

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., February 9, 2010, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Yates, Kimbrough, Simacek, Mueller, Galusha, and Cerny. Cerny was absent at 11:15 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 12:28 p.m.

#### **MINUTES APPROVED**

Chairman of the Board, Capek approved the minutes of the January 26, 2010 Board meeting.

#### **FEE REPORTS**

Simacek moved and Yates seconded the motion to approve the fee reports for the month of January 2010:

**County Clerk:** \$2,759.90 (State \$1,408.79 & County \$1,351.11)  
**Clerk of District Court:** \$470.89  
**Sheriff:** \$2,432.58

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.

#### **KEYSTONE PIPELINE SYSTEM**

Bud Anderson with Keystone Pipeline System (Keystone XL Pipeline) presented an update for the pipeline that will be going through Fillmore County. Keystone Pipeline would like to start construction in the 3<sup>rd</sup> quarter of 2010 and in service 1<sup>st</sup> quarter 2012. Keystone Pipeline will be giving an update to the Board once a quarter.

#### **DRIVEWAY PERMIT**

Cerny moved and Kimbrough seconded the motion to approve the following driveway permit application:

Ronald P. Marble – move driveway south in the SW ¼, Section 23-5-2, Belle Prairie Township

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.

#### **OCCUPY COUNTY RIGHT-OF-WAY PERMIT**

Simacek moved and Mueller seconded the motion to approve the following occupy county right-of-way permit:

Troy Otte – install an electric line between the SE ¼, Section 6-7-3 and the NE ¼, Section 7-7-3, Geneva Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County Public Right-of-way. The surface of the roadway and the road ditch 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: Mueller, Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny  
Nays: None

The Chairman declared the motion carried.

#### **PUBLIC HEARING ON ONE AND SIX YEAR PLAN**

The public hearing on the One and Six Year Plan was opened at 9:45 a.m., as advertised.

#### **FUEL STORAGE TANK BIDS**

After discussion, Yates moved and Cerny seconded the motion to award the bid for the fuel storage tank to Yant Equipment for \$30,852.20 and purchase a seconded dispenser for \$2,395.00 for a total of \$33,247.20. 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.

### **PUBLIC HEARING FOR 1 TO 6 YEAR PLAN**

Mueller moved and Kimbrough seconded the motion to close the hearing on the One and Six Year Plan at 10:11 a.m. No one appeared to testify either for or against the proposal. 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.

### **ONE & SIX YEAR PLAN**

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

#### **RESOLUTION 2010 - 06**

#### **ACCEPTING THE ONE (1) & SIX (6) YEAR HIGHWAY IMPROVEMENT PROGRAM FOR THE COUNTY OF FILLMORE, NEBRASKA.**

**BE IT RESOLVED** by the Chairman and Supervisors of Fillmore County that:

It is hereby found and determined that:

- (1) The program for distribution of the Highway Allocation Funds provide additional funds to counties for road related maintenance and construction.
- (2) In order to qualify for said funds the County must, among other things, prepare an annual One (1) and Six (6) Year Program for highway improvements, conduct a local public hearing and submit the results to the Board of Public Roads Classification and Standards.
- (3) The County of Fillmore, Nebraska does hereby adopt the 2010-2011 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

### **COMPREHENSIVE PLAN**

Craig Wacker and Jeffrey Ahl with JEO Consulting Group, Inc. presented a revised breakdown of their previous bid for the comprehensive plan as requested by the Board. Patt Lentfer and Richard Walters with the Economic Development Corporation; Jerri Daniels, Zoning Administrator; Sharon Elznic, Merle Noel, Morley Most, and Lanny Ackerman with the Planning Commission attended the discussion.

After discussion, JEO Consulting Group, Inc will meet with the Planning Commission at their meeting on February 15<sup>th</sup> at 7:00 p.m. to determine what needs there are for the zoning portion of the update to the Comprehensive Plan. The Board of Supervisors will discuss again at their next Board meeting on February 23<sup>rd</sup>.

### **FEDERAL EMPLOYEE BENEFITS**

Mark Headrick with Federal Employee Benefits gave a presentation to the Board explaining what his company offers for benefits regarding cancer and heart attacks. Will be discussed and voted at the next regular board meeting.

