

Reorganization meeting followed by regular meeting

The Fillmore County Board of Supervisors convened to reorganize, as required by statute, in open and public session at 9:00 a.m. on January 10, 2006, in the Courthouse Boardroom in Geneva, Nebraska. Members present were Cerny, Kimbrough, Yates, Mueller, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by posting in seven different locations and by broadcasting on radio station KAWL. 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. The reorganization meeting adjourned at 9:30 a.m. and the regular meeting adjourned at 3:30 p.m.

ELECTION OF CHAIRMAN

The County Clerk, as temporary chairman, called the meeting to order at 9:00 a.m. The first order of business was the election of a chairman for the year 2006. Cerny nominated Mueller. Yates moved that nominations cease and a unanimous ballot cast for Mueller. Upon roll call, the vote was as follows:

Ayes: Kimbrough, Cerny, Galusha, Capek, Yates, and Simacek
Nays: None Not voting: Mueller

The temporary Chairman declared Mueller to be the Board Chairman for the year 2006 and Mueller assumed the chair.

ELECTION OF VICE-CHAIRMAN

Chairman Mueller asked for nominations for vice-chairman. Simacek nominated Yates and Capek nominated Simacek. Capek moved and Cerny seconded that nominations cease and that a vote be taken. Vote was Simacek - 4 and Yates – 3, motion carried. The Chairman declared Simacek duly elected Vice-Chairman of the Board for 2006.

NAMING OFFICIAL BANK DEPOSITORIES

The following resolution was introduced by Yates and seconded by Kimbrough:

RESOLUTION 2006-01

BE IT RESOLVED by the Fillmore County Board of Supervisors that the First National Bank of Exeter, the Farmers State Bank of Fairmont, the Geneva State Bank of Geneva, Shickley, and Grafton, the York State Bank of York and Geneva, the Cornerstone Bank of York and Geneva, and the Farmers and Merchants Bank of Milligan, are hereby designated as bank depositories and the Fillmore County Treasurer is hereby authorized to deposit funds of the County that may come into her possession into these said depositories.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

AUTHORIZED INVESTMENTS

The following resolution was introduced by Cerny and seconded by Yates:

RESOLUTION 2006-02

BE IT RESOLVED by the Fillmore County Board of Supervisors that the County Treasurer of Fillmore County be authorized to invest the surplus funds of said county in United States Government Bond, United States Treasury Notes, Bills or Certificates of Indebtedness maturing within two years of the date of purchase, and in Certificates of Deposit, or Money Market Savings Accounts.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

DEPOSIT OF SURPLUS FUNDS

The following resolution was introduced by Kimbrough and seconded by Galusha:

RESOLUTION 2006-03

WHEREAS, Section 77-2318, Revised Statutes of Nebraska, provides among other things that when county funds exceed 50% of the said capital of all banks of the county, then the Treasurer, with the consent of the County Board, may deposit an amount in excess thereof, but not exceeding capital in any one bank, and

WHEREAS, the County Board has by resolution informed the County Treasurer of Fillmore County that all

of the banks in Fillmore County have been designated as depositories for monies that the County Treasurer may have in her possession, and

WHEREAS, under provisions of Sec. 77-2314, Revised Statutes of Nebraska, the County Treasurer shall not have a preference to any one of the banks in which she may so deposit. The County Treasurer may select one or more banks to be used for active accounts in which she may keep deposited in excess of these requirements only such funds as may be necessary for the transaction of ordinary day-to-day requirements.

WHEREAS, for the purpose of Sec. 77-2314, Revised Statutes of Nebraska, capital shall mean capital stock, surpluses, undivided profits, capital notes or debentures, and other unimpaired reserves, and

WHEREAS, paid up capital at Fillmore County Banks is as follows:

| | |
|--|-----------------|
| First National Bank of Exeter | \$ 3,216,372.52 |
| Farmers State Bank of Fairmont | \$ 862,734.00 |
| Geneva State Bank of Geneva | \$13,239,000.00 |
| York State Bank & Trust Company of Geneva & York | \$17,397,052.31 |
| Cornerstone Bank of York and Geneva | \$48,043,698.00 |
| Farmers and Merchants Bank of Milligan | \$ 2,696,176.33 |

WHEREAS, from time to time, the County Treasurer has on hand and will have on hand for deposit, county money that should be deposited for safekeeping in excess of the amount permitted under the statute:

NOW THEREFORE, Be it Resolved, that the County Treasurer of Fillmore County be and hereby is, authorized to deposit in the aforesaid banks in Fillmore county during 2006, county funds in her possession in a sum equal to but not in excess of the said capital of said banks, provided that said depository bank or banks shall secure said deposits by pledges of the assets of said bank as provided in section 77-2318, Revised Statutes of Nebraska, but shall not at any one time have in said bank county funds in excess of 90% of the bonds deposited by said bank as security plus the \$100,000.00 covered and protected by the Federal Insurance Deposit Insurance Corporation. Bond shall be required of all banks and capital stock financial institutions for such excess deposit unless security is given in accordance with Section 77-2318.01, Revised Statutes of Nebraska.

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.

SECURITIES COMMITTEE

Capek moved and Simacek seconded the motion to appoint the County Clerk, the County Treasurer and Supervisor Yates to a committee to give temporary approval for securities deposited by banks for collateral on deposits of county funds, with Cerny to sign if Yates is unavailable. 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.

CLAIMS APPROVAL

Simacek moved and Kimbrough seconded the motion to require the approval of the officer in charge of each office of claims for his/her office before the allowance of any and all claims. 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.

EQUIPMENT PURCHASE

Cerny moved and Capek seconded the motion requiring all officials, elected or appointed, to notify the Board of Supervisors when purchasing any equipment regardless of price, all supplies costing \$750.00 or more, all lease agreements, maintenance contracts, and equipment rental agreements, even though the item is included in the budget. 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.

LEGAL NEWSPAPER

Kimbrough moved and Yates seconded the motion to declare The Nebraska Signal the legal newspaper for Fillmore County. 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.

ROAD REPORTS

Kimbrough moved and Galusha seconded the motion to require the County Highway Superintendent to make detailed annual reports of all operations in regard to road, bridge, and gravel work, and that an accounting of all property bought and sold shall be shown in the annual inventory. 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.

ROAD REPORTS TO SUPERVISORS

Simacek moved and Capek seconded the motion that the County Highway Superintendent shall inform the appropriate Supervisor of any work being done other than routine road maintenance in their district. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REPRESENTATIVE TO DEVELOPMENT CORPORATION MEETINGS

Yates moved and Simacek seconded the motion to appoint Kimbrough as the ex-officio representative of the Fillmore County Board at meetings of the Fillmore County Development Corporation for 2006. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As the only item remaining on the agenda for the reorganization meeting was not acted upon due to incomplete information, the Chairman adjourned the Reorganization portion of the meeting at 9:30 a.m.

Attest

Chairman

Regular Meeting

January 10, 2006

The Fillmore County Board of Supervisors convened in open and public session at 9:31 a.m., January 10, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by posting in seven different locations and by broadcasting on radio station KAWL. 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. The meeting adjourned at 3:30 p.m.

MINUTES APPROVED

Kimbrough moved and Capek seconded the motion to approve the minutes of the December 27, 2005 regular meeting of the Board. 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.

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 – services, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

| GENERAL FUND | | |
|----------------------|-------------------------|------------|
| Howard F. Ach, Atty | Rent, Post, Sup, Copies | \$3,271.61 |
| All Around Lawn Care | Ser | 60.00 |
| Alltel | Uti | 250.52 |

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| Ameritas Life Insurance Corp. | Ret | 757.09 |
| Jon Anderson | Uni | 35.00 |
| Aquila | Uti | 2,512.18 |
| Auto Value Parts Stores | Sup | 153.94 |
| John Becker | Mtgs, Mile | 75.33 |
| Larry Biester | Mtgs, Mile | 34.70 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,492.61 |
| Blue Valley Community Action Partnership | 2 nd Qtr. Transit Services | 5,000.00 |
| Don C. Bottorf, Bottorf & Maser, Atty | Ser | 293.38 |
| Thomas Boyer | Mtgs, Mile | 21.23 |
| William L. Burgess | Uni | 35.00 |
| Daryl L. Callenius | Uni | 35.00 |
| Larry Cerny | Mile | 498.30 |
| City of Geneva | Uti | 114.00 |
| DAS Communications | Ser | 350.00 |
| Dell Marketing, L.P | Equip | 3,733.44 |
| Duckwall – Alco Stores, Inc. | Sup | 87.35 |
| Robert Dumpert | Mtgs, Mile | 81.15 |
| Eakes Office Plus | Sup | 476.15 |
| Julie A. Effenbeck | Ser | 877.50 |
| Sharon Elznic | Mtgs, Mile | 60.78 |
| Executive Copier Services | Ser | 54.53 |
| Fillmore County Building & Grounds | Petty Cash | 46.84 |
| Fillmore County Sheriff | Fees | 476.40 |
| Fillmore County Treasurer | Ads, Post, Sup, Meals | 1,549.70 |
| Fort Dearborn Life Insurance Co. | Insur | 209.49 |
| Galls | Sup | 86.47 |
| Teri Gemar | Meals, Uti | 25.53 |
| Geneva State Bank | SS | 1,183.25 |
| Geneva TV & Appliance, Inc. | Sup | 18.00 |
| Hair Works | Ser | 15.00 |
| Lyle Heinrichs | Mtgs, Mile | 28.02 |
| Steve A. Julich | Uni | 35.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup | 2,535.35 |
| Ralph Kassik | Mtgs, Mile | 50.22 |
| Kelch Plumbing, Heating & Refrig., Inc. | Rep | 30.00 |
| Kerry's Auto Repair & Service | Ser, Rep | 837.24 |
| Knoche Appraisal & Consulting, LLC | Ser | 2,280.00 |
| Thomas Manning | Mtgs, Mile | 42.46 |
| Mayo Clinic Health Letter | Subscription | 27.00 |
| Mid-American Research Chemical Corp. | Sup | 9.32 |
| Morley Most | Mtgs, Mile | 81.15 |
| Richard Mueller/Tom Biegert | Rent | 625.00 |
| Nebraska Assoc. of County Officials | Wksh | 350.00 |
| The Nebraska Labor Law Poster Service | Sup | 39.50 |
| The Nebraska Signal | Sup, Ads, Pro, Subscription | 924.19 |
| Nelson Petroleum Co. | Fuel | 1,203.81 |
| Nick's Farm Store Co. | Sup, Ser | 357.31 |
| Reg Noel | Mtgs, Mile | 52.16 |
| Mary Paine, Ph.D. | Ser | 800.00 |
| PC Nuts | Sup | 26.80 |
| Plains Power & Equip., Inc. | Sup | 98.27 |
| Protex Central, Inc. | Ser | 174.00 |
| Steven G. Roemmich | Uni, Meals | 40.30 |
| Russ's Pest Control | Ser | 30.00 |
| Albert Simacek | Mile | 222.24 |
| Gerald Slezak | Mile | 48.99 |
| David Turner | Uni | 35.00 |
| Brandy VanDeWalle | Mile, Dues | 173.75 |
| Walter F. Stephens, Jr., Inc. | Sup | 96.30 |
| West Payment Center | Ser | 99.00 |
| Eric Williams | Sup, Post, Mile | 150.69 |
| York County Sheriff | Boarding Prisoner | 220.00 |
| Payroll | Salaries | 15,467.43 |
| | | |
| <u>ROAD & BRIDGE FUND</u> | | |
| Alltel | Uti | 66.98 |
| Ameritas Life Insurance Corp. | Ret | 1,576.99 |
| Aquila | Uti | 1,152.79 |
| Blue Cross/Blue Shield of Nebraska | Insur | 11,525.61 |
| Business World Products | Sup | 29.25 |
| City of Geneva | Uti | 56.90 |
| Dorchester Farmers Coop | Fuel | 857.69 |
| Exeter Lumber Company | Sup | 20.94 |
| Filter Care of Nebraska | Parts | 23.55 |

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| Fort Dearborn Life Insurance Co. | Insur | 131.66 |
| Geneva Carquest | Parts, Sup | 275.68 |
| Geneva Implement Co., Inc. | Parts | 16.03 |
| Geneva State Bank | SS | 1,977.61 |
| Geneva Welding & Supply | Parts, Sup | 601.63 |
| Lichti Oil | Sup | 40.95 |
| Matt Friend Truck Equipment | Parts | 85.00 |
| Midwest Service & Sales | Sup | 55.02 |
| Nebraska Bolt | Sup | 67.74 |
| Nebraska Department of Revenue | Sales Tax | 241.17 |
| Nelson Petroleum | Fuel, Parts, Sup | 3,124.07 |
| Nichols Construction | Gravel | 11,644.00 |
| Nick's Farm Store | Sup | 12.50 |
| Perennial Public Power | Uti | 51.46 |
| Power Plan | Parts | 2,142.13 |
| Ralph's Geneva Tire & Service Center | Parts, Rep, Tires | 628.45 |
| Roit Repair | Ser | 8.50 |
| Speece Lewis Engineers | Ser | 532.50 |
| Texaco/Shell | Fuel | 105.00 |
| Village of Fairmont | Uti | 52.61 |
| Village of Iowa | Uti | 20.00 |
| Payroll | Salaries | 25,850.49 |
| | | |
| SENIOR SERVICES | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 912.92 |
| Dawg's Smokehouse Café | HDM's | 195.00 |
| Judy Dondlinger | Ser | 120.00 |
| Duckwall – Alco | Sup | 5.00 |
| Exeter Care Center | HDM's | 245.00 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Gambles | Sup | 35.99 |
| Geneva Senior Center | Sup, Rent, Copies | 129.80 |
| Geneva State Bank | SS | 6.72 |
| Susan Kerl | Ser | 144.00 |
| Nancy Kohler | Mile | 84.39 |
| Jeannine Krejci | Ser | 72.00 |
| Elizabeth Mattox Manning | Ser | 156.00 |
| Ron's Tavern | HDM's | 172.00 |
| Rhonda Stokebrand | Mile | 63.53 |
| Venbrook Insurance Services | Insur | 335.00 |
| Payroll | Salaries | 87.85 |
| | | |
| KENO FUND | | |
| American Legion Post 240 | Keno Grant Funds | 300.00 |
| Cesky Bratri Cemetery Association | Keno Grant Funds | 33.00 |
| Fairmont Aging Service | Keno Grant Funds | 500.00 |
| Fillmore Central Elementary School/PAC | Keno Grant Funds | 600.00 |
| Fillmore Central High School Concert Choir | Keno Grant Funds | 1,500.00 |
| Fillmore County Development Corporation | Keno Grant Funds | 2,000.00 |
| Fillmore County Visitors Association | Keno Grant Funds | 750.00 |
| FMZ Association | Keno Grant Funds | 4,800.00 |
| Geneva Arts Council | Keno Grant Funds | 2,500.00 |
| Geneva Ball Players Association | Keno Grant Funds | 600.00 |
| Milligan Community Club | Keno Grant Funds | 1,000.00 |
| Milligan Seniors | Keno Grant Funds | 175.00 |
| Pioneer Chapel | Keno Grant Funds | 115.00 |
| Shickley FFA | Keno Grant Funds | 500.00 |
| Shickley Public School | Keno Grant Funds | 500.00 |
| | | |
| NOXIOUS WEED FUND | | |
| Alltel | Uti | 39.26 |
| Ameritas Life Insurance Corp. | Ret | 7.09 |
| Blue Cross/Blue Shield of Nebraska | Insur | 456.46 |
| Conoco/Phillips Fleet | Fuel | 45.47 |
| Gaylord Craddock | Mile | 49.47 |
| Merlin Ehmen | Rent | 220.00 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 52.40 |
| Frances Heinrichs | Mile | 49.47 |
| Nebraska Weed Control Assoc. | Wksh | 50.00 |
| Tim Schepers | Mile | 15.52 |
| Payroll | Salaries | 685.00 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Simacek moved and Capek seconded the motion to approve the following driveway permits:

Gary Kimbrough – to move existing driveway approximately 100 ft. to the north on the west side of the NW ¼, Section 28-6-3, Stanton Township;
Roger Capek – to widen existing driveway to approximately 35 ft. on the west side of the NW ¼, Section 26-6-1, Glengary Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

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

KM Farms, Inc. – to bury electric line between the SE ¼, Section 24-5-2, Belle Prairie Township and the SW ¼, Section 19-5-1, Franklin Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and ditch will be restored to the same 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: Cerny, Mueller, Galusha, Capek, Yates, Simacek, and Kimbrough
Nays: None

The Chairman declared the motion carried.

DITCH CLEANING PERMIT

Simacek moved and Galusha seconded the motion to approve the following application for a permit to clean silt from a road ditch:

Robbie Peterson – to clean silt from a road ditch adjoining the east side of the NE ¼, Section 15-8-2, Fairmont Township.

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.

EXTENSION TO MILLIGAN SHOP BUILDING

After discussion, Capek moved and Cerny seconded the motion to approve the Milligan Building Extension specifications and to have a letting on February 28, 2006 at 10:00 a.m. 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.

MAINTENANCE OF ROADS

After discussion, Galusha moved and Kimbrough seconded the motion to direct Elmer Hessheimer, County Highway Superintendent to contact Momence Township regarding the township maintaining the E ½ mile on the south side of Section 35, Momence except the first 500 ft. and the West ½ mile on the south side of Section 36, Momence. 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.

PERMISSIVE EXEMPTION HEARING

County Assessor, Joan Ackland informed the Board that the Permissive Exemption Hearing would be February 14, 2006 at 1:30 p.m.

SAFETY COMMITTEE

Yates moved and Capek seconded the motion to appoint Darlene Vodicka and to reappoint Terry Marshall for a two year term to the safety committee. 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.

DEFICIT APPROPRIATION

The following resolution was introduced by Yates and seconded by Kimbrough:

RESOLUTION 2006-04

WHEREAS, all of the funds in the 2005-2006 budget for the Jail have been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2005-2006 budget year,

NOW THEREFORE, Be it Resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$20,000.00 be appropriated to the Jail budget from the unused funds in the Miscellaneous account of the General Fund Budget for 2005-2006 of said County.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

MILEAGE RATE

Simacek moved and Cerny seconded the motion to set the mileage rate effective January 1, 2006 for travel on county business to \$.445 cents as determined by the Nebraska Department of Administrative Services and the rate for the Sheriff at \$.475 cents per mile for serving papers. 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.

FEE REPORT FOR CLERK OF DISTRICT COURT

After discussion, Yates moved and Cerny seconded the motion to reject the monthly, quarterly, and yearly fee reports from the Clerk of the District Court as they were not itemized as presented. 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

Kimbrough moved and Galusha seconded the motion to approve the following fee reports for December 2005, Quarterly, and Semi-Annual:

County Clerk: monthly \$11,925.48, Quarterly \$28,734.27, and Semi-Annual \$51,815.96
Sheriff: monthly \$1,290.34, Quarterly \$3,953.61, and Semi-Annual \$7,597.11

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.

MILLIGAN SUBSTATION SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Milligan Substation Subdivision, located in the SE ¼, Section 6-6-1, Glengary Township.

Capek moved and Yates seconded the motion to approve the plat of the Milligan Substation Subdivision with proper signatures as follows:

A tract of land located in the SE ¼ of Section 6, T6N, R1W of the 6th P. M., Fillmore County, Nebraska, more particularly described as follows: Commencing at the southeast corner of said SE ¼ and assuming the south line of said SE ¼ to have a bearing of S88°45'37"W, thence N00°30'01"W and on the east line of said SE ¼, 33.00 to a point on the north right-of-way line of Highway No. 41, said point being the point of beginning; thence S89°56'00"W and on said north right-of-way line, 176.61 ft. to a ¾" rebar w/PSC; thence N00°30'01"E and parallel with said east line of said SE ¼, 246.38 ft. to ¾" rebar w/PSC; thence N88°45'37"E and parallel with said south line SE ¼, 176.62 ft. to the east line of said SE ¼; thence S00°30'01"E and on said east line of said SE ¼, 250.00 ft. to the point of beginning, containing 1.00 acres, more or less, of which 0.19 acres, more or less, is occupied by County Road right-of-way.

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.

RECIND MOTION FOR PLANNING COMMISSION BOARD MEMBERS PER DIEM

After discussion of Statute 23-114.01; this Statute states that Planning Commission Board members per diem per meeting can not exceed \$15.00.

Kimbrough moved and Cerny seconded the motion to rescind the motion from the December 27, 2005 Board meeting of setting the Planning Commission Board Members per diem to \$40.00 per meeting. 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.

PLANNING COMMISSION BOARD MEMBERS PER DIEM

Kimbrough moved and Yates seconded the motion to approve \$15.00 per meeting, plus mileage effective January 1, 2006 for the Planning Commission Board members. 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.

INDUSTRIAL DEVELOPMENT REVENUE BONDS

The following resolution was introduced by Galusha and seconded by Simacek:

RESOLUTION 2006-05

A RESOLUTION GRANTING PRELIMINARY APPROVAL FOR THE ISSUANCE BY THE COUNTY OF FILLMORE IN THE STATE OF NEBRASKA OF NOT TO EXCEED \$8,000,000.00 OF INDUSTRIAL DEVELOPMENT REVENUE BONDS TO FINANCE A PORTION OF THE COSTS FOR THE CONSTRUCTION AND ACQUISITION OF PLANT AND FACILITIES AND EQUIPMENT SUITABLE FOR USE FOR SOLID WASTE DISPOSAL BOTH AS A PART OF AN INDUSTRIAL AND MANUFACTURING FACILITY IN CONNECTION WITH A LEASE OR LOAN TO ADVANCED BIOENERGY, LLC, AND AUTHORIZING A PUBLIC HEARING ON THE PROPOSAL TO ISSUE SUCH BONDS.

WHEREAS, The County of Fillmore, in the State of Nebraska, (hereinafter referred to as the "County"), is a duly organized and existing county and political subdivision of the State of Nebraska under the laws and constitution of the State of Nebraska, and is authorized and empowered by Sections 13-1101 to 13-1110, inclusive, Reissue Revised Statutes of Nebraska, 1997, as amended, (hereinafter referred to as the "Act"), to issue revenue bonds and to pay the costs of any "project" within the meaning of such term as used in the Act;

WHEREAS, the County has been requested by Advanced BioEnergy, LLC, a Delaware limited liability company (the "Company") to authorize and issue its industrial development revenue bonds pursuant to the provisions of the Act in an amount to be determined by the Company but not to exceed \$8,000,000.00 of Industrial Development Revenue Bonds qualifying under section 144(a)(1) of the Internal Revenue Code for the purpose of paying a portion of the costs of construction and acquisition of plant, improvements and equipment for a solid waste disposal facility both as a part of a manufacturing plant located in or near the Village of Fairmont, Nebraska (the "Project"); and

WHEREAS, the industrial development revenue bonds, whether one or more, if issued, shall be limited obligations of the County and shall not constitute nor give rise to pecuniary liability of the County or a charge against its general credit and taxing powers; and the principal of and interest on the industrial development revenue bonds shall be payable solely out of the revenues derived from the Project to be financed by said

industrial development revenue bonds; and

WHEREAS, before said industrial development revenue bonds may be issued, it is necessary to conduct a public hearing on the proposal to issue such bonds,

NOW, THEREFORE, be it resolved by the Board of Supervisors of the County of Fillmore in the State of Nebraska, as follows:

Section 1. That the County does hereby declare its intention to authorize the issuance of bonds in a total amount not exceeding \$8,000,000.00 as determined by the Company in one or more series when the documents relating thereto have been submitted to the County Attorney and approved by the Board of Supervisors of the County, and when the Company has paid all expenses of the County relative to the issuance of said bonds. It is estimated that the bonds may be issued on a basis that the interest thereon is exempt from federal income taxation.

Section 2. That issuance of the bonds shall be pursuant to the Act, and neither the passage of this Resolution, nor the issuance of said bonds shall obligate the County or constitute an indebtedness of the County within the meaning of any state constitutional provision or statutory limitation, and shall not constitute or give rise to any pecuniary liability or charge against the general credit or taxing powers of the County and said bonds, when issued, shall be payable solely out of the revenues derived from the Project to be financed by the bonds.

Section 3. That the County Clerk, without any further action or authorization from the Board of Supervisors, is hereby authorized to call a public hearing on the proposal to issue such bonds, upon the request of the Company, at such time as the County Clerk and Company deem advisable and the County Clerk is hereby authorized to cause notice of any such public hearing to be given and published in such method and manner as the County Clerk and the Company shall deem reasonable and necessary.

Section 4. That this resolution shall stand as a statement of the official intent of the County under Regulation Section 1.150-2 and for such purpose the following information is hereby given:

1. A general functional description of the project for which expenditures may be made and reimbursement from bond proceeds provided is as follows: a solid waste disposal facility, both as a part of manufacturing plant to be located on the approximately 300 acre site on the eastern ½ (one-half) of Township Section #36 in West Blue Township.
2. The maximum principal amount of debt expected to be issued for such project is \$8,000,000.00.

Section 5. The Company and appropriate officers or employees of the County are authorized to apply to the Nebraska Investment Finance Authority for a unified volume cap allocation for the issuance of that portion of the proposed bonds, if any, determined to be able to be issued with interest exempt from federal income taxation and requiring an allocation of volume cap as contemplated by Section 146 of the Internal Revenue Code of 1986, as amended, and to take any and all actions required in connection with such application.

Section 6. At the request of the Company, Oppenheimer & Co., Inc. is hereby appointed as underwriter or placement agent with respect to the proposed bonds subject to the terms of a bond purchase or placement agreement to be entered into prior to the issuance of the bonds; Rembolt, Ludtke LLP is hereby appointed bond counsel, and Briggs and Morgan, Professional Association, Minneapolis, Minnesota, or such other firm selected by Oppenheimer & Co., Inc., is hereby appointed special tax counsel. Briggs and Morgan, Professional Association shall also serve as counsel to Oppenheimer & Co., Inc.

Section 7. All resolutions and orders or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this resolution shall be in full force and effect immediately upon its adoption.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BUDGET MAKING AUTHORITY

The following resolution was introduced by Kimbrough and seconded by Yates:

RESOLUTION 2006-06

BE IT RESOLVED, that the Fillmore County Board reserves the right to enter into any agreement with an elected official or officials who is/are qualified to serve as the budget-making authority as may be approved by the Board. He or she shall receive \$2,000.00 for each of the following years: 2007, 2008, 2009, and 2010 with their payroll in October of each year.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADJOURNMENT

Agenda items “Courthouse Generator and Funerals, Indigent Burials” were tabled until a future board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. January 24, 2006.

Attest

Chairman

A special meeting of the Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 11, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Galusha, and Simacek. Capek was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 9:30 a.m.

PUBLIC HEARING FOR TAX-EXEMPT SUBORDINATE EXEMPT FACILITIES REVENUE BONDS

The public hearing for the issuance of Tax-Exempt Subordinate Exempt Facilities Revenue Bonds was opened at 9:01 a.m. Reeves Stephenson III from Advanced BioEnergy, LLC was present to answer any questions regarding the bonds.

With no public comment, the hearing was closed at 9:25 a.m.

TAX-EXEMPT SUBORDINATE EXEMPT FACILITIES REVENUE BONDS

Kimbrough moved and Simacek seconded the motion to approve the issuance of the Tax-Exempt Subordinate Exempt Facilities Revenue Bonds not to exceed \$8,000,000.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items to come before the Board, the Chairman declared the special meeting adjourned.

| | |
|--------|----------|
| _____ | _____ |
| Attest | Chairman |

January 11, 2005

A special meeting of the Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 11, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Galusha, and Simacek. Capek was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 9:30 a.m.

PUBLIC HEARING FOR TAX-EXEMPT SUBORDINATE EXEMPT FACILITIES REVENUE BONDS

The public hearing for the issuance of Tax-Exempt Subordinate Exempt Facilities Revenue Bonds was opened at 9:01 a.m. Reeves Stephenson III from Advanced BioEnergy, LLC was present to answer any questions regarding the bonds.

With no public comment, the hearing was closed at 9:25 a.m.

TAX-EXEMPT SUBORDINATE EXEMPT FACILITIES REVENUE BONDS

Kimbrough moved and Simacek seconded the motion to approve the issuance of the Tax-Exempt Subordinate Exempt Facilities Revenue Bonds not to exceed \$8,000,000.00. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Cerny

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items to come before the Board, the Chairman declared the special meeting adjourned.

Attest

Chairman

January 24, 2006

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 24, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Kimbrough, Yates, Capek, Galusha, and Simacek. Cerny was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of publication is on file on the County Clerk's Office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. The meeting adjourned at 3:30 p.m.

MINUTES APPROVED

Galusha moved and Simacek seconded the motion to approve the minutes of the January 10, 2006 regular meeting and the January 11, 2006 special meeting of the Board. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Norman Yates – install a new 40' driveway on the west side of the SW ¼, Section 24-6-3, Stanton Township;

Galen Domling – install a new driveway on the east side of the NE ¼, Section 25-7-2, Madison Township;

Saltzman Bros. LLC - replace an existing culvert in the driveway on the south side of the SW ¼, Section 16-5-3, Hamilton Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DITCH CLEANING PERMIT

Yates moved and Kimbrough seconded the motion to approve the following applications for a permit to clean silt from a road ditch:

T.M.T. Swartzendruber – to clean silt from a road ditch adjoining the west and south side of the SW ¼, Section 20-5-3, Hamilton Township;

Reg Sissel – to clean silt from a road ditch adjoining the south side of the SW ¼, Section 11-6-4, Momence Township.

Upon roll call, the vote was as follows:

Ayes: Yates, Simacek, Kimbrough, 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 permits to occupy county right-of-way:

Gayle Galusha – to bury a natural gas line between the NW ¼, Section 3-7-3, Geneva Township and the SE ¼, Section 34-8-3, West Blue Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and ditch will be restored to the same as it was prior to the work and such restoration will be accomplished to the reasonable satisfaction of Fillmore County Officials.

Thomas R. Bumgarner – to bury an electrical line between the NE ¼, Section 24-6-2 and the SE ¼, Section 13-6-2, Chelsea Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and ditch will be restored to the same 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: Simacek, Kimbrough, Mueller, Galusha, Capek, and Yates

Nays: None

The Chairman declared the motion carried.

UTILITY AGREEMENT WITH PERENNIAL PUBLIC POWER DISTRICT

Simacek moved and Yates seconded the motion to approve and sign the agreement with Perennial Public Power District to relocate power poles for project #C003003320 in Section 2 & 3, 8-2, Fairmont Township at no cost to the county. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ONE YEAR PLAN FOR COUNTY WORK FORCES

After discussion, Kimbrough moved and Capek seconded the motion to approve the County's one year plan for County Work Forces. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ONE AND SIX YEAR PLAN

After discussion, Galusha moved and Simacek seconded the motion to approve the County's one and six year plan and to schedule a public hearing on February 14, 2006 at 9:45 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REPORTS

The December 2005 reports for the Fillmore County Rural Transit and minutes of the Fillmore County Hospital Governing Board were reviewed and ordered placed on file in the Clerk's Office.

The following is a synopsis of the December minutes of the Fillmore County Hospital Governing Board:

The Fillmore County Hospital Governing Board met on December 15, 2005 in the conference room at the hospital at 4:00 p.m. with Chairman Kotas presiding. Members present were Nelson, Kudlacek, Johnson, Marget, and Eichelberger. Visitors were Jill Cunningham, County Attorney and Howard Ach, Deputy County Attorney. Jean Ackland was also present.

It was moved and seconded to go into executive session at 4:10 p.m. to discuss personnel issues. At 4:35 p.m. it was moved and seconded to return to open session.

The minutes of the November meeting were accepted as presented.

The hospital data and financial reports, and check register listing were presented. After discussion, it was moved and seconded to accept the report as presented. Carried 5-0.

Totals of the specialty clinic for November 2005 are 317 compared to 288 in 2004. Year to date totals for 2005 were 3,329 compared to 3,324 for 2004.

Eichelberger presented Marilyn Mannschreck, APRN and Andrea Lonowski, APRN from Nebraska Heart Institute for consulting allied medical staff privileges. It was moved and seconded to give consulting allied staff privileges to Mannschreck and Lonowski. Carried 5-0.

As there was no further business to come before the Board, it was moved and seconded that the meeting adjourn until January 19, 2006 in the hospital conference room.

GRAFTON RURAL FIRE DISTRICT BOND

Galusha moved and Yates seconded the motion to approve the bond for the Grafton Rural Fire District Treasurer Jerry L. Otte for a term beginning on February 9, 2006 and ending February 9, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOX CULVERT BIDS

Bids for two box culvert projects were opened at 10:00 a.m. The following bids were received:

| <u>Bidder</u> | <u>Project C003002705</u> | <u>Project C003003320</u> |
|------------------------|---|--|
| Wilke Contracting | \$105,117.43 w/dirt work \$82,156.68 w/o dirt work | \$127,764.96 w/dirt work \$102,224.96 w/o dirt work |
| TCW Construction, Inc. | \$116,227.57 w/dirt work \$79,473.07 w/o dirt work | \$129,827.79 w/dirt work \$101,905.79 w/o dirt work |

| | | |
|------------------------------|---|--|
| Van Kirk Bros. Contracting | \$103,512.81 w/dirt work \$76,280.81 w/o dirt work | \$118,586.38 w/dirt work \$103,090.38 w/o dirt work |
| L. J. Webb Contractors, Inc. | \$99,911.66 w/dirt work \$76,503.86 w/o dirt work | \$112,383.92 w/dirt work \$93,621.52 w/o dirt work |

Larry Lewis and Elmer Hessheimer will review the bids and come back to the Board.

911 GENERATOR BIDS

Bids for the generator at the 911 tower were opened at 10:30 a.m. The following bids were received (bids included installation with lockable weatherproof enclosure with the muffler installed inside the enclosure, concrete pad, fuel storage and wiring: **Andrews Electric Co., Inc.** – a new Cummins/Onan Model DGGD genset for \$27,598.00 and **Interstate Power Systems** – a new John Deere/Kohler Model 40REOZJB genset for \$29,310.00.

Terry Marshall will review the bids and come back with a recommendation to the Board.

BOX CULVERT LETTING

Larry Lewis, with Speece Lewis Engineering firm and Highway Superintendent Elmer Hessheimer reviewed the bids and their recommendation is to award the bid for both projects to L. J. Webb Contractors, Inc. with the dirt work being done by them as well.

After discussion, Simacek moved and Kimbrough seconded the motion to award Project #C003002705 and Project #C003003320 to L. J. Webb Contractors, Inc. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EXTENSION BOARD

After discussion, Galusha moved and Yates seconded the motion to appoint Scott Schelkopf to the NE quadrant and Barb Whitley to the SE quadrant to a three year term January 2006 to December 2008 and to correct the following board member terms: NW quadrant is Tim Engle to Dec. 2008 and Bryan Dohrman to Dec. 2007; NE quadrant is Galen Kuska to Dec. 2007; SW quadrant is Ted Dondlinger to Dec. 2006 and Jan Stoldorf to Dec. 2006; SE quadrant is Galen Niederklein to Dec. 2007; and at large member Mary Lu Vossler to Dec. 2006. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADDING SECURITIES

Yates moved and Capek seconded the introduction of the following resolution:

RESOLUTION 2006-07

RESOLVED, that the First National Bank of Exeter, Nebraska be allowed to add the following securities issued by the Midwest Independent Bank of Jefferson City, MO:

CUSIP number 31339YUEO in the amount of \$150,000.00, maturity date May 11, 2007.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

SAFETY COMMITTEE

Kimbrough moved and Galusha seconded the motion to reappoint Merlin Ehmen and Terri Volkmer to the Safety Committee for a two year term, ending December 31, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SOUTHEAST COMMUNITY COLLEGE

Jack Huck, President of Southeast Community College presented their annual report to the Board.

COMPREHENSIVE PLAN HEARING

Planning and Zoning Administrator, Gerald Slezak informed the Board of the Comprehensive Plan changes that the Planning Commission is looking at and informed the Board that there will be a hearing for the Comprehensive Plan changes on February 28, 2006 at 1:00 p.m.

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 – services, SS – social security, Sup – supplies, Uni – uniform allowance, UtI – utilities, Wksh – workshop expense.

| | | |
|---|----------------------------|------------|
| GENERAL FUND: | | |
| Alamar Uniforms | Sup | \$122.24 |
| Alltel | Uti | 491.36 |
| Ameritas Life Insurance Corp | Ret | 2,133.61 |
| Aramark Uniform Services, Inc. | Ser | 334.20 |
| Biegert Construction Co. | Rock | 45.00 |
| Joe Birky | Mile | 16.02 |
| Don C. Bottorf, Bottorf & Maser, Atty. | Ser | 685.23 |
| C & C Extinguisher Service | Rep | 8.75 |
| Century Lumber Center | Sup | 6.37 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Conoco Phillips 66 | Fuel | 668.58 |
| DAS Materiel – Interagency Billing | Sup | 30.16 |
| Don’s Pioneer Uniforms | Sup | 237.75 |
| Eakes Office Plus | Sup, Ser | 639.59 |
| Earls Window Service | Ser | 4.00 |
| Evening with Friends | Meal, Rent | 1,157.88 |
| Evercom | Sup | 151.00 |
| Fillmore County Court | Ser | 554.86 |
| Fillmore County Medical Center | Ser | 212.27 |
| Fillmore County Treasurer | Post, Transfers, Sales Tax | 242,090.46 |
| The Garbage Co., Inc. | Ser | 111.67 |
| Teri Gemar | Lodging, Mile, Meal, Sup | 303.82 |
| Geneva State Bank | SS | 2,624.56 |
| Geneva State Bank | Ser | 25.00 |
| Geneva Super Foods | Sup | 73.00 |
| Norma Gregory | Ret | 25.00 |
| Hilty’s of Geneva | Sup | 829.46 |
| Carol Hoarty | Meals | 20.52 |
| Hometown Leasing | Ser | 135.38 |
| Jim’s Repair | Rep | 79.00 |
| Stephen Kraviec | Ser, Post | 1,575.75 |
| Galen Kuska | Mile | 21.36 |
| Lease Consultants Corp. | Ser | 249.00 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| MIPS/County Solutions | Ser, Sup, Software | 3,060.55 |
| Nebraska Assoc. of County Clerks, Reg. of Deeds | Dues | 45.00 |
| Nebraska National Bank | Ser | 187.59 |
| Nebraska Public Power District | Ser | 731.21 |
| The Nebraska Signal | Ad | 31.50 |
| Nebraska Technology & Telecommunications, Inc. | Ser | 1,180.09 |
| Amy Nelson | Sup | 54.56 |
| Galen Niederklein | Mile | 33.82 |
| Elaine Pavlish | Ret | 84.00 |
| Vernon Pearson | Ret | 48.00 |
| Platte Valley Comm. Of Hastings | Sup, License | 1,586.50 |
| R & D Parts, LLC | Sup | 22.89 |
| Radiology Associates, PC | Ser | 52.00 |
| Ralph’s Geneva Tire & Service Center, Inc. | Sup, Rep | 52.25 |
| Region V | Ser | 2,952.25 |
| Region V Systems | EPC | 440.00 |
| Seiler & Parker | Ser | 1,335.07 |
| Lee Bauer Smith | Ret | 108.00 |
| State of Nebr. Crime Commission | Sup | 18.00 |
| State of Nebr. Dept. of Admin Services | Ser | 51.80 |
| Jan Stoldorf | Mile | 6.23 |
| Deanna Strothkamp | Ret | 72.00 |
| Luetta Strothkamp | Ret | 96.00 |
| Thayer County Health Services | Copies | 25.00 |
| UN-L IS-Telecommunications | Ser | 26.25 |
| Bea Vavra | Ret | 84.00 |
| Carol Vejraska | Ret | 23.08 |

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|--|----------------------------|-----------|
| Carroll L. Verhage M.D. | Ser | 548.09 |
| Mary Lu Vossler | Mile | 32.04 |
| Weaver Pharmacy | Sup | 1,057.74 |
| Weaver Repair | Rep | 81.93 |
| West Payment Center | Cup | 86.00 |
| York General Hospital | Ser | 239.50 |
| Payroll | Salaries | 36,682.05 |
| | | |
| <u>ROAD & BRIDGE FUND:</u> | | |
| All Roads Barricade, Inc. | Sup | 59.33 |
| Ameritas Life Insurance Corp | Ret | 1,454.75 |
| Auto Value Parts Stores | Parts, Sup | 609.74 |
| Casey's General Store | Fuel | 125.71 |
| Century Lumber Center | Parts, Sup, Rep | 494.19 |
| Dorchester Farmers Coop | Fuel | 1,378.76 |
| The Garbage Company | Ser | 53.78 |
| Geneva State Bank | SS | 1,737.45 |
| Dale Goeking | Ret | 96.00 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel | 1,135.29 |
| Ronald Isley | Ret | 103.86 |
| Nolan James | Ret | 12.00 |
| Donovan Jirkovsky | Ret | 25.00 |
| Sharon & Kenneth Krejci and Michael & Sheryl Goc | Easement, Row, & Fencing | 4,315.00 |
| Nebraska Iowa Industrial Fasteners Corp | Sup | 213.01 |
| Nebraska Machinery | Parts | 1,257.86 |
| Nebraska Public Power | Uti | 206.28 |
| Nebraska Tech & Telecomm, Inc. | Uti | 112.28 |
| Nelson Oil | Fuel | 2,034.00 |
| Newman Traffic Signs | Sup | 776.50 |
| Perennial Public Power | Uti | 113.37 |
| Glen T. Peterson | Easement | 1,000.00 |
| Glen Peterson, Deborah Peterson & Glen Peterson, Trustee | Row & Easement | 2,469.00 |
| Speece Lewis Engineers | Fees | 7,852.09 |
| Superior Deshler Inc. | Fuel | 83.38 |
| Transit Works | Ser, Equip | 171.90 |
| Village of Exeter | Uti | 15.00 |
| Village of Milligan | Uti | 20.84 |
| Weller Tractor | Parts | 122.32 |
| Donald D. Wittmack | Ret | 12.00 |
| Payroll | Salaries | 23,896.11 |
| | | |
| <u>JUVENILE DIVERSION FUND:</u> | | |
| Dave Wythers | Ser, Post | 5,360.50 |
| | | |
| <u>ECONOMIC DEV. – TOURISM:</u> | | |
| Evening with Friends | "Just a Sunday Drive Away" | 25.00 |
| | | |
| <u>UNEMPLOYMENT SECURITY FUND:</u> | | |
| State of Nebr. Dept. of Labor | Misc | 24.67 |
| | | |
| <u>MEDICAL/RELIEF FUND:</u> | | |
| Weaver Pharmacy | Sup | 73.82 |
| York Medical Clinic | Ser | 308.70 |
| | | |
| <u>INSTITUTIONS:</u> | | |
| State of Nebr. Health & Human Services | Patient Care – Dec | 372.00 |
| | | |
| <u>SENIOR SERVICES FUND:</u> | | |
| Ameritas Life Insurance Corp. | Ret | 133.54 |
| Geneva State Bank | SS | 168.21 |
| Payroll | Salaries | 2,232.09 |
| | | |
| <u>INHERITANCE TAX FUND:</u> | | |
| Fillmore County Treasurer | Transfer | 10,000.00 |
| | | |
| <u>NOXIOUS WEED FUND:</u> | | |
| Ameritas Life Insurance Co. | Ret | 75.73 |
| Geneva State Bank | SS | 85.83 |
| Payroll | Salaries | 1,121.95 |
| | | |
| <u>E911 COMMUNICATIONS FUND:</u> | | |
| Alltel Communications | Ser | 1,062.13 |

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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

COURTROOM SOUND SYSTEM UPGRADE

After discussion, Simacek moved and Yates seconded the motion to approve upgrades in the sound system for the courtroom for a total of \$6,001.00. Communications Engineering, Inc. will perform the upgrades to the microphones, speakers, hearing assistance system, and to move existing sound cabinet. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERATOR LETTING

Terry Marshall recommended to the Board that we purchase the generator from Andrews Electric Co., Inc.

After discussion, Galusha moved and Simacek seconded the motion to approve the purchase of the Cummins/Onan Model DGGD genset for \$27,598.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item “Aerial Photos for villages and City of Geneva” was tabled until the next Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on February 14, 2006.

AttestChairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 14, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. Simacek was absent after 4:00 p.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 4:22 p.m.

MINUTES APPROVED

Mueller, Chairman of the Board declared the minutes approved as presented.

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 – services, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

| GENERAL FUND | | |
|--|------------------------------|------------|
| Howard F. Ach, Atty. | Rent, Sup, Post, Wksh, Misc. | \$3,575.80 |
| Alltel | Uti | 569.49 |
| Ameritas Life Insurance Corp. | Ret | 2,107.62 |
| Jon Anderson | Uni, Fuel | 45.31 |
| Aquila | Uti | 1,931.57 |
| Aramark Uniform Services, Inc. | Ser | 259.16 |
| Auto Value Parts Stores | Sup | 6.09 |
| Bear Graphics | Sup | 186.75 |
| Black Hills Ammunition | Sup | 726.50 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,036.15 |
| Bottorf & Maser, Atty. | Ser | 123.63 |
| William L. Burgess | Uni, Meals | 41.69 |
| Business World Products | Equip | 2,001.99 |
| Daryl L. Callenius | Uni | 35.00 |
| Century Lumber Center – Geneva | Sup | 51.05 |
| City of Geneva | Uti | 111.10 |
| Communications Engineering, Inc. | Equip | 1,800.00 |
| Conoco Phillips 66 | Fuel | 762.12 |
| DAS communications/Interagency Billing | Ser | 350.00 |
| Duckwalls | Sup | 65.74 |
| Eakes | Sup, Equip, Ser | 1,050.50 |
| Earls Window Service | Ser | 4.00 |
| Executive Copier Service | Ser | 94.19 |
| F & S Supply Co., Inc. | Sup | 227.76 |
| Fillmore County Sheriff | Ser | 327.67 |
| Fillmore County Treasurer | Post | 468.00 |
| Fort Dearborn Life Insurance Co. | Insur | 203.84 |
| Galls | Sup | 24.46 |
| The Garbage Company | Ser | 111.67 |
| Teri Gemar | Mile, Meals, Misc. | 304.36 |
| Geneva State Bank | SS | 2,632.47 |
| Geneva State Bank | Ser | 25.00 |
| Geneva Super Foods | Sup | 76.69 |
| Geneva TV & Appliance, Inc. | Sup | 6.00 |
| Geneva Welding & Supply, Inc. | Sup | 77.22 |
| Grafton Mini-Mart | Sup | 3.94 |
| Hometown Leasing | Ser | 577.30 |
| Steve A. Julich | Uni | 35.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Misc. | 2,570.42 |
| Kerry’s Auto Repair & Service | Rep | 29.97 |
| Knoche Appraisal & Consulting, LLC | Ser | 1,140.00 |
| Stephen J. Kraviec | Ser, Post | 1,569.90 |
| Kustom Signals, Inc. | Sup | 256.00 |
| Lancaster County Sheriff | Ser | 17.25 |
| Lease Consultants Corp. | Ser | 249.00 |
| Patt Lentfer | Mile | 45.39 |
| Lincoln Journal Star | Ad | 46.82 |
| Loup Valley Lighting, Inc. | Sup | 467.52 |
| Mid-American Research Chemical Corp. | Sup | 560.35 |
| MIPS, Inc. | Ser, Sup | 7,079.69 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| National Sheriff’s Assoc. | Dues | 50.00 |
| The Nebraska Labor Law Poster Service | Sup | 7.75 |
| Nebraska Public Power District | Uti | 779.37 |
| | | |

| | | |
|--|-----------------------------|-----------|
| The Nebraska Signal | Sup, Notices, Proc, Ad | 1,823.41 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,218.39 |
| Nelson Petroleum Co. | Fuel | 914.54 |
| Amy Nelson | Mile, Meals | 155.16 |
| Neopost, Inc. | Sup | 174.00 |
| Mary Novak | Sup | 10.00 |
| Patrice's Specialties, LLC | Ser | 45.00 |
| Platte Valley Communications | Rep, Equip | 209.71 |
| Ralph's Geneva Tire & Service Center | Rep | 33.00 |
| RepCo Marketing, Inc. | Sup | 35.20 |
| Steven G. Roemmich | Uni | 35.00 |
| Russ's Pest Control | Ser | 30.00 |
| Saline County Sheriff | Ser | 62.00 |
| Patty Scarborough | Mile | 13.35 |
| Seiler & Parker | Ser, Mile | 1,179.66 |
| State of Nebr. Dept. of Correctional Services | Boarding Prisoners | 9,792.53 |
| Stanton County Sheriff | Ser, Mile, Sup | 15.50 |
| Stolz's Shooting Supplies | Sup | 59.40 |
| Thayer County Treasurer | Sup | 448.50 |
| David Turner | Uni | 35.00 |
| University of Nebraska – Lincoln | Sup | 130.00 |
| UN-L IS-Telecommunications | Uti | 17.11 |
| Brandy VanDeWalle | Mile, Meals | 330.04 |
| Payroll | Salaries | 36,670.81 |
| | | |
| <u>ROAD / BRIDGE FUND</u> | | |
| Alltel | Uti | 66.98 |
| Ameritas Life Insurance Corp | Ret | 1,455.39 |
| Aquila | Uti | 694.20 |
| Specialty Sales/Auto Value Parts Stores | Part, Sup | 117.15 |
| Blue Cross/Blue Shield of Nebraska | Insur | 11,072.55 |
| Business World Products | Ser | 29.25 |
| Casey's General Stores | Fuel | 24.35 |
| Century Lumber Center | Parts, Sup, Rep | 460.85 |
| City of Geneva | Uti | 50.70 |
| Conoco Phillips Fleet | Fuel | 1,494.18 |
| Helen V. Engle & Harold G. Engle | Row, Easement, Misc. | 1,565.00 |
| Farm Plan | Parts | 314.76 |
| Farmers Cooperative | Fuel, Sup | 4,857.01 |
| Fillmore County Shop | Post, Rep, Misc. | 31.71 |
| Filter Care of Nebraska | Parts | 108.65 |
| Fort Dearborn Life Insurance Co. | Insur | 126.01 |
| Garbage Company | Ser | 53.78 |
| Geneva Carquest | Parts, Sup | 61.50 |
| Geneva Implement Co., Inc. | Parts | 154.93 |
| Geneva State Bank | SS | 1,738.17 |
| Geneva Welding & Supply | Equip, Sup | 212.46 |
| Grafton Oil, Inc. | Fuel, Sup | 2,077.16 |
| Jill's Sweet Shop | Misc. | 23.11 |
| K & K Myers | Easement, Oth | 25.00 |
| Lichti Bros. Oil Co., Inc. | Fuel | 2,009.38 |
| Michl Service | Fuel | 83.00 |
| The Nebraska Signal | Ads, Misc. | 205.11 |
| Nebraska Tech & Telecomm., Inc. | Uti | 107.77 |
| Nelson Petroleum | Parts, Sup, Fuel | 1,359.90 |
| Nichols Construction | Gravel | 1,805.41 |
| Nick's Farm Store | Rep | 273.58 |
| Perennial Public Power | Uti | 43.70 |
| Power Plan | Parts | 488.11 |
| Ralph's Geneva Tire | Sup, Rep | 108.90 |
| Reinsch Farms, Inc. c/o Howard Reinsch | Row, Easement, Oth, Fencing | 1,553.00 |
| Roit Repair | Rep | 102.71 |
| Speece Lewis Engineers | Ser | 4,125.00 |
| Superior Deshler, Inc. | Fuel | 97.08 |
| Texaco/Shell | Fuel | 79.26 |
| Laverne Ulmer | Misc. | 115.00 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 86.61 |
| Beth M. Wilkins | Easement, Oth | 1,257.00 |
| University of Nebr. NE Local Technical Assist. | Dues | 207.20 |
| Payroll | Salaries | 23,905.48 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| York Medical Center | Ser | 2,678.16 |

| | | |
|--|--|----------|
| INSTITUTIONS | | |
| State of Nebr. Health & Human Services | Dec. Patient Care | 81.00 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp | Ret | 133.13 |
| Blue Cross/Blue Shield of Nebraska | Insur | 912.92 |
| Dawg's Smokehouse Café | HDM's | 225.00 |
| Judy Dondlinger | Ser | 156.00 |
| Exeter Care Center | HDM's | 232.50 |
| Exeter Golden Agers | Oct. & Nov. USDA, 3 rd Qtr. LAAA | 366.28 |
| Fairmont Aging Services | Oct. & Nov. USDA, 3 rd Qtr. LAAA | 1,943.54 |
| Fillmore County Senior Services | Post | 15.28 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva Senior Center | Oct. & Nov. USDA, 3 rd Qtr. LAAA, Rent, Uti | 3,401.90 |
| Geneva State Bank | SS | 167.74 |
| Susan Kerl | Ser | 144.00 |
| Nancy Kohler | Mile, Sup | 235.38 |
| Jeannine Krejci | Ser | 156.00 |
| Elizabeth Mattox Manning | Ser | 144.00 |
| Pioneer Publishing | Ad | 6.00 |
| Ron's Tavern | HDM's | 172.00 |
| Rhonda Stokebrand | Mile | 31.15 |
| JoAnn Vavra | Ser | 264.00 |
| Payroll | Salaries | 2,225.98 |
| | | |
| KENO FUND | | |
| Fillmore County Cinema Association | Keno Grant | 2,500.00 |
| Fillmore County Treasurer | 4 th Qtr. Keno Returns | 1,287.11 |
| | | |
| NOXIOUS WEED FUND | | |
| Alltel | Uti | 39.26 |
| Ameritas Life Insurance Corp | Ret | 75.73 |
| Bill's Repair | Rep | 467.76 |
| Blue Cross/Blue Shield of Nebraska | Insur | 456.46 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Century Lumber Center | Parts | 49.14 |
| Conoco Phillips Fleet | Fuel | 43.36 |
| Merlin Ehmen | Rent | 220.00 |
| Fillmore County Clerk | Title | 10.00 |
| Fillmore County Treasurer | Tire Tax | 7.00 |
| Franklin County Weed Control | Dues | 15.00 |
| Geneva State Bank | SS | 85.83 |
| Ken Boy Motors, Inc. | Equip | 300.00 |
| Napa Auto Parts | Sup | 9.90 |
| Petersen Enterprises | Parts | 1,012.80 |
| Payroll | Salaries | 1,121.95 |
| | | |
| E911 COMMUNICATIONS CENTER FUND | | |
| Alltel | Ser | 1,061.84 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

FILLMORE COUNTY EXTENSION OFFICE REVIEW

Brandy VanDeWalle, UNL Extension Educator informed the Board of the Ag programs and meetings that the Extension office has been conducting and what Ag programs and meetings are coming up in the near future.

DRIVEWAY PERMITS

Yates moved and Galusha seconded the motion to approve the following driveway permits:

Joseph Schelbitzki Trust c/o Gary Meistrell Trustee – to widen existing driveway to approx. 35' on the east side of the NE ¼, Section 14-5-2, Belle Prairie Township;
 Cozette Varg – to widen existing driveway to 40' on the west side of the SW ¼, Section 17-5-4, Bryant Township;

Larry Roush – to replace culvert in existing driveway on the east side of the SE ¼, Section 7-5-4, Bryant Township;
Stewart Dand – to install a new 40' driveway on the west side of the SW 1/4, Section 33-8-1, Exeter Township;
Bill Slezak – to widen existing driveway to 40' on the north side of the NE ¼, Section 34-7-1, Liberty Township;
Loren Stephenson – to install a new 30' driveway on the west side of the SW ¼, Section 10-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DITCH CLEANING PERMIT

Galusha moved and Kimbrough seconded the motion to approve the following application for a permit to clean silt from a road ditch:

Nancy O'Connor: to clean silt from the road ditch adjoining the west and north side of the NW ¼, Section 5-8-3, West Blue Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Yates seconded the motion to approve the following permits to occupy county right-of-way:

Alltel – to bury a communications cable between Sections 9 & 16-7-3, Geneva Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Alltel – to bury a communications cable between Sections 25 & 26-7-1 and Section 35 & 36-7-1, Liberty Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Alltel – to bury a communications cable between Sections 2 & 3-8-2, Fairmont Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Alltel – to bury a communications cable between Section 31 & 32-7-2 and Section 32-7-2, Madison Township and Section 5-6-2, Chelsea Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Steve Ewalt – to bury an electric line between the NW ¼, Section 32-7-2 and the SW ¼, Section 29-7-2, Madison Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and 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.

Albert A. Kliever – to bury an electric line between the SW 1/4 of the SE ¼, Section 36-9-4 in York County and the NW ¼, Section 1-8-4, Grafton Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and 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.

Lola Konzak – to bury an electric line between the SW ¼, Section 17-6-4 and the NW ¼, Section 20-6-4, Momence Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and 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: Kimbrough, Cerny, Mueller, Galusha, Capek, Yates, and Simacek
Nays: None

The Chairman declared the motion carried.

LETTING DATE FOR CONCRETE PAVING ON COUNTY ROAD G

Highway Superintendent, Elmer Hessheimer requested that the letting for Concrete Paving Project for County Road G be March 25th at 10:00 a.m.

PUBLIC HEARING FOR ONE (1) AND SIX (6) YEAR HIGHWAY PLAN

The public hearing for the One (1) and Six (6) year County Highway Improvement Plan was opened at 9:45 a.m.

With no public comment, the hearing was closed at 10:00 a.m.

ONE (1) AND SIX (6) YEAR HIGHWAY PLAN

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

RESOLUTION 2006-11

ACCEPTING THE ONE (1) AND 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 to 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 2006-2007 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent, with no changes.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

NACO LEASE PURCHASE AGREEMENT

Robin Meyer, with Blue Valley Community Action (BVCA) asked the Board to refinance their NACO Lease Purchase Agreement from February 16, 2001 for an additional five (5) years.

After discussion, Cerny moved and Kimbrough seconded the motion to approve the Chairman to sign the NACO Lease Purchase Agreement with BVCA with requested changes. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PUBLIC HEALTH SOLUTIONS

E. J. Schumaker, Public Health Solutions Director presented the annual report to the Board.

FISCAL YEAR AUDIT REVIEW

Ron Willnerd, with Contryman & Associates presented the 2004-2005 fiscal year audit review to the Board.

CLOSED SESSION FOR PERSONNEL

Kimbrough moved and Simacek seconded the motion that the Fillmore County Board hold a closed session at this time pursuant of Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session, personnel items authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that Ron Willnerd from Contryman & Associates and County Clerk remain. Closed session began at 11:09 a.m.

RETURN TO REGULAR SESSION

Capek moved and Kimbrough seconded the motion to return to open session at 11:18 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PUBLIC HEARING TO AMEND COMPREHENSIVE PLAN AND FUTURE LAND USE

The public hearing to amend the Comprehensive Plan and Future Land Use Plan for Fillmore County and village of Exeter, Fairmont, Grafton, Milligan, Ohioa and Shickley was opened at 1:00 p.m. Planning and Zoning Administrator, Gerald Slezak reviewed the changes that the Planning Commission requested with the Board.

With no public comment, the hearing was closed at 1:35 p.m.

AMEND COMPREHENSIVE PLAN AND FUTURE LAND USE

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

RESOLUTION 2006-09

WHEREAS, the County of Fillmore has previously adopted and has in place a Comprehensive Plan, which includes a Future Land Use Plan

WHEREAS, the Fillmore County Planning Commission has held a hearing and has recommended changing the Future Land Use Plan in the East ½ of Section 36-8-3 from Agricultural to Industrial uses and changing to Commercial uses land along Highway 81 in Sections 36-8-3, 31-8-2, 25-8-3. 30-8-2, 24-8-3, and 19-8-2 and removing Large Lot Residential use in Sections 19-7-2, 13-7-3, and 13-8-3.

NOW, THEREFORE, BE IT RESOLVED by the Fillmore County Board of Supervisors that the Comprehensive Plan and Future Land Use Plan for Fillmore County and the Village of Fairmont be amended in the following areas: Change from Agricultural to Industrial Uses the E ½ of Section 36-8-3, and change to Commercial Uses an area along Highway 81, 1,320 feet in width and parallel to Highway 81 in Sections 36-8-3, 31-8-2, 25-8-3, 30-8-2, 24-8-3, and 19-8-2 and Change from Large Lot Residential to Agricultural Uses land in Sections 19-7-2, 13-7-3, and 13-8-3.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

PUBLIC HEARING FOR PERMISSIVE EXEMPTIONS

The public hearing for permissive exemptions was opened at 1:30 p.m.

With no public comment, the hearing was closed at 1:45 p.m.

BOARD OF EQUALIZATION

At the request of the County Assessor, Yates moved and Kimbrough seconded the motion to go into session as the Fillmore County Board of Equalization at 1:37 p.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.

TAX CORRECTIONS

Simacek moved and Capek seconded the motion to approve Tax Corrections 09-05, 10-05, and 11-05 as presented by the County Assessor. 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.

PERMISSIVE EXEMPTIONS

Capek moved and Cerny seconded the motion to accept the Permissive Exemption applications as presented by the County Assessor. 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.

RETURN TO REGULAR SESSION

Capek moved and Kimbrough seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 2:00 p.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERAL ASSISTANCE

Nancy Bettin, with Health & Human Services reviewed with the Board a few of the General Assistance Guidelines. After discussion, the Board will review all the General Assistance Guidelines due to fact that they haven't been updated since 1986.

BOARD OF EQUALIZATION

At the request of the County Treasurer, Capek moved and Galusha seconded the motion to go into session as the Fillmore County Board of Equalization at 3:26 p.m. 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Grafton Holy Cross Cemetery for exemption from motor vehicle fees.

Kimbrough moved and Galusha seconded the motion to approve the application from the Grafton Holy Cross Cemetery for exemption from motor vehicle fees on a 1996 Utility Trailer. 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.

RETURN TO REGULAR SESSION

Galusha moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 3:29 p.m. 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.

911 TOWER INSPECTION

Terry Marshall, Emergency Manger; Brad Stark, Platte Valley Communications, and the Board of Supervisors conducted an inspection of the Tower.

ADDING SECURITIES

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

RESOLUTION 2006-10

RESOLVED, that the Cornerstone Bank of York, Nebraska be allowed to add the following securities issued by the Union Bank & Trust Company of Lincoln, Nebraska:

CUSIP number 986356ED1 in the amount of \$50,000.00, maturity date March 1, 2012

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

AERIAL PHOTOS

Gerald Slezak informed the Board that the aerial photos have been completed by GIS Workshop, which includes the City of Geneva, Exeter, Fairmont, Grafton, Shickley, Strang, Ohioa, and Milligan.

TRAILBLAZER RC & D

Kimbrough moved and Simacek seconded the motion to appoint Larry Cerny as the Fillmore County Representative and Patt Lentfer as an alternate for Fillmore County on the Trailblazer RC & D Council. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TRAILBLAZER RC & D

Patt Lentfer, Fillmore County Development Corp. presented the annual report for Trailblazer RC & D.

After discussion, Simacek moved and Capek seconded the motion to approve the dues in the amount of \$100.00 for Trailblazer RC & D. 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.

FEE REPORTS

Simacek moved and Galusha seconded the motion to approve the following fee reports for January 2006:

Sheriff: \$1,660.03 Clerk of the District Court: \$938.26
County Clerk: \$10,667.76 (State share: \$6,211.07 & County share: \$4,456.69)

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.

BOARD ROOM RECORDING

After discussion, Cerny moved and Yates seconded the motion to accept the proposal from Communications Engineering, Inc. for an eight (8) channel microphone mixer and a dual cassette recorder including material and installation for \$1,589.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RECONSIDER MOTION REGARDING NACO LEASE PURCHASE

After discussion and advice from the NACO Attorney, Kimbrough moved and Capek seconded the motion to reconsider the previous motion regarding the NACO Lease Purchase Agreement. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NACO LEASE PURCHASE AGREEMENT

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

RESOLUTION 2006-08

A RESOLUTION AUTHORIZING THE PREPAYMENT OF LEASE-PURCHASE AGREEMENT DATED FEBRUARY 16, 2001, IN THE AMOUNT OF \$59,511.67 AND APPROVING THE EXECUTION AND PERFORMANCE OF A NEW LEASE-PURCHASE AGREEMENT WITH NACO LEASING CORPORATION FOR THE PROPERTY.

BE IT RESOLVED by the Board of Supervisors of the County of Fillmore, in the State of Nebraska, that this Board hereby approves and authorizes the full prepayment of the Lease-Purchase Agreement dated February 16, 2001, in the amount of \$59,511.67 for the acquisition of a Mennonite Church and related equipment, fixtures, and improvements on Lots One (1), Two (2), and Three (3), except the North Eighty (N 80') feet thereof and all Lots Four (4) and Five (5), Block Fifteen (15), Grandview Addition to the City of Geneva as surveyed, platted, and recorded, Fillmore County, Nebraska (the "Property"), by the County of Fillmore, and the adoption of a new Lease-Purchase Agreement with respect to the Property, with terms as follows, to include such changes as are deemed reasonable or necessary by the Chairman of the Board of Supervisors.

1. Principal Amount: \$51,020.00
2. Interest Rate: 3.850%
3. Payment Amount: \$5,657.62
4. Term: February 15, 2006 through February 15, 2011
5. Payment Frequency: Semiannually

Settlement and closing of the Lease-Purchase Agreement shall be on or about February 15, 2006. NACO Leasing Corporation shall, on behalf of the County of Fillmore, remit payment in the amount of \$50,000.00, and Blue Valley Community Action shall remit payment in the amount of \$9,511.67, to Geneva State Bank, P. O. Box 313, Geneva, Nebraska 68361-0313 (I.D. No 47-0171400) for prepayment of the Lease-Purchase Agreement dated February 16, 2001, in the amount of \$59,511.67 on the date on which NACO Leasing Corporation receives the new signed Lease-Purchase Agreement dated February 15, 2006, in the amount of \$51,020.00 and accompanying documents from the County, and shall apply the balance to costs of issuance of the new Lease-Purchase Agreement.

BE IT FURTHER RESOLVED, that the Chairman or Vice Chairman of the Board of Supervisors and the County Clerk are hereby authorized and directed to sign the Lease-Purchase Agreement and related certificates and documents.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADJOURNMENT

Agenda item “Fee Schedule for Zoning Applications” was tabled until the next Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on February 28, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 28, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of publication is on file in the County Clerk’s Office. All proceedings hereinafter shown were taken while the convened meeting was open in public. The meeting adjourned at 3:15 p.m.

MINUTES APPROVED

Mueller, Chairman of the Board declared the minutes approved as presented.

JAIL INSPECTION

After last board meeting a jail inspection was completed, with everything looking in proper order.

HOSPITAL AUDIT

The audit of the Fillmore County Hospital, D/B/A Family Health Services for the 2004 – 2005 fiscal year was submitted.

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 – services, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

| GENERAL FUND | | |
|---|---------------------------------------|-----------|
| Alltel | Uti | \$224.73 |
| Alltel | Uti | 473.54 |
| Ameritas Life Insurance Corp. | Ret | 2,062.37 |
| Blue Cross / Blue Shield of Nebraska | Insur | 12,987.21 |
| Helen Cellar | Dist. Spelling Contest | 40.00 |
| Central Nebraska Refrigeration, Inc. | Rep | 661.44 |
| Marilyn Christianity | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Jan Cotner | Dist. Spelling Contest | 45.00 |
| County Veterans Service Officers of Nebr. | Wksh | 85.00 |
| Crossroads Awards | Dist. Spelling Contest | 89.88 |
| Dell Marketing, L.P. | Sup | 388.74 |
| F & S Supply Co., Inc. | Sup | 367.58 |
| Fillmore County Court | Ser | 1.25 |
| Fillmore County Treasurer | Post, Ser, Meals, Wksh, Sup, Transfer | 65,702.65 |
| First Concord Benefits Group, LLC | Ser | 40.50 |
| Fort Dearborn Life Insurance | Insur | 198.19 |
| Gambles | Sup | 10.46 |
| Geneva State Bank | SS | 2,544.99 |
| Norma Gregory | Ret | 25.00 |
| Holiday Inn | Lodging | 603.00 |
| Hometown Leasing | Ser | 238.62 |
| Jefferson County Court | Ser | 6.50 |
| Lancaster County Sheriff | Ser | 16.00 |
| London Law Office | Ser | 337.50 |
| Maximus Inc. | Ser | 1,400.54 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| National Assoc. of County Veterans Service Officers, Inc. | Wksh | 250.00 |
| Nebraska National Bank | Ser | 187.59 |
| Nebraska Public Power Dist. | Uti | 107.76 |
| The Nebraska Signal | Subscription | 24.50 |
| Nebraska State Recycling Assoc. | Dues | 175.00 |
| Amy Nelson | Mile, Meal | 36.83 |
| Sherri Nun | Dist. Spelling Contest | 100.00 |
| Platte Valley Comm. of Hastings | Ser | 56,584.60 |
| SE District County Officials Assoc. | Wksh | 162.00 |
| State of Nebr. Dept. of Admin. Services | Ser | 55.82 |
| Thayer County Sheriff’s Office | Ser | 22.60 |
| Brandy VanDe Walle | Sup | 35.00 |
| Daniel L. Werner, P. C., L. L. O. | Ser | 219.75 |
| York County Court | Ser | 1.75 |
| Payroll | Salaries | 35,527.24 |
| | | |
| ROAD / BRIDGE FUND | | |

| | | |
|--|--------------------|-----------|
| Ameritas Life Insurance Corp. | Ret | 1,517.94 |
| Blue Cross / Blue Shield of Nebraska | Insur | 10,612.69 |
| Farm Plan | Parts | 199.05 |
| Fillmore County Treasurer | Post | 16.15 |
| Fort Dearborn Life Insurance Co. | Insur | 126.01 |
| Gambles of Geneva | Rep, Sup, Misc | 1,017.61 |
| Geneva State Bank | SS | 1,746.03 |
| Ralph Gould | Ret | 18.00 |
| Grafton Mini Mart | Fuel | 62.71 |
| Grafton Oil | Fuel | 805.86 |
| Pat Halbur | Mile | 89.00 |
| Heath, Inc. | Ser | 50.00 |
| Holiday Inn | Lodging | 63.00 |
| Donovan Jirkovsky | Ret | 25.00 |
| Lichti Bros. Oil | Fuel | 943.81 |
| Nebraska Machinery | Parts | 2,217.37 |
| Nebraska Bolt | Parts | 188.75 |
| Nebraska Public Power | Uti | 261.09 |
| Newman Traffic Signs | Signs | 216.24 |
| Perennial Public Power | Uti | 92.90 |
| Roit Repair | Sup | 26.80 |
| SE District County Officials Assoc. | Wksh | 18.00 |
| Speece Lewis Engineers | Ser | 15,990.00 |
| University of Nebraska – Lincoln | Dues | 80.00 |
| Payroll | Salaries | 24,008.16 |
| | | |
| <u>ECONOMIC DEV. – TOURISM FUND</u> | | |
| United Methodist Church | Sup | 7.44 |
| | | |
| <u>MEDICAL / RELIEF FUND</u> | | |
| Richard Kubicek, DDS | Ser | 42.00 |
| Weaver Pharmacy | Sup | 374.21 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | Patient Care – Jan | 372.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp | Ret | 126.95 |
| Blue Cross / Blue Shield of Nebraska | Insur | 912.92 |
| Fillmore County Treasurer | Post | 156.00 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva State Bank | SS | 160.74 |
| Payroll | Salaries | 2,134.40 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Co. | Ret | 75.73 |
| Blue Cross / Blue Shield of Nebraska | Insur | 456.46 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 85.83 |
| Payroll | Salaries | 1,121.95 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

DRIVEWAY PERMIT

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

Doug Johnson – to install a new 30’ – 40’ driveway on the west side of the NW ¼, Section 18-5-4, Bryant Township.

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.

SILT CLEANING PERMIT

Simacek moved and Cerny seconded the motion to approve the following application for a permit to clean silt from a road ditch:

Doug Johnson – to clean silt from the road ditch adjoining the west side of the SW ¼, Section 7-5-4, Bryant Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

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

Alltel – to bury a communications cable between Sections 9 & 16-7-3, Geneva Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to a reasonable satisfaction of the Fillmore County Officials.

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.

MILLIGAN NW PROJECT, SECTIONS 15 & 22, LIBERTY

Larry Lewis, with Speece Lewis Engineers prepared three alternatives for the Board to review. Alternative #1 would bring the existing alignment to meet standards and keeps the alignment closest to the existing roadway. This option also utilizes most of the existing right-of-way and requires few, if any trees to be removed. Alternative #2 would be similar to alternative #1, with the exception that the road would be realigned to the north to avoid impacting the existing channel. This option would require a number of trees be removed and a sizable amount of right-of-way to be purchased. Alternative #3 would place the roadway directly on the section line and would require a channel change that will fill more than 500 ft. of existing channel. Speece Lewis Engineers recommended alternative #1 to the Board.

After discussion, Yates moved and Simacek seconded the motion to accept alternative #1 for the Milligan NW, BRO-7030(31) Project; which is located between Sections 15 & 22, Liberty 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.

GENEVA CLEANUP

During the Geneva Cleanup on March 25th there will be used oil collected from 8:00 a.m. to 12:00 noon.

MILLIGAN SHOP BUILDING BIDS

Bids for the Milligan shop building bids were opened at 10:00 a.m. as advertised. The following bids were received:

| Bidder | Price |
|---|--------------|
| Ackland Construction, Geneva | \$31,049.00 |
| Farris Construction Co., Inc., Hastings | \$31,500.00 |
| Building Tech, Inc., Beatrice | \$28,908.00 |
| Caspers Construction Co., Beatrice | \$26,576.00 |

MILLIGAN SHOP BUILDING LETTING

After discussion, Capek moved and Yates seconded the motion to award the construction of the Milligan Shop building to Caspers Construction Co., Beatrice, NE. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DEFICIT APPROPRIATION

Yates moved and Capek seconded the introduction of the following resolution:

RESOLUTION 2006-12

WHEREAS, all of the funds in the 2005-2006 budget for the Jail have been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2005-2006 budget year,

NOW THEREFORE, Be it resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$20,000.00 be appropriated to the Jail Budget from the unused funds in the miscellaneous account of the General Fund Budget for 2005-2006 of said County.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

911 TOWER

Simacek moved and Galusha seconded the motion to approve the 911 Tower after the Board's February 14th inspection. All provisions of the tower specifications have been met by Platte Valley Communications of Hastings. 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.

LEASE AGREEMENT FOR POSTAGE MACHINE

The Board directed the County Clerk to review the new lease agreement on the postage machine. If this lease agreement is in the best interest of the County to renew, then the Board directed the County Clerk to sign the new agreement.

DOWDY SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Dowdy Subdivision, located in the SW ¼, Section 32-5-3, Hamilton Township.

Kimbrough moved and Cerny seconded the motion to approve the plat of the Dowdy Subdivision as follows:

A tract of land located in the SW ¼ of Section 32, T5N, R3W, of the 6th P. M., Fillmore County, Nebraska, described as follows: Commencing at the SW corner of said SW ¼; thence S90°00'00"E (assumed bearing) on the south line of said SW ¼, 1388.00 feet to the point of beginning; thence N00°00'00"E, 556.00 feet; thence S90°00'00"E parallel with the south line of said SW ¼, 440.00 feet; thence S00°00'00"W, 556.00 feet to the south line of said SW ¼; thence N90°00'00"W on said south line, 440.00 feet to the point of beginning, containing 5.62 acres more or less.

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.

INTERNET SERVICE

After discussion, Cerny moved and Galusha seconded the motion to have the County Clerk find the best rate for high speed internet for the Veteran's Service Office. 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.

HOSPITAL REVIEW

Larry Eichelberger, Administrator of the Fillmore County Hospital presented a review of the Hospital to the Board of Supervisors.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

Kimbrough moved and Capek seconded the motion to declare an emergency in order to add an item to the agenda, said item "Courthouse Renovations". 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.

COURTHOUSE RENOVATIONS

After discussion, Simacek moved and Cerny seconded the motion to contract with an attorney recommended by Deputy County Attorney Howard Ach, which specializes in renovation projects to settle differences between Fillmore County, Berggren and Woll Architects, and all other persons involved in the Fillmore County Courthouse renovation. 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.

ADJOURNMENT

Agenda item “Steel Bridge Hazard Markers” was tabled until a future Board meeting. Board of Equalization, surplus items, and Blue Cross/Blue Shield were not needed for this Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on March 14, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 14, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, and Simacek. Galusha was absent. The County Clerk was present to record the minutes of the meeting

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:25 p.m.

MINUTES APPROVED

Mueller, Chairman of the Board declared the minutes approved as presented.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditure: 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 – services, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

| | | |
|--|----------------------------|------------|
| GENERAL FUND | | |
| Howard F. Ach, Atty. | Rent, Post, Sup, Wksh | \$3,636.55 |
| Alltel | Uti | 251.84 |
| Ameritas Life Insurance Corp. | Ret | 2,069.88 |
| Jon Anderson | Uni, Meals | 44.61 |
| Andrews Electric Co., Inc. | Rep | 90.00 |
| Aquila | Uti | 1,994.89 |
| Aramark Uniform Services, Inc. | Sup | 258.19 |
| Blue Valley Community Action Partnership | 3 rd Qtr. Share | 5,000.00 |
| William L. Burgess | Uni | 35.00 |
| Daryl L. Callenius | Uni, Meals, Fuel | 93.72 |
| Central Nebraska Refrigeration, Inc. | Rep, Ser | 905.49 |
| Century Lumber Center – Geneva | Sup | 21.35 |
| City of Geneva | Uti | 117.10 |
| Clay County Court | Ser | 29.00 |
| Conoco Phillips Fleet | Fuel | 745.63 |
| DAS Communications | Ser | 350.00 |
| Duckwalls | Sup | 28.94 |
| Eakes Office Plus | Sup, Equip | 1,367.63 |
| Earls Window Service | Ser | 4.00 |
| Evercom | Sup | 75.50 |
| Executive Copier Services | Ser | 8.75 |
| Fillmore County Court | Ser | 330.00 |
| Fillmore County Treasurer | Transfers | 15,564.59 |
| The Garbage Company | Ser | 111.67 |
| Teri Gemar | Mile, Meals, Equip | 200.29 |
| Geneva State Bank | SS | 2,535.33 |
| Geneva TV & Appliance, Inc. | Sup | 23.00 |
| Hair Works | Ser | 15.00 |
| Nancy Hansen | Meals | 38.63 |
| The Hebron Journal Register | Ad | 13.75 |
| Hilty’s of Geneva | Sup | 1,252.07 |
| Home Town Leasing | Ser | 169.34 |
| Steve A. Julich | Uni | 35.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup | 2,523.05 |
| Kerry’s Auto Repair & Service | Rep | 30.01 |
| Knoche Appraisal & Consulting, LLC | Ser, Mile | 2,280.00 |
| Stephen J. Kraviec | Ser, Post | 1,569.15 |
| Lease Consultants Corp. | Ser | 249.00 |
| Lorman Education Services | Wksh | 279.00 |
| Mid – American Research Chemical Corp. | Sup | 448.64 |
| Midwest Radar & Equipment, Inc. | Sup | 152.25 |
| MIPS, Inc. | Ser | 1,910.55 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| Nebraska Fire Sprinkler Corp. | Ser | 365.00 |
| Nebraska National Bank | Ser | 187.59 |
| Nebraska Public Power Dist. | Uti | 867.25 |
| The Nebraska Signal | Ads, Proc, Sup | 1,098.76 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,196.73 |
| Nelson Petroleum Co. | Fuel | 890.33 |
| Platte Valley Communications | Sup | 34.47 |
| Quinlan Publishing Group | Subscription | 154.85 |
| Red Willow County Court | Ser | 2.75 |
| Steven G. Roemmich | Uni | 35.00 |
| Secretary of State Rules & Regulations | Ser | 20.00 |

| | | |
|---|--------------------|-----------|
| State of Nebraska Dept. Correctional Services | Boarding Prisoners | 5,393.41 |
| State of Nebraska HHS Laboratory | Ser | 75.00 |
| Tisha Templin | Mile | 23.14 |
| Thayer County Court | Ser | 1.50 |
| Brandy VanDeWalle | Mile | 261.66 |
| Weaver Pharmacy | Sup | 2,639.54 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| York News Times | Ad | 64.90 |
| Payroll | Salaries | 35,400.78 |
| | | |
| ROAD / BRIDGE FUND | | |
| Alltel | Uti | 68.88 |
| Action Auto Supply | Parts, Sup | 76.48 |
| Ameritas Life Insurance Corp. | Ret | 1,514.51 |
| Andrews Electric Co., Inc. | Sup | 1,475.12 |
| Aquila | Uti | 876.89 |
| Auto Value Parts Stores | Parts, Sup | 738.15 |
| Business World Products | Ser | 29.25 |
| Century Lumber | Parts, Sup | 1,047.08 |
| City of Geneva | Uti | 50.70 |
| Conoco Phillips Fleet | Fuel | 1,680.48 |
| Dorchester Farmers Coop | Fuel, Sup | 2,373.77 |
| Drummond American | Sup | 139.83 |
| Exeter Lumber Co. | Sup | 53.40 |
| Fillmore County Hospital | Ser | 30.00 |
| Filter Care of Nebraska | Parts | 53.35 |
| Friesen Chevrolet, Inc. | Parts | 25.81 |
| The Garbage Company | Uti | 53.78 |
| Geneva Engineering | Ser | 11,000.00 |
| Geneva Implement Co., Inc. | Parts | 384.50 |
| Geneva State Bank | SS | 1,742.13 |
| Geneva Welding & Supply | Rep, Parts, Equip | 1,064.11 |
| Grafton Oil | Fuel, Sup | 1,656.84 |
| Lichti Oil | Fuel | 1,041.27 |
| Marlborough | Sup | 20.00 |
| Michl Service | Fuel | 186.00 |
| Nebraska Machinery | Parts, Sup | 1,270.77 |
| Nebraska Public Power | Uti | 256.16 |
| The Nebraska Signal | Ads | 63.34 |
| Nebraska Tech & Telecomm., Inc. | Uti | 113.05 |
| Nelson Petroleum | Fuel, Parts | 1,047.29 |
| Nichols Construction | Gravel | 17,302.65 |
| Nick's Farm Store Co. | Rep | 52.83 |
| Perennial Public Power | Uti | 879.29 |
| Platte Valley Communications | Rep | 229.50 |
| R & D Parts, LLC | Parts, Sup | 313.83 |
| Ralph's Geneva Tire & Service Center | Sup, Rep | 500.29 |
| Road Builders | Parts | 55.40 |
| Donna Saltzman | Ser | 25.00 |
| Speece Lewis Engineers | Ser | 2,368.65 |
| Stan's Recycle & Salvage | Sup | 100.00 |
| Superior Deshler, Inc. | Fuel | 49.75 |
| Texaco/Shell | Fuel | 45.10 |
| USIS Commercial Services, Inc. | Ser | 59.80 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 41.73 |
| Payroll | Salaries | 23,957.36 |
| | | |
| MEDICAL / RELIEF FUND | | |
| Bryan LGH Medical Center | Ser | 26.59 |
| Lauber Funeral Service, Inc. | Ser | 1,175.00 |
| York Medical Clinic | Ser | 24.73 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp. | Ret | 128.47 |
| Dawg's Smokehouse Café | HDM | 270.00 |
| Exeter Care Center | HDM | 157.50 |
| Fillmore County Rural Transit | Mile | 30.00 |
| Geneva Senior Center | Rent, Sup | 176.58 |
| Geneva State Bank | SS | 162.79 |
| Susan Kerl | Ser | 132.00 |
| Nancy Kohler | Mile | 194.02 |
| Jeannine Krejci | Ser | 132.00 |
| Elizabeth Mattox Manning | Ser | 108.00 |
| Pioneer Publishing | Ad | 6.00 |

| | | |
|---|----------|------------|
| Ron's Tavern | HDM | 160.00 |
| Rhonda Stokebrand | Mile | 9.02 |
| JoAnn Vavra | Ser | 65.00 |
| Payroll | Salaries | 2,161.17 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Andrews Electric Co., Inc. | Ser | 481.67 |
| Fillmore County Treasurer | Transfer | 150,000.00 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ace Agri Supply | Sup | 77.55 |
| Alltel | Uti | 39.26 |
| Ameritas Life Insurance Corp. | Ret | 75.73 |
| Central Community College | Wksh | 85.00 |
| Merlin Ehmen | Rent | 220.00 |
| Geneva State Bank | SS | 85.83 |
| Grafton Mini Mart | Fuel | 67.15 |
| Platte Valley Communications | Sup | 123.60 |
| Payroll | Salaries | 1,121.95 |
| | | |
| <u>E911 COMMUNICATIONS CENTER FUND</u> | | |
| Alltel | Ser | 25.00 |
| Alltel | Ser | 1,061.84 |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

REPORTS

The January 2006 reports for the Fillmore County Rural Transit, and Fillmore County Hospital Governing Board were reviewed and ordered placed on file in the Clerk's office.

