

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 28, 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. Kendra Oldehoeft attended the meeting as part of Odegeo Leadership project.

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 2:20 p.m.

MINUTES APPROVED WITH CORRECTION

After discussion, Cerny moved and Capek seconded the motion to approve the minutes of the April 14th meeting with the following correction: add the bid from Biegert Construction Co. in the amount of \$4,795.00 to construct an office in the old road building for the Noxious Weed Superintendent. 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.

COUNTY SURVEYOR

Tom Krueger, County Surveyor gave a report to the Board of how he marks the corners, etc. in the County.

DITCH CLEANING IN GRAFTON TOWNSHIP

Henry Fehr was present to discuss the drainage problem in the NE ¼, Section 18-8-4, Grafton Township.

After discussion, Galusha moved and Cerny seconded the motion to direct the Highway Superintendent to clean out the ditch on the north side of the NE ¼, Section 18-8-4, Grafton Township and bill the landowners for this cleaning as stated in their letter from the County Attorney. 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.

DRIVEWAY PERMITS

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

Sophie Dunlap/Erma Lundberg Trust – remove existing driveway on the east side of the NE ¼, Section 4-7-2, Madison Township;
Harriet Reinsch – install a new driveway on the north side of the NE ¼, Section 35-6-3, Stanton Township;
Kent & Kurt Myers – install a new 30' driveway on the west side of the SW ¼, Section 35-6-2, Chelsea Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLEAN SILT PERMITS

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

Sophie Dunlap/Erma Lundberg Trust – clean silt along the east side of the NE ¼, Section 4-7-2, Madison Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

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

Windstream Nebraska, Inc. – to bury communication line between the SW ¼ of Section 16 and the NW ¼ of Section 21-8-2, Fairmont Township. Windstream agrees 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.

Windstream Nebraska, Inc. – to bury communication line between the SE ¼ of Section 14 and the NE ¼ of Section 23-6-4, Momence Township. Windstream agrees 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.

Windstream Nebraska, Inc. – to bury communication line between the SE ¼ of Section 30 and the SW ¼, Section 29-5-1, Franklin Township. Windstream agrees 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: Mueller, Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny
Nays: None

The Chairman declared the motion carried.

CLEAN SILT PERMIT

After discussion, Simacek moved and Galusha seconded the motion to approve the follow application to clean silt from the road ditch:

Michael Dillon – clean silt along the east side of the road ditch between Section 9 and 10-7-2, Madison 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.

JOB DESCRIPTION

After discussion, Mueller moved and Cerny seconded the motion to approve the job description for the sign person. 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.

WORK WEEK

Received a letter from an employee discussion road's department working ten (10) hour days and how vacation and holiday pay. The Board will address the issues in a letter to the employee.

DRAINAGE ISSUE

After discussion, Mueller moved and Cerny seconded the motion to direct the Highway Superintendent to contact Larry Lewis with Speece Lewis Engineering to conduct a survey to assess the work that has been completed in Section 15 & 16-7-2, Madison 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.

CISDA

Carol Hrdlicka and Amy Meier with CISDA presented the annual report and budget request in the same amount that was requested for 2008-2009. Budget requests will be handled later during the budget process.

POSTAGE MACHINE

After discussion the Board directed the Deputy County Attorney to send a letter to the lease company to see about terminating the lease.

KEYSTONE XL PIPELINE CONCERNS

Mel Taylor, Eric W. Milton, Roger & Judy Rada, County Attorney Jill Cunningham, Deputy County Attorney Howard Ach, and County Assessor Joan Ackland attended the meeting regarding the concerns the

landowners and concerned citizens have regarding the Keystone XL pipeline that is proposed to go through Fillmore County.

After discussion, the County Attorney will research what other counties affected by the pipeline are doing and report back to the Board at the May 12th Board meeting.

EMPLOYEE PERFORMANCE EVALUATIONS

The Board requested all department heads to complete employee performance evaluations by June 1st of each year. Attending were Bill Burgess, Peggy Birky, Terri Volkmer, Terry Marshall, Brandy VanDeWalle, Barbara Trapp, Joan Ackland, and Eric Williams. Department heads will review the different performance evaluations and report back at the next Board meeting.

EXTENSION OFFICE

Brandy VanDeWalle, Extension Educator informed the Board of the projects that she has been working on. Among them are irrigated cropping systems, risk management, youth development, and the completion of her LEAD program.

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	427.20
Ameritas Life Insurance Corp.	Ret	2,638.14
Jon Anderson	Misc.	45.35
Aramark Uniform Services, Inc.	Ser	609.46
Lois Bernasek	Misc.	45.35
Blue Cross/Blue Shield of Nebraska	Insur	14,944.96
Daryl Callenius	Misc.	45.35
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Brandie Conway	Misc.	45.35
Corner Stop	Fuel	7.99
Dell Marketing, LP	Equip	291.00
Erdkamp Motors	Rep	36.00
Evercom Systems, Inc.	Sup	140.00
Fillmore County Building & Grounds	Misc.	46.23
Fillmore County Sheriff	Fees	232.88
Fillmore County Treasurer	Wksh, Interest	80.03
Gambles	Sup	121.51
Geneva State Bank	SS	2,773.26
Geneva Super Foods	Sup	647.60
Geneva TV & Appliance, Inc.	Equip	269.00
Germer, Murray & Johnson	Ser, Mile	1,717.54
Norma Gregory	Ret	25.00
JEO Consulting Group, Inc.	Ser	981.00
Jim's Repair	Rep	776.68
Steve Julich	Misc.	45.35
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	2,641.75
Kerry's Auto Repair & Service	Rep	1,567.69
Lancaster County Sheriff	Ser	110.62
Ann H. McDonald	Ret	18.00
Mels Automotive	Rep	30.00
Howard Mills	Misc.	45.35
MIPS, Inc.	Equip, Ser	1,048.70
Moore Wallace	Sup	52.86
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Association of County Officials	Wksh	240.00
Nebraska Public Power District	Uti	96.07
Nebraska Supreme Court	Sup	350.00
Dawn Opfer	Misc.	45.35
Parade of Flags	Sup	84.00
Platte Valley Communications of Hastings	Ser, Equip	27,043.79
Proforma	Sup	412.26
Radiology Associates, PC	Medical	52.00
R. L. Polk & Co.	Sup	20.00
Steven Roemmich	Misc.	45.35
Shell Fleet Plus	Fuel	1,606.95
Olivia Shellhase	Misc.	45.35
State of Nebraska AS Central Finance	Ser	57.64
State of Nebraska Dept. of Correction	Boarding Prisoners	2,540.20
State of Nebraska Dept. of Motor Vehicles	Misc.	210.00
State of Nebraska Public Health Env.	Ser	56.35
Chad Summers	Misc.	45.35

University of Nebraska – Schmid Law Libr.	Ser	22.50
USDA, APHIS	Ser	1,835.00
Walter F. Stephens, Jr., Inc.	Sup	54.54
West Payment Center	Sup	77.70
Williams Exterminating, Inc.	Ser	110.00
Payroll	Salaries	38,457.60

ROAD/BRIDGE FUND:

Ameritas Life Insurance Company	Ret	1,606.20
Blue Cross/Blue Shield of Nebraska	Insur	9,807.63
Farm Plan	Parts	957.75
Gambles	Sup, Tools	144.73
Geneva State Bank	SS	1,794.57
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	120.54
Hireright Solutions, Inc.	Ser	89.70
Donovan Jirkovsky	Ret	25.00
Kabredlo's Inc.	Fuel	44.46
Kerry's Auto Repair & Service	Rep	12.00
L. J. Webb Contractor, Inc.	Equip	700.00
Lichti Oil	Fuel	18,520.43
Marlborough	Sup	28.80
NMC Exchange, LLC	Parts	1,437.31
Nebraska Public Power District	Uti	292.03
Newman Traffic Signs	Signs	296.16
Overland Sand & Gravel	Gravel	2,393.78
Perennial Public Power District	Uti	94.02
Shell Fleet Plus	Fuel	13.04
Speece Lewis Engineers	Ser	316.50
Titan Access Account	Parts	411.74
Village of Ohioa	Uti	20.00
Payroll	Salaries	24,399.22

JUVENILE DIVERSION FUND:

Dave Wythers	Ser, Mile, Uti	1,155.00
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ECONOMIC DEVELOPMENT – TOURISM:

Naimon Enterprises	Ser	20.00
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INSTITUTIONS:

State of Nebraska Health & Human Serv.	March Patient Care	93.00
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SENIOR SERVICES FUND:

Ameritas Life Insurance Corp.	Ret	133.70
Blue Cross/Blue Shield of Nebraska	Insur	934.06
The CIMA Companies, Inc.	Insur	1,123.60
Exeter Senior Center	USDA	43.32
Fairmont Aging Services	USDA	174.42
Geneva Senior Center	USDA	625.29
Geneva State Bank	SS	169.47
Shell Fleet Plus	Fuel	1.90
Payroll	Salaries	2,231.63

INHERITANCE TAX FUND:

Fillmore County Treasurer	Transfer	10,000.00
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COURTHOUSE BOND FUND:

UMB Bank, NA	Interest	12,301.25
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ROAD BOND FUND:

UMB Bank, NA	Interest	8,641.25
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NOXIOUS WEED FUND:

Ameritas Life Insurance Corp	Ret	67.51
Merlin Ehmen	Ret	22.00
Geneva State Bank	SS	76.51
Payroll	Salaries	1,000.10

E911 COMMUNICATIONS FUND:

Windstream	Uti	117.84
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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

NOXIOUS WEED BOARD

Mueller moved and Capek seconded the motion to appoint Leonard Oldehoeft to Noxious Weed Board to replace Gary Richards beginning May 1, 2009 and ending December 31, 2012. 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.

ADJOURNMENT

As there were no other items to come before the Board, Cerny moved and Mueller seconded the motion to adjourn until 9:10 a.m., May 12, 2009. 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.

Attest

Chairman