

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 8, 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 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 11:24 a.m.

MINUTES APPROVED

After discussion, Kimbrough moved and Mueller seconded the motion to accept the minutes from the November 24th Board meeting and to add the minutes from the special Board meeting of November 18th. 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.

FEE REPORTS

Simacek moved and Capek seconded the motion to approve the fee reports for the month of November:

County Clerk: \$5,701.99 (\$3,041.59 State & \$2,660.40 County)
Clerk of the District Court: \$684.39

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.

HOSPITAL BOARD

After discussion, Cerny moved and Mueller seconded the motion to accept Vicki Ozenbaugh's resignation from the Hospital Board effective immediately. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, 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 F. Ach, Atty.	Rent, Post	3,263.63
Ameritas Life Insurance Corp.	Ret	2,732.94
Joseph N. Bixby DR.	Ser	1,140.00
Black Hills Energy	Uti	533.84
Bottorf & Maser, Atty.	Ser, Mile	1,656.25
Buffalo County Sheriff	Ser	18.58
Caldwell County Sheriff	Ser	38.19
Chaney Chemical, Inc.	Sup	549.10
City of Geneva	Uti	148.90
Constellation Energy	Uti	45.76
Contryman Associates, P.C.	Ser	7,000.00
Dawson County Sheriff	Ser	13.00
Dell Marketing, L.P.	Sup	539.94
Earls Window Service	Ser	5.00
Erdkamp Motors	Main, Rep	162.92
Fillmore County Treasurer	Transfer, Post, Ser	7,508.60
First Concord Benefits Group, LLC	Ser	216.25
Geneva State Bank	Ser, SS, Sup	3,096.71
Geneva Welding & Supply, Inc.	Rep	34.00
Hometown Leasing	Ser	396.71
Knoche Appraisal & Consulting, LLC	Ser, Mile	3,953.40
Lafayette Life Insurance Co.	Insur	164.95
Madison National Life	Insur	10.68
MIPS, Inc.	Ser	2,497.01
National Assoc. of County Recorders,		

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Election Officials & Clerks	Dues	30.00
The Nebraska Signal	Pro, Ads, Sup	690.51
O'Keefe Elevator Company, Inc.	Main	222.76
Lyndsey Pohlmeier	Dues, Meals	31.95
Ralph's Geneva Tire & Service Center, Inc.	Main, Rep	111.35
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Public Health Envir.	Ser	84.00
Total Funds by Hasler	Post	700.00
Eric Williams	Post, Sup, Mile	133.72
Windstream	Uti	229.69
Payroll	Salaries	39,519.22

ROAD/BRIDGE FUND:

Action Auto Supply	Rep, Sup	14.03
Ameritas Life Insurance Corp.	Ret	1,608.35
Baum Hydraulics	Parts	15.42
Black Hills Energy	Uti	287.20
Blackburn Manufacturing Co.	Flags	61.13
Corner Stop	Fuel	38.80
Chaney Chemical	Sup	169.80
City of Geneva	Uti	60.20
Dorchester Farmers Coop	Fuel	1,123.20
Farm Plan	Parts	223.02
Filter Care of Nebraska	Parts	43.75
Friesen Chevrolet, Inc.	Rep	1,917.96
Geneva Implement	Parts	73.18
Geneva State Bank	SS	1,770.19
Geneva Welding & Supply, Inc.	Rep, Sup	179.31
Grafton Oil	Fuel, Sup	2,799.50
Lafayette Life Insurance Company	Insur	87.99
Lichti Oil	Fuel	2,349.62
Mike's Radiator & Tire	Rep	15.00
Nebraska Iowa Industrial Fasteners	Sup	139.63
The Nebraska Signal	Ads	206.17
Nichols Construction	Gravel	89,469.96
Nick's Farm Store	Rep	47.36
Frederick Allen Nunns Jr., Karen M. Nunns, and Cornerstone Bank	ROW	1,323.00
George Lee Nunns & Cornerstone Bank	ROW	441.00
Larry Roger Nunns & Cornerstone Bank	ROW	441.00
Thomas Arnold Nunns, Linda J. Nunns, and Cornerstone Bank & Security First Bank	ROW	1,323.00
Overland Sand & Gravel	Gravel	22,682.59
Perennial Public Power	Uti	36.32
Platte Valley Communications	Equip	468.88
Power Plan	Parts	472.57
Ralph's Geneva Tire & Service Center	Rep	202.10
US Bank CPS	Post	10.02
Verizon Wireless	Uti	83.46
Village of Grafton	Uti	21.07
Payroll	Salaries	24,438.17

SENIOR SERVICES FUND:

Ameritas Life Insurance Corp.	Ret	133.86
Janet Bartak	Mile	77.00
Dawg's Smokehouse Café	HDM's	130.00
Exeter Care Center	HDM's	285.00
Exeter Senior Center	USDA	144.77
Fairmont Aging Services	USDA	703.78
Geneva Senior Center	Rent, USDA	2,241.88
Geneva State Bank	SS	195.43
Hometown Leasing	Ser	56.64
Susan Kerl	Ser	144.00
Lafayette Life Insurance Company	Insur	9.00
Brenda Motis	Mile	104.50
Ron's Tavern	HDM's	100.00
US Bank CPS	Sup	199.20
Payroll	Salaries	2,571.08

HOSPITAL OPERATING FUND:

Fillmore County Hospital	Nov. Taxes	332.72
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NOXIOUS WEED FUND:

Ameritas Life Insurance Corp.	Ret	76.68
Chaney Chemical Inc.	Sup	78.75
City of Geneva	Uti	6.09
Gambles of Geneva	Sup	20.21
Geneva State Bank	SS	86.53
Lafayette Life Insurance Company	Insur	4.50

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

The Chairman declared the motion carried.

