

The Fillmore County Board of Supervisors convened in open and public session at 9:12 a.m., May 12, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, Mueller, and Galusha. Capek was absent. 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 2:25 p.m.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the April 28, 2009 Board meeting as presented.

FEE REPORTS

Mueller moved and Galusha seconded the motion to approve the fee reports for April 2009:

County Clerk: \$5,762.36 (State \$2,813.54 & County \$2,938.82)
Sheriff: \$2,124.41
Clerk of District Court: \$703.85

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WITHDRAWING PLEDGE SECURITY

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

RESOLUTION 2009-12

RESOLVED, that the Geneva State Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Wells Fargo Bank, N.A. to-wit:

Cusip #362617CL4 in the amount of \$155,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADDING PLEDGE SECURITY

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

RESOLUTION 2009-13

RESOLVED, that the Geneva State Bank of Geneva, Nebraska, be allowed to add the following security held by Midwest Independent Bank to-wit:

Cusip #486894HQ4 in the amount of \$50,000.00
Cusip #384421AB9 in the amount of \$45,000.00
Cusip #384421AA1 in the amount of \$40,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

DRIVEWAY PERMITS

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

- Robert Kohler – install a new 40' driveway on the west side of the SW ¼, Section 27-7-1, Liberty Township;
- Ted Marek – widen existing driveway & install a new driveway on the north side of the NE ¼, Section 5-7-1, Liberty Township;
- Ben Horne – install a new driveway on the east side of the SE ¼, Section 33-8-1, Exeter Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRAINAGE IN MADISON TOWNSHIP

After discussion the Board agreed to have Larry Lewis apply with the Corps of Engineers to change the natural drainage in Section 22, Madison Township. The Road's department will clean the ditches in this area in the next couple of weeks. Kent Theobald, Gene and Marlene Buerer were present for this discussion.

POLE SHED

After discussion, the Board will have a pole shed letting at the June 23rd board meeting to be placed at the Road's Department in Geneva for storage for the Road's Department and Noxious Weed Department.

ENGINEERING STUDY

After discussion, Simacek moved and Kimbrough directed the Highway Superintendent to do an Engineering study for a stop sign at the intersection of Road U and Road 11. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

POSTAGE MACHINE

Brian Cochran with Midwest Mailing gave a presentation to the Board regarding a Hasler IM460 postage machine. Also received quotes from Business Office Systems for the same machine.

After discussion, Cerny moved and Mueller seconded the motion to allow the County Clerk to sign the lease with Midwest Mailing for an IM460 postage machine for a three year lease. Upon roll call, the vote was as follows:

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

Howard Ach	Rent, Post, Sup, Wksh, Lodging	3,431.60
Ameritas Life Insurance Corp.	Ret	2,754.10
Axis Capital, Inc.	Ser	243.32
Bear Graphics, Inc.	Sup	103.84
Black Hills Energy	Uti	753.41
Bottorf & Maser, Atty.	Ser, Mile	203.75
Century Lumber Center	Sup	55.53
City of Geneva	Uti	148.90
Constellation Energy	Uti	84.49
Douglas County Court	Ser	2.00
Duckwall – Alco Stores, Inc.	Sup	70.87
Eakes Office Plus	Sup	1,406.60
Earls Window Service	Ser	5.00
Executive Copier Service	Sup	97.60
F & S Supply Co., Inc.	Sup	174.29
Fillmore County Hospital	Ser	50.00
First Concord Benefits Group, LLC	Ser, Deduct	1,784.51
The Garbage Co., Inc.	Ser	161.63
Geneva Welding & Supply, Inc.	Sup	30.00
Geneva State Bank	SS	2,903.06
Hometown Leasing	Ser	704.65
Jefferson County Sheriff	Ser	32.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,731.80
Lafayette Life Insurance Co.	Insur	146.95
Lancaster County Sheriff	Ser	12.90
Lease Consultants Corp.	Ser	249.00
Mid-American Research Chemical	Sup	105.21
MIPS, Inc.	Ser	2,832.52

NE Criminal Defense Attorney's Assoc.	Wksh	210.00
The Nebraska Signal	Proc, Ads	942.37
Nick's Farm Store Co.	Sup	5.26
Plains Power & Equipment Co.	Sup	31.00
Platte County Sheriff	Ser	5.00
Platte Valley Communications of Hastings	Equip, Sup	556.72
Quality Inn & Suites	Lodging	66.95
Ralph's Geneva Tire & Service	Tire, Rep	890.33
Ramada Inn	Lodging	126.00
Seiler & Parker, P.C.	Ser, Mile	426.50
Seward County Sheriff	Ser	14.28
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Crime Commission	Sup	14.00
State of Nebraska Public Health Env.	Ser	84.00
Thayer County Sheriff	Ser	46.00
University of Nebraska, Lincoln	Salary	1,461.72
Univ. of NE Center Applied Rural Innov.	Wksh	30.00
Univ. of NE – 4-H Youth Development	Sup	15.00
Univ. of NE Schmid Law Library	Sup	7.50
Univ. of NE Southeast Research & Ext.	Equip	1,111.52
UN-L IS-Telecommunications	Uti	19.92
Windstream	Uti	229.38
York County Court	Ser	2.25
York County Sheriff	Ser	55.44
Payroll	Salaries	40,154.42