### **TOWNSHIP BONDS**

Yates moved and Mueller seconded the motion to approve the following township bonds: Bennett Township – Richard Hoarty, Don A. Griess, and Robert Fessler; Chelsea Township – Jerry Engle, Larry Nun, and Kent W. Myers; Exeter-Fairmont Township – Sterling J. Dyer, Donald Bristol, and Larry L. Cudaback; Franklin Township – Morley Most, Galen Niederklein, and Galen Dunse; Geneva Township – Larry Biester, James Oberlander, and Joe Hoarty; Glengary Township – Marvin Nadherny, Henry Rohla Jr., and Roger Pribyl; Madison Township – Douglas Hafer, Tom D. Manning, and Tom Novak; Stanton Township – Bridgette Flohrs, Russ Kleinschmidt, and Gary Kimbrough; and West Blue Township – John Lowe, Edlen Luethke, and Bill Softley. Effective date is January 7, 2010 and ending January 7, 2011. Upon roll call, the vote was as follows:

Ayes: Simacek, Kimbrough, Mueller, Galusha, Capek, 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, Sup	3,271.67
Joan Ackland	Meals	10.13
Ameritas Life Insurance Corp.	Ret	2,660.05
Bear Graphics, Inc.	Sup	188.97
Black Hills Energy	Uti	2,462.38
Bottorf & Maser, Atty.	Ser, Mile	107.50
Buffalo County Court	Sup	1.50
City of Geneva	Uti	145.70
Constellation Energy	Uti	368.72
Cottonwood Title Company	Ser	300.00
Crossroads Awards	Sup	84.00
Duckwall – Alco Stores, Inc.	Sup	29.02
Eakes Office Plus	Sup	515.96
Earls Window Service	Ser	5.00
Executive Copier Services	Sup	96.28
F & S Supply Co., Inc.	Sup	153.99
Fillmore County Clerk of District Court	Fees	198.00
Fillmore County Clerk	Ser	37.50
Fillmore County Treasurer	Transfers, Misc, Post, Wksh, Dues	50,156.51
First Concord Benefits Group, LLC	Ser	756.24
Galls	Sup	48.98
The Garbage Co., Inc.	Ser	134.28
Geneva Broadband, LLC	Ser	49.99
Geneva Floral	Ser	9.50
Geneva State Bank	SS	2,803.59
Geneva TV & Appliance, Inc.	Sup	6.00
Geneva Welding & Supply, Inc.	Sup	66.00
Hilty's of Geneva	Sup	10.70
Hometown Leasing	Ser	524.85
Howard Johnson Riverside Inn & Conf.	Lodging	123.90
Jim's Repair	Main	47.36
Kendall & Son, LTD	Sup	170.00
Kerry's Auto Repair & Service	Rep	26.50
Stephen J. Kraviec	Ser, Post	1,696.22
Galen Kuska	Mile	17.60
Lancaster County Sheriff	Ser	19.59
Lichti Oil	Fuel	40.15
Madison National Life	Insur	10.68
Microfilm Imaging Systems, Inc.	Ser	64.00
Mid-American Research Chemical Corp.	Sup	1,528.00
MIPS, Inc.	Ser	2,750.28
Nebraska Assessor Association	Wksh	95.00
Nebraska Association of County Officials	Sup	40.00
The Nebraska Signal	Proc, Sup, Ads	1,691.85
Nick's Farm Store Co.	Rep	214.60
Galen Niederklein	Mile	96.80
Pathology Medical Services	Ser	20.87
Platte Valley Communications of Hastings	Sup	814.20
Lyndsey Pohlmeier	Mile, Meals, Wksh, Lodging	251.52
Ralph's Geneva Tire & Service Center, Inc.	Main, Rep	485.25
Southeast District Assessors Assoc.	Dues	20.00
Jon Scoville	Mile	141.00
Seiler & Parker, P.C.	Ser	205.50
State of Nebraska AS Central Finance	Ser	448.00
Total Funds by Hasler	Post	700.00
UN-L IS-Telecommunications	Uti	4.37
Brandy VanDeWalle	Meals, Mile	19.32
Terri Volkmer	Ser, Mile	335.00
Mary Lu Vossler	Mile	28.60
Weaver Pharmacy	Sup	220.19
Eric Williams	Post, Sup	14.90
Windstream	Uti	232.52
Lynn Yates	Mile	17.60
Steven Yates	Mile	77.00
Payroll	Salaries	38,798.88

**ROAD/BRIDGE FUND:**

Action Auto Supply	Rep, Parts	89.50
Ameritas Life Insurance Corp.	Ret	1,667.74
Auto Value Parts Stores	Parts, Sup	123.00
All Roads Barricade, Inc.	Sup	39.45
B's Enterprises	Equip	10,330.50



**LB755**

After discussion, Simacek moved and Mueller seconded the motion to send a letter to support LB755 regarding natural gas pipelines. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

**ADJOURN**

Agenda items "Purchase crushed concrete, employee breaks, and emergency manager position" were tabled until the next Board meeting. As there were no other business to come before the Board, Simacek moved and Yates seconded the motion to adjourn until 9:00 a.m., February 23, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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Attest

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Chairman