CONSULTANT CONTRACT

After discussion with Larry Lewis, Vice President of Speece Lewis Engineers, Kimbrough moved and Mueller seconded the motion to approve the 2010 consultant contract with Speece Lewis Engineers beginning January 1, 2010 and ending December 31, 2010. 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.

DIESEL FUEL BIDS

Bids for diesel fuel were opened at 9:51 a.m. The following bids were received:

<u>Bidder</u>	<u>D-Grade</u>	<u>Blended</u>
Lichti Oil, Shickley, NE	\$2.437 per gallon for all locations	\$2.537 per gallon at all locations

DIESEL FUEL LETTING

After discussion, Cerny moved and Capek seconded the motion to accept and award the Diesel fuel letting to Lichti Oil. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COMPREHENSIVE PLAN BIDS

Bids for the Comprehensive Plan were opened at 10:30 a.m. as advertised. The following bids were received:

<u>Bidder</u>	<u>Description of Update</u>	<u>Price</u>
Hanna Keelan Assoc., P.C.	Comprehensive Plan/Zoning & Subdivision Regs.	\$16,000.00
JEO Consulting Group, Inc.	Selected Comprehensive Plan & Development Regs.	\$22,000.00 to 35,000.00
JEO Consulting Group, Inc.	Complete update to Comprehensive Plan	\$62,500.00 to 85,000.00
Marvin Planning Consultants	Selected Comprehensive Plan & Development Regs.	\$19,510.00
Marvin Planning Consultants	Complete update to Comprehensive Plan	\$63,535.00
Stahr & Associates, Inc.	Comprehensive Plan/Zoning & Subdivision Regs.	\$29,100.00 to 33,600.00
Stahr & Associates, Inc.	Complete update & optional studies	\$44,100.00 to 48,600.00

COMPREHENSIVE PLAN LETTING

After discussion, Cerny moved and Mueller seconded the motion to accept all bids and award at the December 22nd Board meeting after each bid has been reviewed. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SURPLUS

At the request of the Noxious Weed Board, Simacek moved and Galusha seconded the motion to declare the 1990 Ford F-350 pickup surplus. 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.

EXECUTIVE SESSION

Kimbrough moved and Mueller 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 possible litigation authorized by Statute to be discussed in executive session. 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 and requested that the County Clerk, remain. Executive session began at 10:39 a.m.

RETURN TO REGULAR SESSION

Mueller moved and Simacek seconded the motion to return to open session at 10:46 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OFFICIAL SALARIES 2011 TO 2014

After discussion, Cerny moved and Kimbrough seconded the introduction of the following resolution: (Bill Burgess, Joan Ackland, and Peggy Birky were present for the discussion)

RESOLUTION 2009-43

WHEREAS, Section 23-1114 of the Revised Reissue Statutes of Nebraska (1987) provides that the salary of elected officers of Fillmore County shall be set by the Fillmore County Board of Supervisors for a four-year term prior to January 15, 2010.

NOW, THEREFORE, BE IT RESOLVED by the Fillmore County Board of Supervisors that the following annual salaries be established.

1. The annual salary for the office of the County Board be established at \$15,000.00 for the calendar year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).

BE IT FURTHER RESOLVED, that the annual salary for the Chairman of the Board of Supervisors be \$1,000.00 more a year than the County Board.

2. The annual salary for the office of the County Clerk be established at \$41,000.00 for the calendar year year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).
3. The annual salary for the office of County Treasurer be established at \$41,000.00 for the calendar year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).
4. The annual salary for the office of County Assessor be established at \$41,000.00 for the calendar year year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).
5. The annual salary for the office of County Clerk of District Court be established at \$39,000.00 for the year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).
6. The annual salary for the office of County Sheriff be established at \$50,500.00 for the calendar year year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).

BE IT FURTHER RESOLVED, that if the Interlocal Agreement with the City of Geneva for Law Enforcement should no longer exist the annual salary for the County Sheriff will be established at 120% of the Clerk, Assessor, and Treasurer's annual salary.

7. The annual salary for the office of County Attorney be established at \$45,900.00 for the calendar year year 2011, plus an annual 2.5% increase during the term of office (2012, 2013, 2014).

BE IT FURTHER RESOLVED, that the annual salary for the office of Deputy County Attorney be established at 65% of the County Attorney's annual salary.

BE IT FURTHER RESOLVED, that each of the above designated elected officials shall receive during their term of office, individual health with prescription drug card, life insurance at County expense, and that each of the above designated elected officials shall be entitled to benefit and participate, during the term of office in Fillmore County retirement plan pursuant to the county employees retirement act, the same being the benefits that are currently extended to the county employees generally, in the event additional fringe benefits are subsequently extended to county employees generally, the above designated elected officials shall be entitled to benefit and receive such additional fringe benefits.

BE IT FURTHER RESOLVED, if notice of the same be necessary, the county reserve the right to enter into any program for the benefit of employees of the county, any other programs as may be approved, with the right of elected officials and deputies granted to participate in such programs on the effective date of such programs as approved by the Board. It is the intent of the Fillmore County Board of Supervisors that participation in such programs shall not constitute an increase in the herein adopted salary but shall be and is part of such salary as adopted by this resolution.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADJOURNMENT

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Agenda items "Building in Ohio, Southeast Division of Children & Family Services, Maximus agreement, and internet & phone system" were tabled to a future Board meeting. As there were no other items to come before the Board, Simacek moved and Mueller seconded the motion to adjourn until 9:00 a.m., December 22, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman