

The Fillmore County Board of Supervisors convened in open and public session at 9:15 a.m., November 10, 2009, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, Mueller, and Galusha. Capek was absent and Mueller left at 11:45 a.m. 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 5:05 p.m.

MINUTES APPROVED

Chairman of the Board, Yates approved the minutes of the October 27, 2009 Board meeting.

FEE REPORTS

Simacek moved and Mueller seconded the motion to approve the fee reports for the month of October:

County Clerk: \$5,452.01 (\$2,843.83 State & \$2,608.18 County)
Clerk of the District Court: \$2,125.95
County Sheriff: \$1,240.74

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY MANAGER

Terry Marshall gave the Board his resignation effective November 10, 2009. Terry gave an update to the Board as to where his office stands at this time. Terry's wife Carol was present for this discussion.

Kimbrough moved and Cerny seconded the motion to accept Terry Marshall's resignation effective November 10, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CASE REGARDING HORSES

Jill Cunningham, County Attorney informed the Board where the case regarding the abandoned horses was at this point since the Judge determined Mr. Graves to be incompetent to stand trial

CONSULTANT SELECTION FOR FINANCIAL MANAGEMENT SYSTEMS CERTIFICATION FOR FEDERAL AID PROJECTS

After discussion, Simacek moved and Galusha seconded the introduction of the following resolution:

RESOLUTION 2009 - 40

WHEREAS, certain transportation facilities (roads, streets, trails, and others) in Fillmore County has been designated as being eligible for federal funds by the Federal Highway Administration in compliance with federal laws pertaining thereto;

WHEREAS, Fillmore County desires to continue to participate in Federal-Aid transportation construction programs;

WHEREAS, The Nebraska Department of Roads as a recipient of said Federal funds is charged with oversight of the expenditures of said funds;

WHEREAS, Fillmore County as a sub-recipient of said Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal and State law, the rules and regulations of the Federal Highway Administration, the requirements of the Local Public Agency (LPA) Guidelines Manual of the Nebraska Department of Roads, including the Consultant Selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems; and

WHEREAS, Fillmore County understands that the failure to meet all requirements for federal funding could lead to a project(s) being declared ineligible for federal funds, which could result in Fillmore County being required to repay some or all of the federal funds expended for a project(s).

BE IT RESOLVED, The Fillmore County Board of Supervisors does hereby adopt and bind itself to comply with all applicable federal law, including the rules and regulations of the Federal Highway Administration, all applicable state law and rules and regulations (Nebraska Administrative Code) and the requirements of the

LPA Guidelines Manual of the Nebraska Department of Roads, including the consultant selection process as stated in the LPA Guidelines Manual, the National Environmental Policy Act (NEPA), the Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act) and the maintaining of adequate Financial Management Systems.

BE IT FURTHER RESOLVED, The Fillmore County Board of Supervisors does hereby designate the following as responsible for the management of the following processes:

Consultant Selection process: Chairman of the Fillmore County Board of Supervisors

The National Environmental Policy Act (NEPA): Chairman of the Fillmore County Board of Supervisors

The Uniform Relocation Assistance and Real Property Acquisition Policies Act (Uniform Act): Chairman of the Fillmore County Board of Supervisors

The following individual is hereby authorized to sign the Financial Management Systems Certification attached to this Resolution: Steve Yates – Chairman of the Board

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

RESPONSIBLE CHARGE JOB DESCRIPTION

After discussion, Mueller moved and Cerny seconded the motion to accept the Responsible Charge (RC) job description. Upon roll call, the vote was as follows:

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

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 F. Ach, Atty.	Rent, Post, Uti	3,275.38
Action Auto Supply	Rep	10.70
Adams County Sheriff	Ser	23.40
Ameritas Life Insurance Corp.	Ret	2,668.89
Auto Value Parts Stores	Rep	39.98
Joseph N. Bixby, DR	Ser	836.00
Black Hills Energy	Uti	304.69
Bottorf & Maser, Atty.	Ser, Mile	692.50
Business World Products	Sup	224.18
City of Geneva	Uti	229.70
Constellation Energy	Uti	49.28
Consultants In Infectious Disease	Ser	113.40
Corner Stop	Fuel	225.87
Dallas County Sheriff's Office	Ser	11.12
Des Moines Stamp	Sup	79.25
Dodge County Sheriff	Ser	19.16
Duckwall – Alco Stores, Inc.	Sup	22.78
Dugan Business Forms	Sup	175.98
Eakes Office Plus	Sup, Equip	987.35
Earls Window Service	Ser	5.00
Executive Copier Services	Ser	48.98
Fillmore County Hospital	Ser	69.60
Fillmore County Medical Center	Ser	110.25
Fillmore County Treasurer	Taxes, Witness Fees	8,445.33
First Concord Group, Inc.	Ser	177.00
Geneva State Bank	SS	2,786.06
Germer, Murray & Johnson, Atty.	Ser, Mile	1,603.25
Heritage Crossings	Mile	181.00
Holiday Inn	Lodging	218.00
Hometown Leasing	Ser	524.85
Jim's Repair	Rep	1,223.55
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,204.00
Lafayette Life Insurance Co.	Insur	164.95
Lancaster County Sheriff	Ser	80.12
Lichti Oil	Fuel	43.40
Microfilm Imaging Systems, Inc.	Ser	64.00

