

The Fillmore County Board of Supervisors convened in open and public session at 9:18 a.m., October 13, 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 and Deputy County Clerk were 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 12:11 p.m.

**MINUTES APPROVED**

Chairman of the Board, Yates approved the minutes of the September 22, 2009 Board meeting.

**CUSTODIAL UPDATE**

Terri Volkmer, Custodian informed the Board that Eletech, Inc. had given us a bid for elevator services. After review of bid and services, Terri recommended that we stay with O'Keefe Elevator for the repairs and the Board agreed.

**FEE REPORTS**

Kimbrough moved and Capek seconded the motion to approve the fee reports for September 2009:

**County Clerk:** \$5,507.42 (State \$2,695.08 & County \$2,812.34)

**Sheriff:** \$2,664.26

**Clerk of District Court:** \$1,942.12

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.

**WITHDRAWING SECURITY**

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

**RESOLUTION 2009-35**

**RESOLVED**, that the First National Bank, Exeter, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

CUSIP #3133XMGL9 in the amount of \$400,000.00

Upon roll call, the vote as follows:

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

Nays: None

Absent: Capek

The Chairman declared the resolution adopted.

**BLUE VALLEY COMMUNITY ACTION**

Kimbrough moved and Galusha seconded the motion to appoint Albert Simacek representative on the Blue Valley Community Action board and Ray Capek as the alternate beginning November 1, 2009 and ending November 30, 2012. Upon roll call, the vote was as follows:

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

Nays: None

Abstaining: Capek and Simacek

The Chairman declared the motion carried.

**DRIVEWAY PERMITS**

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

Jeff & Cindy Moyle – install a culvert in the SE ¼, Section 5-7-2, Madison Township;

Richard Janing – widen an existing driveway to 50' in the SW ¼, Section 13-6-3, Stanton Township;

Charles Nelson – widen an existing driveway to 40' in the NW ¼, Section 34-5-4, Bryant Township;

Dan Swartzendruber – install a new driveway in the SE ¼, Section 22-5-3, Hamilton Township.

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.

**CLEAN SILT PERMIT**

Mueller moved and Simacek seconded the motion to approve the following clean silt permit:

Schelkopf Farms – clean silt along the east side of the NE ¼, Section 2-5-3, Hamilton 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.

**OCCUPY COUNTY RIGHT-OF-WAY**

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

William A. Hofmann – install electric line on the west side of the SW ¼, Section 6-8-4, Grafton Township into Clay County. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them informed of all construction or maintenance work required.

Windstream Nebraska, Inc. – install communication cable between Sections 21 and 28-5-2, Belle Prairie Township. Windstream Nebraska, Inc. agrees to cooperate fully with the officials of Fillmore County and will keep them informed of all construction or maintenance work required.

Denise Barth & Deann Benningfield – install an electrical line between the SE ¼, Section 25-7-4, Bennett Township and the SW ¼, Section 30-7-3, Geneva 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.

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.

**MADISON DRAINAGE ISSUE**

Dick Kohler, Kent Theobald, Gean & Marlene Buerer with their attorney LeRoy Sievers attended the discussion regarding placing a culvert on the west side of the intersection of County Road J and Road 16.

After discussion, Mueller moved and Capek seconded the motion to proceed in placing a culvert on the west side of County Road J and Road 16, Madison Township. Upon roll call, the vote was as follows:

Ayes: Galusha and Capek

Nays: Kimbrough, Cerny, Mueller, and Yates

Abstaining: Simacek

The Chairman declared the motion failed.

**PICKUP BIDS**

Bids for a pickup were opened at 10:13 a.m. The following bids were received:

<u>Bidder</u>	<u>Make/Model</u>	<u>Cash Price</u>	<u>2005 Chevy Trade-In Price</u>	<u>1989 Dodge Trade-In Price</u>
Performance Jeep Dodge	2009 Dodge SLT Ram	\$33,964.00	\$29,964.00	\$33,464.00
Performance Jeep Dodge	2009 Dodge ST Ram	\$34,237.00	\$30,237.00	\$33,737.00
Friesen Chevrolet	2010 Chevrolet LT1	\$26,388.00	\$18,888.00	\$25,988.00
Erdkamp Motors, Inc.	2010 Dodge ST Ram	\$24,777.00	No Bid	No Bid
Erdkamp Motors, Inc.	2010 Dodge SLT Ram	\$27,095.00	No Bid	No Bid
Husker Auto Group	2009 Chevrolet Silverado	\$26,799.77	\$20,799.77	\$26,399.77

After discussion, Cerny moved and Kimbrough seconded the motion to accept all bids and request the Highway Superintendent to review all bids and bring a recommendation back to the next Board meeting. 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.