The following is a synopsis of the January minutes of the Fillmore County Hospital Governing Board:

The Fillmore County Hospital Governing Board met on January 19, 2006 at 4:05 p.m. in the hospital conference room with Chairman Kotas presiding. Members present were Nelson, Kudlacek, Johnson, Marget, and Eichelberger. Also present was Jeanne Ackland.

The minutes of the December meeting were accepted as presented.

The hospital data and financial reports, check register listings were presented. After discussion, it was moved and seconded to accept the report as presented.

Totals of the specialty clinic for December 2005 are 313 compared to 322 in 2004.

As there was no other business to come before the Board, it was moved and seconded that the meeting adjourn until February 16, 2006 in the hospital conference room.

###

FEE REPORTS

Yates moved and Cerny seconded the motion to approve the following fee reports for February 2006:

County Clerk: \$5,602.31 (State share \$2,815.14 & County Share \$2,787.17)
Clerk of District Court: \$785.60 Sheriff: \$2,735.67

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COURTHOUSE BROCHURES

After discussion, Cerny moved and Kimbrough seconded the motion to order 5,000 brochures of the courthouse from the Nebraska Signal for \$1,245.50. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Simacek moved and Yates seconded the motion to approve the following driveway permits:

- Paul Bettger – install a new 40’ driveway on the south side of the SW ¼, Section 21-8-2, Fairmont Township;
- Rick Reinsch – install a new 30’ – 40’ driveway on the south side of the SE ¼, Section 22-6-3, Stanton Township;
- D’C & O’C, Inc. – install a new 26’ – 28’ driveway in the NW ¼, Section 8-8-3, West Blue Township;
- Garrison Farms, Inc. – to widen an existing driveway to 40’ on the south side of the SE ¼, Section 24-6-2, Chelsea Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DITCH CLEANING PERMIT

Kimbrough moved and Capek seconded the motion to approve the following application for a permit to clean silt from a road ditch:

- Lyle & Steve Heinrichs – to clean silt from the road ditch adjoining the east side of the NE ¼ and the E ½ of the SE ¼, Section 14-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

STOP SIGN

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

RESOLUTION 2006-13

In accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended, and

WHEREAS, it is in the best interest of Fillmore County, Nebraska, to establish and maintain proper consistent highway signing in conformity with said manual,

The Fillmore County Highway Department therefore requests formal approval to place, erect, and maintain traffic control devices on Fillmore County Roads at the following locations:

| <u>TYPE OF DEVICE</u> | <u>LOCATION</u> |
|-----------------------|--|
| STOP sign | at the intersection of County Roads G and 12, sign to be placed on Road G to stop west-bound traffic |

NOW THEREFORE be it resolved by the Fillmore County Board of Supervisors that this resolution is approved this 14th day of March, 2006.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

HAZARD MARKERS FOR BRIDGES

After discussion, Yates moved and Cerny seconded the motion to apply for a grant to purchase steel hazard markers for all bridges in Fillmore County. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GRAVEL BIDS

Bids for gravel were opened at 10:00 a.m. The following bids were received (bids were given per

township):

REGULAR ROAD GRAVEL

Beatrice Concrete Co.: Belle Prairie - \$8.67, Franklin – 8.37, Glengary – 8.97, Liberty – 9.67, and Stockpile – 6.30

Callaway Sons & Daughters: Bryant - \$7.98, Hamilton – 7.49, Momence – 8.10, Stanton – 7.79, and Stockpile – 6.25

Nichols Sand & Gravel: Belle Prairie - \$7.69, Bennett – 8.83, Bryant – 7.69, Chelsea – 8.61, Exeter – 9.17, Fairmont – 7.40, Franklin – 7.60, Geneva – 8.90, Glengary – 7.94, Grafton – 9.14, Hamilton – 7.79, Liberty – 7.99, Madison – 8.57, Momence – 8.14, Stanton – 7.79, West Blue – 8.69, and Stockpile – 6.00

Overland Sand & Gravel: Belle Prairie – 10.56, Bennett – 10.56, Bryant – 12.01, Chelsea – 9.85, Exeter – 8.76, Fairmont – 7.85, Franklin – 10.12, Geneva – 9.35, Glengary – 9.71, Grafton – 9.35, Hamilton – 11.38, Liberty – 8.35, Madison – 8.60, Momence – 11.38, Stanton – 10.56, West Blue – 8.60, and Stockpile – 6.35

COARSE ROAD GRAVEL

Callaway Sons & Daughters: Bryant - \$8.23, Hamilton – 7.74, Momence – 8.35, Stanton – 8.09, and Stockpile – 6.35

Nichols Sand & Gravel: Belle Prairie - \$10.19. Bennett – 11.33, Bryant – 10.19, Chelsea – 10.11, Exeter – 11.67, Fairmont – 9.90, Franklin – 10.10, Geneva – 11.40, Glengary – 10.44, Grafton – 11.64, Hamilton – 10.29, Liberty – 10.49, Madison – 11.07, Momence – 10.64, Stanton – 10.29, West Blue – 11.19, and Stockpile – 8.50

Overland Sand & Gravel: Bennett - \$10.75, Chelsea – 12.50, Exeter – 11.75, Fairmont – 11.00, Geneva – 11.50, Glengary – 13.25, Grafton – 9.75, Liberty – 12.50, Madison – 11.75, Momence – 11.13, Stanton – 11.88, West Blue – 11.00, and Stockpile – 4.25

GRAVEL LETTING

After discussion, Kimbrough moved and Simacek seconded the motion to accept all bids, awarding each township to the lowest bidder, if lowest bidder can not fulfill the need, then will purchase from the seconded lowest bidder. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RURAL TRANSIT SERVICE FUNDING

Jane Cronk, Director of Fillmore County Rural Transit informed the Board the budget for 2006-2007 would be \$79,377.00 with the County's share at \$15,368.00.

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

RESOLUTION 2006-14

WHEREAS, There are federal funds available under Section 5311 of the Federal Transit Act (FTA), and for Nebraska Public Transportation Act funds, and

WHEREAS, Fillmore County desires to apply for said funds to be used to provide public transportation in Fillmore County with special emphasis on meeting the needs of the elderly and disabled in Fillmore County.

NOW THEREFORE, BE IT RESOLVED; that the Fillmore County Board of Supervisors hereby instruct the Fillmore County Clerk to apply for the above mentioned funds. Said funds are to be used for Fiscal Year 2006-2007.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CONTRACT WITH BLUE VALLEY COMMUNITY ACTION

Capek moved and Yates seconded the motion to approve the contract with Blue Valley Community Action for the period beginning July 1, 2006 and ending June 30, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PUBLIC TRANSPORTATION ASSISTANCE

After discussion, Yates moved and Cerny seconded the motion to apply for Federal and State Public Transportation Assistance for the Fillmore County Rural Transit Service. Federal funds applying for are \$36,861.00 and State funds applying for are \$15,463.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FEDERAL CERTIFICATIONS AND ASSURANCES

After discussion, Cerny moved and Kimbrough seconded the motion to approve the 2006 Federal Certifications and Assurance for the Federal Transit Authority. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Simacek

The Chairman declared the motion carried.

SUBORDINATE EXEMPT FACILITIES REVENUE BONDS

F. William Schellpeper III from Rembolt Ludtke, LLP and Troy Otte from Advanced BioEngery were present to request final approval of the Subordinate Exempt Facilities Revenue Bonds, Series 2006A.

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

RESOLUTION 2006-15

A RESOLUTION AUTHORIZING THE ISSUANCE OF \$7,000,000 COUNTY OF FILLMORE, STATE OF NEBRASKA, SUBORDINATE EXEMPT FACILITIES REVENUE BONDS, SERIES 2006A (ADVANCED BIOENERGY, LLC ETHANOL PROJECT) WITH THE PROCEEDS TO BE USED TO FINANCE (I) ACQUISITION, CONSTRUCTION, INSTALLATION, IMPROVEMENT AND EQUIPPING OF CERTAIN QUALIFIED SOLID WASTE DISPOSAL FACILITIES MEETING THE REQUIREMENTS OF SECTION 142 OF THE INTERNAL REVENUE CODE OF 1986, (II) FINDING OF A CAPITALIZED INTEREST FUND, (III) FUNDING OF A DEBT SERVICE RESERVE FUND, AND (IV) THE COSTS OF ISSUANCE; APPROVING AND AUTHORIZING EXECUTION OF A LOAN AND TRUST AGREEMENT, BOND PURCHASE AGREEMENT AND RELATED DOCUMENTS; MAKING FINDINGS AND DETERMINATIONS WITH REFERENCE TO THE BONDS; AUTHORIZING THE SALE AND DELIVERY OF THE BONDS; PROVIDING THAT THE INVALIDITY OF ANY PART OF THIS RESOLUTION SHALL NOT AFFECT THE REMAINDER; AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS; REPEALING ALL RESOLUTION OR PORTIONS THEREOF IN CONFLICT HERewith AND PROVIDING FOR THE EFFECTIVE DATE OF THIS RESOLUTION.

WHEREAS, the County of Fillmore, Nebraska (the "County") is a duly organized and existing county under the Constitution and laws of the State of Nebraska (the "State"); and

WHEREAS, the County is authorized by Neb. Rev. Stat. §13-1101 *et seq.*, as amended (the "Act"), to issue, sell, and deliver its revenue bonds and to use the proceeds thereof for the purpose of financing manufacturing facilities and to secure payment of such revenue bonds as therein provided, all in accordance with the provisions of the Act; and

WHEREAS, the need for increased economic activity and increased tax base exists in the County of Fillmore, Nebraska, and the County desires to cause to be provided manufacturing facilities in the County; and

WHEREAS, the County is authorized and empowered by law, including the Act, to issue obligations and to provide funds to enable acquisition, construction and equipping of manufacturing facilities; and

WHEREAS, the County has deemed it necessary and advisable for the promotion of the public health, welfare, safety, convenience and prosperity of the citizens of the State of Nebraska, and in order to stimulate increased economic activity and increased tax base to issue bonds for such purposes; and

WHEREAS, Advanced BioEnergy, L. L. C. (the "Company"), has requested that the County issue revenue bonds and use the proceeds thereof to finance a portion of (i) the acquisition, construction, installation, improvement, and equipping of certain qualified solid waste disposal facilities meeting the requirements of Section 142 of the Code (the "Project"); (ii) funding of a capitalized interest fund; (iii) funding of a debt service reserve fund; and (iv) costs of issuance; and

WHEREAS, the County has agreed to issue its Subordinate Exempt Facilities Revenue Bonds, Series 2006A (Advanced BioEnergy, LLC Ethanol Plant Project) in the principal amount of \$7,000,000 (the "Bonds") for such purpose and to issue, sell and deliver the Bonds to Oppenheimer & Co., Inc. (the "Underwriter"), and there have been prepared in connection with such financing, issuance, sale and delivery of the Bonds the following documents which have been presented to the County of this date:

1. The form of the Loan and Trust Agreement (the "Agreement") among the County, Wells Fargo Bank, N.A., as Trustee ("Trustee") and the Company;
2. The form of the Bonds as set forth in the Agreement;
3. The Preliminary Official Statement describing the financing and the Project (the "Preliminary Official Statement"); and
4. The form of the Bond Purchase Agreement (the "Bond Purchase Agreement") among the County, the Underwriter, and the Company.

WHEREAS, it appears that each of the instruments above referred to, which are now before the Board of Supervisors of the County, is in appropriate form and is an appropriate instrument for the purposes intended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE

COUNTY OF FILLMORE, AS FOLLOWS:

ARTICLE 1

LEGAL AUTHORIZATION; FUNDINGS

Section 1.01. Legal Authorization. The County is a political subdivision existing under the Constitution and laws of the State and is authorized under the Act to issue and sell its revenue bonds in the form of one or more debt instruments such as the Bonds for the purpose, in the manner and upon the terms and conditions set forth in the Act, in this Resolution and in the Agreement.

Section 1.02. Findings. The County has heretofore determined, and does hereby determine as follows:

- (a) The issuance of the Bonds will effectuate the public purposes of the County and carry out the purposes of the Act by, among other things, increasing economic activity and the tax base in the County, as evidenced by, and based upon the representations made by the Company in, its request to the County seeking the financing through the issuance of the Bonds.
- (b) The Bonds, when issued, will be limited obligations of the County payable solely from the secured by the revenues, receipts and security pledged pursuant to the Agreement and the Security Documents and shall not be a general liability of the County or a charge against its general credit.
- (c) The Bonds will be secured by a Subordinate Deed of Trust and Construction Security Agreement. Payment of the debt service on the Bonds will be subordinate to senior financing.
- (d) The Bonds will not and shall never constitute a debt, liability or general obligation of the State of Nebraska, the County, or any political subdivision, agency, or instrumentality thereof, nor will the faith and credit or the taxing power of the State of Nebraska, the County, or any other political subdivision, agency, or instrumentality be pledged to the payment of the principal of or interest on the Bonds.
- (e) At a public hearing, duly noticed and held on January 11, 2006, in accordance with the Act and Section 147(f) of the Internal Revenue Code of 1986, on the proposal to undertake and finance the Project, all parties who appeared at the hearing were given an opportunity to express their views with respect to the proposal to undertake and finance the Project and interested persons were given the opportunity to submit written comments to the County before the time of the hearing.

ARTICLE II

AUTHORIZATION OF BONDS AND DOCUMENTS

Section 2.01. Issuance of the Bonds: Terms of the Bonds. For the purpose of acquiring any real or personal property necessary or incidental to a redevelopment project and to improve any such project, the County hereby authorized the issuance of \$7,000,000 aggregate principal amount of County of Fillmore, Nebraska, Subordinate Exempt Facilities Revenue Bonds, Series 2006A (Advanced BioEnergy, LLC Ethanol Plant Project) (the "Bonds"). The Bonds shall be dated the date of delivery, bear interest at a rate or rates not to exceed 9%, and mature no later than December 1, 2020. The County shall use the proceeds of the Bonds as provided in the Agreement.

Each of the Bonds shall be executed by the manual or facsimile signatures of the Chair of the County, the County Clerk, and the Chair and County Clerk are each hereby severally authorized to execute, seal and attest and deliver the Bonds for and on behalf of the County. Any such signature may be a manual signature or may be by facsimile, provided that the Registrar (as identified in this Resolution) shall manually authenticate each Bond.

The County is issuing the Bonds pursuant to Section 142(a)(6) of the Internal Revenue Code of 1986.

Section 2.02. Sale and Delivery of Bonds. The County hereby authorizes, approves and directs the sale of the Bonds and delivery of the Purchaser at a price, excluding Underwriter's compensation, of not less than 98% of the principal amount of the Bonds, and with Underwriter's compensation not to exceed \$210,000.00. All fees and expenses related to the issuance of the Bonds shall be paid by the Company.

Section 2.03. Approval and Authorization of Documents. The Agreement, the Bond Purchase Agreement, the Bonds, and the Preliminary Official Statement are in all respects hereby approved, authorized, ratified and confirmed, and the Chair and County Clerk are each separately and individually hereby authorized and directed to execute, seal and deliver, for and on behalf of the County, the Agreement, the Bond Purchase Agreement, and the Bonds in substantially the form and content as presented to the County on this date, but with such changes, modifications, additions, and deletions therein as, in each case, shall, to the person signing such document, deem necessary, desirable or appropriate, his or her execution thereof to constitute conclusive evidence of his or her approval of any and all changes, modifications, additions, and deletions from the form thereof as presented to this meeting.

Section 2.04. Authority to Execute and Deliver Additional Documents. The Chair and County Clerk are each severally hereby authorized to execute and deliver for and on behalf of the County any and all additional certificates, documents, and other papers and to perform all other acts as the party signing may deem necessary or appropriate to implement and carry out the purposes and intent of this Resolution, including the preamble

hereto.

Section 2.05. Fully Registered Bonds; Designation of Paying Agent. The Bonds shall be issued as fully registered Bonds. The Trustee is hereby designated Paying Agent and Registrar for the Bonds. The Registrar shall fully register, on the registration books of the County to be maintained by the Registrar, each of the Bonds issued hereunder in the name of the owner. The registration books shall be kept for that purpose at the principal corporate trust office of the Registrar. No transfer of a Bond shall at any time be valid unless it is made in accordance with the Agreement.

Section 2.06. Official Statement. The use and distribution of the Preliminary Official Statement in connection with the issuance and sale of the Bonds is hereby authorized and any such prior use is hereby ratified and confirmed. The use and distribution of an Official Statement substantially in the form of the Preliminary Official Statement when prepared is hereby authorized. The Chari and/or the County Clerk are hereby authorized to, pursuant to Securities and Exchange Commission Rule 15c2-12 as to the “deemed final” nature of any Official Statement, make such determination.

ARTICLE III

MISCELLANEOUS

Section 3.01. Limitation of Rights. With the exception of any rights herein expressly conferred, nothing expressed or mentioned in or to be implied from this Bond Resolution or the Bonds is intended or shall be construed to give to any person, other than the County, the Underwriter and the Trustee, any legal or equitable right, remedy or claim under or with respect to this Resolution or any covenants, conditions, and provisions herein contained; this Resolution and all of the covenants, conditions, and provisions hereof being intended to be and being for the sole and exclusive benefit of the County, the Underwriter and the Trustee as herein provided.

Section 3.02. Severability. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent whatever.

Section 3.03. Immunity of Officers. No recourse for the payment of any part of the principal of, premium, if any, or interest on the Bonds for the satisfaction of any liability arising from, founded upon or existing by reason of the issue, purchase or ownership of the Bonds shall be had against any official, officer, member or agent of the County or the State, all such liability to be expressly released and waived as a condition of and as a part of the consideration for the issue, sale, and purchase of the Bonds.

Section 3.04. Prior Resolutions. All provisions of prior resolutions, or parts thereof, in conflict with the provisions of this Resolution are, to the extent of such conflicts, hereby repealed.

Section 3.05. Effective Date. This Resolution shall be in full force and effect immediately upon its passage and approval.

Section 3.06. Captions. The captions or headings in this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

Section 3.07. Validity of Bonds. Each Bond shall contain a recital that such Bond is issued pursuant to and under the Act, and such recital shall be conclusive evidence of its validity and of the regularity of its issuance.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

AGREEMENT WITH AQUILA

After discussion, Kimbrough moved and Yates seconded the motion to approve and sign agreement with Aquila to have a fixed price of \$1.12 beginning with the May 2006 invoice and ending on the April 2007 invoice for the Health & Human Services and Veteran’s office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOOD PLAIN PERMIT

Planning and Zoning Administrator, Gerald Slezak presented an application for a Floodplain Development Permit to drill an irrigation well, located in the NW ¼, Section 21-7-3, Geneva Township.

After discussion, Simacek moved and Cerny seconded the motion to approve the application for the Floodplain Development Permit to drill an irrigation well in the NW ¼ of Section 21-7-3, Geneva Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “4-Day Work Week and discussion on Direct Deposits” were tabled until the next Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on March 28, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 28, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:18 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

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 | | |
| A – 1 Body & Glass | Rep | \$1,534.08 |
| Alltel | Uti | 189.88 |
| Alltel | Uti | 491.01 |
| John F. Aman, Atty. | Ser | 270.00 |
| Ameritas Life Insurance Corp. | Ret | 2,037.99 |
| Bear Graphics | Sup | 147.48 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,492.61 |
| Clerk of the Supreme Court | Ser | 122.00 |
| Communications Engineering, Inc. | Ser, Equip | 5,790.00 |
| Creighton University School of Law | Sup | 95.00 |
| Jill R. Cunningham | Mile | 262.55 |
| Executive Copier Services | Ser | 108.26 |
| F & S Supply Co., Inc. | Sup | 66.00 |
| Fillmore County Development Corp. | Qtly. Budget Allocation | 10,000.00 |
| Fillmore County Hospital | Ser | 156.00 |
| Fillmore County Medical Clinic | Ser | 86.09 |
| Fillmore County Sheriff | Ser | 385.12 |
| Fillmore County Treasurer | Post, Sup, Wksh | 1,383.95 |
| Fort Dearborn Life Insurance | Insur | 198.19 |
| Geneva State Bank | SS | 2,477.94 |
| Geneva State Bank | Ser, Sup | 86.92 |
| Geneva Super Foods | Sup | 102.52 |
| Germer, Murray & Johnson | Ser, Post | 2,328.38 |
| Hometown Leasing | Ser | 285.76 |
| Jim’s Repair | Ser | 32.00 |
| Kerry’s Auto Repair & Service | Ser, Rep | 474.90 |
| Madison County Sheriff’s Dept. | Ser | 16.50 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Nebraska Clerk of District Court Association | Wksh | 50.00 |
| O’Keefe Elevator Co., Inc. | Ser, Main | 174.11 |
| Radiology Associates, PC. | Ser | 52.00 |
| Secretary of State, Rules & Regulations | Ser | 20.00 |
| Secretary of State | Sup | 4.50 |
| Seiler & Parker | Ser, Mile | 508.33 |
| Gerald Slezak | Mile, Sup | 92.28 |
| State of Nebraska Dept. of Admin. Services | Ser | 50.31 |
| State of Nebraska Dept. of Correctional Services | Boarding Prisoners | 3,443.82 |
| State of Nebraska HHS Lab. | Ser | 126.29 |
| UN-L IS-Telecommunications | Uti | 30.51 |
| USDA, APHIS | Ser | 1,513.00 |
| Payroll | Salaries | 34,258.62 |
| | | |
| ROAD / BRIDGE FUND | | |
| Ameritas Life Insurance Corp. | Ret | 1,519.86 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,612.69 |
| Dorchester Farmers Coop | Fuel | 955.80 |
| Farm Plan | Parts, Rep, Sup | 588.81 |
| Fort Dearborn Life Insurance Co. | Insur | 126.01 |
| Geneva State Bank | SS | 1,762.15 |
| Grafton Mini Mart | Fuel | 226.72 |
| Grafton Oil | Fuel | 842.34 |
| Kabredlo’s Inc. | Fuel | 48.28 |
| Lichti Oil | Fuel | 878.12 |
| Nebr. Assn. of County Engineers, Hwy. Supt. & | Wksh | 80.00 |

| | | |
|---|------------------------|-----------|
| Surveyor | | |
| Nelson Petroleum Co. | Fuel | 1,014.00 |
| Perennial Public Power | Uti | 92.33 |
| Shickley Lumber Company | Sup | 11.99 |
| US Postal Service | Post, Sup | 222.05 |
| Weaver Repair | Rep, Parts | 173.27 |
| Payroll | Salaries | 24,219.02 |
| | | |
| <u>ECONOMIC DEV – TOURISM FUND</u> | | |
| Evening With Friends Restaurant | Just Drive Away Coupon | 25.00 |
| Fillmore County Development Corp. | Wksh, Mile, Sup, Ser | 422.90 |
| Naimon Enterprises | Ser | 50.00 |
| Southeast NE Tourism Council | Dues | 25.00 |
| | | |
| <u>MEDICAL / RELIEF FUND</u> | | |
| Radiology Associates, PC. | Ser | 591.52 |
| Weaver Pharmacy | Sup | 502.69 |
| York Medical Clinic, PC | Ser | 407.48 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | Febr. Patient Care | 339.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 126.95 |
| Blue Cross/Blue Shield of Nebraska | Insur | 912.92 |
| Exeter Golden Agers | Dec & Jan USDA | 132.24 |
| Fairmont Aging Services | Dec & Jan USDA | 266.19 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva Senior Center | Dec & Jan USDA | 1,168.50 |
| Geneva State Bank | SS | 157.89 |
| Payroll | Salaries | 2,097.30 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Co. | Ret | 75.73 |
| Blue Cross/Blue Shield of Nebraska | Insur | 456.46 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 85.83 |
| Payroll | Salaries | 1,121.95 |
| | | |

CLAIMS APPROVED

Yates moved and Simacek seconded the motion to approve the claims as presented. 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.

VETERAN’S SERVICE OFFICE

Veteran’s Service Officer, Eric Williams reported to the Board that he was unsuccessful in getting a volunteer to drive veterans to appointments about 2 days a week.

After discussion, the Board directed Eric to put an ad in the Signal for a part – time employee to assist him in driving veteran’s to appointments.

PUBLIC HEALTH BOARD

Eric Williams informed the Board that Fillmore County needs to re-establish the Public Health Board in the near future. The Public Health Board consists of the County Sheriff; County Attorney, County Board member, physician, and an at-large member.

DRIVEWAY PERMITS

Kimbrough moved and Yates seconded the motion to approve the following driveway permits:

John Dinneen – replace culvert in existing driveway on the east side of the NE ¼, Section 32-8-1, Exeter Township;
Doug Johnson – to move existing driveway to the south on the west side of the SW ¼, Section 7-5-4, Bryant Township. 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.

CULVERT PIPE BIDS

Bids for culvert pipe were opened at 9:40 a.m. The following bids were received:

ROUND HELECIAL

| | 15" | 18" | 24" | 30" | 36" | 42" | 48" | 54" | 60" | 72" | 84" |
|----------------------------|--------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|
| Ace Eaton: | \$8.90 | 10.30 | 13.80 | 19.60 | 22.90 | 36.40 | 41.20 | 46.90 | 64.80 | 75.80 | 96.50 |
| Contech: | 6.50 | 7.80 | 10.90 | 16.60 | 20.80 | 33.00 | 37.20 | 43.80 | 58.00 | 74.50 | 101.00 |
| Metal Culverts: | 7.28 | 8.65 | 11.57 | 17.74 | 21.16 | 34.50 | 39.30 | 44.80 | 63.04 | 75.26 | 123.40 |
| Midwest Services: | 7.69 | 9.14 | 12.21 | 18.36 | 21.94 | 35.52 | 40.44 | 45.35 | 64.68 | 77.07 | 89.48 |
| Midwestern Culvert: | 8.19 | 9.71 | 12.92 | 20.13 | 23.98 | 40.70 | 47.14 | 54.44 | 83.04 | 99.73 | 143.02 |

ELLIPTICAL HELECAL PIPE "SQUASH"

| | 15" | 18" | 24" | 30" | 36" | 42" | 48" | 54" | 60" | 72" | 84" |
|----------------------------|--------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| Ace Eaton: | \$9.40 | 10.80 | 14.40 | 20.30 | 23.90 | 37.90 | 42.90 | 48.90 | 67.00 | 79.50 | 101.50 |
| Contech: | 7.00 | 8.30 | 11.50 | 17.50 | 22.00 | 34.20 | 40.50 | 44.80 | 59.50 | 77.00 | 108.00 |
| Metal Culverts: | 7.80 | 9.17 | 12.35 | 18.51 | 22.06 | 35.52 | 40.38 | 46.02 | 64.38 | 76.93 | 129.56 |
| Midwest Services: | 8.44 | 9.99 | 13.14 | 19.46 | 23.04 | 36.82 | 41.92 | 47.21 | 67.44 | 80.77 | 93.79 |
| Midwestern Culvert: | 9.83 | 11.65 | 15.50 | 24.16 | 28.78 | 48.84 | 56.57 | 65.33 | 99.65 | 119.68 | 171.62 |

ROUND CMP

| | 15" | 18" | 24" | 30" | 36" | 42" | 48" | 54" | 60" | 72" | 84" |
|----------------------------|--------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| Ace Eaton: | \$9.36 | 10.84 | 14.52 | 20.63 | 24.11 | 38.32 | 43.37 | 49.37 | 68.21 | 79.79 | 100.52 |
| Contech: | 9.55 | 11.24 | 14.78 | 22.20 | 29.00 | 43.80 | 49.00 | 63.80 | 87.50 | 108.00 | 148.00 |
| Metal Culverts: | 7.28 | 8.65 | 11.57 | 17.74 | 21.16 | 34.50 | 39.30 | 44.80 | 63.04 | 75.26 | 123.40 |
| Midwest Services: | 8.53 | 10.14 | 13.54 | 20.36 | 24.32 | 39.38 | 44.84 | 50.29 | 71.71 | 85.45 | 99.21 |
| Midwestern Culvert: | 8.19 | 9.71 | 12.92 | 20.13 | 23.98 | 40.70 | 47.14 | 54.44 | 83.04 | 99.73 | 143.02 |

ELLIPTICAL "SQUASH PIPE"

| | 15" | 18" | 24" | 30" | 36" | 42" | 48" | 54" | 60" | 72" | 84" |
|----------------------------|--------|-------|-------|-------|-------|-------|-------|-------|-------|--------|--------|
| Ace Eaton: | \$9.90 | 11.37 | 15.15 | 21.36 | 25.15 | 39.89 | 45.15 | 51.47 | 70.52 | 83.68 | 106.84 |
| Contech: | 10.20 | 11.80 | 15.70 | 23.10 | 30.60 | 46.00 | 53.50 | 65.00 | 89.00 | 111.00 | 152.00 |
| Metal Culverts: | 7.80 | 9.17 | 12.35 | 18.51 | 22.06 | 35.52 | 40.38 | 46.02 | 64.38 | 76.93 | 129.56 |
| Midwest Services: | 9.36 | 11.07 | 14.56 | 21.59 | 25.55 | 40.83 | 46.47 | 52.35 | 74.79 | 89.54 | 142.19 |
| Midwestern Culvert: | 9.83 | 11.65 | 15.50 | 24.16 | 28.78 | 48.84 | 56.57 | 65.33 | 99.65 | 119.68 | 171.62 |

CULVERT PIPE LETTING

Yates moved and Kimbrough seconded the motion to accept all bids and to purchase from the lowest bidder, based on size. 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.

FAIRMONT SOUTHWEST CONCRETE BIDS

Bids for the Fairmont southwest Concrete project were opened at 10:07 a.m. The following bids were received:

Pavers, Inc.: \$430,594.75

M.E. Collins Contraction Co.: \$464,873.80

Dobson Brothers Construction: \$404,752.15

TCW Construction, Inc.: \$388,088.78

Constructors, Inc.: \$385,993.12

Werner Construction: \$405,987.55

Castle Construction, Inc.: \$394,868.72

FAIRMONT SOUTHWEST CONCRETE LETTING

Larry Lewis from Speece Lewis Engineers reviewed all bids and recommended to the Board to go with lowest bidder Constructors, Inc. from Lincoln, Nebraska.

After discussion, Galusha moved and Capek seconded the motion to accept the bid from Constructors, Inc. for \$385,993.12 to pave County Road G. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Cerny

The Chairman declared the motion carried.

ROAD DEPT. FOUR DAY WORK WEEK

After discussion, Kimbrough moved and Yates seconded the motion to approve the Road's department to work a four day work week starting May 1, 2006 and ending September 1, 2006. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

KENO LICENSE

Cerny moved and Simacek seconded the motion to approve the renewal of the keno license for 2006 - 2008. 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.

BOARD OF EQUALIZATION

At the request of the County Treasurer, Simacek moved and Capek seconded the motion to go into session as the Fillmore County Board of Equalization at 11:12 a.m. 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Sisters of Saint Francis for exemption from motor vehicle fees.

Yates moved and Kimbrough seconded the motion to approve the application from Sisters of Saint Francis for exemption from motor vehicle fees on a 2006 Chrysler Sebring. 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.

RETURN TO REGULAR SESSION

Capek moved and Cerny seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 11:14 a.m. 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.

PIERSON/FITCHETT LAW FIRM

After discussion, Simacek moved and Galusha seconded the motion to approve and sign the contract with Pierson/Fitchett Law Firm for legal counsel regarding the chiller and renovation project. 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.

BOARD OF EQUALIZATION

County Assessor, Joan Ackland and Jerry Knoche from Knoche Appraisal asked the Board to set the dates to hear protests. The following temporary dates were set: July 10th, July 18th, 19th, and 20th, starting at 9:00 a.m.

HALL'S SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for Hall's Subdivision, located in the SW ¼, Section 24-8-2, Fairmont Township.

Cerny moved and Yates seconded the motion to approve the plat of Hall's Subdivision as follows:

A tract of land located in the SW ¼ of Section 24, T8N, R2W, of the 6th P. M., Fillmore County, Nebraska, described as follows: beginning at a point on the east line of said SW ¼ and the northerly R.O.W. line of U. S. Hwy. #6; thence N89°56'35"W (assumed bearing) on the northerly R. O. W. line of said U. S. Hwy. #6, 342.00 feet; thence N04°55'00"E, 269.00 feet; thence N48°52'26"E, 31.87 feet; thence N00°03'20"W, 464.00 feet to the southerly R. O. W. line of the Burlington Northern & Santa Fe Railroad; thence N85°40'27"E on said southerly R. O. W. line, 292.00 feet; thence S00°18'42"E, 775.35 feet to the point of beginning. Containing 5.36 acres more or less.

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.

ADJOURNMENT

Agenda items “LB975 and General Assistance” were tabled until a future Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on April 11, 2006.

AttestChairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 11, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 2:30 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

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 | \$3,236.92 |
| All Around Lawn Care | Ser | 90.00 |
| Alltel | Uti | 250.52 |
| Ameritas Life Insurance Corp. | Ret | 2,163.56 |
| Jon Anderson | Uni | 35.00 |
| Aquila | Uti | 1,457.04 |
| Bear Graphics, Inc. | Sup | 148.57 |
| Joseph N. Bixby DR., Atty. | Ser | 187.50 |
| Bottorf & Maser, Atty. | Ser, Sup | 2,733.28 |
| Brody Chemical | Sup | 52.18 |
| William L. Burgess | Uni, Meal | 41.69 |
| Business Office Systems, Inc. | Sup | 25.00 |
| Business World Products | Main Agreement | 239.00 |
| Daryl L. Callenius | Uni | 35.00 |
| Century Lumber Center – Geneva | Sup | 7.77 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| City of Geneva | Uti | 111.10 |
| Conoco Phillips Fleet | Fuel | 879.72 |
| Jill R. Cunningham | Mile | 66.75 |
| DAS Communications | Ser | 448.00 |
| Duckwall – Alco Stores, Inc. | Sup | 44.30 |
| Dultmeier Sales | Rep | 95.91 |
| Eakes Office Plus | Sup | 838.96 |
| Julie Effenbeck, Atty. | Ser | 847.50 |
| Election Systems & Software | Sup | 452.06 |
| Evercom | Sup | 151.00 |
| Executive Copier Services | Ser | 49.43 |
| Fillmore County Treasurer | Transfer, Int. | 26,379.20 |
| First Concord Benefits Group, LLC | Ser | 40.50 |
| Galls | Sup | 62.97 |
| Gambles | Sup | 158.20 |
| Geneva State Bank | SS | 2,452.17 |
| Geneva TV & Appliance, Inc. | Sup | 6.00 |
| Norma Gregory | Ret | 25.00 |
| Hall County Sheriff | Ser | 8.80 |
| Hebron Journal Register | Ad | 13.75 |
| Hilty’s of Geneva | Sup | 228.16 |
| Hometown Leasing | Ser | 407.96 |
| Lambert Hopken | Mile | 96.00 |
| Steve A. Julich | Uni | 35.00 |
| Kerry’s Auto Repair & Service | Rep | 25.00 |
| Knoche Appraisal & Consulting, LLC | Ser | 5,904.00 |
| Ann H. McDonald | Ret | 18.00 |
| Mid-States Organized Crime Info. Center | Dues | 100.00 |
| Bob Mueller | Mile | 263.43 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| Naber’s Repair Service | Rep | 90.00 |
| The Nebraska Signal | Ad, Pro, Sup, Notices | 1,247.19 |
| The Nebraska Signal | Ad | 14.75 |
| Nelson Petroleum Co. | Fuel | 832.17 |
| Polk County Court | Ser | 4.00 |
| Ralph’s Geneva Tire & Service Center | Rep, Ser | 62.00 |
| Region V | Ser | 2,952.25 |

| | | |
|--|-----------------------|-----------|
| Steven G. Roemmich | Uni | 35.00 |
| Secretary of State Rules & Regulations | Ser | 20.00 |
| Seiler & Parker, P. C. | Ser, Sup | 530.00 |
| Seward County Court | Ser | 2.75 |
| Thayer County Treasurer | Sup | 769.94 |
| Trailblazer RC&D | Dues | 100.00 |
| UN-L IS-Telecommunications | Uti | 53.78 |
| Brandy VanDeWalle | Mile | 109.92 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| York Medical Clinic | Ser | 210.00 |
| Payroll | Salaries | 34,314.20 |
| | | |
| ROAD/BRIDGE FUND | | |
| Action Auto Supply | Parts | 7.12 |
| Alltel | Uti | 69.45 |
| Ameritas Life Insurance Corp | Ret | 1,568.91 |
| Aquila | Uti | 579.80 |
| Auto Value Parts Stores | Sup, Rep | 494.00 |
| Business World Products | Ser | 29.25 |
| Century Lumber Center | Rep, Parts, Sup | 204.29 |
| City of Geneva | Uti | 53.80 |
| Conoco Phillips Fleet | Fuel | 1,788.94 |
| Dorchester Farmers Coop | Fuel | 1,168.50 |
| Fillmore County Shop | Post, Misc | 41.24 |
| Filter Care of Nebraska | Parts | 135.80 |
| Gambles | Rep, Sup | 238.85 |
| Geneva Implement | Parts | 63.61 |
| Geneva State Bank | SS | 1,818.51 |
| Geneva Welding | Sup, Rep, Equip | 521.77 |
| Ralph Gould | Ret | 18.00 |
| Elmer Hessheimer | Sup | 107.40 |
| Ron Isley | Mile | 33.82 |
| Donovan Jirkovsky | Ret | 25.00 |
| Lichti Oil | Fuel | 911.49 |
| Matt Friend Truck Equipment | Parts | 33.00 |
| Michl Service | Fuel | 151.00 |
| Nebraska Iowa Industrial Fasteners | Sup | 579.11 |
| The Nebraska Signal | Ad | 89.16 |
| Nelson Petroleum Co. | Fuel, Parts | 1,487.84 |
| Nichols Construction | Gravel | 9,480.17 |
| Nick's Farm Store | Rep | 39.98 |
| Perennial Public Power | Uti | 52.98 |
| Power Plan | Parts, Rep | 1,042.73 |
| R & D Auto Parts | Parts, Sup | 44.54 |
| Ralph's Geneva Tire & Service | Sup, Rep | 167.00 |
| Superior Deshler, Inc. | Fuel | 90.83 |
| Texaco / Shell | Fuel | 165.70 |
| University of Nebraska | Wksh | 88.00 |
| Village of Fairmont | Uti | 32.85 |
| Village of Milligan | Uti | 19.51 |
| Village of Ohioa | Uti | 20.00 |
| Payroll | Salaries | 24,955.63 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp. | Ret | 126.95 |
| Janet Bartak | Sup, Meal, Mile, Wksh | 95.51 |
| Dawg's Smokehouse Café | HDM's | 340.00 |
| Judy Dondlinger | Ser | 144.00 |
| Exeter Care Center | HDM's | 189.00 |
| Fairmont Aging Services | LAAA Funds | 835.00 |
| Geneva Senior Center | Rent, Sup, LAAA Funds | 3,899.63 |
| Geneva State Bank | SS | 156.51 |
| Nancy Kohler | Sup, Post, Mile | 259.29 |
| Jeannine Krejci | Ser | 108.00 |
| Elizabeth Mattox Manning | Ser | 156.00 |
| Ron's Tavern | HDM's | 232.00 |
| Rhonda Stokebrand | Mile | 91.33 |
| Payroll | Salaries | 2,079.15 |
| | | |
| DEQ GRANTS – TIRE CLEAN-UP | | |
| Butler County Landfill, Inc. | Ser | 9,014.40 |
| FMZ Association | Ser | 258.50 |
| The Nebraska Signal | Ad | 138.00 |
| | | |
| INHERITANCE TAX FUND | | |

| | | |
|---------------------------------|----------|----------|
| Fillmore County Treasurer | Transfer | 9,410.90 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Action Auto Supply | Parts | 170.05 |
| Alltel | Uti | 39.24 |
| Ameritas Life Insurance Corp. | Ret | 75.73 |
| Bill's Repair | Parts | 80.00 |
| Conoco Phillips Fleet | Fuel | 59.94 |
| Gaylord Craddock | Mile | 22.70 |
| Merlin Ehmen | Rent | 220.00 |
| Geneva State Bank | SS | 85.83 |
| Frances Heinrichs | Mile | 22.70 |
| The Nebraska Signal | Ad | 12.50 |
| Tim Schepers | Mile | 21.36 |
| Payroll | Salaries | 1,121.95 |
| | | |

CLAIMS APPROVED

Kimbrough moved and Simacek seconded the motion to approve the claims as presented. 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.

REPORT ON CHILLER

Jason Naber, from Central Nebraska Refrigeration, Inc. informed the Board that the chiller is installed. Carrier and Central Nebraska Refrigeration will start up the chiller on April 19th. After discussion, the Board decided to have an Eddy test will be done prior to start up.

DRIVEWAY PERMITS

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

Schelkopf Farms – install a new 40’ driveway on the west side of the S ½ of the NW 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.

NARROWING ROAD

Highway Superintendent, Elmer Hessheimer informed the Board that County Road 7, between Highway 6 and Highway 41 is 38 feet wide and should only be 32 feet wide.

After discussion, Galusha moved and Yates seconded the motion to narrow up County Road 7, between Highway 6 and Highway 41 to 32 feet. 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.

BOARD OF EQUALIZATION

At the request of the Fillmore County Assessor, Capek moved and Simacek seconded the motion to go into session as the Fillmore County Board of Equalization at 10:35 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.

TAX CORRECTIONS

After discussion, Cerny moved and Yates seconded the motion to approve Tax Corrections 12-05 and 13-05 as presented by the County Assessor. 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.

RETURN TO REGULAR SESSION

Yates moved and Kimbrough seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 10:47 a.m. 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.

DEFICIT APPROPRIATION

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

RESOLUTION 2006-16

WHEREAS, all of the funds in the 2005-2006 budget for the Jail have been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2005-2006 budget year,

NOW THEREFORE, Be it Resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$20,000.00 be appropriated to the Jail budget from the unused funds in the Miscellaneous account of the General Fund Budget for 2005-2006 of said County.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

VEHICLE FOR SHERIFF

Sheriff, Bill Burgess informed the Board that there was a 2005 Explorer on the MOCIC sale April 14th that he will be bidding on.

ENTERING AND LEAVING THE COURTHOUSE

After discussion, the Board said that all employees leaving the building after 5:30 p.m. would not have to sign out, due to the time clocks. If there is anyone entering the courthouse before 7:30 a.m. or after 5:30 p.m., they are be required to check-in with the Sheriff's office.

ODEGEO CLASS

Board approved two County employees to participate in the ODEGEO class this September.

RELEASING SECURITIES

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

RESOLUTION 2006-17

RESOLVED, that the Geneva State Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Federal Home Loan Bank of Topeka to-wit:

Letter of Credit #6624 for \$1,500,000.00

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.

BRYAN HOSPITAL

Jerry Galusha, Board member reported that Region V informed him that Fillmore County should only pay the Medicaid rate. The Board directed the County Clerk to submit a claim to Bryan Hospital at the Medicaid rate of \$1,487.58 for the inmate bill of \$4,798.65.

FAIRMONT ANNEXATION

Planning and Zoning Administrator, Gerald Slezak informed the Board that the Village of Fairmont will be annexing a tract of land in the NE ¼ and SE ¼, Section 36-8-3, West Blue Township.

After discussion, Simacek moved and Yates seconded the motion to allow the Village of Fairmont to annex the following legal description:

A tract of land in the northeast quarter and the southeast quarter of Section 36, Township 8 North, Range

3 West of the 6th P. M., Fillmore County, Nebraska more particularly described as follows: Commencing at the northwest corner of the northeast quarter of Section 36; thence north 89°59'48" east along the north line of the northeast quarter of Section 36 (bearing assumed and all of the following bearings referenced therefrom) distance 86.00 feet to the easterly R.O.W. line of Fillmore Western Railroad and the point of beginning; thence continuing north 89°59'48" east along the north line of the northeast quarter distance 150.00 feet; thence south 00°17'32" east parallel to the easterly railroad R.O.W. line distance 2257.65 feet; thence north 89°59'48" east parallel to the north line of the northeast quarter of said Section 36 distance 953.90 feet; thence south 00°06'32" west parallel to the west line of the northeast quarter and the southeast quarter of Section 36 distance 3030.42 feet to the south line of the southeast quarter of Section 36; thence north 89°58'18" west along the south line of the southeast quarter of Section 36 distance 1082.67 feet to the easterly R.O.W. line of Fillmore Western Railroad; thence north 00°17'32" west along the easterly R.O.W. line of Fillmore Western Railroad distance 5287.51 feet to the point of beginning. Containing 83.83 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NIRMA’S BEST PRACTICES AND SAFETY MANUEL

Jason Clancy, Loss Control Manager for NIRMA presented to the Board a model Safety Manual and ten (10) Best Practices. Jason informed the Board that the Safety Committee should review the model Safety manual and request changes to fit Fillmore County.

FEE REPORTS

Capek moved and Cerny seconded the motion to approve the following fee reports for March 2006:

County Clerk: March \$7,567.72 (State \$4,214.33 & County \$3,353.39);
Quarterly \$23,837.79 (State \$13,240.54 & County \$10,597.25)
Clerk of District Court: March \$331.52; Quarterly \$2,055.38
Sheriff: March \$4,864.61; Quarterly \$9,260.31

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.

JAIL INSPECTION

A jail inspection was completed, with everything looking in proper order.

ADJOURNMENT

Agenda items “Lighting at Intersection of Hwy. 81 & Road G, Bonds for Ethanol Plant road, Approval of Geneva list, and Land Values for Ethanol Plant” were tabled until a future Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. on April 25, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 25, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 2:12 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

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 | | |
|--|----------------------------|-----------|
| Joan Ackland | Meals, Mile | \$76.38 |
| Ameritas Life Insurance Corp. | Ret | 2,152.79 |
| Aramark Uniform Services, Inc. | Ser | 325.07 |
| John Becker | Mtgs, Mile | 26.57 |
| Larry Biester | Mtgs, Mile | 58.35 |
| Thomas Boyer | Mtgs, Mile | 23.01 |
| Bryan LGH Medical Center | Ser | 1,487.58 |
| Carmichael Business Systems | Sup | 208.00 |
| Chaney Chemical, Inc. | Sup | 356.25 |
| Jeremy Connelly | Ser | 200.00 |
| Jill R. Cunningham | Mile | 21.36 |
| Des Moines Stamp Mfg. Company | Sup | 27.75 |
| Robert Dumpert | Mtgs, Mile | 56.70 |
| Sharon Elznic | Mtgs, Mile | 66.36 |
| Executive Copier Services | Ser | 114.99 |
| Fillmore County Bldg. & Grounds | Petty Cash | 48.00 |
| Fillmore County Hospital | Ser | 88.00 |
| Fillmore County Medical Center | Ser | 168.00 |
| Fillmore County Treasurer | Post, Wksh, Lodging, Equip | 19,877.43 |
| Fort Dearborn Life Insurance | Insur | 209.49 |
| The Garbage Co., Inc. | Ser | 111.67 |
| Geneva Activity & Education Dept. | Ser | 72.00 |
| Geneva State Bank | Ser | 37.50 |
| Geneva State Bank | SS | 2,495.05 |
| Lyle Heinrichs | Mtgs, Mile | 29.24 |
| Holiday Inn | Lodging | 63.00 |
| Hometown Leasing | Ser | 238.62 |
| Jim’s Repair | Rep, Parts | 329.04 |
| Mark Jobman | Ser | 200.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup | 2,556.85 |
| Ralph Kassik | Mtgs, Mile | 53.14 |
| Kerry’s Auto Repair & Service | Rep, Parts | 128.75 |
| Steven Kraviec | Ser, Post | 1,575.45 |
| Lease Consultants Corp. | Ser | 249.00 |
| Norma Lichtenberg | Mtgs, Mile | 56.70 |
| Thomas Manning | Mtgs, Mile | 46.02 |
| Terry Marshall | Uti | 200.32 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Mid-American Research Chemical Corp. | Sup | 173.50 |
| MIPS/County Solutions, Inc. | Ser | 1,910.55 |
| Naomi Mussman | Mile | 132.61 |
| Morley Most | Mtgs, Mile | 85.05 |
| Nebraska Assoc. of County Officials | Wksh | 75.00 |
| Nebraska National Bank | Ser | 187.59 |
| Nebraska Public Power | Uti | 820.83 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,149.50 |
| Amy Nelson | Sup | 135.19 |
| Reg Noel | Mtgs, Mile | 27.46 |
| Pierson, Fitchett, Hunzeker, Blake & Katt, Atty. | Ser | 1,230.50 |
| Region V Systems | EPC | 440.00 |
| Saline County Sheriff Office | Boarding Prisoners | 1,105.00 |
| Seiler & Parker, P. C. | Ser | 533.00 |
| Al Siple | Ser | 200.00 |
| State of Nebraska Dept. of Admin. Services | Ser | 54.07 |
| | | |

| | | |
|--|---------------------------|-----------|
| State of Nebraska NE DOL/Boiler Inspection | Ser | 36.00 |
| University of Nebraska – Lincoln | Sup | 32.25 |
| Weaver Pharmacy | Sup | 17.37 |
| Eric Williams | Post, Mile | 701.54 |
| Justin J. Williams | Ser | 200.00 |
| Steven Yates | Mile | 53.40 |
| Jon Zulauf | Ser | 200.00 |
| Payroll | Salaries | 34,874.23 |
| | | |
| ROAD/BRIDGE FUND | | |
| Ameritas Life Insurance Corp. | Ret | 1,513.20 |
| Barco Municipal Products | Sup, Parts | 225.45 |
| Contech Construction Products | Culverts | 14,285.10 |
| Dorchester Farmers Coop | Fuel | 1,470.10 |
| Exeter Lumber Company | Sup | 115.96 |
| Filter Care of Nebraska | Parts | 20.75 |
| Fort Dearborn Life Insurance Co. | Insur | 124.57 |
| Gambles | Sup, Rep | 263.55 |
| The Garbage Company | Ser | 53.78 |
| Geneva State Bank | SS | 1,745.46 |
| Grafton Mini Mart | Fuel | 40.02 |
| Grafton Oil | Fuel | 2,524.40 |
| HSBC Business Solutions | Sup | 21.79 |
| Jim’s Repair | Rep | 16.00 |
| Kabredlo’s Inc. | Fuel | 111.92 |
| L. J. Webb Contractor, Inc. | Equip. Rental | 675.00 |
| Lauber Seed Farm | Sup, Equip. Rental | 395.80 |
| Mid-Land Equipment Co. | Parts | 113.37 |
| Nebraska Bolt | Sup | 150.28 |
| Nebraska Machinery | Parts | 518.82 |
| Nebraska Public Power | Uti | 244.90 |
| Nebraska Tech & Telecomm., Inc. | Uti | 118.57 |
| Nelson Petroleum Co. | Fuel | 3,123.60 |
| Newman Traffic Signs | Signs | 2,442.25 |
| Newman Traffic Signs | Signs | 678.74 |
| Overhead Door | Rep | 187.44 |
| Perennial Public Power | Uti | 57.18 |
| Speece Lewis Engineers | Ser | 20,061.92 |
| USIS Commercial Services | Ser | 29.90 |
| Village of Exeter | Uti | 15.00 |
| Payroll | Salaries | 24,000.85 |
| | | |
| JUVENILE DIVERSION FUND | | |
| Dave Wythers | Ser, Uti | 2,670.00 |
| | | |
| EMPLOYMENT SECURITY FUND | | |
| State of Nebraska Dept. of Labor | Unemployment | 314.05 |
| | | |
| MEDICAL/RELIEF FUND | | |
| Bryan LGH Medical Center | Ser | 1,570.28 |
| Richard Kubicek, DDS, PC | Ser | 330.00 |
| Weaver Pharmacy | Sup | 265.28 |
| | | |
| INSTITUTIONS FUND | | |
| State of Nebraska Health & Human Services | March Billing | 372.00 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp. | Ret | 126.95 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva State Bank | SS | 160.74 |
| Payroll | Salaries | 2,134.40 |
| | | |
| DEQ GRANT-TIRE CLEANUP | | |
| Fillmore County Treasurer | Reimburse | 4,014.40 |
| | | |
| KENO GRANT FUND | | |
| Fillmore County Treasurer | License, Quarterly Return | 1,845.26 |
| | | |
| NOXIOUS WEED FUND | | |
| Ameritas Life Insurance Corp. | Ret | 82.82 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 135.55 |
| Payroll | Salaries | 1,771.95 |
| | | |
| E911 COMMUNICATIONS FUND | | |
| | | |

| | | |
|-----------------------|-----|----------|
| Alltel Communications | Uti | 1,062.80 |
| | | |

CLAIMS APPROVED

Yates moved and Simacek seconded the motion to approve the claims as presented. 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.

VETERAN SERVICE DRIVERS

Eric Williams, Veteran's Service Officer presented Lisa K. Carroll as the primary part-time driver and Charles H. Brabec and Lambert Hopkins as substitute drivers to the Board.

Capek moved and Yates seconded the motion to approve the part-time drivers as presented. 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.

CHILD SUPPORT ATTORNEY

Amy Nelson, County Clerk reported to the Board that Stephen Kraviec's office had informed us that their billing was being submitted \$65.58 short for the last twenty-one months.

After discussion, Kimbrough moved and Cerny seconded the motion to allow Kraviec's office to submit a bill for \$590.22, which would be for the nine months of current budget year. We will not be paying the remaining twelve months, due to the fact that they were from a previous budget year. 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.

SIGN INVENTORY & MAINTENANCE POLICY

Jerry Lukes, Assistant Highway Superintendent presented the "Sign Inventory and Maintenance Policy" written by Elmer Hessheimer, Highway Superintendent.

After discussion, Cerny moved and Galusha seconded the motion to approve the "Sign Inventory and Maintenance Policy". The policy will be kept on file at the Road's Department and in the County Clerk's office. 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.

STATE OF NEBRASKA LETTER

Kimbrough moved and Simacek seconded the motion to approve and sign the letter to the State of Nebraska regarding electricity cost for lighting at the intersection of Hwy. 81 and Road G. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of Assistant Highway Superintendent Jerry Lukes, Kimbrough moved and Simacek seconded the motion to declare an emergency in order to add an item to the agenda, said item "Change Order #1". Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CHANGE ORDER

After discussion, Cerny moved and Capek seconded the motion to accept Change Order #1 reducing the original contract with LeGrande Excavating by \$39,973.10 for Project #C-30(358). Upon roll call, the vote was as follows:

follows:

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

The Chairman declared the motion carried.

BOARD OF EQUALIZATION

At the request of the Fillmore County Clerk, Galusha moved and Capek seconded the motion to go into session as the Fillmore County Board of Equalization at 10:18 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.

TAX CORRECTIONS

Cerny moved and Capek seconded the motion to approve Tax Corrections #14-05 and #15-05 as presented by the County Assessor. 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.

GENEVA VALUATION CHANGES

Yates moved and Simacek seconded the motion to approve the list of valuation changes for Geneva that didn't get completed prior to the Abstract deadline. A complete list was ordered to be filed in the County Clerk's office. 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.

RURAL CHANGES

Kimbrough moved and Cerny seconded the motion to approve the list of rural valuation changes, due to site acre changes and a few valuation changes. A complete list was ordered to be filed in the County Clerk's office. 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.

RETURN TO REGULAR SESSION

Yates moved and Capek seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 10:30 a.m. 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.

COUNTY BURIALS

P. R. Farmer from Farmer & Son Funeral Homes and the Board reviewed the current county burials policy. P. R. and the County Clerk will work on updating the policy and present it for approval at a future Board meeting.

OZENBAUGH SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Ozenbaugh Subdivision, located in the NE ¼, Section 11-5-2, Belle Prairie Township.

Yates moved and Capek seconded the motion to approve the plat of the Ozenbaugh Subdivision with the proper signatures as follows:

A tract of land located in the Northwest Quarter (NE ¼) of Section 11, Township 5 North, Range 2 West of the Sixth P. M., Fillmore County, Nebraska, more particularly described as follows: Commencing at the Northeast corner said Northeast Quarter (NE ¼) thence S00°00'00"W (assumed bearing) along the east line said Northeast Quarter (NE ¼) a distance of 33.00 feet to the south line of Highway Number 74 and place of beginning; thence continuing S00°00'00"W along said east line a distance of 385.00 feet; thence S90°00'00"W perpendicular to the east line said Northeast Quarter (NE ¼) a distance of 675.35 feet; thence N00°00'00"E parallel with the east line said Northeast Quarter (NE ¼) a distance of 380.37 feet to the south line said Highway number 74; thence

N89°36'27"E along said south line parallel with the north line said Northeast Quarter (NE ¼) a distance of 675.37 feet to the place of beginning containing 5.93 acres of which 0.29 acres contained in the east 33.00 feet thereof is presently being used as a public road, said tract hereinafter known as Ozenbaugh Subdivision.

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.

POCH SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Poch Subdivision, located in the NW ¼ of the SW 1/4, Section 7-6-1, Glengary Township.

Capek moved and Kimbrough seconded the motion to approve the plat of the Poch Subdivision as follows:

A tract of land comprising of part of Government Lot 2, in the NW ¼ of the SW ¼ of Section 7, Township 6 North, Range 1 West of the 6th P. M., Fillmore County, Nebraska, described as follows: beginning at the NW corner of said SW ¼, and assuming the west line of said SW ¼ to have a bearing of N00°03'04"E; thence N89°01'19"E, and on the north line of said Government Lot 2, 454.54 feet to a ¾" rebar w/cap; thence S00°03'04"W, and parallel with the west line of said SW ¼, 262.27 feet to a ¾" rebar w/cap; thence S61°17'18"W, 330.38 feet to a ¾" rebar w/cap; thence S89°01'17"W, 164.88 feet to a ¾" rebar w/cap on the west line of said SW ¼; thence N00°03'04"E, and on the west line of said SW ¼, 416.04 feet to the point of beginning and containing 3.83 acres more or less of which 0.32 of an acre more or less is occupied by county road R.O.W.

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.

**UP-DATE ON COMMUNICATIONS
AND EMERGENCY MANAGEMENT GRANT**

Terry Marshall, Emergency Manager gave the Board an up-date on how the communications for the new tower were coming together and presented an application for the Nebraska Emergency Management Grant.

Yates moved and Galusha seconded the motion to approve and sign the Nebraska Emergency Management Sub-grant for \$18,370.00 for salary reimbursement. 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.

GENERAL ASSISTANCE

County Clerk gave all Board members copies of current policies from four other counties to review and have a discussion on at the May 23rd Board meeting.

ADJOURNMENT

Agenda items "Bonds for Ethanol Plant, and TERC board action" were tabled until the May 8th meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. May 8, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., May 8, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Galusha, and Simacek. Capek was absent. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:02 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

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 Ach, Atty. | Mile, Rent, Post, Sup, Copies | \$3,323.00 |
| Ackland Construction, Inc. | Ser | 80.00 |
| Alltel | Uti | 461.00 |
| Alltel | Uti | 475.68 |
| Alltel | Uti | 25.00 |
| Ameritas Life Insurance Corp. | Ret | 2,174.51 |
| Jon Anderson | Uni | 35.00 |
| Andrews Electric Co., Inc. | Ser | 294.18 |
| Aquila | Uti | 407.48 |
| Blue Cross/Blue Shield of Nebraska | Insur | 13,579.69 |
| Bottorf & Maser, Atty. | Ser | 386.13 |
| William L. Burgess | Uni, Meals, Mile, Misc. | 103.73 |
| Daryl L. Callenius | Uni, Meals | 96.72 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Uti | 118.00 |
| City of Geneva | Rent | 440.00 |
| Conoco Phillips Fleet | Fuel | 1,179.20 |
| Crete Area Medical Center | Boarding Prisoners | 196.00 |
| Jill R. Cunningham | Mile, Meals | 141.73 |
| Dept. of Admin. Services, DAS Communications | Ser | 448.00 |
| Duckwall – Alco Stores, Inc. | Sup | 37.98 |
| Dugan Business Forms | Sup | 888.40 |
| Eakes Office Plus | Sup | 902.78 |
| Earl’s Window Service | Ser | 4.00 |
| Jeffrey Ebeling | Uni, Misc | 285.00 |
| Election Systems & Software | Sup | 333.15 |
| Executive Copier Services | Ser | 68.49 |
| Fillmore County Clerk | Title | 10.00 |
| Fillmore County Treasurer | Post, Sup, Misc | 784.03 |
| First Concord Benefits Group, LLC | Ser | 40.50 |
| Galls – Aramark Company | Sup | 23.97 |
| Teri Gemar | Mile | 145.07 |
| Geneva State Bank | SS | 2,569.51 |
| Geneva Welding & Supply, Inc. | Sup | 29.97 |
| Norma Gregory | Ret | 25.00 |
| Hometown Leasing | Ser | 440.10 |
| Lambert Hopken | Mile | 152.00 |
| Steve Julich | Uni | 35.00 |
| Kerry’s Auto Repair & Service | Ser | 32.70 |
| Knoche Appraisal & Consulting, L.L.C. | Ser, Mile | 2,280.00 |
| Steven Kraviec | Ser | 581.22 |
| Lease Consultants Corporation | Ser | 249.00 |
| Lockwood Company, Inc. | Sup | 218.00 |
| Lynn Peavey Company | Sup | 53.90 |
| Ann McDonald | Ret | 18.00 |
| MIPS, Inc. | Ser | 1,910.55 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| Nebraska Signal | Ad, Pro, Notices | 2,537.83 |
| Nebraska State Bar Assoc. | Wksh | 100.00 |
| Amy Nelson | Sup, Mile | 116.17 |
| Nelson Petroleum Co. | Fuel | 716.30 |
| Nick’s Farm Store Co. | Parts | 54.94 |
| Parade of Flags | Sup | 75.00 |
| R & D Parts, LLC | Sup | 7.46 |
| | | |

| | | |
|---|---------------------------------|-----------|
| Radiology Associates, PC | Ser | 157.00 |
| Ralph's Geneva Tire & Service Center | Rep | 122.05 |
| Rasmussen Mechanical Service Corp. | Sup | 27.88 |
| Steven G. Roemmich | Uni | 35.00 |
| Seiler & Parker PC | Ser | 496.50 |
| State of Nebraska Crime Commission | Sup | 14.00 |
| State of Nebraska Dept. of Correction | Boarding Prisoners | 1,036.89 |
| State of Nebraska HHS Laboratory | Ser | 63.77 |
| Chad Summers | Uni, Misc | 250.00 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| Payroll | Salaries | 35,847.70 |
| | | |
| ROAD/BRIDGE FUND | | |
| Alltel | Uti | 135.42 |
| Ameritas Life Insurance Corp. | Ret | 1,502.73 |
| Aquila | Uti | 189.06 |
| Auto Value Parts Stores | Sup, Tools, Rep | 260.73 |
| B's Enterprises | Blades | 7,842.10 |
| Blue Cross/Blue Shield of Nebraska | Insur | 11,072.55 |
| Business World Products | Sup | 29.25 |
| Century Lumber Center | Parts, Sup, Rep | 302.06 |
| City of Geneva | Uti | 56.90 |
| Conoco Phillips Fleet | Fuel | 573.83 |
| Dorchester Farmers Coop | Fuel | 2,523.94 |
| Farm Plan | Parts | 2,031.94 |
| Geneva Implement | Parts | 63.21 |
| Geneva State Bank | SS | 1,754.49 |
| Geneva Welding & Supply, Inc. | Parts, Sup, Tools | 111.62 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel, Sup | 1,737.27 |
| HSBC Business Solutions | Sup | 21.80 |
| Jill's Sweet Shop | Misc | 18.00 |
| Donovan Jirkovsky | Ret | 25.00 |
| L. J. Webb Contractor, Inc. | Culverts | 40,832.19 |
| LeGrande Excavating | Grading | 49,886.88 |
| Lichti Oil | Fuel | 1,327.39 |
| Midwest Service & Sales | Sup | 75.00 |
| Mike's Radiator & Tire | Parts, Rep | 125.00 |
| Nebraska Signal | Ad | 18.00 |
| Nelson Petroleum Co. | Parts, Fuel | 568.05 |
| Nichols Construction | Gravel | 43,977.11 |
| Nick's Farm Store | Rep | 45.03 |
| Overland Sand & Gravel | Gravel | 9,313.91 |
| Perennial Public Power | Uti | 34.01 |
| Power Plan | Parts, Rep | 7,099.98 |
| R & D Parts LLC | Parts, Sup | 296.77 |
| Ralph's Geneva Tire & Service | Sup, Rep | 240.75 |
| Speece Lewis Engineers | Fees | 481.00 |
| Superior Deshler, Inc. | Fuel | 274.28 |
| Texaco/Shell | Fuel | 126.00 |
| University of Nebraska, Technical Assist. | Wksh | 15.00 |
| Village of Fairmont | Uti | 20.15 |
| Zep Manufacturing | Sup | 130.34 |
| Payroll | Salaries | 24,118.86 |
| | | |
| MEDICAL/RELIEF FUND | | |
| Farmer & Son Funeral Homes, Inc. | County Burial | 1,221.87 |
| Weaver Pharmacy | Sup | 493.66 |
| | | |
| SENIOR SERVICES FUNDS | | |
| Ameritas Life Insurance Corp. | Ret | 126.95 |
| Janet Bartak | Post, Mile, Meal | 84.50 |
| Blue Cross/Blue Shield of Nebraska | Insur | 912.92 |
| Dawg's Smokehouse Café | HDM's | 205.00 |
| Exeter Golden Agers | USDA – Febr. | 50.16 |
| Fairmont Aging Services | USDA – Febr. | 120.84 |
| Fillmore County Rural Transit | Mile | 30.00 |
| Geneva Senior Center | USDA – Febr., Rent, Uti, Copies | 702.38 |
| Geneva State Bank | SS | 161.06 |
| Susan Kerl | Ser | 240.00 |
| Nancy Kohler | Wksh, Post, Mile, Misc | 402.07 |
| Jeannine Krejci | Ser | 144.00 |
| Lifetime Health | Wksh | 36.00 |
| Elizabeth Mattox Manning | Ser | 144.00 |
| Nebraska Signal | Ad | 9.00 |

| | | |
|--|----------------------|-----------|
| Ron's Tavern | HDM's | 216.00 |
| Rhonda Stokebrand | Mile | 55.40 |
| JoAnn Vavra | Ser | 132.00 |
| Payroll | Salaries | 2,138.65 |
| | | |
| <u>COURTHOUSE BOND FUND</u> | | |
| Fillmore County Treasurer | Principal & Interest | 81,970.00 |
| | | |
| <u>ROAD BOND FUND</u> | | |
| Fillmore County Treasurer | Interest | 36,203.75 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Action Auto Co. | Parts | 27.26 |
| Alltel | Uti | 39.24 |
| Ameritas Life Insurance Co. | Ret | 75.73 |
| Blue Cross/Blue Shield of Nebraska | Insur | 456.46 |
| Brothers Equipment, Inc. | Parts | 118.15 |
| Century Lumber | Misc | 16.99 |
| Conoco Phillips Fleet | Fuel | 55.68 |
| Merlin Ehmen | Rent | 220.00 |
| Ekeler Repair | Rep, Parts | 448.57 |
| Geneva State Bank | SS | 85.83 |
| The Nebraska Signal | Ad | 168.00 |
| Payroll | Salaries | 1,121.95 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Andrews Electric | Rep | 347.36 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

INTEGRITY STEEL WORKS

Sheriff, Bill Burgess presented a proposal to the Board to have all locks in the Jail inspected and cleaned for \$1,576.30. After discussion, the Board approved Bill to have Integrity Steel Works inspect and clean the doors in the Jail.

FEE REPORTS

Yates moved and Simacek seconded the motion to approve the following fee reports for April 2006:

County Clerk: \$11,037.75 (State \$7,065.66 & County \$3,972.09)
Clerk of District Court: \$520.06
Sheriff: \$1,166.65

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Cerny seconded the motion to approve the following permits to occupy county right-of-way:

Randall Pearson – to bury 8” PVC pipe and conduit between the SE ¼, Section 35-5-4 and SW ¼, Section 36-5-4, Bryant Township. The owner will cooperate with Fillmore County Officials and keep them fully informed of all construction and maintenance work required. The surface of the road and 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: Galusha, Yates, Simacek, Kimbrough, Cerny, and Mueller
Nays: None

The Chairman declared the motion carried.

COTTONWOOD TREES

After discussion of the trees on the east side of Road 17 between Hwy. 6 and Road F, the Board asked that Highway Superintendent, Elmer Hessheimer work with the land owners in getting this cleaned up.

STEEL OBJECT MARKERS FOR BRIDGES

Highway Superintendent, Elmer Hessheimer informed the Board that he has discussed the steel object markers with NIRMA our insurance carrier. NIRMA informed Elmer that the County is meeting the intent with the current markers.

After discussion, Kimbrough moved and Galusha seconded the motion to leave the Type 2 flexible object markers as is, there will be no steel markers at this time with the letter from NIRMA stating that the 3 x 12 markers meet the intent to mark bridges. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BONDS FOR ROAD TO ETHANOL PLANT

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

RESOLUTION 2006-18

A RESOLUTION AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF \$400,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION HIGHWAY ALLOCATION FUND PLEDGE BONDS OF THE COUNTY OF FILLMORE, NEBRASKA TO PAY THE COSTS OF CONSTRUCTING IMPROVEMENTS TO CERTAIN OF THE HIGHWAYS AND ROADS OF THE COUNTY; PRESCRIBING THE FORM AND DETAILS OF THE BONDS; PLEDGING FUNDS RECEIVED FROM THE NEBRASKA HIGHWAY ALLOCATION FUND AND PROVIDING FOR THE LEVY AND COLLECTION OF AN ANNUAL TAX FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AS THEY BECOME DUE; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FILLMORE, NEBRASKA, AS FOLLOWS:

FINDINGS AND DETERMINATIONS

The Board of Supervisors (the “Board”) of The County of Fillmore, Nebraska (the “County”) hereby finds and determines as follows:

1. It is necessary, desirable and advisable that the County construct improvements to certain highways and roads of the County, together with appurtenant related improvements (collectively, the “Project”) pursuant to plans, specifications and estimates of costs prepared by the County’s special engineers.
2. The estimated costs for such improvements are not less than \$400,000.
3. Pursuant to the provisions of Section 66-4,101, Reissue Revised Statutes of Nebraska, as amended (the “Act”), the County is authorized (a) to issue its general obligation highway allocation fund pledge bonds to pay the costs of the Project, (b) to pledge funds received from the State of Nebraska Highway Allocation Fund (the “Highway Allocation Fund”) to the payment of the principal thereof and the interest thereon, and (c) to levy and collect a tax upon all the taxable property in the County at such rate or rates within any applicable statutory and constitutional limitations as will provide funds which, together with receipts from the Highway Allocation Fund pledged to the payment of such bonds, will be sufficient in amount to pay the principal of such bonds and the interest thereon when and as the same become due.
4. Taking into consideration available funds of the County for such purposes, it will be necessary for the County to issue its general obligation highway allocation fund pledge bonds in the aggregate principal amount of \$400,000 (the “Bonds”) to pay the costs of the Project.
5. Other than (a) the \$1,650,000 aggregate principal amount of its Highway Allocation Fund Pledge Bonds, Series 2002, dated May 15, 2002 (the “2002 Bonds”) and (b) the Bonds, the County has no bonds or any other obligations issued pursuant to or payable under the Act.
6. The maximum annual debt service on the 2002 Bonds is not greater than \$134,608, the maximum annual debt service on the Bonds is not greater than \$52,225; and the County’s expected receipts from the Highway Allocation Fund for its current fiscal year are not less than \$722,775.

Section 807. All conditions, acts and things required to exist or to be done precedent to the issuance of the Bonds, the pledging of funds and the levying of taxes as provided in this Resolution do exist and have been done as required by law.

ARTICLE I
DEFINITIONS

Section 101. Definitions of Words and Terms. In addition to words and terms defined elsewhere herein, the following words and terms used in this Resolution have the following meanings:

“Act” means Sections 66-4,101 and 66-4,102, Reissue Revised Statutes of Nebraska, as amended.

“Beneficial Owner” means any Person which (a) has the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries), or (b) is treated as the owner of any Bonds for federal income tax purposes.

“Bond Counsel” means Gilmore & Bell, P.C., or other attorney or firm of attorneys with a nationally recognized standing in the field of municipal bond financing selected by the County.

“Bond Purchase Agreement” means the Bond Purchase Agreement dated May 8, 2006, between the County and the Purchaser.

“Bond Register” means the books for the registration, transfer and exchange of Bonds kept at the office of the Paying Agent.

“Bonds” means the General Obligation Highway Allocation Fund Pledge Bonds, Series 2006, dated the date of delivery thereof, authorized and issued by the County pursuant to this Resolution.

“Business Day” means a day other than a Saturday, Sunday or holiday on which the Paying Agent is scheduled in the normal course of its operations to be open to the public for conduct of its banking operations.

“Cede & Co.” means Cede & Co., as nominee of The Depository Trust Company, New York, New York.

“Code” means the Internal Revenue Code of 1986, as amended, and the applicable regulations of the Treasury Department proposed or promulgated thereunder.

“Construction Fund” means the fund by that name referred to in Section 501 hereof.

“County” means The County of Fillmore, Nebraska.

“Debt Service Fund” means the fund by that name referred to in Section 501 hereof.

“Defaulted Interest” means interest on any Bond which is payable but not paid on any Interest Payment Date.

“Defeasance Obligations” means any of the following obligations:

- (a) Government Obligations that are not subject to redemption in advance of their maturity dates; or
- (b) obligations of any state or political subdivision of any state, the interest on which is excluded from gross income for federal income tax purposes and which meet the following conditions:

- (1) the obligations are (A) not subject to redemption prior to maturity or (B) the trustee for such obligations has been given irrevocable instructions concerning their calling and redemption and the issuer of such obligations has covenanted not to redeem such obligations other than as set forth in such instructions;

- (2) the obligations are secured by cash or Government Obligations that may be applied only to principal of, premium, if any, and interest payments on such obligations;

- (3) such cash and the principal of and interest on such Government Obligations (plus any cash in the escrow fund) are sufficient to meet the liabilities of the obligations;

- (4) such cash and Government Obligations serving as security for the obligations are held in an escrow fund by an escrow agent or a trustee irrevocably in trust;

- (5) such cash and Government Obligations are not available to satisfy any other claims, including those against the trustee or escrow agent; and

Section 807. the obligations are rated in the highest rating category by Moody’s Investors Service, Inc. (presently “Aaa”) or Standard & Poor’s Ratings Group (presently “AAA”).

“Designated Office” means the corporate trust administration office maintained by the Paying Agent at which the Paying Agent discharges its obligations under this Resolution and which may be changed by the Paying Agent upon written notice to the County and to each Registered Owner.

“Government Obligations” means bonds, notes, certificates of indebtedness, treasury bills or other securities constituting direct obligations of, or obligations the principal of and interest on which are fully and unconditionally guaranteed as to full and timely payment by, the United States, including evidences of a direct ownership interest in future interest or principal payments on obligations issued or guaranteed by the United States (including the interest component of obligations of the Resolution Funding Corporation), or securities which represent an undivided interest in such obligations, which obligations are rated in the highest rating category by a nationally recognized rating service and such obligations are held in a custodial account for the benefit of the County.

“Interest Payment Date” means May 1 and November 1 of each year beginning November 1, 2006.

“Maturity” when used with respect to any Bond means the date on which the principal of such Bond becomes due and payable as therein and herein provided, whether at the Stated Maturity thereof or call for optional or mandatory redemption or otherwise.

“Outstanding” means, when used with reference to the Bonds, as of any particular date of determination, all Bonds theretofore authenticated and delivered hereunder, except the following Bonds:

- (a) Bonds theretofore cancelled by the Paying Agent or delivered to the Paying Agent for cancellation;

- (b) Bonds deemed to be paid in accordance with the provisions of Section 701 hereof; and

Section 807. Bonds in exchange for or in lieu of which other Bonds have been authenticated and delivered hereunder.

“Participants” means those financial institutions for whom the Securities Depository effects book entry transfers and pledges of securities deposited with the Securities Depository, as such listing of Participants exists at the time of such reference.

“Paying Agent” means UMB Bank, N.A., St. Louis, Missouri, and any successors or assigns.

“Permitted Investments” means any of the following securities, if and to the extent the same are at the time legal for investment of the County’s funds:

- (a) Government Obligations;

- (b) bonds, notes or other obligations of the State, or any political subdivision of the State, that at the time of their purchase are rated in either of the two highest rating categories by a nationally recognized rating service;

- © repurchase agreements with any bank, bank holding company, trust company, or other financial institution organized under the laws of the United States or any state, that are continuously and fully secured by any one or more of the securities described in clause (a) or (b) above and that have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such repurchase agreement and are held in a custodial or trust account for the benefit of the County;

- (d) obligations of the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Financing Bank, the Federal Intermediate Credit Corporation, Federal Banks for Cooperatives, Federal Land Banks, Federal Home Loan Banks, Farmers Home Administration and Federal Home Loan Mortgage Corporation; and

Section 807. certificates of deposit or time deposits, whether negotiable or nonnegotiable, issued by any bank or trust company organized under the laws of the United States or any state, provided that such certificates of deposit or time deposits shall be either (1) continuously and fully insured by the Federal Deposit Insurance Corporation, or (2) continuously and fully secured by such securities as are described above in clauses (a) through (c), inclusive, which shall have a market value, exclusive of accrued interest, at all times at least equal to the principal amount of such certificates of deposit or time deposits.

“Person” means any natural person, corporation, partnership, joint venture, association, firm, joint-stock company, trust, unincorporated organization, or government or any agency or political subdivision thereof or other public body.

“Project” means constructing improvements to certain of the County’s highways and roads.

“Purchaser” means Edward D. Jones & Co., L.P., St. Louis, Missouri, and D.A. Davidson & Co., Omaha , Nebraska, the original purchasers of the Bonds.

“Record Date” for the interest payable on any Interest Payment Date means the 15th day (whether or not a Business Day) of the calendar month next preceding such Interest Payment Date.

“Redemption Date” when used with respect to any Bond to be redeemed means the date fixed for the redemption of such Bond pursuant to the terms of this Resolution.

“Redemption Price” when used with respect to any Bond to be redeemed means the price at which such Bond is to be redeemed pursuant to the terms of this Resolution.

“Registered Owner” when used with respect to any Bond means the Person in whose name such Bond is registered on the Bond Register.

“Replacement Bonds” means Bonds issued to Beneficial Owners in accordance with Section 207 hereof.

“Resolution” means this Resolution adopted by the governing body of the County, authorizing the issuance of the Bonds, as amended from time to time.

“Securities Depository” means, initially, The Depository Trust Company, New York, New York, and its successors and assigns.

“Special Record Date” means the date fixed by the Paying Agent pursuant to Section 204 hereof for the

payment of Defaulted Interest.

“State” means the State of Nebraska.

“Stated Maturity” means, when used with respect to any Bond, the date specified in such Bond and this Resolution as the fixed date on which the principal of such Bond is due and payable.

“Tax Certificate” means the Federal Tax Certificate executed and delivered by the County in connection with the issuance of the Bonds, as the same may be amended or supplemented in accordance with the provisions thereof.

“United States” means the United States of America.

ARTICLE II

AUTHORIZATION OF BONDS

Section 201. Authorization of Bonds. The County is hereby authorized and directed to issue the Bonds in the aggregate principal amount of \$400,000 to pay the costs of the Project and issuing the Bonds.

Section 202. Description of Bonds. The Bonds shall consist of fully registered bonds, numbered from R-1 upward in order of issuance, in denominations of \$5,000 or any integral multiple thereof. The Bonds shall be in substantially the form set forth in Exhibit A attached hereto and shall be subject to registration, transfer and exchange as provided in Section 205 hereof. All of the Bonds shall be dated the date of delivery thereof, shall become due and payable serially in the amounts on the Stated Maturities, subject to redemption and payment prior to their Stated Maturities as provided in Article III hereof, and shall bear interest at the rates per annum, as follows:

| Stated Maturity May 1 | Principal Amount | Annual Rate of Interest |
|--------------------------|---------------------|----------------------------|
| 2007 | \$35,000 | 3.85% |
| 2008 | 35,000 | 3.90 |
| 2009 | 35,000 | 3.95 |
| 2010 | 35,000 | 4.00 |
| 2011 | 40,000 | 4.05 |
| 2012 | 40,000 | 4.10 |
| 2013 | 40,000 | 4.20 |
| 2014 | 45,000 | 4.30 |
| 2015 | 45,000 | 4.40 |
| 2016 | 50,000 | 4.45 |

The Bonds shall bear interest at the above-specified rates (computed on the basis of a 360-day year of twelve 30-day months) from the date thereof or from the most recent Interest Payment Date to which interest has been paid or duly provided for.

Each of the Bonds, as originally issued or issued upon transfer, exchange or substitution, shall be in substantially the form set forth in Exhibit A attached hereto.

Section 203. Designation of Paying Agent. The County hereby designates the Paying Agent as its paying agent for the payment of principal or Redemption Price of and interest on the Bonds and bond registrar with respect to the registration, transfer and exchange of Bonds. The Paying Agent shall serve in such capacities under the terms of an agreement entitled “Bond Registrar and Paying Agent Agreement” between the County and the Paying Agent (the “Registrar Agreement”), the form of which is hereby approved. The Chair and Clerk are hereby authorized to execute the Registrar Agreement in substantially the form presented but with such changes as they shall deem appropriate or necessary.

The County will at all times maintain a Paying Agent meeting the qualifications herein described for the performance of the duties hereunder. The County reserves the right to appoint a successor Paying Agent by (a) filing with the Paying Agent then performing such function a certified copy of the proceedings giving notice of the termination of such Paying Agent and appointing a successor, and (b) causing notice of the appointment of the successor Paying Agent to be given by first-class mail to each Registered Owner. No resignation or removal of the Paying Agent shall become effective until a successor has been appointed and has accepted the duties of Paying Agent.

Every Paying Agent appointed hereunder shall at all times be a commercial banking association or corporation or trust company organized and doing business under the laws of the United States or of a state of the United States, authorized under such laws to exercise trust powers and subject to supervision or examination by federal or state regulatory authority.

Section 204. Method and Place of Payment of Bonds. The principal or Redemption Price of and interest on the Bonds shall be payable in any coin or currency of the United States that on the respective dates of payment thereof is legal tender for the payment of public and private debts.

The principal or Redemption Price of each Bond shall be paid at Maturity by check or draft to the Person in whose name such Bond is registered on the Bond Register at the Maturity thereof, upon presentation and surrender of such Bond at the Designated Office of the Paying Agent.

The interest payable on each Bond on any Interest Payment Date shall be paid to the Registered Owner of such Bond as shown on the Bond Register at the close of business on the Record Date for such interest by

check or draft mailed by the Paying Agent to the address of such Registered Owner shown on the Bond Register.

Notwithstanding the foregoing provisions of this Section, any Defaulted Interest with respect to any Bond shall cease to be payable to the Registered Owner of such Bond on the relevant Record Date and shall be payable to the Registered Owner in whose name such Bond is registered at the close of business on the Special Record Date for the payment of such Defaulted Interest, which Special Record Date shall be fixed as specified in this paragraph. The County shall notify the Paying Agent in writing of the amount of Defaulted Interest proposed to be paid on each Bond and the date of the proposed payment (which date shall be at least 30 days after receipt of such notice by the Paying Agent) and shall deposit with the Paying Agent at the time of such notice an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment. Following receipt of such funds the Paying Agent shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment. The Paying Agent shall promptly notify the County of such Special Record Date and, in the name and at the expense of the County, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date ledgere to be mailed, by first-class mail, postage prepaid, to each Registered Owner of a Bond entitled to such notice at the address of such Registered Owner as it appears on the Bond Register not less than 10 days prior to such Special Record Date.

The Paying Agent shall keep a record of the payment of principal or Redemption Price of and interest on all Bonds and at least annually shall forward a copy or summary of such records to the County.

Section 205. Registration, Transfer and Exchange of Bonds. The County covenants that, as long as any of the Bonds remain Outstanding, it will cause the Bond Register to be kept at the Designated Office. Each Bond when issued shall be registered in the name of the Registered Owner thereof on the Bond Register.

Bonds may be transferred and exchanged only on the Bond Register as provided in this Section 205. Upon surrender of any Bond at the Designated Office, the Paying Agent shall transfer or exchange such Bond for a new Bond or Bonds in any authorized denomination of the same Stated Maturity and in the same aggregate principal amount as the Bond that was presented for transfer or exchange. Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in a form and with guarantee of signature satisfactory to the Paying Agent, duly executed by the Registered Owner thereof or by the Registered Owner's duly authorized agent.

In all cases in which the privilege of transferring or exchanging Bonds is exercised, the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this Resolution. The County shall pay the fees and expenses of the Paying Agent for the registration, transfer and exchange of Bonds provided for by this Resolution and the cost of printing a reasonable supply of registered bond blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the Paying Agent, are the responsibility of the Registered Owners of the Bonds. In the event any Registered Owner fails to provide a correct taxpayer identification number to the Paying Agent, the Paying Agent may make a charge against such Registered Owner sufficient to pay any governmental charge required to be paid as a result of such failure. In compliance with Section 3406 of the Code, such amount may be deducted by the Paying Agent from amounts otherwise payable to such Registered Owner hereunder or under the Bonds.

The County and the Paying Agent shall not be required (a) to register the transfer or exchange of any Bond that has been called for redemption after notice of such redemption has been mailed by the Paying Agent pursuant to Section 303 hereof and during the period of 15 days next preceding the date of mailing of such notice of redemption, or (b) to register the transfer or exchange of any Bond during a period beginning at the opening of business on the day after receiving written notice from the County of its intent to pay Defaulted Interest and ending at the close of business on the date fixed for the payment of Defaulted Interest pursuant to Section 204 hereof.

The County and the Paying Agent may deem and treat the Person in whose name any Bond is registered on the Bond Register as the absolute owner of such Bond, whether such Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal or Redemption Price of and interest on said Bond and for all other purposes. All payments so made to any such Registered Owner or upon the Registered Owner's order shall be valid and effective to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid, and neither the County nor the Paying Agent shall be affected by any notice to the contrary.

At reasonable times and under reasonable regulations established by the Paying Agent, the Bond Register may be inspected and copied by the Registered Owners of 10% or more in aggregate principal amount of the Bonds then Outstanding or any designated representative of such Registered Owners whose authority is evidenced to the satisfaction of the Paying Agent.

Section 206. Execution, Registration, Authentication and Delivery of Bonds. Each of the Bonds, including any Bonds issued in exchange or as substitutions for the Bonds initially delivered, shall be signed by the manual or facsimile signature of the Chair and attested by the manual or facsimile signature of the Clerk. In case any officer whose signature appears on any Bond ceases to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes, as if such person had remained in office until delivery. Any Bond may be signed by such persons who at the actual time of the execution of such Bond are the proper officers to sign such Bond although at the date of such Bond such persons may not have been such officers.

The Chair and Clerk are hereby authorized and directed to prepare and execute the Bonds in the manner herein specified, and, when duly executed and registered, to deliver the Bonds to the Paying Agent for authentication.

The Bonds shall have endorsed thereon a certificate of authentication substantially in the form set forth in Exhibit A attached hereto, which shall be manually executed by an authorized officer or employee of the Paying

Agent, but it shall not be necessary that the same officer or employee sign the certificate of authentication on all of the Bonds that may be issued hereunder at any one time. No Bond shall be entitled to any security or benefit under this Resolution or be valid or obligatory for any purpose unless and until such certificate of authentication has been duly executed by the Paying Agent. Such executed certificate of authentication upon any Bond shall be conclusive evidence that such Bond has been duly authenticated and delivered under this Resolution. Upon authentication, the Paying Agent shall deliver the Bonds to the Purchaser upon payment of the purchase price of the Bonds plus accrued interest thereon to the date of their delivery.

Section 207. Mutilated, Destroyed, Lost and Stolen Bonds. If (a) any mutilated Bond is surrendered to the Paying Agent or the Paying Agent receives evidence to its satisfaction of the destruction, loss or theft of any Bond, and (b) there is delivered to the Paying Agent such security or indemnity as may be required by the Paying Agent, then, in the absence of notice to the Paying Agent that such Bond has been acquired by a bona fide purchaser, the County shall execute and, upon the County's request, the Paying Agent shall authenticate and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost or stolen Bond, a new Bond of the same Stated Maturity and of like tenor and principal amount.

If any such mutilated, destroyed, lost or stolen Bond has become or is about to become due and payable, the County, in its discretion, may pay such Bond instead of issuing a new Bond.

Upon the issuance of any new Bond under this Section 207, the County may require the payment by the Registered Owner of an amount sufficient to cover any tax or other governmental charge that may be imposed in relation thereto and any other expenses (including the fees and expenses of the Paying Agent) connected therewith.

Every new Bond issued pursuant to this Section 207 shall constitute a replacement of the prior obligation of the County, and shall be entitled to all the benefits of this Resolution equally and ratably with all other Outstanding Bonds.

Section 208. Cancellation and Destruction of Bonds Upon Payment. All Bonds that have been paid or redeemed or that otherwise have been surrendered to the Paying Agent, either at or before Maturity, shall be cancelled by the Paying Agent immediately upon the payment, redemption and surrender thereof to the Paying Agent and subsequently destroyed in accordance with the customary practices of the Paying Agent. The Paying Agent shall execute a certificate in duplicate describing the Bonds so cancelled and destroyed and shall file an executed counterpart of such certificate with the County.

Section 209. Book-Entry Bonds; Securities Depository.

(a) The Bonds shall initially be registered to Cede & Co., as nominee for the Securities Depository, and no Beneficial Owner will receive certificates representing its respective interests in the Bonds, except in the event the Paying Agent issues Replacement Bonds as provided in Section 209(b) hereof. It is anticipated that during the term of the Bonds, the Securities Depository will make book-entry transfers among its Participants and receive and transmit payment of the principal or Redemption Price of and interest on the Bonds to the Participants until and unless the Paying Agent authenticates and delivers Replacement Bonds to the Beneficial Owners as described in Section 209(b).

(b) (1) If the County determines (A) that the Securities Depository is unable to properly discharge its responsibilities, or (B) that the Securities Depository is no longer qualified to act as a securities depository and registered clearing agency under the Securities and Exchange Act of 1934, as amended, or (C) that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Registered Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, or (2) if the Paying Agent receives written notice from Participants having interests in not less than 50% in aggregate principal amount of the Bonds Outstanding, as shown on the records of the Securities Depository (and certified to such effect by the Securities Depository), that the continuation of a book-entry system to the exclusion of any Bonds being issued to any Registered Owner other than Cede & Co. is no longer in the best interests of the Beneficial Owners of the Bonds, then the Paying Agent shall notify the Registered Owners of such determination or such notice and of the availability of certificates to Registered Owners requesting the same, and the Paying Agent shall register in the name of and authenticate and deliver Replacement Bonds to the Beneficial Owners or their nominees in principal amounts representing the interest of each, making such adjustments as it may find necessary or appropriate as to accrued interest and previous calls for redemption; provided, that in the case of a determination under Section 209(b)(1)(A) or (1)(B), the County, with the consent of the Paying Agent, may select a successor securities depository in accordance with Section 209(c) hereof to effect book-entry transfers. In such event, all references to the Securities Depository herein shall relate to the period of time when the Securities Depository has possession of at least one Bond. Upon the issuance of Replacement Bonds, all references herein to obligations imposed upon or to be performed by the Securities Depository shall be deemed to be imposed upon and performed by the Paying Agent, to the extent applicable with respect to such Replacement Bonds. If the Securities Depository resigns and the County, the Paying Agent or Registered Owners are unable to locate a qualified successor of the Securities Depository in accordance with Section 209(c), then the Paying Agent shall authenticate and cause delivery of Replacement Bonds to Registered Owners as provided herein. The Paying Agent may rely on information from the Securities Depository and its Participants as to the names of the Beneficial Owners of the Bonds. The cost of printing Replacement Bonds shall be paid for by the County.

Section 807. In the event the Securities Depository resigns, is unable to properly discharge its responsibilities, or is no longer qualified to act as a securities depository and registered clearing agency under the Securities Exchange Act of 1934, as amended, the County may appoint a successor Securities Depository provided the Paying Agent receives written evidence satisfactory to the Paying Agent with respect to the ability of the successor Securities Depository to discharge its responsibilities. Any such successor Securities Depository shall be a securities depository which is a registered clearing agency under the Securities Exchange Act of 1934, as amended, or other applicable statute or regulation that operates a securities depository upon reasonable and customary terms. The Paying Agent

upon its receipt of a Bond or Bonds for cancellation shall cause the delivery of Bonds to the successor Securities Depository in appropriate denominations and form as provided herein.

Section 210. Preliminary and Final Official Statement. The Preliminary Official Statement, in the form attached hereto as Exhibit B, is hereby ratified and approved, and the final Official Statement is hereby authorized and approved by supplementing, amending and completing the Preliminary Official Statement with such changes and additions thereto as are necessary to conform to and describe the transaction. The Chair is hereby authorized to execute the final Official Statement as so supplemented, amended and completed, and the use and public distribution of the final Official Statement by the Purchaser in connection with the reoffering of the Bonds is hereby authorized. The proper officials of the County are hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Bonds.

For the purpose of enabling the Purchaser to comply with the requirements of Rule 15c2-12(b)(1) of the Securities and Exchange Commission, the County hereby deems the information regarding the County contained in the Preliminary Official Statement to be "final" as of its date, except for the omission of such information as is permitted by Rule 15c2-12(b)(1), and the appropriate officers of the County are hereby authorized, if requested, to provide the Purchaser a letter or certification to such effect and to take such other actions or execute such other documents as such officers in their reasonable judgment deem necessary to enable the Purchaser to comply with the requirement of such Rule.

The County agrees to provide to the Purchaser within seven Business Days of the date of the sale of Bonds sufficient copies of the final Official Statement to enable the Purchaser to comply with the requirements of Rule 15c2-12(b)(4) of the Securities and Exchange Commission and with the requirements of Rule G-32 of the Municipal Securities Rulemaking Board.

Section 211. Sale of Bonds. The Chair is hereby authorized to enter into the Bond Purchase Agreement between the County and the Purchaser in substantially the form attached hereto as Exhibit C, under which the County agrees to sell the Bonds to the Purchaser at a purchase price of 98.794% of the principal amount thereof, plus accrued interest to the date of delivery, upon the terms and conditions set forth therein and with such changes therein as shall be approved by the Chair, which officer is hereby authorized to execute the Bond Purchase Agreement for and on behalf of the County, such officer's signature thereon being conclusive evidence of his or her approval thereof.

ARTICLE III

REDEMPTION OF BONDS

Section 301. Optional Redemption of Bonds. At the option of the County, Bonds or portions thereof maturing on May 1, 2012, and thereafter may be called for redemption and payment prior to their Stated Maturity at any time on or after May 1, 2011, as a whole or in part at a Redemption Price equal to 100% of the principal amount being redeemed, plus accrued interest on such principal amount to the Redemption Date.

Section 302. Selection of Bonds to Be Redeemed.

(a) The Paying Agent shall call Bonds for redemption and payment and shall give notice of such redemption as herein provided upon receipt by the Paying Agent at least 45 days prior to the Redemption Date of written instructions of the County specifying the principal amount, Stated Maturities, Redemption Date and Redemption Prices of the Bonds to be called for redemption. The Paying Agent may in its discretion waive such notice period so long as the notice requirements set forth in Section 303 are met.

(b) Bonds shall be redeemed only in the principal amount of \$5,000 or any integral multiple thereof. When less than all of the Outstanding Bonds are to be redeemed, such Bonds shall be redeemed in such principal amounts and from such Stated Maturities as the County, in its sole and absolute discretion may determine, and Bonds of less than a full Stated Maturity shall be selected by the Paying Agent in \$5,000 units of principal amount in such equitable manner as the Paying Agent may determine.

Section 807. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$5,000 are then Outstanding, then for all purposes in connection with such redemption each \$5,000 of face value shall be treated as though it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of face value represented by any Bond are selected for redemption, then upon notice of intention to redeem such \$5,000 unit or units, the Registered Owner of such Bond or the Registered Owner's duly authorized agent shall present and surrender such Bond to the Paying Agent (1) for payment of the Redemption Price and interest to the Redemption Date of such \$5,000 unit or units of face value called for redemption, and (2) for exchange, without charge to the Registered Owner thereof, for a new Bond or Bonds of the aggregate principal amount of the unredeemed portion of the principal amount of such Bond. If the Registered Owner of any such Bond fails to present such Bond to the Paying Agent for payment and exchange as aforesaid, such Bond shall, nevertheless, become due and payable on the Redemption Date to the extent of the \$5,000 unit or units of face value called for redemption (and to that extent only).

Section 303. Notice and Effect of Call for Redemption. Unless waived by any Registered Owner of Bonds to be redeemed, official notice of any redemption shall be given by the Paying Agent on behalf of the County by mailing a copy of an official redemption notice by first-class mail at least 30 days prior to the Redemption Date to the Purchaser and each Registered Owner of the Bonds to be redeemed at the address shown on the Bond Register.

All official notices of redemption shall be dated and shall contain the following information:

(a) the Redemption Date;

(b) the Redemption Price;

© if less than all Outstanding Bonds are to be redeemed, the identification (and, in the case of partial redemption of any Bonds, the respective principal amounts) of the Bonds to be redeemed;

(d) a statement that on the Redemption Date the Redemption Price will become due and payable upon each such Bond or portion thereof called for redemption and that interest thereon shall cease to accrue from and after the Redemption Date; and

Section 807. the place where such Bonds are to be surrendered for payment of the Redemption Price, which shall be the Designated Office.

The failure of any Registered Owner to receive notice given as heretofore provided or an immaterial defect therein shall not invalidate any redemption.

Prior to any Redemption Date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the Redemption Price of all the Bonds or portions of Bonds that are to be redeemed on that date.

Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds to be redeemed shall become due and payable on the Redemption Date, at the Redemption Price therein specified, and from and after the Redemption Date (unless the County defaults in the payment of the Redemption Price) such Bonds or portion of Bonds shall cease to bear interest. Upon surrender of such Bonds for redemption in accordance with such notice, the Redemption Price of such Bonds shall be paid by the Paying Agent. Installments of interest due on or prior to the Redemption Date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Bond, there shall be prepared for the Registered Owner a new Bond or Bonds of the same Stated Maturity in the amount of the unpaid principal as provided herein. All Bonds that have been surrendered for redemption shall be cancelled and destroyed by the Paying Agent as provided herein and shall not be reissued.

In addition to the foregoing notice, further notice shall be given by the Paying Agent on behalf of the County as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if official notice thereof is given as above prescribed.

(1) Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (A) the CUSIP numbers of all Bonds being redeemed; (B) the date of issue of the Bonds as originally issued; (C) the rate of interest borne by each Bond being redeemed; (D) the Stated Maturity of each Bond being redeemed; and (E) any other descriptive information needed to identify accurately the Bonds being redeemed.

(2) Each further notice of redemption shall be sent at least one day before the mailing of notice to Registered Owners by first-class, registered or certified mail or overnight delivery, as determined by the Paying Agent, to all registered securities depositories then in the business of holding substantial amounts of obligations of types comprising the Bonds and to one or more national information services that disseminate notices of redemption of obligations such as the Bonds.

Section 807. Each check or other transfer of funds issued for the payment of the Redemption Price of Bonds being redeemed shall bear or have enclosed the CUSIP number of the Bonds being redeemed with the proceeds of such check or other transfer.

The Paying Agent is also directed to comply with any mandatory or voluntary standards then in effect for processing redemptions of municipal securities established by the Securities and Exchange Commission. Failure to comply with such standards shall not affect or invalidate the redemption of any Bond.

ARTICLE IV

SECURITY FOR AND PAYMENT OF BONDS

Section 401. Security for the Bonds. For the prompt payment of the Bonds, both principal and interest, when and as the same shall become due, the County hereby pledges all receipts now or hereafter received by the County from the Highway Allocation Fund, as described and referred to in the Act, which receipts shall be deposited into the Debt Service Fund until there is on deposit in the Debt Service Fund an amount sufficient to pay the principal of and interest on the Bonds on the following Interest Payment Date. The pledge provided for in this Section 401 shall not prevent the County from applying receipts from the Highway Allocation Fund in any year for other lawful purposes so long as sufficient receipts from the Highway Allocation Fund have been set aside for the payment of the principal or Redemption Price of and interest on the Bonds falling due in such year. In addition, the County further reserves the right to issue additional highway allocation fund pledge bonds payable on a parity with and equally and ratably secured by a pledge of receipts from the Highway Allocation Fund. The County hereby further agrees that it will cause to be levied and collected annually a tax on all the taxable property in the County within any applicable statutory and constitutional limitations sufficient in amount to pay the principal or Redemption Price of and interest on the Bonds until the same is fully paid. The provisions of this Resolution shall constitute a contract between the County and the registered owners of the Bonds, and any Registered Owners may either in law or equity, by suit, action, mandamus or other proceedings enforce or compel performance of this Resolution.

Section 402. Levy and Collection of Annual Tax. For the purpose of providing for the payment of the principal or Redemption Price of and interest on the Bonds as the same become due, to the extent receipts from

the Highway Allocation Fund are insufficient, there is hereby levied upon all of the taxable property in the County a direct annual tax on all the taxable property in the County within any applicable statutory and constitutional limitations sufficient to pay all of the principal of and interest on the Bonds as the same becomes due and payable in each year.

The taxes referred to above shall be extended upon the tax rolls in each of the several years, respectively, and shall be levied and collected at the same time and in the same manner as the other ad valorem taxes of the County are levied and collected. The proceeds derived from such taxes shall be deposited in the Debt Service Fund, shall be kept separate and apart from all other funds of the County and shall be used solely for the payment of the principal or Redemption Price of and interest on the Bonds as and when the same become due and the fees and expenses of the Paying Agent.

If at any time said taxes are not collected in time to pay the principal of or interest on the Bonds when due, the Treasurer is hereby authorized and directed to pay such principal or interest out of the general funds of the County and to reimburse the general funds for money so expended when such taxes are collected.

ARTICLE V

ESTABLISHMENT OF FUNDS; DEPOSIT AND APPLICATION OF MONEY

Section 501. Establishment of Funds. There have been or shall be established in the treasury of the County and shall be held and administered by the Treasurer of the County the following separate funds:

- (a) Construction Fund; and
- (b) Debt Service Fund.

Section 502. Deposit of Bond Proceeds. The net proceeds received from the sale of the Bonds shall be deposited simultaneously with the delivery of the Bonds as follows:

- (a) All accrued interest received from the sale of the Bonds shall be deposited in the Debt Service Fund and applied in accordance with Section 504 hereof.

Section 807. The remaining balance of the proceeds derived from the sale of the Bonds shall be deposited in the Construction Fund and shall be applied in accordance with Section 503 hereof.

Section 503. Application of Money in the Construction Fund. Money in the Construction Fund shall be used by the County solely for the purpose of (a) paying the costs of the Project in accordance with the plans and specifications ledgere prepared by the County's engineers approved by the Board and on file in the office of the Clerk, including any alterations in or amendments to such plans and specifications deemed advisable by the County's engineers and approved by the Board, and (b) paying the costs and expenses of issuing the Bonds.

The Treasurer shall make a withdrawal from the Construction Fund only upon a duly authorized and executed order of the Board accompanied by a certificate executed by the County's engineers stating that such payment is being made for a purpose within the scope of this Resolution and that the amount of such payment represents only the contract price of the property, equipment, labor, materials or service being paid for or, if such payment is not being made pursuant to an express contract, that such payment is not in excess of the reasonable value thereof. Nothing hereinbefore contained shall prevent the payment out of the Construction Fund of all costs and expenses incident to the issuance of the Bonds without a certificate from the County's engineers.

Upon completion of the Project, any surplus remaining in the Construction Fund shall be transferred to and deposited in the Debt Service Fund.

Section 504. Application of Money in the Debt Service Fund. All amounts paid and credited to the Debt Service Fund shall be expended and used by the County for the sole purpose of paying the principal or Redemption Price of and interest on the Bonds as and when the same become due and the usual and customary fees and expenses of the Paying Agent. The Treasurer is authorized and directed to withdraw from the Debt Service Fund sums sufficient to pay both principal or Redemption Price of and interest on the Bonds and the fees and expenses of the Paying Agent as and when the same become due, and to forward such sums to the Paying Agent in a manner which ensures that the Paying Agent will receive immediately available funds in such amounts on or before the Business Day immediately preceding the dates when such principal, interest and fees of the Paying Agent will become due. If, through the lapse of time or otherwise, the Registered Owners of Bonds are no longer entitled to enforce payment of the Bonds or the interest thereon, the Paying Agent shall return said funds to the County. All money deposited with the Paying Agent shall be deemed to be deposited in accordance with and subject to all of the provisions contained in this Resolution and shall be held in trust by the Paying Agent for the benefit of the Registered Owners of the Bonds entitled to payment from such money.

Any money or investments remaining in the Debt Service Fund after the retirement of the indebtedness for which the Bonds were issued and all other indebtedness of the County shall be transferred and paid into the Road Fund of the County.

Section 505. Deposits and Investment of Money. Money in each of the funds created by and referred to in this Resolution shall be deposited in a bank or banks or other legally permitted financial institutions that are members of the Federal Deposit Insurance Corporation. All such deposits shall be continuously and adequately secured by the financial institutions holding such deposits as provided by the laws of the State. All money held in the funds created by this Resolution shall be kept separate and apart from all other funds of the County so that there shall be no commingling of such funds with any other funds of the County.

Money held in any fund referred to in this Resolution may be invested by the Treasurer at the direction of the Board, in accordance with this Resolution and the Tax Certificate, in Permitted Investments; provided, however, that no such investment shall be made for a period extending longer than the date when the money invested may be needed for the purpose for which such fund was created. All earnings on any investments held in any fund shall accrue to and become a part of such fund.

Section 506. Payments Due on Saturdays, Sundays and Holidays. If any payment on a Bond is due on a date which is not a Business Day, then such payment need not be made on such date but may be made on the next succeeding Business Day with the same force and effect as if made on such payment date, and no interest shall accrue for the period after such payment date.

Section 507. Nonpresentment of Bonds. If any Bond is not presented for payment when the principal thereof becomes due at Maturity, if funds sufficient to pay such Bond have been made available to the Paying Agent all liability of the County to the Registered Owner thereof for the payment of such Bond shall forthwith cease, determine and be completely discharged, and thereupon it shall be the duty of the Paying Agent to hold such funds, without liability for interest thereon, for the benefit of the Registered Owner of such Bond, who shall thereafter be restricted exclusively to such funds for any claim of whatever nature on his part under this Resolution or on, or with respect to, said Bond. If any Bond is not presented for payment within four years following the date when such Bond becomes due at Maturity, the Paying Agent shall repay to the County the funds theretofore held by it for payment of such Bond, and such Bond shall, subject to the defense of any applicable statute of limitation, thereafter be an unsecured obligation of the County, and the Registered Owner thereof shall be entitled to look only to the County for payment, and then only to the extent of the amount so repaid to it by the Paying Agent, and the County shall not be liable for any interest thereon and shall not be regarded as a trustee of such money.

ARTICLE VI

REMEDIES

Section 601. Remedies. The provisions of this Resolution, including the covenants and agreements herein contained, shall constitute a contract between the County and the Registered Owners of the Bonds, and the Registered Owner or Owners of not less than 10% in aggregate principal amount of the Bonds at the time Outstanding shall have the right for the equal benefit and protection of all Registered Owners of Bonds similarly situated:

(a) by mandamus or other suit, action or proceedings at law or in equity to enforce the rights of such Registered Owner or Owners against the County and its officers, agents and employees, and to require and compel duties and obligations required by the provisions of this Resolution or by the constitution and laws of the State;

(b) by suit, action or other proceedings in equity or at law to require the County, its officers, agents and employees to account as if they were the trustees of an express trust; and

Section 807. by suit, action or other proceedings in equity or at law to enjoin any acts or things which may be unlawful or in violation of the rights of the Registered Owners of the Bonds.

Section 602. Limitation on Rights of Registered Owners. The covenants and agreements of the County contained herein and in the Bonds shall be for the equal benefit, protection and security of the Registered Owners of any or all of the Bonds. All of the Bonds shall be of equal rank and without preference or priority of one Bond over any other Bond in the application of the funds herein pledged to the payment of the principal of and the interest on the Bonds, or otherwise, except as to rate of interest, or date of Maturity or right of prior redemption as provided in this Resolution. No one or more Registered Owners secured hereby shall have any right in any manner whatever by his or their action to affect, disturb or prejudice the security granted and provided for herein, or to enforce any right hereunder, except in the manner herein provided, and all proceedings at law or in equity shall be instituted, had and maintained for the equal benefit of all Registered Owners of such Outstanding Bonds.

Section 603. Remedies Cumulative. No remedy conferred herein upon the Registered Owners is intended to be exclusive of any other remedy, but each such remedy shall be cumulative and in addition to every other remedy and may be exercised without exhausting and without regard to any other remedy conferred herein. No waiver of any default or breach of duty or contract by the Registered Owner of any Bond shall extend to or affect any subsequent default or breach of duty or contract or shall impair any rights or remedies consequent thereon. No delay or omission of any Registered Owner to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein. Every substantive right and every remedy conferred upon the Registered Owners of the Bonds by this Resolution may be enforced and exercised from time to time and as often as may be deemed expedient. If any suit, action or proceedings taken by any Registered Owner on account of any default or to enforce any right or exercise any remedy has been discontinued or abandoned for any reason, or has been determined adversely to such Registered Owner, then, and in every such case, the County and the Registered Owners of the Bonds shall be restored to their former positions and rights hereunder, respectively, and all rights, remedies, powers and duties of the Registered Owners shall continue as if no such suit, action or other proceedings had been brought or taken.

ARTICLE VII

DEFEASANCE

Section 701. Defeasance. When the principal or Redemption Price of and interest on any or all of the Bonds have been paid and discharged, then the requirements contained in this Resolution and the pledge of the County's faith and credit hereunder and all other rights granted hereby shall terminate with respect to such Bonds

so paid and discharged. Bonds or the interest payments thereon shall be deemed to have been paid and discharged within the meaning of this Resolution if there has been deposited with the Paying Agent, or other commercial bank or trust company having full trust powers, at or prior to the Stated Maturity or Redemption Date of such Bonds, in trust for and irrevocably appropriated thereto, money and/or Defeasance Obligations which, together with the interest to be earned on any such Defeasance Obligations, will be sufficient for the payment of the principal of said Bonds and/or interest accrued to the Stated Maturity or Redemption Date, or if default in such payment has occurred on such date, then to the date of the tender of such payments, provided, however, that if any such Bonds are to be redeemed prior to their Stated Maturity, (a) the County has elected to redeem such Bonds, and (b) either notice of such redemption has been given, or the County has given irrevocable instructions, or shall have provided for an escrow agent to give irrevocable instructions, to the Paying Agent to give such notice of redemption in compliance with Section 302(a) hereof. Any money and Defeasance Obligations that at any time shall be deposited with the Paying Agent or other commercial bank or trust company by or on behalf of the County, for the purpose of paying and discharging any of the Bonds, shall be and are hereby assigned, transferred and set over to the Paying Agent or other bank or trust company in trust for the respective Registered Owners of the Bonds, and such money shall be and are hereby irrevocably appropriated to the payment and discharge thereof. All money and Defeasance Obligations deposited with the Paying Agent or other bank or trust company shall be deemed to be deposited in accordance with and subject to all of the provisions of this Resolution.

ARTICLE VIII

MISCELLANEOUS PROVISIONS

Section 801. Tax Covenants.

(a) The County covenants and agrees that (1) it will comply with all applicable provisions of the Code, including Sections 103 and 141 through 150, necessary to maintain the exclusion from federal gross income of the interest on the Bonds, and (2) it will not use or permit the use of any proceeds of Bonds or any other funds of the County, nor take or permit any other action, or fail to take any action, which would adversely affect the exclusion from federal gross income of the interest on the Bonds. The County will also adopt such other resolutions and take such other actions as may be necessary to comply with the Code and with other applicable future law, in order to ensure that the interest on the Bonds will remain excluded from federal gross income, to the extent any such actions can be taken by the County.

(b) The County covenants and agrees that (1) it will use the proceeds of the Bonds as soon as practicable and with all reasonable dispatch for the purposes for which the Bonds are issued, and (2) it will not invest or directly or indirectly use or permit the use of any proceeds of the Bonds or any other funds of the County in any manner, or take or omit to take any action, that would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code.

© The County covenants and agrees that it will pay or provide for the payment from time to time of all rebatable arbitrage to the United States pursuant to Section 148(f) of the Code and the Tax Certificate. This covenant shall survive payment in full or defeasance of the Bonds. The Tax Certificate may be amended or replaced if, in the opinion of Bond Counsel, such amendment or replacement will not adversely affect the exclusion from federal gross income of the interest on the Bonds.

(d) The County covenants and agrees that it will not use any portion of the proceeds of the Bonds, including any investment income earned on such proceeds, directly or indirectly, (1) in a manner that would cause any Bond to be a "private activity bond" within the meaning of Section 141(a) of the Code, or (2) to make or finance a loan to any Person.

(e) The County makes the following representations in connection with the exception for small governmental units from the arbitrage rebate requirements under Section 148(f)(4)(D) of the Code:

(1) the County is a governmental unit under Nebraska law with general taxing powers;

(2) none of the Bonds is a private activity bond as defined in Section 141 of the Code;

(3) 95 percent or more of the net proceeds of the Bonds are to be used for local governmental activities of the County;

(4) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the County (and all subordinate entities thereof) during the calendar year in which the Bonds are issued is not reasonably expected to exceed \$5,000,000; and

(5) the County (including all subordinate entities thereof) will not issue in excess of \$5,000,000 of tax-exempt bonds (including the Bonds but excluding private activity bonds) during the calendar year in which the Bonds are issued without first obtaining an opinion of Bond Counsel that the exclusion of the interest on the Bonds from federal gross income will not be adversely affected thereby.

(f) The County hereby designates the Bonds as "qualified tax-exempt obligations" as defined in Section 265(b)(3) of the Code. In addition, the County hereby represents that:

(1) the aggregate face amount of all tax-exempt obligations (other than private activity bonds which are not "qualified 501(c)(3) bonds") which will be issued by the County (and all subordinate entities thereof) during the calendar year in which the Bonds are issued is not reasonably expected to exceed \$10,000,000; and

(2) the County (including all subordinate entities thereof) will not issue an aggregate principal amount of obligations designated by the County to be "qualified tax-exempt obligations" during the

calendar year in which the Bonds are issued, including the Bonds, in excess of \$10,000,000, without first obtaining an opinion of Bond Counsel that the designation of the Bonds as "qualified tax-exempt obligations" will not be adversely affected.

The Chair is hereby authorized to take such other action as may be necessary to make effective the designation in this Section 801(f).

(g) The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the Bonds pursuant to Article VII of this Resolution or any other provision of this Resolution, until the final State Maturity of all Bonds Outstanding.

Section 802. Amendments. The rights and duties of the County and the Registered Owners, and the terms and provisions of the Bonds or of this Resolution, may be amended or modified at any time in any respect by Resolution of the County with the written consent of the Registered Owners of not less than a majority in aggregate principal amount of the Bonds then Outstanding, such consent to be evidenced by an instrument or instruments executed by such Registered Owners and duly acknowledged or proved in the manner of a deed to be recorded, and such instrument or instruments shall be filed with the Clerk, but no such modification or alteration shall:

- (a) extend the maturity of any payment of principal or interest due upon any Bond;
- (b) effect a reduction in the amount which the County is required to pay as principal of or interest on any Bond;
- © permit preference or priority of any Bond over any other Bond; or

Section 807. reduce the percentage in principal amount of Bonds required for the written consent to any modification or alteration of the provisions of this Resolution.

Any provision of the Bonds or of this Resolution may, however, be amended or modified by Resolution duly adopted by the governing body of the County at any time in any legal respect with the written consent of the Registered Owners of all of the Bonds at the time Outstanding.

Without notice to or the consent of any Registered Owners, the County may amend or supplement this Resolution for the purpose of curing any formal defect, omission, inconsistency or ambiguity therein or in connection with any other change therein which is not materially adverse to the interests of the Registered Owners.

Every amendment or modification of the provisions of the Bonds or of this Resolution, to which the written consent of the Registered Owners is given, as above provided, shall be expressed in a Resolution adopted by the Board amending or supplementing the provisions of this Resolution and shall be deemed to be a part of this Resolution. A certified copy of every such amendatory or supplemental Resolution, if any, and a certified copy of this Resolution shall always be kept on file in the office of the Clerk, and shall be made available for inspection by the Registered Owner of any Bond or a prospective purchaser or owner of any Bond authorized by this Resolution, and upon payment of the reasonable cost of preparing the same, a certified copy of any such amendatory or supplemental Resolution or of this Resolution will be sent by the Clerk to any such Registered Owner or prospective purchaser.

Any and all modifications made in the manner hereinabove provided shall not become effective until there has been filed with the Clerk a copy of the Resolution of the County hereinabove provided for, duly certified, as well as proof of any required consent to such modification by the Registered Owners of the Bonds then Outstanding. It shall not be necessary to note on any of the Outstanding Bonds any reference to such amendment or modification.

The County shall furnish to the Paying Agent a copy of any amendment to the Bonds or this Resolution which affects the duties or obligations of the Paying Agent under this Resolution.

Section 803. Notices, Consents and Other Instruments by Registered Owners. Any notice, consent, request, direction, approval or other instrument to be signed and executed by the Registered Owners may be in any number of concurrent writings of similar tenor and may be signed or executed by such Registered Owners in person or by agent appointed in writing. Proof of the execution of any such instrument or writing appointing any such agent and of the ownership of Bonds, if made in the following manner, shall be sufficient for any of the purposes of this Resolution, and shall be conclusive in favor of the County and the Paying Agent with regard to any action taken, suffered or omitted under any such instrument, namely:

- (a) The fact and date of the execution by any person of any such instrument may be proved by a certificate of any officer in any jurisdiction who by law has power to take acknowledgments within such jurisdiction that the person signing such instrument acknowledged before such officer the execution thereof, or by affidavit of any witness to such execution.

Section 807. The fact of ownership of Bonds, the amount or amounts, numbers and other identification of Bonds, and the date of holding the same shall be proved by the Bond Register.

In determining whether the Registered Owners of the requisite aggregate principal amount of Bonds Outstanding have given any request, demand, authorization, direction, notice, consent or waiver under this Resolution, Bonds owned by the County shall be disregarded and deemed not to be Outstanding under this Resolution, except that, in determining whether the Registered Owners shall be protected in relying upon any such request, demand, authorization, direction, notice, consent or waiver, only Bonds which the Registered Owners know to be so owned shall be so disregarded. Notwithstanding the foregoing, Bonds so owned which

have been pledged in good faith shall not be disregarded as aforesaid if the ledge establishes to the satisfaction of the Registered Owners the ledge's right so to act with respect to such Bonds and that the ledge is not the County.

Section 804. Further Authority. The officers of the County, including the Chair and Clerk, are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable in order to carry out and perform the purposes of this Resolution and to make ministerial alterations, changes or additions in the foregoing agreements, statements, instruments and other documents herein approved, authorized and confirmed which they may approve, and the execution or taking of such action shall be conclusive evidence of such necessity or advisability.

Section 805. Severability. If any section or other part of this Resolution, whether large or small, is for any reason held invalid, the invalidity thereof shall not affect the validity of the other provisions of this Resolution.

Section 806. Governing Law. This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State.

Section 807. Effective Date. This Resolution shall take effect and be in full force from and after its passage by Board as provided by law.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BOND PURCHASE AGREEMENT

Kimbrough moved and Yates seconded the motion to approve the Bond Purchase Agreement for the road to the Ethanol Plant. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CISDA AND UNITED WAY

Carol Hrdlicka with CISDA and United way presented the annual reports and budget requests for 2006-2007.

BOARD OF EQUALIZATION

At the request of County Assessor, Joan Ackland, Yates moved and Cerny seconded the motion to go into session as the Fillmore County Board of Equalization at 11:04 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VOID TAX CORRECTION

After discussion, Kimbrough moved and Yates seconded the motion to void a tax correction #15-05 made at the April 25th Board meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX CORRECTION

Cerny moved and Kimbrough seconded the motion to approve Tax Correction #16-05 as presented by the County Assessor. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Simacek moved and Galusha seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 11:10 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FENCE VIEWERS LIEN

Deputy County Attorney, Howard Ach informed the Board that he had contacted the Attorney General's office for an opinion on Fence Viewers Lien. Attorney General's office would not offer an opinion, due to the fact that this is a civil award. The Board requested that Howard send a letter to the owner of property in dispute.

COMMUNICATIONS PROJECT #HLS 3403

Emergency Manager, Terry Marshall and Brad Stark from Platte Valley Communications of Hastings presented to the Board a proposal for the purchasing and installation of communications equipment, Project #HLS 3403 for the cost of \$265,737.69, which will be funded by grants awarded to Fillmore County.

After discussion, Cerny moved and Galusha seconded the motion to approve the proposal for the Communications Project #HLS 3403. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADDING SECURITIES

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

RESOLUTION 2006-19

BE IT RESOLVED, that the Geneva State Bank of Geneva, Nebraska, be allowed to add the following security held by Federal Home Loan Bank of Topeka, Kansas to-wit:

Letter of Credit #9149 for \$2,400,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

AGREEMENT FOR COUNTY BURIALS

Cerny moved and Galusha seconded the motion to approve the agreement with Farmer & Sons Funeral Homes, Inc. for County Burials and Indigent/Transient Burials at a cost of \$1,375.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion approved.

CLOSED SESSION FOR PERSONNEL

Cerny moved and Yates seconded the motion that the Fillmore County Board holds a closed session at this time pursuant of Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest, and to consider in closed session, personnel items authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested the County Clerk to remain. Closed session began at 11:58 a.m.