ROAD/BRIDGE FUND:

Alltel	Uti	86.97
Ameritas Life Insurance Corp.	Ret	1,605.47
Auto Value Parts Stores	Parts, Sup	62.52
Black Hills Energy	Uti	425.88
City of Geneva	Uti	63.40
Casey's General Store	Fuel	319.88
Century Lumber Center	Parts, Sup	192.04
Conney Safety Products	Sup	60.90
Dorchester Farmers Coop	Fuel	184.24
Fillmore County Shop	Post, Misc.	33.66
Filter Care of Nebraska	Parts	145.25
The Garbage Company	Ser	78.76
Geneva Implement	Parts	424.27
Geneva State Bank	SS	1,794.26
Geneva Welding & Supply, Inc.	Parts, Sup	189.72
Grafton Oil	Fuel, Sup	2,526.34
Jill's Sweet Shop	Misc.	22.50
Lafayette Life Insurance Company	Insur	87.99
Lichti Oil	Fuel, Sup, Parts	4,447.43
M.E. Collins	Ser	81,956.70
Michl Service	Fuel	46.00
Midwest Steel Fabricators	Parts	18.14
Newman Traffic Signs	Sup	198.88
Nichols Construction	Gravel	12,208.19
Nick's Farm Store	Rep	27.58
Perennial Public Power District	Uti	42.00
Power Plan	Parts	378.71
Ralph's Geneva Tire & Service	Rep	37.35
Roit Repair	Rep	28.75
Shell Fleet Plus	Fuel	1,826.18
Speece Lewis Engineers	Ser	8,696.81
Superior Deshler, Inc.	Fuel	35.68
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	27.54
Village of Grafton	Uti	21.07
Payroll	Salaries	24,395.22

ECONOMIC DEVELOPMENT – TOURISM FUND:

FMZ Association	Misc.	1,000.00
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SENIOR SERVICES FUND:

Ameritas Life Insurance Corp.	Ret	133.70
Janet Bartak	Mile	50.60
Dawg's Smokehouse Café	HDM	299.00
Judy Dondlinger	Ser	144.00
Eakes Office Plus	Sup	54.56
Exeter Care Center	HDM	390.00
Geneva Senior Center	Rent	35.00
Geneva State Bank	SS	171.60
Susan Kerl	Ser	135.00
Jeannine Krejci	Ser	168.00
Lafayette Life Insurance Company	Insur	9.00

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Elizabeth Mattox Manning	Ser	84.00
Brenda Motis	Mile, Sup, Meals	187.52
Ron's Tavern	HDM	130.00
JoAnn Vavra	Ser	156.00
Windstream	Uti	98.62
Payroll	Salaries	2,259.50
<u>FRIENDS OF THE COURTHOUSE FUND:</u>		
Barb Nunns	Ser	450.00
<u>INHERITANCE TAX FUND:</u>		
Plains Tree Farm, Inc.	Trees, Ser	4,200.00
<u>HOSPITAL OPERATING FUND:</u>		
Fillmore County Hospital	April taxes	25,629.14
<u>NOXIOUS WEED FUND:</u>		
Alltel	Uti	38.21
Ameritas Life Insurance Corp.	Ret	73.98
Shane Bristol	Rep	294.14
City of Geneva	Uti	2.66
Geneva State Bank	SS	83.84
Lafayette Life Insurance Company	Insur	4.50
Lichti Oil	Fuel	112.00
NE Leafy Spurge Working Task Force	Dues	6.00
The Nebraska Signal	Ads	193.20
Ralph's Geneva Tire	Rep	95.79
Payroll	Salaries	1,096.00

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

PURCHASE CARD

After discussion, Kimbrough moved and Cerny seconded the motion to approve and sign the purchase card agreement with U.S. Bank for a credit card for the County. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

KEYSTONE XL PIPELINE

Mel Taylor, Judy & Roger Rada, William & Ellen Panec, and County Attorney Jill Cunningham were present for discussion regarding the Keystone XL pipeline that is routed to go through Fillmore County. William Panec discussed with the Board to participate in the National Environmental Policy Act (NEPA) process as joint lead or cooperating agency.

After discussion, Cerny moved and Galusha seconded the motion to participate in the NEPA process as joint lead or cooperating agency by submitting a letter to U.S. Department of State in Washington, DC. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items to come before the Board, Kimbrough moved and Simacek seconded the motion to adjourn until 9:00 a.m., May 26, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

 Attest

 Chairman