IT RESOLVED; that the Fillmore County Board of Supervisors hereby instruct the Fillmore County Clerk to apply for the above mentioned funds. Said funds are to be used for Fiscal year 2009-2010.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

RURAL TRANSIT CONTRACT WITH BLUE VALLEY

Capek moved and Kimbrough seconded the motion to approve and sign the contract with Blue Valley Community Action, Inc. for rural transit in Fillmore County beginning July 1, 2009 and ending June 30, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FEDERAL & STATE FUNDING

Mueller moved and Kimbrough seconded the motion to approve and sign the Federal and State funding applications for fiscal year 2009/2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NOXIOUS WEED SUPERINTENDENT APPOINTMENT

Gaylord Cradduck and Darlene Vodicka, Noxious Weed Board members, presented to the Board their first and second recommendation of the five interviews for the Noxious Weed Superintendent position.

After discussion, Capek moved and Simacek seconded the motion to approve the Noxious Weed Board to offer the Superintendent position to their 1st recommendation. If they do not accept, then they will offer the position to their 2nd recommendation. 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.

MISSION NEBRASKA

March 24, 2009

Stan Parker and Carolyn Simmons appeared to request putting equipment on the 911 tower to increase their radio coverage. After discussion, the Board requested the Emergency Manager to research their request and report at the next Board meeting.

EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)

Terry Marshall, Emergency Manager informed the Board that Fillmore County was awarded \$37,882.00 to be used before September 1, 2009 without receiving a penalty for not using the EMPG funds. After discussion, the Board requested that Terry start the process of replacing the emergency manager's vehicle and completing the work on the emergency management's trailer.

LONG TERM DISABILITY

Beginning July 1, 2009 all employees covered on the county's health insurance will be receiving long term disability insurance. This plan will cover up to 50% of their salary up to a maximum annual covered salary of \$20,000 if you are unable to work due to the disabling injury or illness, with a 120 day waiting period. More information will be sent out to all employees in their paychecks.

After discussion, Mueller moved and Galusha seconded the motion to purchase the base plan for the employees that are not covered by the county's health insurance and to allow all employees the buy up option at the employee's expense. 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.

2009/2010 SALARY COMMITTEE

Chairman of the Board, Yates appointed Albert Simacek, Larry Cerny, and Dennis Kimbrough to the 2009/2010 salary committee.

ADJOURNMENT

Agenda item "personnel evaluations" will be discussed at 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., April 14, 2009. 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.

Attest

Chairman