RETURN TO REGULAR SESSION

Cerny moved and Yates seconded the motion to return to open session at 12:01 p.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items "Heating & Air Conditioning in Conference Room, Narrowing road way on Road 20, and Appointment of Fillmore County Public Health Board" were tabled until a future Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. May 23, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., May 23, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. Capek was absent after 11:30 a.m. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 3:12 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

DRIVEWAY PERMIT

Kimbrough moved and Capek seconded the motion to approve the following application for a driveway permit:

Mike Motis – to install a new 20' driveway on the south side of the SW ¼, Section 1-6-3, Stanton Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

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

Alltel Communications – the bury communication cable between Sections 30 and 31-8-2, Fairmont Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Alltel Communications – to bury communication cable between Section 19-7-1, Liberty Township and Section 24-7-2, Madison Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

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.

MAINTENANCE OF ROADWAY

After discussion, Cerny moved and Yates seconded the motion to approve and sign the letters to the adjoining landowners of the below legal descriptions that it is their responsibilities to mow the ditches twice per year according to State Law. These are the three areas: County Road 12 from County Road L to State Highway 41, County Road 13 (13th Street – old Highway 81) from County Road L north to new Highway 81 bypass on the north side of KANEB storage tanks, and County Road L from County Road 13 (13th Street – old Highway 81) to County Road 12. 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.

NARROWING ROAD 20

After discussion, Yates moved and Cerny seconded the motion to narrow Road 20 to 32 feet between Highway 41 and Road R. Upon roll call, the vote was as follows:

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

The Chairman declared that the motion failed.

2006 HOMELAND SECURITY GRANT

Emergency Manager, Terry Marshall presented to the Board his request for 2006 Homeland Security Grant money for taking part in two regional grant projects. First project is to establish a Citizens Corps Council and contract regionally with Volunteer Partners in Lancaster County and the second project is to establish a

regional communications link between all communications centers.

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

RESOLUTION 2006-20

RESOLVED, that in order to provide for a coordinated grant application on behalf of the 1st responders in Fillmore County, the Board of County Supervisors has reviewed the grant process and application and has approved the submittal to the State of Nebraska for 2006 Grant funding of two regional partnership grants.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BOARD OF EQUALIZATION

At the request of the Fillmore County Assessor, Capek moved and Galusha seconded the motion to go into session as the Fillmore County Board of Equalization at 10:53 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.

VALUATION CHANGES

Cerny moved and Yates seconded the motion to approve the list of valuation changes that didn't get completed prior to the Abstract deadline. A complete list was ordered to be filed in the County Clerk's office. 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.

RETURN TO REGULAR SESSION

Yates moved and Simacek seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 10:56 a.m. 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 DEFENDER

Brad Kalkwarf, Public Defender presented to the Board his budget request for 2006-2007. Brad will draw up a contract to have the Board approve. Action on the request will be taken during the budget process later this summer.

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.

| <u>GENERAL FUND</u> | | |
|--|-------------------------------------|------------|
| A – 1 Body & Glass | Rep | \$1,084.90 |
| Howard Ach, Atty. | Ser | 150.00 |
| Alltel | Uti | 127.66 |
| Alltel | Uti | 160.48 |
| Ameritas Life Insurance Corp. | Ret | 2,162.08 |
| Aramark Uniform Services, Inc. | Ser | 258.84 |
| Vernon Berggren | Set-up Polling Site | 20.00 |
| Blue Valley Community Action Partnership | 4 th Qtr. Budget request | 5,000.00 |
| Merle Buzek | Set-up Polling Site | 20.00 |
| Garold & Wilma Casper | Set-up Polling Site | 20.00 |
| Larry Cerny | Mile | 169.10 |
| County Assessor's Association of Nebr. | Dues | 50.00 |
| Crete Area Medical Center | Ser | 68.00 |
| The Daily Record | Ad | 263.30 |
| Douglas County Sheriff | Ser | 17.85 |
| Drummond American Corp. | Sup | 133.95 |

| | | |
|---|----------------------|------------|
| Eakes Office Plus | Sup | 614.39 |
| Earls Window Service | Ser | 4.00 |
| Farm & Home Publishers, LTD | Sup | 178.00 |
| Fillmore County Ag Society | Election Rent | 300.00 |
| Fillmore County Court | Ser | 742.25 |
| Fillmore County Treasurer | April Taxes transfer | 333,127.74 |
| Gambles | Sup | 14.24 |
| The Garbage Company | Ser | 117.25 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,584.78 |
| Geneva State Bank – Shickley | Election Rent | 35.00 |
| Geneva Super Foods | Sup | 22.47 |
| Germer, Murray, & Johnson, Atty. | Ser, Mile | 2,505.72 |
| Grafton Fire Hall | Election Rent | 35.00 |
| Hilty's of Geneva | Groceries | 404.51 |
| Holiday Inn – Midtown | Lodging, Meals | 317.10 |
| Hometown Leasing | Ser | 238.62 |
| Information Systems | Sup | 104.80 |
| Intab, Inc. | Sup | 74.32 |
| Jack's Uniforms & Equipment | Sup | 54.89 |
| JEO Consulting Group, Inc. | Ser | 935.00 |
| Jim's Repair | Rep | 29.75 |
| Kalkwarf & Smith Law Offices | Ser, Post, Sup | 2,918.23 |
| Steven Kraviec | Ser, Post | 1,632.17 |
| Letter Publications, Inc. | Subscription | 239.00 |
| Loup Valley Lighting, Inc. | Sup | 102.76 |
| Mel's Automotive | Rep | 10.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Mid – American Research Chemical Corp. | Sup | 346.70 |
| John Mueller | Set-up Polling Site | 20.00 |
| Nebraska National Bank | Ser | 187.59 |
| Nebraska Public Power District | Uti | 820.71 |
| Nebraska Sheriff's Association | Dues | 120.00 |
| Nebraska Supreme Court | Subscription | 350.00 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,125.58 |
| Amy Nelson | Sup, Mile | 43.81 |
| Mary Novak | Mile | 66.75 |
| Pierson, Fitchett, Hunzeker, Blake, & Katt, Atty. | Ser, Mile, Sup | 1,492.40 |
| Redfield & Company, Inc. | Sup | 161.75 |
| Rinder Printing Company | Sup | 42.69 |
| Saline County Sheriff Office | Boarding Prisoners | 1,755.00 |
| State of Nebraska Dept. of Admin. Services | Ser | 52.57 |
| Dale Stengel | Set-up Polling Site | 20.00 |
| Herb Stoldorf | Set-up Polling Site | 20.00 |
| Sunflower Marketing | Sup | 719.25 |
| Text & Data Technologies, Inc. | Sup | 850.00 |
| Brandy VanDeWalle | Mile | 89.89 |
| Village of Exeter | Election Rent | 35.00 |
| Village of Fairmont | Election Rent | 35.00 |
| Nancy Waldron, Atty. | Ser, Sup | 308.42 |
| ZCBJ Lodge | Election Rent | 35.00 |
| Payroll | Salaries | 36,038.63 |
| Election Workers Payroll | Salaries | 4,300.00 |
| | | |
| ROAD/BRIDGE FUND | | |
| Ace Agri Supply | Rep | 4.20 |
| Ameritas Life Insurance Corp | Ret | 1,513.10 |
| B & J Automotive | Parts | 128.00 |
| Casey's General Store | Fuel | 2,154.60 |
| Don's Signs | Signs | 576.50 |
| Dorchester Farmers Coop | Fuel, Parts | 19,634.45 |
| Farm Plan | Parts, Rep | 205.74 |
| Fillmore County Treasurer | Sup, Culverts | 30,719.54 |
| Gambles | Sup, Parts, Misc. | 248.86 |
| The Garbage Company | Ser | 56.47 |
| Geneva State Bank | SS | 1,738.36 |
| Grafton Mini Mart | Fuel | 92.43 |
| Grafton Oil | Fuel, Sup | 845.34 |
| Hilty's of Geneva | Sup | 27.05 |
| Lichti Oil | Fuel | 958.91 |
| Nebraska Iowa Industrial Fasteners | Sup | 335.50 |
| Nebraska Machinery | Parts, Rep | 9,936.60 |
| Nebraska Public Power | Uti | 172.50 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 111.63 |
| Overland Sand & Gravel | Gravel | 2,162.48 |

| | | |
|---|-----------------|-----------|
| Glen Petersen | Ser | 2,378.99 |
| Donna Saltzman | Ser | 25.00 |
| Speece Lewis Engineers | Ser | 7,398.53 |
| Village of Exeter | Uti | 15.00 |
| Payroll | Salaries | 23,907.91 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Radiology Associates, P.C. | Ser | 24.73 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | April Billing | 360.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 130.86 |
| Geneva State Bank | SS | 165.17 |
| Payroll | Salaries | 2,192.32 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Central Nebraska Refrigeration, Inc. | Equip, Ser, Sup | 24,078.50 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Corp | Ret | 75.73 |
| Geneva State Bank | SS | 85.83 |
| Payroll | Salaries | 1,121.95 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Alltel Communications | Uti | 1,062.44 |
| | | |

CLAIMS APPROVED

Kimbrough moved and Cerny seconded the motion to approve the claims as presented. 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.

FILLMORE COUNTY PUBLIC HEALTH BOARD

Simacek moved and Cerny seconded the motion to appoint the following as the Fillmore County Public Health Board: County Attorney, County Sheriff, County Clerk, Fillmore County Hospital Chief of Staff, P. R. Farmer, and Ray Capek until January 2007 and then the term would be for one year. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FILLMORE COUNTY HOSPITAL BOARD

Galusha moved and Capek seconded the motion to appoint Deborah Hoarty and Vicki Ozenbaugh to the Fillmore County Hospital Board for a six year term beginning on July 1, 2006 and ending June 30, 2012. 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.

FAIRMONT RURAL FIRE

Simacek moved and Kimbrough seconded the motion to approve the \$2,000.00 bond for George Thompson, Secretary and Treasurer for the Fairmont Rural Fire District beginning on June 30, 2006 and ending June 30, 2007. 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.

DISTRICT #12 PROBATION

John McCathy, Jr., District #12 Probation Officer submitted the budget request for 2006-2007, with no increase in the amount of \$2,633.61. Action on the request will be taken during the budget process later this summer.

CONTRACT WITH DEPARTMENT OF ECONOMIC DEVELOPMENT

Simacek moved and Kimbrough seconded the motion to approve and sign contract #05-ED-008 with the Department of Economic Development for the Community Development Block Grant for County Road G. Upon roll call the vote was as follows:

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

The Chairman declared the motion carried.

CONTRACT WITH SENDD

Dave Taladay, with Southeast Nebraska Development District (SEND) presented to the Board a contract to administer the Community Development Block Grant (CDBG).

Yates moved and Galusha seconded the motion to approve and sign the contract with SEND to administer the CDBG grant for a fee of \$5,000.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOND CLOSING DOCUMENTS

Kimbrough moved and Galusha seconded the motion to approve and sign the final closing documents for the \$400,000 bonds approved at the May 8th Board meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFETY MEETING TOPICS

Gerald Slezak reported to the Board that the Safety committee would like to have job descriptions from each department head and to request each employee to authorize a driver's record history to have in their personnel file. The Board would like each department head to have a descriptive job description for each position in their office by July 1st and the County Clerk will be getting all employees an authorization form to obtain a driver's record history.

COURTHOUSE TOURS

At the request of the Safety Committee, Cerny moved and Yates seconded the motion to not allow courthouse tours past the old jury room. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

INVESTIGATING TEAM

After discussion, Cerny moved and Kimbrough seconded the motion to appoint the following individuals to the investigating team: Gerald Slezak for a three year term, Terry Marshall for a two year term, Daryl Callenius for a one term beginning on June 1, 2006. Terri Volkmer will be an alternate and will replace the first individual going off their term. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

10 BEST SAFETY PRACTICES

At the request of the Safety Committee, Simacek moved and Yates seconded the motion to adopt the 10 Best Practices for Counties suggested by NIRMA. They are Adopt an effective safety manual, Establish a safety committee and conduct regular meetings, Investigate all incidents and events, Provide training to all employees, including supervisors, on a regular basis, Develop job descriptions for all positions, Provide pre-placement and post-placement physical exams, Conduct regular motor vehicle record checks on all employees, Inspect all workplace sites on a regular basis, Use appropriate safety equipment at all times, and Follow nationally-recognized Safety Standards as a guide. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADVANCED BIOENERGY SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak presented the plat for the Advanced BioEnergy Subdivision located in the NE ¼ and the SE ¼ of Section 36-8-3, West Blue Township.

Kimbrough moved and Simacek seconded the motion to approve the plat of the Advanced BioEnergy Subdivision with the proper signatures as follows:

A tract of land in the NW ¼, and the SE ¼ of Section 36, Township 8 North, Range 3 West of the 6th P. M., Fillmore County, Nebraska more particularly described as follows: commencing at the northwest corner of the NE ¼ of Section 36; thence north 89°59'48" east along the north line of the NE ¼ of Section 36 (Bearing assumed and all of the following bearings referenced therefrom) distance 86.00 feet to the easterly R.O.W. line of Fillmore Western Railroad and the point of beginning; thence continuing north 89°59'48" east along the north line of the NE ¼ distance 150.00 feet; thence south 00°17'32" east parallel to the easterly railroad R.O.W. line distance 2257.65 feet; thence north 89°59'48" east parallel to the north line of the NE ¼ of said Section 36 distance 953.90 feet; thence south 00°06'32" west parallel to the west line of the NE ¼ and the SE ¼ of Section 36 distance 3030.42 feet to the south line of the SE ¼ of Section 36; thence north 89°58'18" west along the south line of the SE ¼ of Section 36 distance 1082.67 feet to the easterly R.O.W. line of Fillmore Western Railroad; thence north 00°17'32" west along the easterly R.O.W. line of Fillmore Western Railroad distance 5287.51 feet to the point of beginning, containing 83.83 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the County Treasurer, Barbara Stephenson, Yates moved and Galusha seconded the motion to declare an emergency in order to add an item to the agenda, said item "Bankruptcy of 360 Networks/Pathnet". Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BANKRUPTCY OF 360 NETWORK/PATHNET

County Treasurer informed the Board that she had received a request to accept 40% of back taxes from a bankruptcy representative for 360 Network/Pathnet.

After discussion, Yates moved and Cerny seconded the motion to authorize the County Treasurer to accept the bankruptcy settlement of 40% to pay a portion of the back taxes with 360 Network/Pathnet. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERAL ASSISTANCE

After discussion the Board decided to appoint Larry Cerny, Dennis Kimbrough, Ray Capek, and Amy Nelson to the General Assistance committee. This committee will meet and review the general assistance guidelines and report back to the Board for approval at the June 27th Board meeting.

CONFERENCE ROOM HEATING & A/C

Elmer Hessheimer presented to the Board two proposals for heating and air conditioning in the conference room of the County Shop. The two proposals were from Schelkopf, Inc. for "Lennox" furnace and heat pump for \$15,895.00 and Kelch Plumbing, Heating & Refrigeration, Inc. for a "Tempstar" furnace and heat pump for \$14,599.00.

After discussion, Cerny moved and Yates seconded the motion to accept the proposal from Kelch Plumbing, Heating & Refrigeration, Inc. for \$14,599.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items "Telephone & DSL service, e-mail, and bill from Charles Dondlinger" were tabled until a future Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. June 13, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., June 13, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. Cerny was absent from 9:45 a.m. to 11:50 a.m. and Mueller and Cerny left at 12:20 p.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by posting in eight different locations and by broadcasting on radio station KAWL. All proceedings hereinafter shown were taken while the convened meeting was open to the public. The meeting adjourned at 12:35 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

FEE REPORTS

Galusha moved and Simacek seconded the motion to approve the following fee reports for May 2006:

County Clerk: \$6,133.66 (State \$3,213.05 & County \$2,920.61)
Clerk of District Court: \$638.26
Sheriff: \$1,071.96

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.

BLUE VALLEY COMMUNITY ACTION

Richard Nation, Chief Executive Officer and Sandi Danskin presented the annual report and budget request for 2006-2007. The budget request for the County increased to \$3,714.00 or \$143.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

INTERLOCAL AGREEMENT WITH BLUE VALLEY COMMUNITY ACTION

Richard Nation also presented to the Board the renewal of an interlocal agreement to provide and maintain a certain basic level of public services for their residents, especially in the areas of human services, health, housing, community development, emergency services, safety and other community improvements along with Butler, Gage, Jefferson, Polk, Saline, Seward, Thayer, and York Counties.

Cerny moved and Kimbrough seconded the motion to approve and sign the interlocal agreement with Blue Valley Community Action. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Kimbrough moved and Yates seconded the motion to approve the following applications for a driveway permit:

Mildred Fischer – install a new 40' driveway on the east side of the SE ¼, Section 18-5-4, Bryant Township;
Doris Poch – install a new 30' driveway on the west side of the SW ¼, Section 7-6-1, Glengary 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

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

Kevin Postier – to bury electrical line between the NW ¼, Section 20-5-1 and the SW ¼, Section 17-5-1, Franklin Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Alltel – bury communications cable between Sections 23 and 24-7-3, Geneva Township. Alltel agrees to restore the public roads where they will be working to the same condition as they were prior to their work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

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.

BILL FROM CHARLES DONDLINGER

After discussion, Kimbrough moved and Galusha seconded the motion to pay Charles Dondlinger \$593.00, which is half of his original bill for repairing underground wire that was cut when cleaning out the ditch. Upon roll call, the vote was as follows:

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

The chairman declared the motion carried.

HIGHWAY 81 COURTHOUSE SIGN

After discussion, Simacek moved and Kimbrough seconded the motion to approve paying \$200.00, which is a 1/3 of the rent on the Courthouse sign located north of Hebron on Hwy. 81. The Tourism Committee and the Geneva Chamber of Commerce have also agreed to pay a 1/3 of the rent. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING COMMISSION BOARD

Yates moved and Galusha seconded the motion to appoint Matt Harre to the Planning Commission board for the term of June 13, 2006 until June 30, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

E-MAIL AND WEB SITE HOSTING

After discussion, Yates moved and Capek seconded the motion to have MIPS, Inc. host our web site and to support our e-mails. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SALARY COMMITTEE

Simacek moved and Yates seconded the motion to appoint Dennis Kimbrough, Jerry Galusha, and Ray Capek to the 2006-2007 salary committee. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BLUE CROSS/BLUE SHIELD

Amy Nelson, County Clerk reported to the Board that the Blue Cross/Blue Shield Insurance rates went up 4%, effective July 1, 2006 to June 30, 2007.

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 – uniforms, Uti – utilities, Wksh – workshop expense.

| <u>GENERAL FUND</u> | | |
|-------------------------------|--|------------|
| Howard Ach, Atty | Rent, Post, Sup, Copies, Mile, Meals, Wksh | \$3,385.75 |
| Joan Ackland | Mile, Meal | 69.02 |
| Alltel | Uti | 368.37 |
| Alltel | Uti | 49.37 |
| Ameritas Life Insurance Corp. | Ret | 4,347.10 |
| Jon Anderson | Uni, Misc | 51.94 |

| | | |
|---|-------------------------------------|-----------|
| Aquila | Uti | 66.20 |
| Aramark Uniform Services, Inc. | Ser | 263.45 |
| Auto Value Parts Stores | Sup | 3.38 |
| Axis Capital, Inc. | Ser | 243.32 |
| Nicole Avis | Meals | 19.90 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,036.15 |
| William L. Burgess | Uni, Meals, Mile | 71.05 |
| Buzz's Alignment | Rep | 60.00 |
| Daryl L. Callenius | Uni, Meals, Post | 48.11 |
| Chaney Chemical, Inc. | Sup | 19.75 |
| Marilyn Christianity | Ret | 25.00 |
| City of Geneva | Uti | 127.10 |
| City of Geneva | Rent | 440.00 |
| Jill R. Cunningham | Mile | 195.80 |
| DAS Communications | Ser | 448.00 |
| Dell Marketing, L. P. | Equip | 639.11 |
| Des Moines Stamp | Sup | 89.40 |
| Duckwall – Alco Stores, Inc. | Sup | 72.28 |
| Eakes Office Plus | Equip, Sup | 3,044.79 |
| Earls Window Service | Ser | 4.00 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Election Systems & Software | Sup, Ser | 3,629.88 |
| Evercom | Sup | 75.50 |
| Executive Copier Services | Ser | 78.65 |
| F & S Supply Co., Inc. | Sup | 261.00 |
| Fillmore County Clerk of District Court | Fees | 1,500.00 |
| Fillmore County Court | Ser | 793.30 |
| Fillmore County Development Corp. | 4 th Qtr. Budget Request | 10,000.00 |
| Fillmore County Treasurer | Post, Wksh, Misc., Ser, Sup | 2,495.31 |
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Fort Dearborn Life Insurance Co. | Insur | 190.57 |
| Fountaine Microfilming | Ser | 400.00 |
| The Garbage Co. | Ser | 117.25 |
| Geneva State Bank | SS | 5,337.12 |
| Geneva TV & Appliance, Inc. | Sup | 6.00 |
| Norma Gregory | Ret | 25.00 |
| Hometown Leasing | Ser | 304.72 |
| Steve Julich | Uni | 35.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup | 2,875.62 |
| Kerry's Auto Repair & Service | Rep | 40.13 |
| Knoche Appraisal & Consulting, LLC | Ser | 1,140.00 |
| Stephen Kraviec, Atty | Ser, Post | 1,636.01 |
| Lab Safety Supply | Sup | 128.23 |
| Gary Latimer | Ser | 624.00 |
| Lease Consultants Corp. | Ser | 249.00 |
| Loup Valley Lighting, Inc. | Sup | 716.40 |
| Ann McDonald | Ret | 18.00 |
| Maximus, Inc. | Ser | 1,294.78 |
| MIPS, Inc. | Ser | 1,910.55 |
| Moses Motor Company, Inc. | Sup | 80.61 |
| Richard Mueller/Tom Biegert | Rent | 625.00 |
| Naomi Mussman | Mile, Meals | 160.21 |
| Nebraska County Attorneys Assoc. | Dues, Wksh | 756.50 |
| Nebraska Fire Sprinkler Corp. | Ser | 423.00 |
| The Nebraska Signal | Ads, Pro, Ballots, Sup | 14,268.59 |
| Amy Nelson | Mile | 67.20 |
| Nelson Petroleum Co. | Fuel | 672.25 |
| O'Keefe Elevator Co., Inc. | Ser | 190.65 |
| Omaha World-Herald | Subscription | 182.00 |
| PC Nuts | Ser, Sup | 531.50 |
| Protex Central, Inc. | Ser | 729.60 |
| R & D Parts, LLC | Sup | 21.26 |
| Ralph's Geneva Tire Co. | Rep, Tires | 862.26 |
| Redfield & Company, Inc. | Sup | 188.54 |
| Steven G. Roemmich | Uni | 35.00 |
| Patty Scarborough | Mile | 7.12 |
| State of Nebraska DAS/Surplus Property Div. | Sup | 10.00 |
| Barbara L. Stephenson | Sup | 19.73 |
| Chad Summers | Uni | 35.00 |
| UN-L IS-Telecommunications | Uti | 29.26 |
| USDA, APHIS | Ser | 1513.00 |
| Weaver Pharmacy | Sup | 4.98 |
| Daniel L. Werner, P.C., LLO | Ser | 460.85 |
| Eric Williams | Lodging | 80.39 |
| Wingate Inn | Lodging | 191.85 |

| | | |
|--|--|-----------|
| York County Sheriff | Ser | 16.00 |
| Payroll | Salaries (2 pay periods) | 74,269.02 |
| | | |
| ROAD/BRIDGE FUND | | |
| Action Auto Supply | Sup | 6.91 |
| All Road Barricades, Inc. | Sup | 53.95 |
| Alltel | Uti | 84.52 |
| Ameritas Life Insurance Corp | Ret | 3,045.83 |
| Aquila | Uti | 97.68 |
| Auto Value Parts Stores | Rep, Sup | 297.27 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,612.69 |
| Business World Products | Sup | 29.25 |
| Capitol City Telephone | Equip | 688.00 |
| Casey's General Store | Fuel | 2,479.48 |
| Caspers Construction | Ser, Building | 19,932.00 |
| Century Lumber Center | Sup | 118.21 |
| City of Geneva | Uti | 310.30 |
| Conoco Phillips Fleet | Fuel | 3.00 |
| Dollar General | Sup | 15.50 |
| Dorchester Farmers Coop | Fuel | 3,245.42 |
| Fillmore County Hospital | Ser | 30.00 |
| Fort Dearborn Life Insurance Co. | Insur | 130.24 |
| The Garbage Company | Ser | 56.47 |
| Geneva Implement | Parts | 115.85 |
| Geneva State Bank | SS | 3,559.08 |
| Geneva Welding | Sup | 30.82 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel, Sup | 1,981.71 |
| Hilty's of Geneva | Sup | 67.75 |
| Donovan Jirkovsky | Ret | 25.00 |
| L. J. Webb Contractor, Inc. | Ser, Culverts | 97,201.53 |
| Lichti Oil | Fuel | 2,180.34 |
| Logan Contractors Supply, Inc. | Equip | 7,189.50 |
| Marlborough | Sup | 22.00 |
| Mid-Land Equipment Co. | Parts, Sup | 50.25 |
| Moses Motor Company, Inc. | Rep | 4.02 |
| Nebraska Iowa Industrial Fasteners | Sup | 62.80 |
| Nebraska Machinery | Parts | 366.54 |
| Nebraska Tech & Telecommunications, inc. | Uti | 120.66 |
| Nelson Petroleum Company | Fuel, Parts | 4,060.72 |
| Nichols Construction | Gravel | 98,242.66 |
| Nick's Farm Store | Rep | 52.51 |
| Overland Sand & Gravel | Gravel | 3,469.62 |
| Perennial Public Power | Uti | 57.92 |
| Platte Valley Communications | Misc | 79.80 |
| Plymouth Electric | Rep | 442.50 |
| Power Plan | Parts | 393.13 |
| R & D Parts, LLC | Parts, Sup | 25.43 |
| Ralph's Geneva Tire & Service | Rep, Tires | 694.89 |
| Superior Deshler, Inc. | Fuel | 99.25 |
| Texaco / Shell | Fuel | 121.46 |
| Tie Yard of Omaha | Gravel | 1,570.17 |
| USIS Commercial Services | Ser | 89.70 |
| Village of Exeter | Uti | 16.00 |
| Village of Fairmont | Uti | 15.21 |
| Weaver Pharmacy | Misc | 14.32 |
| Payroll | Salaries (2 pay periods) | 48,892.90 |
| | | |
| MEDICAL/RELIEF FUND | | |
| Bryan LGH Heart Institute | Ser | 317.56 |
| Radiology Associates PC | Ser | 152.16 |
| York Medical Clinic | Ser | 133.97 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp | Ret | 253.90 |
| Janet Bartak | Mile | 189.13 |
| Blue Cross/Blue Shield of Nebraska | Insur | 912.42 |
| CIMA | Insur | 1,123.60 |
| Dawg's Smokehouse Café | HDM's | 215.00 |
| Judy Dondlinger | Ser | 240.00 |
| Exeter Care Center | HDM's | 423.50 |
| Exeter Golden Agers | Sup, March USDA, 4 th Qtr. Adv. | 296.80 |
| Fairmont Aging Services | March USDA, 4 th Qtr. Adv. | 1,775.39 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva Senior Center | | 3,021.65 |

| | | |
|--|---|-----------|
| | Sup, Rent, March USDA, Uti, 4 th Qtr. Adv. | |
| Geneva State Bank | SS | 320.84 |
| Susan Kerl | Ser | 156.00 |
| Nancy Kohler | Mile, Post | 132.97 |
| Elizabeth Mattox Manning | Ser | 156.00 |
| Nebraska Signal | Ad | 18.90 |
| Ron's Tavern | HDM's | 276.00 |
| Rhonda Stokebrand | Mile | 81.66 |
| JoAnn Vavra | Ser | 156.00 |
| Youth Rehabilitation & Treatment Center | Pool Rent | 150.00 |
| Payroll | Salaries (2 pay periods) | 4,260.65 |
| | | |
| <u>DEQ – TIRE CLEAN-UP GRAND FUND</u> | | |
| Butler County Landfill, Inc. | Ser | 3,152.52 |
| FMZ Association | Ser | 143.00 |
| Fillmore County Treasurer | Transfer | 1,600.00 |
| The Nebraska Signal | Ad | 37.80 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Fillmore County Treasurer | Transfer | 10,000.00 |
| | | |
| <u>ETHANOL ROAD BOND FUND</u> | | |
| Gillmore & Bell, Atty | Ser | 4,643.80 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ace Agri Supply | Parts | 272.71 |
| Action Auto Supply | Parts | 10.00 |
| Alltel | Uti | 39.24 |
| Ameritas Life Insurance Co. | Ret | 151.46 |
| Blue Cross/Blue Shield of Nebraska | Insur | 456.46 |
| Brothers Equipment, Inc. | Parts | 381.00 |
| Conoco Phillips Fleet | Fuel | 334.68 |
| Merlin Ehmen | Rent | 220.00 |
| Ekeler Repair | Parts, Rep | 339.16 |
| Fillmore County Treasurer | Repay Loan | 5,000.00 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 325.97 |
| Grafton Mini Mart | Fuel | 1,047.55 |
| Payroll | Salaries (2 pay periods) | 4,261.17 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Alltel | Uti | 1,062.44 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

JUVENILE DIVERSION PROGRAM

Dave Wythers presented his budget request for 2006-2007 to the Board. The budget request for the County decreased to \$25,545.00 or \$7,520.00 less than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

RELEASE OF SECURITIES

The following resolution was introduced by Kimbrough and seconded by Simacek:

RESOLUTION 2006-21

RESOLVED, that the Geneva State Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Federal Home Loan Bank to-wit:

Letter of Credit Agreement #9149 for \$2,400,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

SUBSTITUTE SECURITIES

The following resolution was introduced by Capek and seconded by Yates:

RESOLUTION 2006-22

RESOLVED, that Cornerstone Bank of Geneva, Nebraska be permitted to substitute the following security held by the U. S. Bank, Trustee:

CUSIP # 018708DY0 Alliance Water Rev. in the amount of \$100,000.00

and that the following security be substituted:

CUSIP # 259282T92 Douglas County Sanitary in the amount of \$85,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

REGION V SERVICES AND REGION V SYSTEMS

Dave Merrill from Region V Services presented the annual report and his 2006-2007 budget request to the Board. Budget request will remain the same as last year. Action on the request will be taken during the budget process later this summer.

C. J. Johnson from Region V Systems presented the annual report and the 2006-2007 budget request to the Board. The budget request for the County increased to \$10,494.00 or \$306.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

BUDGET HEARING

The public hearing on the proposed amendment to the budget for 2005-2006 was opened at 11:06 a.m. and held open until 11:30 a.m. The purpose of this hearing was to add a fund for the Ethanol Plant Road Bond Fund. No one appeared to testify either for or against the proposal.

COURTHOUSE RENOVATION LAWSUIT

Howard Ach, Deputy County Attorney informed the Board that William Nelson, Attorney would be drawing up papers to file a lawsuit in regards to the failed chiller.

CHILD SUPPORT

Howard Ach, Deputy County Attorney informed the Board that the County Attorney's office would be willing to handle the Child Support cases for an additional \$17,000.00 a year. This would be a reduction from our current Child Support Attorney agreement of \$19,495.00.

CHILD SUPPORT AGREEMENT

Mary Saum, Clerk of the District Court presented the cooperative agreement for Child Support Enforcement.

Simacek moved and Galusha seconded the motion to approve and sign the cooperative agreement for Child Support Enforcement. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADOPT AMENDED BUDGET

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

RESOLUTION 2006-23

RESOLVED, that the amendment to the 2005-2006 budget for Fillmore County, as advertised and heard at the public hearing held June 13, 2006, be approved, and the 2005-2006 budget for Fillmore County is hereby amended to reflect the changes as advertised and adopted. Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BOARD OF EQUALIZATION

At the request of the County Treasurer, Simacek moved and Capek seconded the motion to go into session as the Fillmore County Board of Equalization at 11:32 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Wells Camp Jefferson C/O Grace Lutheran Church for exemption from motor vehicle fees.

Yates moved and Galusha seconded the motion to approve the application from Wells Camp Jefferson C/O Grace Lutheran Church for exemption from motor vehicle fees on a 2001 Trailer. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Blue Valley Community Action for exemption from motor vehicle fees.

Kimbrough moved and Capek seconded the motion to approve the application from Blue Valley Community Action for exemption from motor vehicle fees on a 1996 Ford Taurus GL Station Wagon, 2004 Chevrolet Venture Sport Van, and a 2002 Ford Econoline Wagon Bus. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Capek moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 11:35 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RESCIND MOTION FOR BANKRUPTCY OF 360 NETWORK/PATHNET

County Treasurer, Barbara Stephenson informed the Board that after talking to Lancaster County Attorney, that the Board is not the only taxing authority, so the Board couldn't accept the offer from the bankruptcy representative of 40% for back taxes from 360 Network/Pathnet.

After discussion, Yates moved and Kimbrough seconded the motion to rescind the motion from the May 23, 2006 Board meeting of accepting 40% back taxes from a bankruptcy representative for 360 Network/Pathnet. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COURTHOUSE TOURS

Marilyn Christiancy asked the Board if there could be courthouse tours on July 3rd and 4th. The Board said that would be fine.

ADJOURNMENT

As there were no other items to come before the Board, the Vice-Chairman declared the meeting adjourned until 9:00 a.m., June 27, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., June 27, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of publication is on file in the County Clerk’s office. All proceedings hereinafter shown were taken while the convened meeting as open to the public. The meeting adjourned at 3:04 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

REPORTS

The May 2006 reports for the Fillmore County Rural Transit and minutes of the Fillmore County Hospital Governing Board were reviewed and ordered placed on file in the Clerk’s office.

The following is a synopsis of the May minutes of the Fillmore County Hospital Governing Board:

The Fillmore County Hospital Governing Board met on May 18, 2006 in the conference room at the hospital at 12:00 noon with Chairman Kotas presiding. Members present were Nelson, Johnson, Marget, and Eichelberger. CFO Kudlacek was also present.

The minutes of the April meeting were accepted as presented.

The hospital data and financial reports, and check register were presented. After discussion, it was moved and seconded to accept the reports as presented. Carried 4-0.

Totals of the specialty clinic for April 2006 are 329 compared to 297 in April 2005. Year to date totals for 2006 were 1,294 compared to 1, 125 for 2005.

Discussion was held on the cost and plans for upgrading the computers and computer system. It was moved and seconded to begin the process for the upgrade. Carried 4-0.

As there was no further business to come before the Board, it was moved and seconded that the meeting adjourn until June 15, 2006 in the hospital conference room.

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 | | |
|-------------------------------|---------------------------|------------|
| Joan Ackland | Meals | \$8.43 |
| Alltel | Uti, Ser | 3,764.23 |
| Alltel (Cell) | Uti | 445.97 |
| Ameritas Life Insurance Corp. | Ret | 2,181.57 |
| Larry Biester | Mile, Mtgs | 38.90 |
| Thomas Boyer | Mile, Mtgs | 23.01 |
| Busses Food Center | Sup | 380.46 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Clements Associates, Inc. | Ser | 332.79 |
| Conoco Phillips Fleet | Fuel | 1,382.11 |
| Cornhusker State Industries | Equip | 450.00 |
| Jill R. Cunningham | Mile | 32.04 |
| Duckwall | Sup | 70.21 |
| Robert Dumpert | Mile, Mtgs | 85.05 |
| Eakes Office Plus | Sup | 424.20 |
| Sharon Elznic | Mile, Mtgs | 88.48 |
| Evercom | Sup | 157.02 |
| Farm & Home Publishers, LTD | Sup | 1,194.00 |
| Fillmore County Sheriff | Sup, Ser | 657.24 |
| Fillmore County Treasurer | Post, Wksh, Transfer, Sup | 295,985.05 |
| Galls – Aramark Company | Sup | 23.98 |
| Gambles | Sup | 117.61 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,899.19 |
| Geneva TV & Appliance, Inc. | Rep | 31.49 |
| Norma Gregory | Ret | 25.00 |
| Matt Harre | Mile, Mtgs | 29.24 |
| Hilty’s Of Geneva | Sup | 335.59 |
| Hometown Leasing | Ser | 238.62 |
| Howard Johnson | Mile | 13.35 |

| | | |
|--|----------------------|-----------|
| Ralph Kassik | Mile, Mtgs | 100.46 |
| Kerry's Auto Repair & Service | Rep, Sup | 134.25 |
| Dennis Kimbrough | Mile | 98.80 |
| Richard Kleinschmidt | Mile | 29.12 |
| Knoche Appraisal & Consulting, LLC | Ser | 5,165.00 |
| Jim Kotas | Mile | 69.42 |
| Gary Kudlacek | Mile | 13.35 |
| Galen Kuska | Mile | 21.36 |
| William Leif | Mile | 63.72 |
| Harold Long | Mile | 34.60 |
| Madison County Sheriff | Boarding Prisoner | 750.00 |
| Thomas Manning | Mile, Mtgs | 46.02 |
| Annette Marget | Mile | 35.60 |
| Ann H. McDonald | Ret | 18.00 |
| Mel's Automotive, Inc. | Rep | 71.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Morley Most | Mile, Mtgs | 85.05 |
| Naber's Repair Service | Rep, Sup | 432.20 |
| Nebraska Assoc. of County Extension Boards | Dues | 100.00 |
| Nebraska Public Power Dist. | Uti | 1,206.94 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,177.78 |
| Galen Niederklein | Mile | 67.64 |
| Reg Noel | Mile, Mtgs | 82.38 |
| Mary Novak | Mile | 66.75 |
| Omaha Wholesale Hardware | Sup | 80.80 |
| PC Nuts | Equip | 220.00 |
| Platte Valley Communications | Sup, Equip | 1,005.45 |
| Platte Valley Comm. of Hastings | Sup, Ser | 2,333.01 |
| Platte Valley Comm. of Hastings | Equip | 261.25 |
| Postmaster | Rent | 804.00 |
| Mary L. Saum | Mile | 315.07 |
| State of Nebraska Dept. of Admin. Services | Ser | 58.11 |
| Jan Stoldorf | Mile | 18.69 |
| Brandy VanDeWalle | Mile, Lodging | 156.51 |
| Terri Volkmer | Mile | 50.00 |
| Mary Lu Vossler | Mile | 10.68 |
| Daniel L. Werner, PC, LLO | Ser, Sup | 129.50 |
| Barb Whitley | Mile | 67.64 |
| Eric Williams | Meal, Lodging | 785.52 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| York County Sheriff | Boarding Prisoner | 110.00 |
| Payroll | Salaries | 40,148.61 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 1,534.14 |
| Dorchester Farmers Coop | Fuel | 4,016.60 |
| Farm Plan | Parts | 135.52 |
| Fillmore County Shop | Post, Misc | 28.24 |
| Gambles | Parts, Sup, Rental | 97.41 |
| Geneva State Bank | SS | 1,829.93 |
| Ralph Gould | Ret | 18.00 |
| Grafton Mini Mart | Fuel | 90.71 |
| Grafton Oil | Fuel | 1,068.00 |
| Donovan Jirkovsky | Ret | 25.00 |
| Kelch Plumbing, Heating & Refrig. | Equip, Ser | 13,071.00 |
| L. J. Webb Contractor, Inc. | Box Culvert | 26,192.25 |
| Lichti Oil | Fuel | 2,540.42 |
| Nebraska Public Power | Uti | 195.28 |
| Nebraska Truck & Equipment | Parts | 49.86 |
| Nelson Petroleum Company | Fuel | 1,187.51 |
| Nichols Construction | Gravel | 15,812.99 |
| Overland Sand & Gravel | Gravel | 1,325.63 |
| Perennial Public Power | Uti | 31.36 |
| Postmaster | Post | 132.00 |
| Ramada Inn | Lodging | 165.00 |
| Speece Lewis Engineers | Ser | 25,241.37 |
| Payroll | Salaries | 25,105.09 |
| | | |
| <u>JUVENILE DIVERSION FUND</u> | | |
| Dave Wythers | Ser, Mile, Post, Uti | 4,613.40 |
| | | |
| <u>ECONOMIC DEV/TOURISM FUND</u> | | |
| Revitalize Geneva Promotion Co. | Ad | 250.00 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| | | |

| | | |
|---|---------------------------|------------|
| Associated Anesthesiologists, PC | Ser | 146.50 |
| Urology, PC | Ser | 138.72 |
| Weaver Pharmacy | Sup | 722.42 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | May Billing | 378.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp | Ret | 127.82 |
| Exeter Golden Agers | April USDA | 39.33 |
| Fairmont Aging Services | April USDA | 138.51 |
| Fillmore County Treasurer | Post | 195.00 |
| Geneva Senior Center | April USDA | 545.49 |
| Geneva State Bank | SS | 161.40 |
| Payroll | Salaries | 2,143.02 |
| | | |
| <u>DEQ – TIRE CLEAN UP FUND</u> | | |
| Butler County Landfill, Inc. | Ser | 1,054.55 |
| Fillmore County Treasurer | Repay Loan | 4,387.86 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Andrew's Electric Co., Inc. | Rep, Ser, Sup | 6,221.00 |
| Fillmore County Treasurer | Transfers | 169,987.87 |
| | | |
| <u>COURTHOUSE BOND FUND</u> | | |
| Fillmore County Treasurer | Repay Loan | 5,000.00 |
| | | |
| <u>ETHANOL ROAD BOND FUND</u> | | |
| Constructors, Inc. | Road G | 344,531.88 |
| | | |
| <u>HOSPITAL OPERATING FUND</u> | | |
| Fillmore County Hospital | Taxes Dec. '05 to May '06 | 63,205.70 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 75.73 |
| Geneva State Bank | SS | 374.47 |
| Payroll | Salaries | 4,893.86 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Yates moved and Galusha seconded the motion to approve the following applications for a driveway permit:

- Dennis Kimbrough – install a new 40’ driveway on the south side of the SE ¼, Section 14-6-3, Stanton Township;
- Kurt & Kent Myers – extend existing driveway north to the ½ mile line on the west side of the NW ¼, Section 29-6-2, Chelsea Township;
- Paul Mumm – widen existing driveway to 40’ on the north side of the NW ¼, Section 26-6-3, Stanton Township;
- Richard Reeb – widen existing driveway to 40’ on the west side of the NW ¼, Section 24-5-4, Bryant Township;
- Perennial Public Power District – install a new 30’ driveway on the east side of the SE ¼, Section 6-6-1, Glengary Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DITCH CLEANING PERMITS

Kimbrough moved and Cerny seconded the motion to approve the following applications for a permit to clean silt from a road ditch:

Jess Schropfer – to clean silt from the road ditch adjoining the east side of the SE ¼, Section 15-5-1, Franklin Township;
Perennial Public Power District – to clean silt from the road ditch adjoining the east side of the SE ¼, Section 6-6-1, Glengary Township.