**MOTOR GRADER LETTING**

All bids were opened at the September 22<sup>nd</sup> Board meeting. Highway Superintendent, Elmer Hessheimer presented the Board with two options: 1) purchase the used Cat 12H with the snow plus tires and three year extended warranty, and 2) purchase the new John Deere 770G with the five year extended warranty. Chad McDaniel with NMC and Justin Pape with Murphy Tractor were present for the discussion.

After discussion, Galusha moved and Simacek seconded the motion to purchase the new John Deere 770G with five year extended warranty including trading in the 1995 Cat 140G for \$152,560.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

#### **MOTOR GRADER LETTING**

Mueller moved and Capek seconded the motion to purchase the used 2007 Cat 12H with snow plus tires and three year extended warranty including trading in the 1995 Cat 140G for \$121,948.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

#### **RESPONSIBLE CHARGE PERSON**

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

#### **RESOLUTION 2009-36**

**WHEREAS**, Fillmore County has a full-time public employee on staff, or has obtained the services of a public employee who is fully qualified and has the time and interest in serving as a "Responsible Charge" (RC) for this project. The designated RC will be in day-to-day responsible charge of all aspects of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for the project to remain eligible for federal-aid transportation project funding; and

**WHEREAS**, the RC will ensure that, at a minimum, (1) the project receives independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion.

For purposes of this resolution, the following definitions will apply:

**Fully qualified** means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

**Full - time public employee** means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

**Public employee** means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on the list of entities determined by the NDOR, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

**Responsible charge** means the public employee who is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner's interests in the delegated technical tasks.

**Be It Resolved**, by the Board of Supervisors of Fillmore County that Elmer Hessheimer, Fillmore County Highway Superintendent is hereby designated as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project:

NDOR Project Number BRO-7030(33), NDOR Control Number 42436, Geneva East.

Fillmore County assures and agrees that:

- 1) It has authorized and fully empowered the RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 2) The RC is a full-time public employee.
- 3) The RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 6) It will provide necessary office space, materials and administrative support for the RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for federal funding.
- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 9) It will take all necessary actions and make its best good faith efforts to ensure that the RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

Fillmore County understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb. Rev. Stat. § 81-3445);
- f) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;
- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the

- project;
- j) Ensure that proper construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

### **DITCH CLEANING GRAFTON TOWNSHIP**

After discussion, Mueller moved and Galusha seconded the motion to withdraw the claim against the landowners of the NE ¼, Section 18, Grafton Township for the Road's Department cleaning the ditches due to policy clarification and to direct the Deputy County Attorney to write the landowners and their attorney regarding this matter. 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.

### **POSTAGE MACHINE**

Deputy County Attorney, Howard Ach informed the Board that he had received an offer from Axis Capital of \$11,548.04 to complete the lease of the postage machine.

After discussion, Mueller moved and Cerny seconded the motion to direct the Deputy County Attorney to make them a counter offer of half the original bill of \$16,497.20 and return the postage machine to them. Upon roll call, the vote was as follows:

Ayes: Kimbrough, Cerny, Mueller, Capek, and Yates

Nays: Simacek and Galusha

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 F. Ach, Atty.	Rent, Post, Uti	3,277.19
Lanny Ackerman	Mtgs, Mile	126.00
Adams County Sheriff	Ser	33.00
Ameritas Life Insurance Corp.	Ret	5,531.10
Auto Value Parts Stores	Sup	86.19
Michael Bennett	Ser	59.80
Jason Bepalec, MD	Ser	20.00
Peggy Birky	Sup	18.48
Black Hills Energy	Uti	53.25
Blue Valley Community Action	Budget Request, Rural Transit	7,452.00
Bottorf & Maser, Atty.	Ser, Mile	778.75
Business Telecommunication Systems, Inc.	Rep, Sup	359.00
C & C Extinguisher Service	Ser	9.25
Century Lumber Center	Sup	17.60
Brett Chaney	Ser	60.00
Drew Chaney	Ser	84.40
City of Geneva	Uti	624.90
Constellation Energy	Uti	2.64
Contryman Associates, P.C.	Ser	5,075.00
Virginia Conway	Sup	89.42
Jill R. Cunningham	Mile, Meals	87.33
Dakota County Court	Ser	1.25
Dawson County Sheriff's Office	Ser	25.00
Dollar General Store	Sup	37.85

