

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., October 27, 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 1:38 p.m.

JAIL INSPECTION

Jail inspection was completed before the Board meeting. The Board would like the Sheriff to hire a contractor to inspect the cells to determine the best way to solve the paint peeling problem.

MINUTES APPROVED WITH CORRECTION

After discussion, Simacek moved and Cerny seconded the motion to correct minutes from the October 13th adding that they accepted Terri Volkmer's resignation effective October 30th. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ELECTRONIC RECYCLING WITH RC & D

Patt Lentfer with Fillmore County Development Corp. presented information to the Board that along with Trailblazers RC & D would like to have an electronic recycling collection center. After discussion, the Board agreed that they would agree to have an electronic recycling collection center in Geneva, more information to follow.

COMPREHENSIVE PLAN

The Comprehensive Development Plan for the County expires this year. After discussion with Patt Lentfer and the Board it was decided to advertize for a letting on December 8th at 10:30 a.m. Bid requests will be sent out to several consultants.

NOXIOUS WEED BOARD REQUEST

Todd Boller, Noxious Weed Superintendent, Frances Heinrichs, Chairperson of Noxious Weed Board, Ron Isley, Leonard Oldehoeft, and Darlene Vodicka, Noxious Weed Board members were present for discussion. Noxious Weed Board is requesting the possibility of needing additional budget request for a pickup, flatbed, ATV, and trailer.

After discussion, Cerny moved and Galusha seconded the motion to authorize the Noxious Weed Board/Superintendent to purchase a pickup, flatbed, ATV, and trailer and if needed the Board will provided extra money if budget goes over. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Alfs Farms – install two new 40' driveways on the north and east side of the NE ¼, Section 31-6-4, Momence Township and add a culvert to the driveway on the southeast corner of the NE ¼, Section 31-6-4, Momence Township;

Alfs Farms – install a new 40' driveway on the north side of the NE ¼, Section 14-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLEAN SILT PERMIT

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

Robert E. Bettger – clean silt from the north side of the NE ¼, Section 25-8-3, West Blue Township.

The County Board of Supervisors of Fillmore County, having met on the 27th day of October, 2009, hereby authorize the County Board Chairperson to sign on behalf of the County, the "Nebraska Local Public Agency Interlocal Cooperation Act Agreement" for a project identified as NDOR Project #ENH-30(13), NDOR Control #42479, Warner Filling Station/Tourism Center.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

INTERLOCAL AGREEMENT FOR RC PERSON

Mueller moved and Cerny seconded the motion to approve the Nebraska Local Public Agency Interlocal Cooperation Act Agreement with the City of Geneva to allow Elmer Hessheimer to be the Responsible Charge (RC) person regarding NDOR Project #ENH-30(13), NDOR Control #42479, Warner Filling Station/Tourism Center. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONDEMNATION AGREEMENT

After discussion between Daniel Werner, Christin Lovegrove and Fredrick Nunns, Jr. an acceptable deal was reached by each party. The deal consists of an additional \$3,528.00, the County moving one driveway and widening another driveway, and removing the trees and stumps in the permanent easement located on the North side of the NE ¼ in section 12, Stanton Township.

After further discussion, Mueller moved and Galusha seconded the motion to accept the deal and authorize the Chairman to sign the agreement detailing out the terms of the sale by the condemnation appeal date. Upon roll call, the vote was as follows:

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

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.	Sup	51.10
Alltel	Uti	523.99
Ameritas Life Insurance Corp.	Ret	2,764.01
Jon Anderson	Uni	35.00
Aramark Uniform Services, Inc.	Ser	635.60
Blue Cross Blue Shield of Nebraska	Insur	17,685.76
William L. Burgess	Uni, Meals	101.63
Daryl L. Callenius	Uni	35.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
City of York	Ser	3,317.00
Corner Stop	Fuel	202.13
Dodge County Sheriff	Ser	6.00
Eakes Office Plus	Sup	221.33
Fillmore County Medical Center	Ser	1.16
Fillmore County Treasurer	Wksh, Misc.	31.86
First Concord Benefits Group, LLC	Ser	2,073.11
Galls	Sup	42.97
Gambles	Sup	175.20
The Garbage Company	Ser	27.35
Geneva State Bank	SS	2,888.67
Geneva Super Foods	Sup	411.96
Norma Gregory	Ret	25.00
Robert Hester	Uni	35.00
Hometown Leasing	Ser	128.44
Steve Julich	Uni, Post	42.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,670.19
Kerry's Auto Repair & Service	Main	38.15
Stephen J. Kraviec	Ser, Post	1,699.03
Loup Valley Lighting, Inc.	Sup	752.03
Lynn Peavey Company	Sup	28.35

October 27, 2009

Ann H. McDonald	Ret	18.00
Rich Mueller/Thomas Biegert	Rent	650.00
National Association of Counties	Dues	400.00
Nebraska Public Power District	Uti	2,153.28
Amy Nelson	Mile	86.35
Northeast Medical Imaging, PC	Ser	48.00
O'Keefe Elevator Company, Inc.	Main	225.00
Dawn Opfer	Sup	26.71
Platte Valley Communications of Hastings	Rep	160.00
Steven G. Roemmich	Uni, Meals	62.85
Kirk Rust	Uni	35.00
Shell Fleet Plus	Fuel	1,884.47
Spencer Fane Britt & Browne, LLP	Ser	276.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Public Health Env. Lab.	Ser	84.00
Thayer County Treasurer	Sup	1,694.98
Ultramax	Sup	642.00
Weaver Pharmacy	Sup	247.06
Daniel L. Werner, Atty.	Ser, Mile, Post	3,387.59
Eric Williams	Post, Mile	157.99
Williams Exterminating, Inc.	Ser	110.00
Windgate by Wyndham	Lodging	206.85
York County Sheriff	Boarding Prisoner	1,105.00
Payroll	Salaries	80,083.87
<u>ROAD/BRIDGE FUND:</u>		
Ameritas Life Insurance Corp.	Ret	1,596.57
Barco Municipal Products	Sup	322.32
Blue Cross Blue Shield of Nebraska	Insur	11,606.28
Dorchester Farmers Coop	Fuel	1,088.55
Farm Plan	Parts, Rep	132.65
Geneva State Bank	SS	1,768.26
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	120.94
Dean Harrison	Equip. Rent	2,000.00
Hireright Solutions, Inc.	Ser	89.70
Donovan Jirkovsky	Ret	25.00
Kerry's Auto Repair & Service	Sup	40.00
Lichti Oil	Fuel	1,054.56
Nebraska Association of County Officials	Wksh	120.00
Nebraska Public Power District	Uti	299.75
Newman Traffic Signs	Sup	754.54
NMC Exchange, LLC	Parts	250.21
Office Depot	Sup, Equip	516.84
Perennial Public Power	Uti	47.46
Speece Lewis Engineers	Ser	7,369.75
Village of Ohioa	Uti	20.00
Windstream	Uti	143.85
Payroll	Salaries	47,611.86
<u>MEDICAL/RELIEF FUND:</u>		
Farmer & Son Funeral Home, Inc.	Ser	2,920.00
<u>INSTITUTIONS FUND:</u>		
State of Nebraska Health & Human Ser.	Sept. Patient Care	90.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp.	Ret	134.63
Blue Cross Blue Shield of Nebraska	Insur	1,105.36
Judy Dondlinger	Ser, Sup	166.88
Exeter Senior Center	USDA	32.49
Fairmont Aging Services	USDA	209.76
Geneva Senior Center	USDA	611.61
Geneva State Bank	SS	168.38
Jeannine Krejci	Ser	96.00
Bette Mattox Manning	Ser	132.00
Shell Fleet Plus	Fuel	51.71
Windstream	Uti	150.43
Payroll	Salaries	4,518.98
<u>INHERITANCE TAX FUND:</u>		
Fillmore County Treasurer	Loan	22,000.00
Gloystein Veterinary Clinic	Ser	127.50
J Bar D, Inc.	Ser	1,951.00
Dean Olson	Ser	4,240.00
<u>COURTHOUSE ROAD BOND FUND:</u>		
UMB Bank, NA	Principal & Interest	82,301.25

ROAD BOND FUND:

UMB Bank, NA	Principal & Interest	78,641.25
--------------	----------------------	-----------

NOXIOUS WEED FUND:

Ameritas Life Insurance Corp.	Ret	79.08
Blue Cross Blue Shield of Nebraska	Insur	552.68
Merlin Ehmen	Ret	22.00
Geneva State Bank	SS	89.25
Payroll	Salaries	2,732.55

E911 COMMUNICATIONS FUND:

Windstream	Uti	117.84
------------	-----	--------

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

BUFFALO COUNTY CLAIM

After discussion, Simacek moved and Galusha seconded the motion to deny the general assistance claim that was submitted from Buffalo County for \$200.60. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SURPLUS

Kimbrough moved and Cerny seconded the motion to declare the 2001 Ford Crown Victoria and two code 3 light bars as surplus. 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 SECURITY

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

RESOLUTION 2009-38

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

CUSIP #305288BP6 in the amount of \$25,000.00

Upon roll call, the vote as follows:

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

Nays: None

The Chairman declared the resolution adopted.

WITHDRAWING SECURITY

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

RESOLUTION 2009-39

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

CUSIP #287742JB7 in the amount of \$100,000.00

Upon roll call, the vote as follows:

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

Nays: None

The Chairman declared the resolution adopted.