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Midwest Mailing Systems, Inc.	Sup	155.95
Madison National Life	Insur	10.68
MIPS, Inc.	Ser, Sup	2,919.08
Nebraska Association of County Officials	Wksh	150.00
The Nebraska Signal	Pro, Ads, Sup	986.36
Amy Nelson	Mile	97.90
Norrie Construction	Rep	141.83
Mark D Pinkerton, DDS	Ser	35.00
Ralph's Geneva Tire & Service	Rep, Main	250.95
Seiler & Parker, P.C.	Ser, Mile	362.80
Sirchie Finger Print Laboratories	Sup	57.38
State of Nebraska AS Central Finance	Ser	448.00
Secretary of State Rules & Regulations	Sup	20.00
University of Nebraska – Lincoln	Salary	2,156.22
US Bank CPS	Meal, Lodging	370.57
Weaver Pharmacy	Sup	356.76
Daniel L. Werner, P.C., L.L.O	Ser	144.00
Windstream	Uti	229.68
York County Sheriff	Boarding Prisoner, Ser	1,579.00
York Medical Clinic	Ser	44.89
York News Times	Ad	173.75
Payroll	Salaries	38,640.87

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp	Ret	1,595.28
Auto Value Parts Stores	Parts, Sup	509.31
B & J Automotive	Rep	166.73
Baum Hydraulics	Parts	13.50
Black Hills Energy	Uti	143.53
Century Lumber Center	Sup	113.11
City of Geneva	Uti	63.40
Corner Stop	Fuel	95.30
Dorchester Farmers Coop	Fuel	3,916.10
Fillmore County Court	Ser	1,275.00
Fillmore County Shop – Petty Cash	Post, Rep	30.75
Filter Care of Nebraska	Parts	93.60
Geneva State Bank	SS	1,743.86
Geneva Welding & Supply, Inc.	Parts, Rep, Sup	1,143.88
Grafton Oil	Sup	472.47
Elmer Hessheimer	Sup	15.94
Jill's Sweet Shop	Misc.	22.50
Lafayette Life Insurance Company	Insur	87.99
Lichti Oil	Fuel, Parts, Sup	2,483.67
Nebraska Iowa Industrial Fasteners	Sup	102.10
Nichols Construction	Gravel	86,562.20
Nick's Farm Store	Equip, Rep	1,063.40
Larry S. Nun	Easement	25.00
Overland Sand & Gravel	Gravel	5,505.60
Perennial Public Power	Uti	31.02
Power Plan	Parts	50.28
R & D Parts	Parts, Sup	426.72
Ralph's Geneva Tire & Service Center	Sup, Rep	5,321.63
Shell Fleet Plus	Fuel	113.95
Kyle A. Svec	Easement	25.00
Titan Access Account	Parts	136.92
US Bank CPS	Post	38.50
Verizon Wireless	Uti	83.77
Village of Exeter	Uti	15.00
Village of Grafton	Uti	21.07
Weaver Pharmacy	Sup	12.18
Payroll	Salaries	24,093.88

JUVENILE DIVERSION FUND:

Dave Wythers	Ser	2,355.00
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SENIOR SERVICES FUND:

Ameritas Life Insurance Corp.	Ret	133.41
Janet Bartak	Mile, Meals	206.30
Dawg's Smokehouse Café	HDM's	214.50
Judy Dondlinger	Ser	156.00
Exeter Care Center	HDM's	190.00
Fillmore County Transit	Mile	45.00
Geneva State Bank	SS	171.98
Susan Kerl	Ser	156.00
Jeannine Krejci	Ser	156.00
Lafayette Life Insurance Company	Insur	9.00
Hometown Leasing	Ser	56.64
Brenda Motis	Mile	81.40
Ron's Tavern	HDM's	110.00