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Douglas County Sheriff	Ser	19.74
Duckwall – Alco Stores, Inc.	Sup	36.94
Eakes Office Plus	Sup	1,345.08
Earls Window Service	Ser	5.00
Sharon Elznic	Mtgs, Mile	95.20
Environmental Systems Research Inst., Inc.	Sup	400.00
Erdkamp Motors	Main	36.00
Executive Copier Services	Ser	93.92
Family 1 <sup>st</sup> of Geneva	Ser	617.00
Fillmore County Clerk of District Court	Fees	167.00
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Hospital	Ser	169.60
Fillmore County Medical Center	Ser	78.00
Fillmore County Treasurer	Taxes, Wksh, Post	232,189.05
First Concord Benefits Group, LLC	Ser	204.05
The Garbage Co., Inc.	Ser	134.28
Geneva State Bank	SS	5,768.05
Geneva Super Foods	Sup	39.08
Geneva TV & Appliance, Inc.	Rep	99.43
Tony Godown	Ser	60.00
John Griess	Mtgs, Mile	58.60
Matt Harre	Mtgs, Mile	80.20
Hasler Financial Services	Ser	152.37
Amy M. Heath	Ser	57.60
Heath, Inc.	Rep	250.00
Hillyard / Sioux Falls	Sup	250.00
Hilty's	Sup	13.96
Mathieu L. Hinze, MD	Ser	104.70
Holiday Inn Express	Lodging	70.00
Hometown Leasing	Ser	524.85
Hope Crisis Center	Budget request	2,142.00
Jill's Sweet Shop	Meals	209.01
Juror Fees	Ser	4,153.99
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,885.00
Lafayette Life Insurance Company	Insur	142.45
Lancaster County Sheriff	Ser	7.16
Lease Consultants Corp.	Ser	498.00
Lichti Oil	Fuel	29.60
Madison National Life	Insur	10.68
Tom Manning	Mtgs, Mile	74.70
Maximus, Inc.	Ser	2,537.50
Microfilm Imaging Systems, Inc.	Ser	128.00
MIPS, Inc.	Ser	2,497.01
Mark Morgan	Mtgs, Mile	84.60
Morley Most	Mtgs, Mile	126.00
Naomi Mussman	Lodging, Mile	292.23
Marvin Nadherny	Mtgs, Mile	80.20
Nebraska Association of County Officials	Wksh	45.00
Nebraska Fire Sprinkler Corp.	Main	945.00
The Nebraska Signal	Ads, Subscription, Sup	1,032.06
Merle Noel	Mtgs, Mile	42.10
Reggie Noel	Mtgs, Mile	21.05
Norrie Construction	Rep	56.71
Northeast Nebraska Juvenile Services	Boarding Inmate	1,976.25
Lyndsey Pohlmeier	Mile	169.40
Ralph's Geneva Tire & Service Center	Main, Rep, Sup	935.24
Region V Services	Budget request	2,952.25
Region V Systems	Ser, budget request	11,169.00
Saline County Sheriff	Ser	135.50
Sleuth Software	Ser	892.50
Spencer Fane Britt & Browne, LLP	Ser	542.00
State of Nebraska AS Central Finance	Ser	448.00
Allen Stuckey	Mtgs, Mile	58.60
Total Funds by Hasler	Postage	700.00
UN-L IS-Telecommunications	Uti	11.87
US Bank, CPS	Meals, Rep, Wksh	2,389.25
USDA, APHIS	Ser	1,871.75
Brandy VanDeWalle	Lodging, Meals, Mile	549.70
Darlene Vodicka	Mile	21.45
Brandi S. West	Ser	20.00
Brant West	Ser	86.40
Maschell West	Ser	57.60
Eric Williams	Mile, Meals, Post	196.99
Windstream	Uti	1,402.50
York County Court	Ser	18.50
York County Sheriff	Ser	38.00
Payroll	Salaries	80,083.87

