

The Fillmore County Board of Supervisors convened in open and public session at 9:27 a.m., August 25, 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 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 4:40 p.m.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the August 11, 2009 Board meeting as presented.

DRIVEWAY PERMIT

Kimbrough moved and Capek seconded the motion to approve the following applications for driveway permit:

Gary Muehling – install a new 40' driveway on the east side of the NE ¼, Section 23-5-2, Belle Prairie Township.

Upon roll call, the vote was as follows:

Ayes: 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 application to occupy county right-of-way:

Ted Marek – install an electrical line between the SE ¼, Section 32-8-1, Exeter Township and the NE ¼, Section 5-7-1, Liberty Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them 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: Galusha, Capek, Yates, Simacek, Kimbrough, and Mueller
Nays: None

The Chairman declared the motion carried.

LETTING FOR ENGINEERING SERVICES

After discussion, Kimbrough moved and Capek seconded the motion to award the engineering services to Speece Lewis Engineers for Project #C-30(360) between sections 21, 22, 27, and 28 Geneva Township from the July 28, 2009 Board meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DIESEL FUEL LETTING

After discussion, the Board directed the Highway Superintendent to have a diesel fuel letting this year either in November or December.

ZION CEMETERY DITCH FILLING

After discussion, Galusha moved and Capek seconded the motion to approve the Zion Cemetery to fill the ditch as approved by the Highway Superintendent and with at least a foot ditch being left along the east and south side of the SE ¼, Section 24, Momence Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PUBLIC HEARING FOR DRAINAGE ISSUES BETWEEN SECTIONS 21-22 MADISON

Public hearing was opened at 9:45 a.m. as advertised to hear public comments regarding the drainage issues between Sections 21-22, Madison Township. Larry Lewis with Speece Lewis Engineers, Kent Theobald, Mike Uldrich, and Gean & Marlene Buerer were present for this discussion.

After discussion, the hearing was closed at 10:32 a.m., there will be more discussion at the next Board meeting.

MOTOR GRADER

Chad McDaniel from NMC (Nebraska Machinery) informed the Board that they will be extending the warranty of the power train another five (5) years on the motor grader that was purchased last year.

EXECUTIVE SESSION

Capek moved and Galusha seconded the motion that the Fillmore County Board of Supervisors hold an executive session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and consider in executive session personnel items authorized by Statute to be discussed in executive session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the Zoning Administrator and the County Clerk remain. Executive session began at 11:04 a.m.

RETURN TO REGULAR SESSION

Mueller moved and Simacek seconded the motion to return to open session at 11:14 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HORTON CEMETERY

Received a letter from Mr. Richard Horton regarding the damage to tombstones at the Horton Cemetery. After review by several Board members, the Highway Superintendent, and the County Sheriff all believe that the tombstones are just deteriorating due to age. At this time the Board agreed that there is nothing that they can do and will file the letter.

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	751.55
Ameritas Life Insurance Corp.	Ret	2,635.74
Aramark Uniform Services, Inc.	Ser	516.78
Blue Cross Blue Shield of Nebraska	Insur	16,580.40
Mary Brinkman	Meals	10.88
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Duckwalls	Sup	18.91
Earls Window Service	Ser	5.00
Evercom Systems, Inc.	Sup	140.00
Fillmore County Court	Fees	1,477.87
Fillmore County Medical Center	Ser	78.00
Fillmore County Treasurer	Ser, Equip, Post	2,966.90
First Concord Group, Inc.	Insur, Ser	3,547.27
Gambles	Sup	199.32
The Garbage Co.	Ser	161.63
Geneva State Bank	SS	2,794.72
Geneva Super Foods	Sup	857.39
Geneva TV & Appliance, Inc.	Sup, Rep	53.50
Germer, Murray & Johnson	Ser, Mile	488.76
Norma Gregory	Ret	25.00
Hasler Financial Services, LLC	Ser	152.37
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Wksh, Uti	5,315.31
Kiner Supply Co.	Sup	620.00
Stephen J. Kraviec	Ser, Post	1,696.70
Lawson Products, Inc.	Sup	207.84
Lease Consultants Corp.	Ser	249.00
Maximus, Inc.	Ser	268.25
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	529.63
MIPS, Inc.	Sup	81.51
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Dept. of Revenue	Wksh, Sup	575.00

August 25, 2009

Nebraska Public Power District	Uti	2,507.82
Nebraska Sheriff's Assoc.	Wksh	90.00
Nebraska Signal	Misc.	30.50
Lyndsey Pohlmeier	Mile	24.20
Postmaster	Rent	44.00
Revitalize Geneva	Misc.	200.00
Seiler & Parker, P.C.	Ser, Mile	682.75
Shell Fleet Plus	Fuel	1,706.17
State of Nebraska AS Central Finance	Ser	48.25
State of Nebraska Dept. Correctional Serv.	Boarding Prisoners, Medical	2,634.71
State of Nebraska Dept. Motor Vehicle	Ser	4.00
Brandy VanDeWalle	Mile	48.40
Weaver Pharmacy	Sup, Misc.	234.25
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,189.81
Wingate by Wyndham	Lodging	84.95
Payroll	Salaries	38,921.59

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,582.84
Blue Cross Blue Shield of Nebraska	Insur	11,606.28
Dorchester Framers Coop	Fuel, Parts	126.81
Farm Plan	Parts	97.52
Fillmore County Shop – Petty Cash	Misc, Post	35.44
Gambles	Sup, Misc	68.05
The Garbage Co.	Ser	78.76
Geneva State Bank	SS	1,796.45
Geneva Super Foods	Sup	18.92
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	61.34
Elmer Hessheimer	Meals	49.86
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	4,544.62
NMC Exchange, LLC	Parts, Rep	1,608.72
Nebraska Public Power District	Uti	375.08
Office Depot Credit Plan	Sup	84.03
Perennial Public Power	Uti	46.45
Roit Repair	Rep	48.53
Speece Lewis Engineers	Ser, Fees	6,283.00
Village of Fairmont	Uti	17.00
Windstream	Uti	143.97
Payroll	Salaries	24,503.01

ECONOMIC DEVELOPMENT – TOURISM FUND:

Discover Geneva	Grant	250.00
Milligan Auditorium Corp.	Grant	250.00
Revitalize Geneva	Misc.	200.00

INSTITUTIONS FUND:

State of Nebraska Health & Human Serv.	July Patient Care	78.00
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SENIOR SERVICES FUND:

Ameritas Life Insurance Corp.	Ret	133.86
Blue Cross Blue Shield of Nebraska	Insur	1,105.36
Crossroads	Sup	10.00
Geneva State Bank	SS	171.77
Shell Fleet Plus	Fuel	30.38
Windstream	Ser	110.27
Payroll	Salaries	2,261.81

NOXIOUS WEED FUND:

Ameritas Life Insurance Corp.	Ret	73.98
Blue Cross Blue Shield of Nebraska	Insur	552.68
Merlin Ehmen	Ret	22.00
Geneva State Bank	SS	86.15
Payroll	Salaries	1,131.00

E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	167.47
Windstream	Uti, Ser	1,005.37

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

INVENTORIES APPROVED

Mueller moved and Capek seconded the motion to approve the inventories of the county offices and departments as presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERAL ASSISTANCE 2009-03

After discussion, Galusha moved and Mueller seconded the motion to deny the general assistance application due to not using all resources prior to applying for general assistance. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CARE MANAGEMENT CONTRACT

After discussion, Simacek moved and Galusha seconded the motion to approve and sign the care management agreement with Lincoln Area Agency on Aging beginning July 1, 2009 and ending June 30, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING COMMISSION

Galusha moved and Capek seconded the motion to appoint Allen Stuckey and John Griess to the Planning Commission. Griess will replace Norma Lichtenberg term ending June 2010 and Stuckey will replace Real as his term ended June 30, 2009. Stuckey's term will begin August 2009 and ending June 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFETY COMMITTEE

After discussion, Kimbrough moved and Simacek seconded the motion to appoint Brandie Conway to the safety committee to fulfill Daryl Callenius' term ending December 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SPANISH ACRES SUBDIVISION

After discussion, Galusha moved and Mueller seconded the motion to direct the County Attorney's office to draw up a resolution regarding the Spanish Acres Subdivision since the affidavit has been signed by a current landowner. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BUDGET REVIEWS

Ron Willnerd and assistant Joleen Stroyek with Contryman Associates, P. C. reviewed all budgets with the Board and department heads, several budget cuts were made. Department heads in attendance were Joan Ackland, Assessor; Peggy Birky, Clerk of District Court; Barbara Trapp, Treasurer; Amy Nelson, County Clerk; Brenda Motis, Senior Services Director; Elmer Hessheimer, Highway Superintendent; Howard Ach, Deputy County Attorney; Brandy VanDeWalle, Extension Office, and Todd Boller, Noxious Weed Superintendent.

ADJOURNMENT

As there were no other items to come before the Board, Simacek moved and Mueller seconded the motion to adjourn until 9:30 a.m., September 8, 2009. Upon roll call, the vote was as follows:

August 25, 2009

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

The Chairman declared the motion carried.

Attest

Chairman