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.

OCCUPY COUNTY RIGHT-OF-WAY

Galusha moved and Simacek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Mike Walters – to bury irrigation line between the SW ¼, Section 27-6-4 and the NW ¼, Section 34-6-4, Momence Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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: Yates, Simacek, Kimbrough, Cerny, Mueller, Galusha, and Capek
Nays: None

The Chairman declared the motion carried.

NATURAL DRAINAGE AREA

After discussion, Simacek moved and Cerny seconded the motion to have the County Attorney write a letter to William Schultz landowner of the W ½ of the SE ¼, Section 3-8-2, Fairmont Township to inform him that it is the landowner’s responsibility to clean out the natural drainage area. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SPEED ZONE

Elmer Hessheimer, Highway Superintendent informed the Board that the Village of Exeter would like the County to install a speed zone sign on the south side of Exeter in accordance with Ordinance #543.

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

RESOLUTION 2006-27

In accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended, and

WHEREAS, it is in the best interest of Fillmore County, Nebraska, to establish and maintain proper consistent highway signing in conformity with said manual,

The Fillmore County Highway Department therefore requests formal approval to place, erect, and maintain traffic control devices on Fillmore County Roads at the following locations:

| <u>TYPE OF DEVICE</u> | <u>LOCATION</u> |
|------------------------|---|
| 25 mph SPEED ZONE sign | On a portion of Road 21 (East Boundary Ave.) located south of Hwy. 6 to the south edge of Village limits. |

NOW THEREFORE, Be It Resolved by the Fillmore County Board of Supervisors that this resolution is approved this 27th day of June, 2006.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

LINCOLN AREA AGENCY ON AGING

June Pederson, Director and Denise Boyd presented the annual report and budget request for 2006-2007. The budget request for the County increased to \$8,041.00 or \$864.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

SENIOR SERVICES

Nancy Kohler presented the budget request for the Senior Services for 2006-2007. The budget request for the County increased to \$114,720.00 or \$13,364.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

PANDEMIC FLU PRESENTATION

E. J. Schumaker, Public Health Solutions gave a presentation on the Pandemic Flu. Present for the presentation were: Teri Gemar, Joan Ackland, Jill Cunningham, Terry Marshall, Bill Burgess, Elmer Hessheimer, Delton Myers, Bob Higel, Carolyn Ackermann, Rod Norrie, Barb Whitley, Amy Nelson, and all Board members.

SALARY COMMITTEE

After discussion Kimbrough moved and Galusha seconded the motion to approve a \$.25 salary increase for all hourly employees at the discretion of the Department Head. The Highway Superintendent, Senior Services Director, Emergency Manager, Deputy Civil Defense, Veteran's Service Officer, Weed Supervisor and the Custodian/Groundskeeper salaries will be set by the Board. All salary increases are to be included in each office budget and held at a zero percent increase in each office overall budget. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HIGHWAY SUPERINTENDENT SALARY

After discussion, Galusha moved and Simacek seconded the motion to keep the Highway Superintendent's salary at the same as last year with no increase. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BUDGET HEARING

The public hearing on the proposed amendment to the budget for 2005-2006 was opened at 1:00 p.m. and held open until 1:25 p.m. The purpose of this hearing was to amend the Noxious Weed Fund. No one appeared to testify either for or against the proposal.

DEPUTY CIVIL DEFENSE SALARY

After discussion, Yates moved and Kimbrough seconded the motion to have no change in salary for the Deputy Civil Defense. 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.

SENIOR SERVICES DIRECTOR SALARY

After discussion, Cerny moved and Yates seconded the motion to increase the Senior Services Director's salary by \$1.07 an hour. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY MANAGER SALARY

After discussion, Yates moved and Capek seconded the motion to increase the Emergency Manager's salary by \$499.60 a year. 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.

VETERAN'S SERVICE OFFICER SALARY

After discussion, Kimbrough moved and Simacek seconded the motion to increase the Veteran's Service Officer's salary by \$.24 an hour. 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.

CUSTODIAN/GROUNDSKEEPER SALARY

After discussion, Yates moved and Simacek seconded the motion to increase the Custodian/Groundskeeper salary by \$.70 an hour. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WEED SUPERVISOR SALARY

After discussion, Yates moved and Galusha seconded the motion to increase the Weed Supervisor's salary by \$.25 an hour. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CHILD SUPPORT CONTRACT

Stephen Kraviec discussed the contract with the Board.

After discussion, Cerny moved and Galusha seconded the motion to approve and sign the contract with Stephen J. Kraviec to be the "Authorized Attorney" for Child Support for a yearly fee of \$19,495.00. Contract begins July 1, 2006 and ends June 30, 2007. 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.

PLANNING COMMISSION BOARD

Kimbrough moved and Galusha seconded the motion to appoint Ken Real to the Planning Commission board for the term of July 1, 2006 until June 30, 2009. 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.

EMERGENCY PROTECTIVE CUSTODY CONTRACT

Simacek moved and Yates seconded the motion to approve the contract with Region V Systems to provide emergency protective care services to residents of the geographical area. The contract begins July 1, 2006 and ends June 30, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADOPT AMENDED BUDGET

Capek moved and Galusha seconded the introduction of the following resolution:

RESOLUTION 2006-24

RESOLVED, that the amendment to the 2005-2006 budget for Fillmore County, as advertised and heard at the public hearing held June 27, 2006, be approved, and the 2005-2006 budget for Fillmore County is hereby amended to reflect the changes as advertised and adopted. Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the County Clerk, Amy Nelson, Simacek moved and Galusha seconded the motion to declare an emergency in order to add an item to the agenda, said item "Deficit Appropriation – County Extension". 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.

DEFICIT APPROPRIATION

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

RESOLUTION 2006-26

WHEREAS, all of the funds in the 2005-2006 budget for the County Extension has been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2005-2006 budget year,

NOW THEREFORE, Be it Resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$112.00 be appropriated to the County Extension budget from the unused funds in the Miscellaneous account of the General Fund Budget for 2005-2006 of said County.

Upon roll call, the vote was as follows:

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

Nays: None Absent: Galusha

The Chairman declared the resolution adopted.

DEFICIT APPROPRIATION

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

RESOLUTION 2006-25

WHEREAS, all of the funds in the 2005-2006 budget for the Jail has been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2005-2006 budget year,

NOW THEREFORE, Be it Resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$20,610.00 be appropriated to the Jail budget from the unused funds in the Miscellaneous account of the General Fund Budget for 2005-2006 of said County.

Upon roll call, the vote was as follows:

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

Nays: None Absent: Galusha

The Chairman declared the resolution adopted.

PUBLIC DEFENDER CONTRACT

Simacek moved and Yates seconded the motion to approve and sign the contract with Kalkwarf and Smith Law Offices, LLC for public defender services. Contract will begin July 1, 2006 and end on June 30, 2008. Upon roll call, the vote was as follows:

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

Nays: None Absent: Galusha

The Chairman declared the motion carried.

ADDING SECURITIES

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

RESOLUTION 2006-28

RESOLVED, that the Cornerstone Bank of Geneva, Nebraska, be allowed to add the following security held by U. S. Bank to-wit:

CUSIP 661666CM7 North Platte NE SWR in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

BOARD OF EQUALIZATION

At the request of the Fillmore County Assessor, Capek moved and Yates seconded the motion to go into session as the Fillmore County Board of Equalization at 1: 35 p.m. 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.

VALUATION CHANGES

After discussion, Cerny moved and Kimbrough seconded the motion to approve the list of valuation changes that didn't get completed prior to the abstract deadline. A complete list was ordered to be filed in the County Clerk's office. 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.

TAX CORRECTIONS

After discussion, Simacek moved and Capek seconded the motion to approve Tax Corrections #17-05, 18-05, 19-05, 20-05, and 21-05 as presented by the County Assessor. 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.

RETURN TO REGULAR SESSION

Yates moved and Kimbrough seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 1:37 p.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.

USDA WILDLIFE SERVICES

Spencer Nelson with USDA Wildlife presented his annual report and budget request for 2006-2007. The budget request for the County increased to \$6,355.00 or \$303.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

Spencer presented an annual contract to provide for protection of agricultural interests, other private and public property, and human health and safety from wildlife damage from July 1, 2006 to June 30, 2007.

Yates moved and Capek seconded the motion to approve and sign the annual contract with USDA Wildlife. 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.

COOPERATIVE SERVICE AGREEMENT WITH USDA WILDLIFE

Spencer Nelson presented the cooperative agreement between Fillmore County and U. S. Department of Agriculture Animal and Plant Health Inspection Service-Wildlife Services. This agreement provides funds to conduct a Wildlife Services Program.

Yates moved and Galusha seconded the motion to approve and sign the cooperative agreement. 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.

BOARD OF EQUALIZATION

At the request of the Fillmore County Treasurer, Galusha moved and Simacek seconded the motion to go into session as the Fillmore County Board of Equalization at 2: 35 p.m. 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Central Plains Mennonite Conference for exemption from motor vehicle fees.

Kimbrough moved and Galusha seconded the motion to approve the application from Central Plains Mennonite Conference for a 2005 Honda Accord UEX. 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.

RETURN TO REGULAR SESSION

Capek moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 2:36 p.m. 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.

KENO AUDIT

Barbara Stephenson, County Treasurer reported to the Board that her office had received a letter from the State of Nebraska in regards to not receiving the July 1, 2004 to June 30, 2005 Keno audit from Zeilinger’s Keno. The Board requested that the County Attorney write a letter to Zeilinger’s Keno requesting them to comply with our contract and submit the audit to the State of Nebraska.

ADJOURNMENT

Agenda item “General Assistance” was tabled until a future Board meeting. As there were no other items to come before the board, the Chairman declared the meeting adjourned until 9:00 a.m. July 11, 2006.

AttestChairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 11, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting as open to the public. The meeting adjourned at 2:52 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

FEE REPORTS

Capek moved and Galusha seconded the motion to approve the fee reports for June 2006 and Quarterly:

County Clerk: June 2006 \$8,937.06 (State \$4,905.84 & County \$4,031.22)

Quarterly: \$26,108.47 (State \$15,184.55 & County \$10,923.92)

Clerk of District Court: June 2006 \$550.65; Quarterly \$1,708.97

Sheriff: June 2006 \$2,236.46; Quarterly \$4,475.07

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.

SECRETARY/TREASURER FOR NACO

Yates moved and Cerny seconded the motion to nominate Dennis Kimbrough for Secretary/Treasurer for the Nebraska Association of County Officials. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Kimbrough

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Yates moved and Capek seconded the motion to approve the following applications for a permit to occupy county right-of-way:

Advanced BioEnergy, LLC – to install a railroad crossing between the SE ¼, Section 36-8-3, West Blue Township and the NE ¼, Section 1-7-3, Geneva Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Advanced BioEnergy, LLC – to install a railroad crossing between the NE ¼, Section 36-8-3 and the SE ¼, Section 25-8-3, West Blue Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Alltel Communications – to bury communication cable between Sections 27 & 34 and 33 & 3-8-1, Exeter Township. Alltel agrees to restore the public roads where it will be working to the same condition as they were prior to its work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Galaxy Cable, Inc. – to bury a fiber optic cable between Section 36-8-3, West Blue Township and Section 1-7-3, Geneva Township. Galaxy Cable, Inc. agrees to restore the public roads where it will be working to the same condition as they were prior to its work, and will accomplish such restoration to the reasonable satisfaction of the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Cerny

The Chairman declared the motion carried.

SHICKLEY NORTH PROJECT #BR-2725(5)

After discussion, Kimbrough moved and Simacek seconded the motion to approve and sign the contract with the State of Nebraska Department of Roads for the Shickley North project #BR-2725(5). The County and State agree that the funding of all eligible project costs will be as follows: 80% Federal-Aid Bridge Replacement

funds; 5% State-Aid Bridge funds; and 15% County funds. 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.

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, Sup, Post | \$3,218.84 |
| Alltel | Uti | 164.33 |
| American Legion Emblem Sales | Sup | 475.00 |
| Ameritas Life Insurance Corp. | Ret | 2,145.78 |
| Jon Anderson | Uni | 35.00 |
| Aquila | Uti | 56.97 |
| Auto Value Parts Stores | Sup | 3.38 |
| Axis Capital, Inc. | Ser | 243.32 |
| William L. Burgess | Uni, Meals | 41.90 |
| Business Office Systems, Inc. | Sup | 25.00 |
| Daryl L. Callenius | Uni, Meals | 45.22 |
| Century Lumber Center | Sup | 41.95 |
| Chaney Chemical, Inc. | Sup | 410.23 |
| City of Geneva | Uti | 559.10 |
| Dell Marketing, L. P. | Sup | 89.99 |
| Eakes Office Plus | Sup | 653.53 |
| Earls Window Service | Ser | 4.00 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Embassy Suites | Lodging | 218.00 |
| Executive Copier Services | Ser | 61.94 |
| Fillmore County Clerk | Filings | 21.00 |
| Fillmore County Treasurer | Interest | 158.89 |
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Fort Dearborn Life Insurance Co. | Insur | 201.87 |
| Geneva State Bank | Sup | 61.92 |
| Geneva State Bank | SS | 2,683.39 |
| Geneva TV & Appliance, Inc. | Sup, Rep, Equip | 313.95 |
| Geneva Welding & Supply, Inc. | Sup | 54.40 |
| Hilty’s of Geneva | Sup | 453.68 |
| Holiday Inn – Midtown | Lodging | 236.00 |
| Home Town Leasing | Ser | 169.34 |
| Steve Julich | Uni | 35.00 |
| Lab Safety Supply | Sup | 190.80 |
| Lancaster County Sheriff | Ser | 61.90 |
| Mid-American Research Chemical | Sup | 497.34 |
| Bob Mueller | Mile | 108.58 |
| Rich Mueller / Tom Biegert | Rent | 625.00 |
| Nebraska Assoc. of County Officials | Dues | 1,090.00 |
| The Nebraska Signal | Pro, Ads, Notices | 650.92 |
| Nelson Petroleum Co. | Fuel | 615.51 |
| Nick’s Farm Store Co. | Parts | 42.42 |
| Platte Valley Communications | Sup | 48.70 |
| Protex Central, Inc. | Rep | 333.45 |
| R. L. Polk & Co. | Sup | 220.00 |
| Ralph’s Geneva Tire Co. | Rep | 38.95 |
| Steven G. Roemmich | Uni, Meals | 55.23 |
| Seiler & Parker, P. C. | Ser, Sup | 1,243.67 |
| Chad Summers | Uni | 35.00 |
| UN-L IS-Telecommunications | Uti | 35.22 |
| Brandy VanDeWalle | Mile, Meals | 212.37 |
| Darlene Vodicka | Mile | 59.63 |
| Eric Williams | Post, Mile | 47.80 |
| Payroll | Salaries | 37,427.31 |
| | | |
| ROAD/BRIDGE FUND | | |
| Action Auto Supply | Parts | 413.23 |
| Alltel | Uti | 83.50 |
| Ameritas Life Insurance Corp | Ret | 1,519.06 |
| Andrews Electric Co., Inc. | Rep | 30.00 |
| Aquila | Uti | 55.14 |
| Auto Value Parts Stores | Parts, Sup | 263.13 |

| | | |
|-----------------------------------|------------------|-----------|
| Business World Products | Ser | 29.25 |
| Casey's General Store | Fuel | 3,154.94 |
| Century Lumber Center | Sup, Rep, Tools | 149.28 |
| City of Geneva | Uti | 47.60 |
| Dorchester Farmers Coop | Fuel | 1,125.00 |
| Dultmeier Sales | Equip | 127.17 |
| Filter Care of Nebraska | Parts | 62.95 |
| Fort Dearborn Life Insurance Co. | Insur | 130.24 |
| Friesen Chevrolet, Inc. | Parts | 79.36 |
| Geneva State Bank | SS | 1,751.96 |
| Geneva Welding & Supply Inc. | Sup, Equip | 164.08 |
| Grafton Oil | Fuel, Sup | 1,398.18 |
| Heath Machine Shop | Rep | 25.00 |
| Lichti Oil | Fuel | 2,587.90 |
| Midwest Service & Sales | Parts | 718.00 |
| Mike's Radiator & Tire | Rep | 50.00 |
| Nelson Petroleum Company | Parts, Fuel | 657.74 |
| Nichols Construction | Gravel | 18,609.82 |
| Nick's Farm Store | Rep | 100.79 |
| Perennial Public Power | Uti | 20.04 |
| R & D Parts, LLC | Sup | 84.20 |
| Ralph's Geneva Tire & Service | Tires, Rep | 854.50 |
| Texaco / Shell | Fuel | 43.35 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 15.35 |
| Village of Ohioa | Uti | 20.00 |
| Payroll | Salaries | 24,104.28 |
| | | |
| JUVENILE DIVERSION FUND | | |
| Fillmore County Clerk | Copies | 65.00 |
| | | |
| ECONOMIC DEV. - TOURISM | | |
| FMZ Association | Ad | 250.00 |
| Geneva Chamber of Commerce | Ad | 200.00 |
| Nebraska Life Publishing, Inc. | Ad | 165.00 |
| The Nebraska Signal | Brochures | 1,245.50 |
| | | |
| MEDICAL/RELIEF FUND | | |
| Hastings Pulmonary & Sleep | Ser | 20.00 |
| | | |
| SENIOR SERVICES FUND | | |
| Ameritas Life Insurance Corp. | Ret | 126.97 |
| Janet Bartak | Mile | 202.92 |
| Dawg's Smokehouse Café | HDM's | 185.00 |
| Exeter Care Center | HDM's | 189.00 |
| Fillmore County Rural Transit | Mile | 30.00 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva Senior Center | Rent, Sup, Uti | 233.42 |
| Geneva State Bank | SS | 163.35 |
| Nancy Kohler | Post, Sup, Mile | 179.82 |
| Elizabeth Mattox Manning | Ser | 144.00 |
| The Nebraska Signal | Sup | 8.75 |
| Ron's Tavern | HDM's | 216.00 |
| Rhonda Stokebrand | Mile | 147.52 |
| Payroll | Salaries | 2,168.58 |
| | | |
| INHERITANCE TAX FUND | | |
| Fillmore County Treasurer | Relief Fund | 2,000.00 |
| | | |
| HOSPITAL OPERATING FUND | | |
| Fillmore County Hospital | June '06 taxes | 760.04 |
| | | |
| NOXIOUS WEED FUND | | |
| Ace Agri Supply | Rep | 29.50 |
| Action Auto Co. | Parts | 30.48 |
| Alltel | Uti | 39.58 |
| Ameritas Life Insurance Co. | Ret | 75.71 |
| Brothers Equipment, Inc. | Parts | 227.55 |
| Chaney Chemical Co. | Sup | 2,325.45 |
| Conoco Phillips Fleet | Fuel | 1,301.01 |
| Merlin Ehmen | Rent, Post, Misc | 249.28 |
| Ekeler Repair | Parts, Rep | 323.17 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva Activity & Education Dept. | Ser | 94.15 |
| Geneva State Bank | SS | 328.91 |

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|-------------------------------|------------|----------|
| Grafton Mini Mart | Fuel | 485.83 |
| Ralph's Geneva Tire & Service | Tires, Rep | 374.53 |
| Payroll | Salaries | 4,299.59 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

BETTGER SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Bettger Subdivision, located in Section 24-8-3, West Blue Township.

Kimbrough moved and Yates seconded the motion to approve the plat of the Bettger Subdivision as follows:

A tract of land comprising of part of the SE ¼ of Section 24, Township 8 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, described as follows: commencing at the SE corner of said SE ¼, as assuming the south line of said SE ¼ to have a bearing of N89°47'50"W; thence N89°47'50"W, and on the south line of said SE ¼, 476.59 feet to the point of beginning, said point being a ¾" rebar w/cap; thence continuing N89°47'50"W, and on the south line of said SE ¼, 190.41 feet to a ¾" rebar w/cap; thence N00°12'10"E, and perpendicular to the south line of said SE ¼, 129.50 feet to a ¾" rebar w/cap; thence N54°42'17"E, 272.54 feet to a ¾" rebar w/cap; thence N16°09'15"E, 117.21 feet to a ¾" rebar w/cap; thence N40°53'54"E, 543.11 feet to a ¾" rebar w/cap on the west R.O.W. line of Highway #81; thence S00°00'01"E, and on the west R.O.W. line of said Highway #81, 640.02 feet to a ¾" rebar w/cap; thence S00°02'05"W, and on the west R.O.W. line of said Highway #81, 110.49 feet to a ¾" rebar w/cap; thence S86°17'34"W, and on the R.O.W. line of Highway #81, 421.24 feet to a ¾" rebar w/cap; thence S00°27'24"W, 33.00 feet to the point of beginning and containing 5.82 acres more or less of which 0.14 of an acre more or less is occupied by County road R.O.W.

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.

PLANNING COMMISSION BOARD

After discussion, Kimbrough moved and Galusha seconded the motion to appoint Reg Noel and Merle Noel to the Planning Commission Board for a term of July 1, 2006 until June 30, 2009. 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.

DISTRICT COURT BAILIFF

Vicky Johnson sent in the budget request for the District Court Bailiff for 2006-2007. The budget request for Fillmore County is \$6,764.00 with a credit of \$1,650.00 (for Bailiff not using insurance) for a total request of \$5,114.00, which is \$486.00 less that the 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

CLOSED SESSION FOR LITIGATION

Simacek moved and Yates seconded the motion that the Fillmore County Board hold a closed session at this time pursuant of Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session litigation items authorized by Statute to be discussed in closed 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 Deputy County Attorney, Highway Superintendent, and County Clerk remain. Closed session began at 11:05 a.m.

RETURN TO REGULAR SESSION

Galusha moved and Simacek seconded the motion to return to open session at 11:15 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.

NOTICE OF APPEAL

David Maser, Attorney for Bottorf & Maser and Charles & Bonnie Dondlinger appeared for a rehearing regarding the Board's previous decision on a claim previously filed. The previous offer by the Board for a comprise settlement of the claim was \$593.00, which was half of Mr. Dondlinger's claim. Mr. Dondlinger explained to the Board the time frame of the events. Deputy County Attorney, Howard Ach and Highway Superintendent, Elmer Hessheimer were also present.

Upon questioning Mr. Dondlinger declined to accept the Board's previous offer of settlement regarding his claim, which offer was in the amount of \$593.00. Upon declining to accept the offer, the Board was requested to reconsider Mr. Dondlinger's claim.

BILL FROM CHARLES DONDLINGER

After reconsideration of Mr. Dondlinger's claim, Kimbrough moved and Galusha seconded the motion to pay Charles Dondlinger \$593.00, which would have been one half of his original claim and to deny Mike Kamler's claim in its entirety. Upon roll call, the vote was as follows:

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

The Chairman declared that the motion failed.

SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT (SENDD)

Dave Taladay, with SENDD presented the annual report and budget request for 2006-2007. The budget request for the County increased to \$6,838.00 or \$199.00 more than 2005-2006 budget year. Action on the request will be taken during the budget process later this summer.

INFORMAL BUDGET REVIEW

Informal budget reviews for 2006-2007 budgets were held. The following proposed budgets were reviewed:

Board, Civil Defense/Emergency Management, 911 Emergency Services, Veterans Service, Clerk, Register of Deeds, Elections, Data Processing, Waste Oil, Employment Security, Medical/Relief, Institutions, and Ethanol Plant Road Bond

Several suggestions for changes were made. Final action will not be taken until the budget hearing in September.

ADJOURNMENT

Agenda items "Quarantine Area and General Assistance" were tabled until a future Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. July 25, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 25, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 3:43 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

DRIVEWAY PERMITS

Simacek moved and Galusha seconded the motion to approve the following applications for a driveway permit:

John Taylor – install a new 40' driveway on the east side of the SE ¼ Section 17-7-2, Madison Township;
Craig Reinsch – install a new 30' to 40' driveway on the south side of the SE ¼, Section 25-6-4, Momence Township;
Shirley Lovegrove – install a new 40' driveway on the south side of the SE ¼, Section 29-8-3, West Blue Township.

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.

ENGINEERING AGREEMENT FOR PROJECT #C-30(291)

After discussion, Kimbrough moved and Yates seconded the motion to approve the engineering agreement with Speece Lewis in the amount of \$5,100.00 for concrete box located between Sections 10 & 15-5-1, Franklin Township. 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.

ENGINEERING AGREEMENT FOR PROJECT #C-30(243)

After discussion, Capek moved and Simacek seconded the motion to approve the engineering agreement with Speece Lewis in the amount of \$9,000.00 for a concrete box located between Section 31-6-1, Glengary Township and Section 36-6-2 Chelsea Township. 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.

INTERLOCAL AGREEMENT WITH CITY OF GENEVA FOR TAR KETTLE & CRACK ROUTER

Yates moved and Cerny seconded the motion to approve and sign the interlocal agreement with the City of Geneva to share the Crack Router owned by Fillmore County and the Tar Kettle owned by the City of Geneva. 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.

INFORMAL BUDGET REVIEW

Cindy Carrigan, Clerk Magistrate presented the County Court's budget for 2006-2007; final action will not be taken until the budget hearing in September.

VETERAN'S SERVICE BOARD

Cerny moved and Kimbrough seconded the motion to reappoint Richard Kleinschmidt to the Veteran's Service Board for a five year term beginning on July 1, 2006 and ending June 30, 2011. 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.

LINCOLN AREA AGENCY ON AGING’S AREA WIDE ADVISORY COUNCIL

June Pederson, Director of Lincoln Area Agency on Aging mailed a letter to the Board, requesting the reappointment of Elly Brauning for a three year term.

Yates moved and Cerny seconded the motion to reappoint Elly Brauning to the Lincoln Area Agency on Aging’s Area Wide Advisory Council for a three year term beginning on July 1, 2006 and ending June 30, 2009. 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.

NIRMA INSURANCE

After discussion, Capek moved and Galusha seconded the motion to approve the insurance coverage from Nebraska Intergovernmental Risk Management Association (NIRMA) for property, crime coverage, liability, and worker’s compensation for a term on August 1, 2006 to August 1, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BONDS

Tyler Williams, from Edward Jones gave the Board an update on the open bonds that the County has for the Courthouse renovation and the road bond.

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. | Wksh | \$205.00 |
| Joan Ackland | Sup, Wksh | 17.87 |
| Alltel | Uti | 87.09 |
| Alltel (Cell) | Uti | 407.19 |
| Aramark Uniform Services, Inc. | Ser | 392.53 |
| Blue Cross / Blue Shield of Nebraska | Insur | 14,597.64 |
| Central Nebraska Refrigeration, Inc. | Rep | 42.00 |
| Marilyn Christianity | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Dell Marketing, L.P. | Equip | 2,204.52 |
| Duckwall – Alco Stores, Inc. | Sup | 25.93 |
| Eakes Office Plus | Sup | 57.31 |
| Fillmore County Treasurer | Post, Equip, Wksh, Transfer | 37,596.78 |
| GIS Workshop | Aerial Photos | 14,000.00 |
| The Garbage Co, Inc. | Ser | 117.25 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,803.88 |
| Norma Gregory | Ret | 25.00 |
| Hometown Leasing | Ser | 238.62 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup, Wksh | 4,644.54 |
| Stephen J. Kraviec | Ser, Post | 1,640.84 |
| Lease Consultants Corp. | Ser | 249.00 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| MIPS, Inc. | Ser | 2,510.55 |
| Nebraska Public Power Dist. | Uti | 1,876.31 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,098.19 |
| Amy Nelson | Sup | 67.81 |
| Pierson, Fitchett, Hunzeker, Blake & Katt | Ser, Sup | 3,417.35 |
| Platte Valley Communications of Hastings | Sup, Rep | 1,383.00 |
| Region V | Ser | 2,952.25 |
| Region V Systems | EPC | 1,540.00 |
| State of Nebraska Dept. of Admin. Services | Ser | 56.28 |

| | | |
|---|------------------------------|-----------|
| State of Nebraska HHS Laboratory | Ser | 27.59 |
| Barbara L. Stephenson | Wksh | 60.52 |
| Union Bank & Trust | Ret | 2,284.47 |
| West Payment Center | Sup | 314.00 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| Payroll | Salaries | 39,002.77 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 11,037.24 |
| Center for Biopreparedness Education | Wksh | 15.00 |
| Dorchester Farmers Coop | Fuel | 1,634.37 |
| Farm Plan | Parts, Rep | 217.98 |
| Gambles | Sup, Rep, Misc | 184.78 |
| The Garbage Company | Ser | 56.47 |
| Geneva State Bank | SS | 1,814.76 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel | 2,001.55 |
| Donovan Jirkovsky | Ret | 25.00 |
| L. J. Webb Contractor, Inc. | Ser, Sup | 13,991.22 |
| Nebraska Bolt | Sup | 44.35 |
| Nebraska Iowa Industrial Fasteners | Sup | 118.36 |
| Nebraska Machinery | Parts, Rep, Sup | 2,058.82 |
| Nebraska Public Power | Uti | 231.41 |
| Nebraska Tech & Telecommunications, Inc. | Uti | 111.85 |
| Nelson Petroleum Company | Fuel | 3,323.39 |
| Perennial Public Power | Uti | 34.44 |
| Speece Lewis Engineers | Ser | 11,840.93 |
| Superior Deshler, Inc. | Fuel | 51.77 |
| Union Bank & Trust | Ret | 1,540.40 |
| Village of Milligan | Uti | 20.79 |
| Payroll | Salaries | 24,924.87 |
| | | |
| <u>ECONOMIC DEV. - TOURISM</u> | | |
| Fillmore County Development Corp. | Mile, Sup, Post | 122.86 |
| Nebraska Travel Association (NETA) | Dues | 75.00 |
| South Central NE RC & D | Dues | 100.00 |
| Siegel Display Products | Sup | 84.90 |
| | | |
| <u>MEDICAL/RELIEF</u> | | |
| Weaver Pharmacy | Sup | 12.19 |
| York General Hospital | Ser | 36.25 |
| | | |
| <u>INSTITUTIONS</u> | | |
| State of Nebraska Health & Human Services | June Patient Care | 363.00 |
| | | |
| <u>SENIOR SERVICES</u> | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 949.94 |
| Geneva State Bank | SS | 161.14 |
| Union Bank & Trust | Ret | 135.04 |
| Payroll | Salaries | 2,139.62 |
| | | |
| <u>KENO FUND</u> | | |
| Fillmore County Treasurer | 2 nd Qrt. Returns | 1,421.68 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 474.72 |
| Gaylord Craddock | Mile | 45.39 |
| Geneva State Bank | SS | 139.73 |
| Frances Heinrichs | Mile | 30.26 |
| Tim Schepers | Mile | 21.36 |
| Union Bank & Trust | Ret | 84.15 |
| Payroll | Salaries | 1,826.66 |
| | | |
| <u>E911 COMMUNICATIONS</u> | | |
| Alltel Communications | Ser | 1,057.54 |
| Alltel | Uti | 116.52 |
| Nebraska Public Power | Uti | 127.52 |
| | | |

CLAIMS APPROVED

Kimbrough moved and Simacek seconded the motion to approve the claims as presented. 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.

JAIL INSPECTION

A jail inspection was completed, with everything looking in proper order.

BILL FROM CHARLES DONDLINGER

After discussion with Deputy County Attorney, Howard Ach, Cerny moved and Capek seconded the motion to deny Charles Dondlinger's previous claim of \$1,186.00 in its entirety. 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.

AGREEMENT FOR COMMUNICATIONS & EQUIPMENT PROJECT

Terry Marshall, Emergency Manager presented a revised agreement with Platte Valley Communications of Hastings for the communications and equipment project #HLS3403.

After discussion, Kimbrough moved and Capek seconded the motion to approve and sign the revised contract with Platte Valley Communications of Hastings in the amount of \$277,477.20. Upon roll call, the vote as as follows:

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

Nays: None

The Chairman declared the motion carried.

INFORMAL BUDGET REVIEW

County Extension presented their budget for 2006-2007; final action will not be taken until the budget hearing in September. Tim Engle, Barb Whitley, Jan Stoldorf and Teri Gemar were present.

VOLUNTEER PLANNING & MANAGEMENT

Shannon Vogler, Emergency Response Manager with Public Health Solutions and Theresa Gomez, Regional Administrative Aide/Project Manager with Region V Systems presented to the Board what the Volunteer Project is and what benefits the County has received. To keep this Volunteer project going, they will need between \$2,500.00 and \$3,000.00 from all five counties (Fillmore, Gage, Jefferson, Saline, and Thayer). Action on the request will be taken during the budget process.

BOARD OF EQUALIZATION

At the request of the County Assessor, the Fillmore County Board of Supervisor's reconvened as the Fillmore County Board of Equalization at 2:05 p.m.

VALUATION PROTESTS

Please refer to the Board of Equalization minutes.

VALUATION CHANGES

Cerny moved and Capek seconded the motion to approve the list of valuation changes. A complete list was ordered to be filed in the County Clerk's office. 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.

2007 PLAN OF ASSESSMENT

County Assessor, Joan Ackland presented her plan of assessment to the Board.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from the Geneva Cemetery Association for exemption from motor vehicle fees.

Yates moved and Kimbrough seconded the motion to approve the application from the Geneva Cemetery Association for a 1967 Ford CB Truck. 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.

RETURN TO REGULAR SESSION

Kimbrough moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 3:24 p.m. 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.

COURT APPOINTED SPECIAL ADVOCATES (CASA)

Nicole Avis, presented the 2006-2007 budget request for CASA. The budget request for the County decreased to \$7,163.00 or \$902.00 less than the 2005-2006 budget. Action on the request will be taken during the budget process later this summer.

GENERAL ASSISTANCE

Reviewed the changes that County Attorney, Jill Cunningham requested. County Clerk will make the changes for review at the next board meeting.

ADJOURNMENT

Agenda items “Lighting for Hwy. 81 & Road G and Stop Sign at Road M & Road 18” were tabled until the August 8th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m. August 8, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., August 8, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:05 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

FEE REPORTS

Kimbrough moved and Simacek seconded the motion to approve the fee reports for July 2006:

County Clerk: \$5,543.59 (State \$2,659.29 & County \$2,884.30)
Clerk of District Court: \$440.83
Sheriff: \$6,712.09

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.

BLUE CROSS/BLUE SHIELD

Gary Streeks, Regional Marketing Consultant informed the Board of the insurance changes that took effect July 1, 2006 and answered any questions that the Board had.

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, Copies | \$3,105.27 |
| Joan Ackland | Mile, Sup | 596.52 |
| Andrews Electric Co., Inc. | Repair | 241.40 |
| Aquila | Uti | 56.97 |
| Axis Capital, Inc. | Ser | 243.32 |
| Joseph N. Bixby DR | Ser | 300.00 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,597.64 |
| Bottorf & Maser, Atty. | Ser, Sup | 566.01 |
| Busses Food Center | Sup | 15.46 |
| C & C Extinguisher Service | Ser | 47.75 |
| Century Lumber Center – Geneva | Sup | 9.81 |
| Chaney Chemical, Inc. | Sup | 304.00 |
| City of Geneva | Uti | 427.10 |
| Conoco Phillips Fleet | Fuel | 1,769.55 |
| Crete Area Medical Center | Ser | 2,618.92 |
| DAS Communications | Ser | 448.00 |
| Dell Marketing, L.P. | Equip | 1,102.26 |
| Dultmeier Sales | Sup | 240.71 |
| Earls Window Service | Ser | 5.00 |
| Julie Effenbeck, Atty. | Ser | 577.50 |
| Evercom | Sup | 372.55 |
| Executive Copier Services | Copies | 8.15 |
| Fillmore County Court | Ser | 302.25 |
| Fillmore County Development Corp. | ODEGEO | 200.00 |
| Fillmore County Hospital | Ser | 156.00 |
| Fillmore County Treasurer | Wksh | 80.00 |
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Fort Dearborn Life Insurance Co. | Insur | 201.87 |
| Galls – An Aramark Company | Sup | 160.93 |
| Teri Gemar | Mile | 182.90 |
| Geneva State Bank | SS | 2,932.13 |
| Geneva Super Foods | Sup | 605.04 |
| Hilty’s of Geneva | Sup | 24.33 |
| Home Town Leasing | Ser | 169.34 |

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| | | |
|--|-------------------------|-----------|
| Kerry's Auto Repair & Service | Rep, Parts | 92.95 |
| Knoche Appraisal & Consulting, L.L.C | Ser, Mile | 3,496.00 |
| Lab Safety Supply, Inc. | Sup | 63.60 |
| Lancaster County Sheriff | Ser | 16.00 |
| Maximus, Inc. | Ser | 1,558.20 |
| MIPS, Inc. | Sup, Ser | 727.81 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| The Nebraska Signal | Pro, Sup, Ad | 782.10 |
| Amy Nelson | Post | 11.40 |
| Nelson Petroleum Co. | Fuel | 593.97 |
| Neopost, Inc. | Rental | 420.00 |
| Mary Novak | Mile | 11.13 |
| Olsson Associates | Ser | 725.00 |
| Platte Valley Communications of Hastings | Ser | 2,382.60 |
| Quill | Sup | 102.42 |
| R & D Parts, L.L.C. | Parts | 197.49 |
| Ralph's Geneva Tire & Service Center | Rep | 33.75 |
| Saline County Sheriff Office | Boarding Prisoners | 845.00 |
| Patty Scarborough | Mile | 24.92 |
| Seiler & Parker | Ser, Sup | 1,019.34 |
| Thayer County Sheriff's Office | Ser | 5.50 |
| Union Bank & Trust | Ret | 2,360.57 |
| USDA, APHIS | Ser | 1,513.00 |
| Brandy VanDeWalle | Mile | 139.73 |
| Windstream | Uti | 507.67 |
| York County Sheriff | Boarding Prisoners | 825.00 |
| York News Times | Ad | 64.25 |
| Payroll | Salaries | 40,678.72 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Alltel | Uti | 83.50 |
| Aquila | Uti | 65.85 |
| Auto Value Parts Stores | Parts | 250.32 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,562.52 |
| Business World Products | Sup | 29.25 |
| Caspers Construction | Building | 6,644.00 |
| Century Lumber Center | Parts, Sup | 37.79 |
| City of Geneva | Uti | 53.80 |
| Dorchester Farmers Coop | Fuel | 4,450.05 |
| Filter Care of Nebraska | Parts | 128.95 |
| Fort Dearborn Life Insurance Co. | Insur | 124.59 |
| Geneva State Bank | SS | 1,808.57 |
| Geneva Welding & Supply, Inc. | Sup | 62.53 |
| Grafton Oil, Inc. | Fuel, Sup | 3,956.73 |
| Michl Services | Fuel | 66.00 |
| Midwest Service & Sales | Blades, Sup | 420.00 |
| Nelson Petroleum Company | Fuel | 3,504.48 |
| Nichols Construction | Gravel | 34,311.38 |
| Nick's Farm Store | Rep, Sup | 80.03 |
| Overland Sand & Gravel | Gravel | 5,026.70 |
| Perennial Public Power | Uti | 20.10 |
| Platte Valley Communications | Rep | 75.50 |
| R & D Auto Parts L.L.C. | Parts, Sup | 90.36 |
| Ralph's Geneva Tire & Service | Rep | 414.00 |
| Shell | Fuel | 60.00 |
| Speece Lewis Engineers | Ser | 176.75 |
| Union Bank & Trust | Ret | 1,550.53 |
| Village Of Fairmont | Uti | 33.73 |
| Payroll | Salaries | 24,844.01 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Bryan Heart Institute | Ser | 20.42 |
| Daniel Growney MDPC | Ser | 78.10 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Janet Bartak | Wksh | 65.00 |
| Blue Cross/Blue Shield of Nebraska | Insur | 949.44 |
| Dawg's Smokehouse Café | HDM's | 135.00 |
| Exeter Care Center | HDM's | 196.00 |
| Exeter Golden Agers | USDA | 48.45 |
| Fairmont Aging Services | USDA | 165.30 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Gambles | Sup | 9.34 |
| Geneva Senior Center | USDA, Rent, Copies, Uti | 768.15 |
| Geneva State Bank | SS | 171.24 |

| | | |
|--|------------|----------|
| Nancy Kohler | Wksh, Mile | 149.42 |
| Ron's Tavern | HDM's | 192.00 |
| Rhonda Stokebrand | Wksh, Mile | 180.02 |
| Union Bank & Trust | Ret | 135.98 |
| Payroll | Salaries | 2,271.69 |
| | | |
| <u>ETHANOL ROAD BOND FUND</u> | | |
| UMB Bank, N.A. | Ser | 250.00 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Action Auto Supply | Rep | 16.33 |
| Alltel | Uti | 39.25 |
| Blue Cross/Blue Shield of Nebraska | Insur | 474.72 |
| City of Geneva | Uti | 58.40 |
| Merlin Ehmen | Rent | 220.00 |
| Fillmore County Treasurer | Wksh | 75.00 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 87.33 |
| Grafton Mini Mart | Fuel | 558.64 |
| Union Bank & Trust | Ret | 77.06 |
| Payroll | Salaries | 1,141.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Cornhusker State Industries | Equip | 450.00 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

BOARD OF EQUALIZATION

At the request of the County Assessor, Yates moved and Cerny seconded the motion to go into session as the Fillmore County Board of Equalization at 9:40 a.m. 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.