**ROAD/BRIDGE FUND:**

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Ace Agri Supply	Parts	17.60
Action Auto Supply	Parts, Sup	132.05
All Roads Barricade, Inc.	Sup	131.15
Alltel	Uti	87.16
Ameritas Life Insurance Corp.	Ret	3,204.81
Andrews Electric Co., Inc.	Rep	69.85
Ace Agri Supply	Parts	17.60
Action Auto Supply	Parts, Sup	132.05
All Roads Barricade, Inc.	Sup	131.15
Alltel	Uti	87.16
Andrews Electric Co., Inc.	Rep	69.85
Auto Value Parts Stores	Parts, Sup	151.14
Biegert Construction Company	Building	22,355.00
Black Hills Energy	Uti	61.54
Jo Ann Bowlus, Trustee	ROW, Easement	1,420.00
C & C Extinguisher Service	Sup	176.45
Century Lumber Center	Parts	48.17
Kathryn C. Chromy & Kenneth G. Chromy	ROW, Easement	605.00
City of Geneva	Uti	57.00
Conney Safety Products	Sup	38.49
Corner Stop	Fuel	1,905.40
Dorchester Farmers Coop	Fuel	2,465.78
Farm Plan	Parts	155.60
Fillmore County Court	ROW, Easement	14,472.00
Fillmore County Hospital	Ser	52.00
Fillmore County Treasurer	Wksh	36.00
Filter Care of Nebraska	Parts	47.20
Gary A. Fitzgibbon	ROW, Fencing	3,362.00
The Garbage Company	Ser	78.76
Geneva Implement	Parts	60.30
Geneva State Bank	SS	3,464.94
Geneva Welding & Supply, Inc.	Sup	47.50
Grafton Mini Mart	Fuel	62.48
Lafayette Life Insurance Company	Insur	87.99
Lichti Oil	Fuel, Parts	2,556.15
Michl Service	Fuel	86.00
Nebraska Iowa Industrial Fasteners	Sup	102.27
The Nebraska Signal	Ads, Misc.	46.20
NMC Exchange, LLC	Parts, Sup, Rep	18,299.25
Nichols Construction	Gravel	41,366.45
Overland Sand & Gravel	Gravel	13,401.61
Perennial Public Power	Uti	77.68
Power Plan	Parts	372.84
R & D Parts, LLC	Parts	14.86
Ralph's Geneva Tire & Service	Rep	74.10
Marvin R. & Peggy Roit, Trustee	ROW	580.00
Roit Repair	Rep	45.25
Shell Fleet Plus	Fuel	601.06
Speece Lewis Engineers	Ser	792.00
Superior Deshler, Inc.	Fuel	37.62
US Bank, CPS	Post	19.40
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	17.25
Village of Grafton	Uti	21.07
Village of Milligan	Uti	24.26
Village of Shickley	Uti	255.60
Zep Manufacturing	Sup	195.54
Payroll	Salaries	47,611.86
<b><u>MEDICAL/RELIEF FUND:</u></b>		
Bryan LGH Medical Center	Ser	1,130.32
<b><u>SENIOR SERVICES FUND:</u></b>		
Ameritas Life Insurance Corp.	Ret	267.72
Janet Bartek	Mile	122.65
Dawg's Café	HDM's	201.50
Exeter Care Center	HDM's	290.00
Exeter Senior Center	USDA, LAAA	283.63
Fairmont Aging Services	USDA, LAAA	1,966.60
Geneva Senior Center	USDA, LAAA, Rent	3,057.52
Geneva State Bank	SS	343.18
Hometown Leasing	Ser	56.64
Susan Kerl	Ser	120.00
Lafayette Life Insurance Company	Insur	9.00
Brenda Motis	Mile	142.45
Ramada Inn	Wksh	70.00
Ron's Tavern	HDM's	145.00
Rhonda Stokebrand	Mile	143.01
US Bank, CPS	Sup	40.89

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4,518.98

Payroll	Salaries	
<b><u>INHERITANCE TAX FUND:</u></b>		
Countryside Vet Clinic	Ser	823.27
J Bar D Inc.	Mile, Ser	652.00
<b><u>ETHANOL PLANT ROAD BOND FUND:</u></b>		
UMB Bank, NA	Interest	6,240.00
<b><u>HOSPITAL OPERATING FUND:</u></b>		
Fillmore County Hospital	Sept. Taxes	12,820.45
<b><u>NOXIOUS WEED FUND:</u></b>		
Alltel	Uti	38.55
Ameritas Life Insurance Corp.	Ret	163.19
Biegert Construction Company	Building	22,000.00
City of Geneva	Uti	8.20
Cottonwood Title Company	Ser	125.00
Gaylord Craddock	Mile	37.40
Geneva State Bank	SS	208.31
Grafton Mini Mart	Fuel	154.93
Frances Heinrichs	Mile	56.10
Ron Isley	Mile	28.60
Lafayette Life Insurance Company	Insur	4.50
Lichti Oil	Fuel	285.01
Nebraska Association of County Officials	Wksh	120.00
The Nebraska Signal	Ads	101.51
Leonard Oldehoeft	Mile	26.40
Payroll	Salaries	2,732.55
<b><u>E911 COMMUNICATIONS FUND:</u></b>		
Nebraska Public Power District	Uti	149.98
Windstream	Uti	895.23

#### CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

#### MAXIMUS COST ALLOCATION PLAN

After discussion, Cerny moved and Mueller seconded the motion to approve and sign the certification of cost allocation plan with Maximus. 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.

#### ADJOURNMENT

As there were no other items to come before the Board, Simacek moved and Mueller seconded the motion to adjourn until 9:10 a.m., October 27, 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