VALUATION CHANGES

Cerny moved and Kimbrough seconded the motion to approve the list of valuation changes. A complete list was ordered to be filed in the County Clerk's office. 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.

RETURN TO REGULAR SESSION

Capek moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 9:42 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.

DITCH CLEANING PERMITS

Kimbrough moved and Galusha seconded the motion to approve the following applications for a permit to clean silt from a road ditch:

Jason Pribyl – to clean silt from the road ditch adjoining the west side of the SW ¼, Section 20-6-1, Glengary Township;
Tim Pribyl – to clean silt from the road ditch adjoining the west side of the NW ¼, Section 4-6-1, Glengary 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.

DRIVEWAY PERMITS

Yates moved and Capek seconded the motion to approve the following applications for a driveway permit:

Jason Pribyl – to install a new 40’ driveway on the west side of the SW ¼, Section 20-6-1, Glengary Township;

Tim Pribyl – to install a 20’ to 30’ driveway on the west side of the NW ¼, Section 4-6-1, Glengary Township;

Robert Schropfer – to widen driveway to 30’ and to replace culvert on the east side of the SE ¼, Section 34-5-1, Franklin Township.

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.

TRAFFIC SIGNS

Capek moved and Galusha seconded the introduction of the following resolution:

RESOLUTION 2006-29

In accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended, and

WHEREAS, it is in the best interest of Fillmore County, Nebraska, to establish and maintain proper consistent highway signing in conformity with said manual,

The Fillmore County Highway Department therefore requests formal approval to place, erect, and maintain traffic control devices on Fillmore County Roads at the following locations:

TYPE OF DEVICE

LOCATION

STOP sign

at the intersection of County Roads 18 and M, to remove sign on the north side, and to place a stop sign on the east and west side of the intersection.

NOW THEREFORE Be It Resolved by the Fillmore County Board of Supervisors that this resolution is approved the 8th day of August 2006.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

STEEL OBJECT MARKERS

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

RESOLUTION 2006-30

WHEREAS, the Hazard Elimination Program is a “core safety program” for Highway Safety Construction. This program is provided for in Title 23, Section 148 of U. S. Code, and is part of the Highway Safety Improvement Program (HSIP) which is provided for in 23 CFR, Part 924, which is administered by the Federal Highway Administration,

WHEREAS, the State of Nebraska maintains a Multi-Disciplinary Safety Committee to oversee all facets of the HSIP,

WHEREAS, the Safety Committee has determined that it is desirable to mark county bridges in the State of Nebraska using Type 3 Object Markers,

WHEREAS, the Safety Committee on April 11, 2006 approved a project know as STPP-STWD(67) – Object Markers to accomplish the following:

1. Install Type 3 Object Markers at bridge sites which currently have no object markers, or
2. Install Type 3 Object Markers at bridge sites to replace existing Type 2 Object Markers, or

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3. Replace existing Type 2 or Type 3 Object Markers at bridge sites which have been damaged or don't meet retro reflectivity standards, and
4. Bridge sites will include both (<20'-0" and > 20'-0" bridges), and
5. All signs installations will be in accordance with the applicable section of the Manual of Uniform Traffic Control Devices. The installation work will be done by County forces, and will be viewed as the 20% local match, and
6. The County will certify to the State of Nebraska that all were properly erected within 18 months of receiving said signing materials.

BE IT RESOLVED, that the State of Nebraska is hereby requested to act on behalf of said County to program the project for the purchase and distribution of the signing materials shown on Exhibit "A" attached,

The estimated cost to the County is \$0.00

BE IT FURTHER RESOLVED, that sufficient labor material, equipment, and supervision, are now available, or will be made available to complete the signing work using County forces within an 18 month period. Said period will begin when the signing materials are received.

BE IT FURTHER RESOLVED, that the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

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.

STEEL MARKERS

After discussion, Kimbrough moved and Cerny seconded the motion to remove steel object markers on bridges that are under 28 feet, without guardrails. 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.

LIGHTING FOR HIGHWAY 81 & ROAD G

After discussion, Kimbrough moved and Galusha seconded the motion to approve the lighting plan, which was approved by the State of Nebraska to place five (5) lights around the intersection of Highway 81 and Road G, the approximate cost will be \$20,000.00. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Cerny

The Chairman declared the motion carried.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the Highway Superintendent, Elmer Hessheimer, Kimbrough moved and Yates seconded the motion to declare an emergency in order to add an item to the agenda, said item "Contract for Engineering Fees". 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.

ENGINEERING FEES

Highway Superintendent, Elmer Hessheimer informed the Board that the State of Nebraska is mandating that any project that we receive Federal or State aid on, we would have to get at least three (3) bids on projects under \$40,000.00 and advertise for bids, interview and select an engineer on projects over \$40,000.00.

After discussion, Cerny moved and Capek seconded the motion to direct Highway Superintendent, Elmer Hessheimer to research a three (3) year contract with Speece Lewis Engineering firm, if over \$10,000.00 will have to go out to bid. 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.

CARE MANAGEMENT CONTRACT

August 8, 2006

Simacek moved and Capek seconded the motion to approve and sign the contract with Lincoln Area Agency on Aging to provide assessment, screening, care management services to its citizens, and to offset certain costs associated with the delivery of services to Fillmore County residents. 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.

STATE TRANSPORTATION OPERATING CONTRACT

Cerny moved and Kimbrough seconded the motion to approve the contract with the State of Nebraska for federal and state public transportation operating assistance for fiscal year 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item "General Assistance Guidelines" was tabled until the August 22nd Board meeting. As there was no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., August 22, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Yates, Capek, Galusha, and Simacek. Kimbrough was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 2:30 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

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 | | |
|--|---------------------------|-----------|
| Alltel | Uti | \$313.19 |
| Amsterdam Printing & Litho | Sup | 133.74 |
| Jon Anderson | Uni, Misc | 85.00 |
| Aramark Uniform Services, Inc. | Ser | 260.81 |
| Barco Municipal Products, Inc. | Sup | 80.79 |
| Black Hills Ammunition | Sup | 368.50 |
| William L. Burgess | Uni, Mile | 41.90 |
| C & C Extinguisher Service | Ser | 47.75 |
| Daryl L. Callenius | Uni, Misc, Meals | 54.94 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Conoco Phillips Fleet | Fuel | 1,975.86 |
| DAS Communications | Ser | 448.00 |
| Douglas County Sheriff | Ser | 16.43 |
| Duckwall – Alco Stores, Inc. | Sup | 40.64 |
| Eakes Office Plus | Sup | 597.21 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Election Systems & Software | Sup | 676.00 |
| Fillmore County Medical Center | Ser | 168.00 |
| Fillmore County Treasurer | Post, Transfer, Wksh, Sup | 9,180.98 |
| Galls – An Aramark Co. | Sup | 280.06 |
| The Garbage Co., Inc. | Ser | 117.25 |
| Geneva Chamber of Commerce | Advertising | 200.00 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,716.88 |
| Geneva Super Foods | Sup | 473.99 |
| Norma Gregory | Ret | 25.00 |
| Hebron Journal Register | Ad | 23.00 |
| Hometown Leasing | Ser | 524.38 |
| Steve Julich | Uni | 35.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Sup, Wksh | 4,189.62 |
| Stephen Kraviec | Ser, Post | 1,645.10 |
| Kerry’s Auto Repair & Service | Ser | 28.70 |
| Lease Consultants Corp. | Ser | 249.00 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Mid-American Research Chemical | Sup | 184.63 |
| MIPS, Inc. | Ser, Sup | 2,098.18 |
| Nebraska Public Power Dist. | Uti | 1,968.29 |
| The Nebraska Signal | Ad, Sup | 354.70 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,105.15 |
| Amy Nelson | Mile | 87.22 |
| Pierson, Fitchett, Hunzeker, Blake & Katt | Ser, Sup | 1,848.70 |
| Platte Valley Communications | Sup | 133.00 |
| Platte Valley Communications of Hastings | Sup, Ser | 86,908.78 |
| Postmaster | Rent | 40.00 |
| Radiology Associates, P. C. | Ser | 52.00 |
| Ralph’s Geneva Tire & Service Center | Rep, Ser | 172.17 |
| Steven G. Roemmich | Uni | 35.00 |
| Secretary of State’s Office | Sup, Wksh | 25.00 |
| Barbara Stephenson | Sup | 54.62 |
| Chad Summers | Uni | 35.00 |
| Sunflower Marketing | Sup | 139.97 |
| Union Bank & Trust | Ret | 2,261.48 |

August 22, 2006

| | | |
|--|----------------------|-----------|
| UN-L IS – Telecommunications | Uti | 25.26 |
| Brandy VanDeWalle | Registration | 90.00 |
| Walter F. Stephens Jr., Inc. | Sup | 101.93 |
| Weaver Pharmacy | Sup | 4.00 |
| Daniel L. Werner, P. C., LLO | Ser, Sup | 282.75 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| Windstream | Uti | 85.45 |
| Payroll | Salaries | 37,865.02 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| All Roads Barricade, Inc. | Sup | 115.52 |
| Barco Municipal Products | Sup | 767.10 |
| Casey's General Store | Fuel | 279.81 |
| Conoco Phillips Fleet | Fuel | 116.74 |
| Contech Construction Products | Culverts | 19,407.60 |
| Dorchester Farmers Coop | Fuel, Parts | 1,500.14 |
| Geneva State Bank | SS | 1,731.46 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel, Sup | 1,047.20 |
| Hilty's of Geneva | Sup | 37.25 |
| Jill's Sweet Shop | Misc | 21.60 |
| Donovan Jirkovsky | Ret | 25.00 |
| Kerry's Auto Repair & Service | Parts, Rep | 556.00 |
| Lichti Oil | Fuel | 1,384.38 |
| Nebraska Machinery | Parts, Blades | 830.76 |
| Nebraska Public Power | Uti | 238.99 |
| Nebraska Tech & Telecommunications, Inc. | Uti | 115.75 |
| Nelson Petroleum Company | Fuel | 2,222.89 |
| Overland Sand & Gravel | Gravel | 10,369.40 |
| Presco Sales & Service | Blades | 2,393.00 |
| Speece Lewis Engineers | Ser | 2,546.29 |
| Superior Deshler, Inc. | Fuel | 106.46 |
| Union Bank & Trust | Ret | 1,540.98 |
| Village of Exeter | Uti | 15.00 |
| Weaver Pharmacy | Misc. | 7.49 |
| Payroll | Salaries | 23,836.13 |
| | | |
| <u>ECONOMIC DEV. – TOURISM FUND</u> | | |
| Butterfly Association | Project Support | 250.00 |
| Route 6 Nebraska Art Car Tour | Donation | 150.00 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Physicians Laboratory, P. C. | Ser | 502.20 |
| York General Hospital | Ser | 1,875.14 |
| York Medical Clinic, P. C. | Ser | 79.32 |
| | | |
| <u>INSTITUTIONS</u> | | |
| State of Nebraska Health & Human Services | Patient Care – July | 375.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Janet Bartak | Lodging | 282.52 |
| Fillmore County Treasurer | Post | 156.00 |
| Geneva State Bank | SS | 175.93 |
| Elizabeth Mattox Manning | Ser | 156.00 |
| Union Bank & Trust | Ret | 135.98 |
| Payroll | Salaries | 2,332.94 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Fillmore County Treasurer | Transfer | 10,000.00 |
| | | |
| <u>ETHANOL PLANT ROAD FUND</u> | | |
| Southeast Nebraska Dev. District | Ser | 2,954.44 |
| | | |
| <u>HOSPITAL OPERATING FUND</u> | | |
| Fillmore County Hospital | July Taxes Collected | 640.00 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Geneva State Bank | SS | 87.33 |
| Union Bank & Trust | Ret | 77.06 |
| Payroll | Salaries | 1,141.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Nebraska Public Power District | Uti | 106.42 |
| Windstream | Uti | 1,058.44 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Simacek moved and Galusha seconded the motion to approve the following applications for a permit to occupy county right-of-way:

Montana Dakota Utilities Co. for Advanced BioEnergy, LLC – to install a natural gas service line along the west side of the NW ¼, Section 8-5-2, Belle Prairie Township;

Montana Dakota Utilities Co. for Advanced BioEnergy, LLC – to install a natural gas service line in the following locations: west end between Section 8 & 17-5-2, Belle Prairie Township; west end between Section 5-5-2, Belle Prairie Township and Section 32-6-2, Chelsea Township; west end between Section 29 & 32-6-2, Chelsea Township; west end between Section 20 & 29-6-2, Chelsea Township; 0.05 mile north of south end & 0.95 mile north of the south end between Section 19 & 20-6-2, Chelsea Township; west end between Section 17 & 20-6-2, Chelsea Township; west end between section 8 & 17-6-2 Chelsea Township; west end between Section 5 & 8-6-2 Chelsea Township; west end between Section 5-6-2, Chelsea Township and Section 32-7-2, Madison Township; 0.80 mile north of south end between Section 31 & 32-7-2, Madison Township; 0.95 mile east of the west end between Section 30 & 31-7-2, Madison Township; and 0.50 mile east of the west end between Section 19 & 30-7-2, Madison Township.

Perennial Public Power District – to install a 7200 volt (1) phase underground cable between the NW ¼, Section 10-8-2 and the SW ¼, Section 3-8-2, Fairmont Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ENGINEER SELECTION COMMITTEE

After discussion, Yates moved and Galusha seconded the motion to appoint Dennis Kimbrough and Larry Cerny to the engineer selection committee along with Highway Superintendent, Elmer Hessheimer for the Shickley North project. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

INVENTORIES APPROVED

Yates moved and Simacek seconded the motion to approve the inventories of the county offices and departments as presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN DEVELOPMENT PERMIT

After discussion, Simacek moved and Capek seconded the motion to approve the application from Montana Dakota Utilities Co. for Advanced BioEnergy, LLC to install a 6" steel natural gas line along the pipeline route. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOARD SIGNATURES

After discussion, Yates moved and Galusha seconded the motion when the Fillmore County Board of Supervisor's have the final decision, all signatures must be on the application before it will be approved. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TOWNSHIP LEVY

After discussion, Yates moved and Cerny seconded the introduction of the following resolution:

RESOLUTION 2006-31

Pursuant to LB 77-3443, The County Board of Supervisors of Fillmore County hereby resolves to set the following final levy allocation for 2006.

| | Request <u>Amount</u> | Levy Rate at Requested <u>Amount</u> | Max. Levy Rate Allowed <u>under Final Allocation</u> |
|--------------------------|--------------------------|---|---|
| Belle Prairie Township | \$ 8,365 | 0.023772 | 0.025000 |
| Bennett Township | \$ 8,964 | 0.024722 | 0.025000 |
| Bryant Township | \$ 7,000 | 0.013027 | 0.025000 |
| Chelsea Township | \$ 8,221 | 0.019618 | 0.025000 |
| Exeter-Fairmont Township | \$10,382 | 0.009792 | 0.025000 |
| Franklin Township | \$ 2,430 | 0.008254 | 0.025000 |
| Geneva Township | \$ 6,452 | 0.007267 | 0.025000 |
| Glengary Township | \$ 3,933 | 0.010693 | 0.025000 |
| Grafton Township | \$13,613 | 0.034616 | 0.025000 |
| Hamilton Township | \$ 7,717 | 0.017724 | 0.025000 |
| Liberty Township | \$ 8,280 | 0.023732 | 0.025000 |
| Madison Township | \$ 5,015 | 0.009161 | 0.025000 |
| Momence Township | \$ 4,519 | 0.013532 | 0.025000 |
| Stanton Township | \$ 8,093 | 0.013605 | 0.025000 |
| West Blue Township | \$ 6,306 | 0.016125 | 0.025000 |

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

FIRE DISTRICT LEVIES

After discussion, Cerny moved and Capek seconded the introduction of the following resolution:

RESOLUTION 2006-32

Pursuant to LB 77-3443, The County Board of Supervisors of Fillmore County hereby resolves to set the following final levy allocation for 2006.

| | Request <u>Amount</u> | Levy Rate at Requested <u>Amount</u> | Max. Levy Rate Allowed <u>under Final Allocation</u> |
|------------------------|--------------------------|---|---|
| Exeter Fire District | \$31,220 | 0.024556 | 0.028725 |
| Fairmont Fire District | \$14,356 | 0.016523 | 0.028725 |
| Grafton Fire District | \$16,533 | 0.025892 | 0.028725 |
| Geneva Fire District | \$12,607 | 0.009792 | 0.028725 |
| Milligan Fire District | \$19,194 | 0.028713 | 0.028725 |
| Ohiowa Fire District | \$26,722 | 0.028725 | 0.028725 |
| Shickley Fire District | \$23,019 | 0.020500 | 0.028725 |

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

AGRICULTURAL SOCIETY LEVIES

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

RESOLUTION 2006-33

Pursuant to LB 77-3443, The County Board of Supervisors of Fillmore County hereby resolves to set the following final levy allocation for 2006.

| | Request <u>Amount</u> | Levy Rate at Requested <u>Amount</u> | Max. Levy Rate Allowed <u>under Final Allocation</u> |
|----------------------|--------------------------|---|---|
| Agricultural Society | \$64,795 | 0.008844 | 0.008844 |

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

HISTORICAL SOCIETY LEVIES

After discussion, Capek moved and Cerny seconded the introduction of the following resolution:

RESOLUTION 2006-34

Pursuant to LB 77-3443, The County Board of Supervisors of Fillmore County hereby resolves to set the following final levy allocation for 2006.

| | <u>Request Amount</u> | <u>Levy Rate at Requested Amount</u> | <u>Max. Levy Rate Allowed under Final Allocation</u> |
|--------------------|---------------------------|--|--|
| Historical Society | \$ 6,588 | 0.000899 | 0.000899 |

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

APPOINT BUDGET MAKING AUTHORITY

After discussion, Capek moved and Yates seconded the motion to appoint County Clerk, Amy Nelson the budget making authority for the county for the current fiscal year as provided by a resolution adopted January 10, 2006. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “Engineer Selection Process, Highway 81 & Road G Lighting, Advanced BioEnergy II Subdivision, Advanced BioEnergy IV Subdivision, Perennial Substation Subdivision, and General Assistance” were tabled until the September 12th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., September 12, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., September 12, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 3:00 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

REPORTS

The June and July 2006 reports for the Fillmore County Rural Transit and the minutes of the Fillmore County Hospital Governing Board were reviewed and ordered placed on file in the County Clerk's office.

The following is a synopsis of the July minutes of the Fillmore County Hospital Governing Board:

The Fillmore County Hospital Governing Board met on July 20, 2006 in the conference room at the hospital at 12:00 noon with Chairman Marget presiding. Members present were Hoarty, Ozenbaugh, Nelson, Johnson, and Eichelberger. Ozenbaugh and Nelson were excused at 1:10 p.m.

The minutes of the June meeting were accepted as presented. Marget welcomed Hoarty and Ozenbaugh to the Governing Board.

Eichelberger gave an update from the Attorney General's office, and updated the new Board members on several items and functions of the Board.

It was moved and seconded to appoint Hoarty to become the new Secretary/Treasurer.

The hospital data and financial reports, and check register were presented. After discussion, it was moved and seconded to accept the reports as presented. Carried 3-0.

After discussion it was moved and seconded to approve the following three physicians for consulting medical staff privileges, Miles Tommeraasen, MD; Todd Tessororf, MD; and Jason Helvey, MD. Carried 3-0.

As there was no further business to come before the Board, it was moved and seconded that the meeting adjourn until August 17, 2006 in the hospital conference room.

FEE REPORTS

Galusha moved and Yates seconded the motion to approve the fee reports for August 2006:

County Clerk: August \$7,760.00 (State \$4,291.32 & County \$3,468.68)

Clerk of District Court: August \$559.34

Sheriff: August \$1,531.84

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.

FALL 2006 CHOICE PROGRAM AGREEMENT WITH AQUILA

After discussion, Yates moved and Capek seconded the motion not to approve the Fall 2006 Choice Program Agreement with Aquila. 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.

DRIVEWAY PERMITS

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

George Hendricks – to widen existing driveway to 40' on the east side of the SE ¼, Section 25-6-2, Chelsea Township;

Advanced BioEnergy, LLC – to widen existing driveway to 40' and replace culvert on the north side of the NE ¼, Section 36-8-3, West Blue Township;

Bettger Farms, Inc. – to install a new 40' driveway on the east side of the SE ¼, Section 4-8-2, Fairmont Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Yates moved and Simacek seconded the motion to approve the following applications for a permit to occupy county right-of-way:

Perennial Public Power District – to install underground cable between the SE ¼, Section 6-6-1 and the SW ¼, Section 5-6-1, Glengary Township. Perennial Public Power District agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Little Blue Natural Resources District – to install a flood control dam, with a flood pool 1860' east of the SW corner of Section 35-5-1, Franklin Township, on the County line. Little Blue Natural Resources District agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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: Yates, Simacek, Kimbrough, Cerny, Mueller, Galusha, and Capek
Nays: None

The Chairman declared the motion carried.

CERTIFICATION OF COMPLIANCE PROJECT #C003003320

After discussion, Simacek moved and Kimbrough seconded the introduction of the following resolution for the Concrete Box Project located in 2-3 Fairmont Township:

RESOLUTION 2006-35

The County Board of Supervisors of Fillmore County, having met on the 12th day of September, 2006 hereby authorized the County Board Chairperson and the County Highway Superintendent to sign on behalf of the County, a Certification of Compliance for Structure No. C003003320.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CERTIFICATION OF COMPLIANCE PROJECT #C003002705

Kimbrough moved and Cerny seconded the introduction of the following resolution for the Concrete Box Project located in 5-6 Chelsea Township:

RESOLUTION 2006-36

The County Board of Supervisors of Fillmore County, having met on the 12th day of September, 2006 hereby authorized the County Board Chairperson and the County Highway Superintendent to sign on behalf of the County, a Certification of Compliance for Structure No. C003002705.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ENGINEER SELECTION

After discussion, Cerny moved and Galusha seconded the motion for projects over \$40,000.00 to enter into a three (3) year contract with a Construction Engineer, after the selection committee selects the engineer. 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.

ROAD 7, SOUTH OF GRAFTON

After discussion, Galusha moved and Yates seconded the motion to direct Highway Superintendent, Elmer Hessheimer to contact landowners and discuss the options of removing the driveway or installing a culvert to existing driveways along Road 7, south of Grafton. 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.

MOTOR GRADER BIDS

Bids for a new motor grader were opened at 10:00 a.m. The following bids were received:

| <u>Bidder</u> | <u>Make</u> | <u>Cash Price</u> | <u>Trade Price</u> |
|---|--|-------------------|--|
| Fairbanks New Holland Grand Island | 2004 New Holland, RG200-13, 396.2 hrs. | \$114,900.00 | \$ 89,900.00 |
| Nebraska Machinery Co. Lincoln | 2007 Caterpillar, 12H VHP Plus, 4 – 10 hrs. | \$179,727.00 | \$152,902.00 |
| Mid-Land Equipment Lincoln | 2006 Case, 885, 80 hrs. | \$169,692.62 | \$149,692.62 |
| Murphy Tractor & Equip. Co. Grand Island | 2007 John Deere & Co., 770D, New | \$183,360.00 | \$153,360.00 (\$3,800.00 deduction for tires) |
| Murphy Tractor & Equip. Co. Grand Island | 2006 John Deere & Co., 770D, Approx. 50 hrs. | \$176,650.00 | \$146,650.00 (\$3,800.00 deduction for tires) |
| Murphy Tractor & Equip. Co. Grand Island | 2007 John Deere & Co., 670D, New | \$166,900.00 | \$136,900.00 (\$3,800.00 deduction for tires) |

MOTOR GRADER LETTING

After discussion and review of all bids, Kimbrough moved and Capek seconded the motion to purchase the 2006 John Deere & Co., 770D, to take the \$3,800.00 discount for tires and to purchase the five (5) year warranty for a total of \$148,295.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SKID STEER LOADER BIDS

Bids for a new skid steer loader were opened at 11:00 a.m. The following bids were received (each bid consists of several add on options):

| <u>Bidder</u> | <u>Make</u> | <u>Cash Price</u> | <u>Trade Price</u> |
|---------------------------------------|---|-------------------|--------------------|
| South Central Bobcat, Hastings | 2006 Bobcat, T300 (vertical lift), 1 – 2 hrs. | \$37,475.46 | \$32,475.46 |
| South Central Bobcat, Hastings | 2006 Bobcat, T250 (radius lift), 1 – 2 hrs. | \$35,882.06 | \$30,882.06 |
| South Central Bobcat, Hastings | 2006 Bobcat, T190, 1 – 2 hrs. | \$28,749.76 | \$23,749.76 |
| South Central Bobcat, Hastings | 2006 Bobcat, T180 (radius lift) 1 – 2 hrs. | \$27,448.09 | \$22,448.09 |
| Murphy Tractor & Equip. Lincoln | 2006 John Deere, CT322, 1 hour | \$35,500.00 | \$29,500.00 |
| Murphy Tractor & Equip. Lincoln | 2006 John Deere, CT322, Approx. 60 hrs. | \$37,500.00 | \$31,500.00 |
| Fairbanks New Holland Grand Island | 2006 New Holland, C185, New | \$39,589.00 | \$33,089.00 |
| Mid-Land Equipment Lincoln | 2006 Case, 440CT, New | \$44,110.64 | \$42,110.64 |
| Nebraska Machinery Co. Lincoln | 2006 Caterpillar, 257B, New | \$36,200.00 | \$32,930.00 |
| Nebraska Machinery Co. Lincoln | 2006 Caterpillar, 277B, New | \$44,976.00 | \$41,706.00 |

Highway Superintendent, Elmer Hessheimer will review the bids and report back to the Board at the September 26, 2006 meeting.

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.

| <u>GENERAL FUND</u> | | |
|-----------------------|------------------------|----------|
| A & P Process Service | Ser | \$30.50 |
| Howard F. Ach, Atty | Rent, Post, Sup, Misc. | 3,157.44 |
| Joan Ackland | Wksh, Meal | 68.45 |
| Jon Anderson | Uni, Post | 52.66 |

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| | | |
|--|-----------------------------|------------|
| Andrews Electric Co., Inc. | Rep | 168.25 |
| Aquila | Uti | 57.05 |
| Aramark Uniform Services, Inc. | Ser | 271.61 |
| Auto Value Parts Stores | Sup | 22.83 |
| Blue Cross/Blue Shield of Nebraska | Insur | 14,597.61 |
| Sandra Bolejack | Misc. | 121.56 |
| Bottorf & Maser, Atty. | Ser, Mile, Misc. | 1,244.52 |
| William L. Burgess | Uni, Meals, Mile, Lodging | 133.86 |
| Daryl L. Callenius | Uni | 35.00 |
| City of Geneva | Uti | 679.10 |
| Conoco Phillips Fleet | Fuel | 1,793.43 |
| Dr. R. J. Cronk | Ser | 25.00 |
| DAS Communications | Ser | 448.00 |
| Des Moines Stamp | Sup | 292.00 |
| Duckwall – Alco Stores, Inc. | Sup | 58.25 |
| Eakes Office Plus, Inc. | Sup, Ser, Equip | 1,332.70 |
| Earls Window Service | Ser | 5.00 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Evercom | Sup | 232.63 |
| Executive Copier Service | Ser | 164.77 |
| F & S Supply Co., Inc. | Sup | 388.16 |
| Fillmore County Hospital | Ser | 1,046.10 |
| Fillmore County Treasurer | Insur, Wksh, Transfers | 421,213.09 |
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Fort Dearborn Life Insurance Co. | Insur | 201.87 |
| Fontaine Microfilming | Ser | 400.00 |
| Galls – An Aramark Co. | Sup | 192.79 |
| Teri Gemar | Mile, Wksh | 343.70 |
| Geneva State Bank | SS | 2,886.78 |
| Hilty's of Geneva | Sup | 261.40 |
| Holiday Inn | Lodging | 127.90 |
| Hometown Leasing | Ser | 583.45 |
| JEO Consulting Group, Inc. | Ser | 1,100.00 |
| Jim's Repair | Rep | 29.75 |
| Steve Julich | Uni | 35.00 |
| Kerry's Auto Repair & Service | Rep, Parts | 544.63 |
| Knoche Appraisal & Consulting, LLC | Ser, Mile | 2,280.00 |
| Kustom Signals, Inc. | Sup | 72.00 |
| Lynn Peavey Company | Sup | 39.90 |
| MIPS, Inc. | Ser | 2,085.63 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| Naber's Repair Service | Sup | 21.75 |
| Nebraska Child Support Enforcement Assoc. | Wksh | 95.00 |
| The Nebraska Signal | Ads, Sup, Pro, Subscription | 971.32 |
| Nelson Petroleum Co. | Fuel | 901.53 |
| Nick's Farm Store | Rep | 108.69 |
| Mary Novak | Mile, Wksh | 111.75 |
| O'Keefe Elevator Co., Inc. | Rep, Main | 190.65 |
| Operation Respond Institute, Inc. | Ser | 100.00 |
| R & D Parts, LLC | Sup | 128.05 |
| Ralph's Geneva Tire & Service Center | Rep, Main | 401.35 |
| Region V Systems | EPC Ser | 330.00 |
| Steven G. Roemmich | Uni | 35.00 |
| Seiler & Parker, P. C. | Ser, Mile | 236.83 |
| State of Nebraska Crime Commission | Sup | 6.00 |
| State of Nebraska Dept. of Admin. Services | Ser | 54.83 |
| State of NE HHS Laboratory | Ser | 75.00 |
| Stolz's Shooting Supplies | Sup | 23.75 |
| Chad Summers | Uni | 35.00 |
| Thayer County Sheriff | Ser | 27.35 |
| Tri – Tech, Inc. | Sup | 41.50 |
| UN-L IS – Telecommunications | Uti | 25.71 |
| Union Bank & Trust | Ret | 2,344.59 |
| Brandy VanDeWalle | Mile | 182.45 |
| Windstream | Uti | 491.16 |
| Jannette Wood | Misc | 281.40 |
| York County Sheriff | Ser, Mile | 18.80 |
| Payroll | Salaries | 40,085.97 |
| | | |
| ROAD/BRIDGE FUND | | |
| Action Auto Supply | Parts, Rep | 45.69 |
| Alltel | Uti | 83.53 |
| Andrews Electric Co., Inc. | Rep | 1,916.20 |
| Aquila | Uti | 62.74 |
| Auto Value Parts Stores | Parts, Rep, Sup | 463.48 |

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|---|---------------------------------|-----------|
| B & J Automotive | Parts | 459.06 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,562.49 |
| Business World Products | Rep | 29.25 |
| Casey's General Store | Fuel | 47.70 |
| Century Lumber Center | Rep, Sup | 278.81 |
| City of Geneva | Uti | 53.80 |
| Conoco Phillips Fleet | Fuel | 292.54 |
| Don's Signs | Sup | 169.00 |
| Dorchester Farmers Coop | Fuel, Sup | 7,833.66 |
| Farm Plan | Parts, Rep | 536.73 |
| Fillmore County Shop | Post, Parts, Rep, Fuel | 25.70 |
| Fillmore County Treasurer | Wksh | 36.00 |
| Fillmore County Treasurer | Insur | 67,370.33 |
| Filter Care of Nebraska | Parts | 101.90 |
| Fort Dearborn Life Insurance Co. | Insur | 124.59 |
| Gambles | Rep, Sup | 177.31 |
| Geneva Implement | Parts, Misc. | 115.04 |
| Geneva State Bank | SS | 1,782.77 |
| Geneva Welding & Supply Co. | Sup, Materials | 444.13 |
| Grafton Mini Mart | Fuel | 149.97 |
| Grafton Oil | Fuel, Sup | 1,434.97 |
| Hilty's of Geneva | Sup | 7.45 |
| Lichti Oil | Fuel | 3,093.49 |
| Marlbrough | Sup | 34.00 |
| Michl Service | Fuel | 120.59 |
| Nebraska Assoc. of County Officials | Wksh | 30.00 |
| National Assoc. of County Engineers | Misc. | 33.00 |
| Nebraska Bolt | Parts | 65.94 |
| Nebraska Iowa Industrial Fasteners | Sup | 132.60 |
| The Nebraska Signal | Ad | 58.61 |
| Nelson Petroleum Company | Fuel, Sup, Parts | 5,063.79 |
| Newman Traffic Signs | Sup | 3,799.40 |
| Nichols Construction | Gravel | 49,932.81 |
| Overland Sand & Gravel | Gravel | 21,278.48 |
| Perennial Public Power | Uti | 52.35 |
| Power Plan | Parts | 285.99 |
| R & D Auto Parts | Parts, Sup | 228.58 |
| Ralph's Geneva Tire & Service | Rep | 177.70 |
| Shell | Fuel | 77.00 |
| Speece Lewis Engineers | Ser | 2,348.00 |
| Superior Deshler, Inc. | Fuel | 55.60 |
| Union Bank & Trust | Ret | 1,548.66 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 15.35 |
| Weaver Pharmacy | Misc | 7.49 |
| Payroll | Salaries | 24,506.61 |
| | | |
| <u>JUVENILE DIVERSION FUND</u> | | |
| Fillmore County Clerk | Copies | 1.75 |
| Dave Wythers | Ser, Post, Uti | 2,817.00 |
| | | |
| <u>MEDICAL / RELIEF FUND</u> | | |
| Weaver Pharmacy | Sup | 701.58 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | July Patient Care | 195.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Janet Bartak | Mile | 161.98 |
| Blue Cross/Blue Shield of Nebraska | Insur | 949.44 |
| Dawg's Smokehouse Café | HDM's | 265.00 |
| Exeter Care Center | HDM's | 227.50 |
| Exeter Golden Agers | June USDA, LAAA | 284.20 |
| Fairmont Aging Services | June USDA, LAAA | 1,806.17 |
| Fillmore County Treasurer | Insur | 167.23 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva Senior Center | June USDA, LAAA, Uti, Sup, Rent | 2,843.44 |
| Geneva State Bank | SS | 169.45 |
| Nancy Kohler | Sup, Mile | 122.86 |
| Elizabeth Mattox Manning | Ser | 132.00 |
| Ron's Tavern | HDM's | 280.00 |
| Rhonda Stokebrand | Mile | 72.09 |
| Union Bank & Trust | Ret | 134.09 |
| Payroll | Salaries | 2,248.18 |
| | | |

| | | |
|------------------------------------|---------------------------------|-----------|
| HOSPITAL OPERATING FUND | | |
| Fillmore County Hospital | August Taxes | 23,744.78 |
| | | |
| NOXIOUS WEED FUND | | |
| Action Auto Supply | Sup | 15.01 |
| Alltel | Uti | 38.44 |
| Blue Cross/Blue Shield of Nebraska | Insur | 474.72 |
| City of Geneva | Uti | 7.10 |
| Conoco Phillips Fleet | Fuel | 318.42 |
| Merlin Ehmen | Meals, Lodging, Mile, Post, Sup | 448.70 |
| Fillmore County Treasurer | Insur | 4,966.23 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 87.33 |
| Union Bank & Trust | Ret | 77.06 |
| Payroll | Salaries | 1,141.66 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

BUDGET HEARING

The hearing on the county’s budget for 2006-2007 was opened at 1:00 p.m. as advertised.

REPLACING SECURITIES

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

RESOLUTION 2006-37

RESOLVED, that Geneva State Bank of Geneva, Nebraska be permitted to replace the following security held by Wells Fargo Bank, Minnesota:

Letter of Credit #12688, in the amount of \$30,000.00

and that the following security be replaced by:

Midwest Independent Bank, Letter of Credit #41084, in the amount of \$30,000.00

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.

MILLIGAN RURAL FIRE DISTRICT BOND

Capek moved and Yates seconded the motion to approve the bond for the Milligan Rural Fire District Secretary/Treasurer Henry J. Rohla for a term beginning on September 13, 2006 and ending September 13, 2008. 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.

BOARD OF EQUALIZATION

At the request of the County Clerk, Yates moved and Simacek seconded the motion to go into session as the Fillmore County Board of Equalization at 1:08 p.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.

VALUATION CHANGE

Kimbrough moved and Cerny seconded the motion to approve the valuation change presented by the County Assessor. It was ordered to be filed in the County Clerk’s office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX CORRECTIONS

Capek moved and Simacek seconded the motion to approve tax corrections 22-05 and 23-05 as presented by the County Assessor. 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.

SPECIAL HEARING TO SET FINAL TAX REQUEST

The special hearing on setting the final tax request at a different amount than the prior tax request opened at 1:15 p.m. No one appeared to testify at the hearing.

ADDITIONAL BUDGET AUTHORITY

Cerny moved and Yates seconded the motion to authorize up to one per cent additional budget authority as allowed by statute. 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.

BUDGET ADOPTED

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

RESOLUTION 2006 - 38

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2006 to June 30, 2007, prepared by the Budget Making Authority, was transmitted to the County Board on the 22nd day of August, 2006, and hearing on said budget was held on the 12th day of September, 2006 and the budget was adopted.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Fillmore County, Nebraska as follows:

Section 1: That the amended budget for the Fiscal Year July 1, 2006 to June 30, 2007, as evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Fillmore County for said fiscal year.

Section 2: That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2006 and ending June 30, 2007.

Section 3: That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

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.

RETURN TO REGULAR SESSION

Capek moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 1:30 p.m. 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.

PUBLIC SERVICE COMMISSION FUNDING

Emergency Manager, Terry Marshall presented a letter to the Public Service Commission for funding on Phase II of the 911 Center.

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After discussion, Cerny moved and Yates seconded the motion to approve and sign the letter to the Public Service Commission for funding. 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.

2006 HOMELAND SECURITY GRANT

Emergency Manger, Terry Marshall informed the Board that Fillmore County has been granted approx. \$58,000.00 for 2006 Homeland Security Grant.

After discussion, Yates moved and Capek seconded the motion to approve the Emergency Manager to accept the 2006 Homeland Security Grant funds. 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.

CLOSED SESSION FOR PERSONNEL

Cerny moved and Simacek seconded the motion that the Fillmore County Board hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session, personnel items authorized by Statute to be discussed in closed session. 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 and requested that Emergency Manger remain. Closed session began at 1:43 p.m.

RETURN TO REGULAR SESSION

Kimbrough moved and Capek seconded the motion to return the open session at 1:51 p.m. 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.

ADVANCED BIOENERGY II SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Advanced BioEnergy II Subdivision, located in the SE ¼, Section 25-8-3, West Blue Township.

Kimbrough moved and Galusha seconded the motion to approve the plat of the Advanced BioEnergy II Subdivision as follows:

A tract of land in the SE ¼ of Section 25, Township 8 North, Range 3 West of the 6th p.m., Fillmore County, Nebraska, described as follows: Commencing at the SW corner of said SE ¼; thence along the south line of said SE ¼; on the bearing of N89°59'48"E (Bearing assumed and all of the bearings referenced therefrom), distance 86.00 feet to a point of the easterly R.O.W. line of Fillmore Western Railroad and the point of beginning; thence N00°17'32"W along the easterly right of way line of Fillmore Western Railroad, distance 1450.00 feet; thence N89°59'48"E, distance 55.00 feet; thence S00°17'32"E, parallel to said easterly R.O.W. line of Fillmore Western Railroad, distance 1450.00 feet to a point on the south line of said SE ¼; thence S89°59'48"W along the south line of the SE ¼, distance 55.00 feet to the point of beginning. Containing 1.83 acres more or less.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Cerny

The Chairman declared the motion carried.

ADVANCED BIOENERGY IV SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Advanced BioEnergy IV Subdivision, located in the NE ¼, Section 1-7-3, Geneva Township.

Simacek moved and Yates seconded the motion to approve the plat of the Advanced BioEnergy IV Subdivision as follows:

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A tract of land in the NE ¼ of Section 1, Township 7 North, Range 3 West of the 6th p.m., Fillmore County, Nebraska more particularly described as follows: commencing at the northwest corner of said NE ¼ of Section 1; thence along the north line of said NE ¼ on a bearing of S89°58'18"E (bearing assumed and all of the following bearings referenced therefrom), distance 123.00 feet to a point on the easterly R.O.W. line of the Fillmore Western Railroad; thence S00°17'32"E along the easterly Railroad R.O.W, distance 50.00 feet to a point on the south R.O.W. line of the County road and the point of beginning; thence continuing S00°17'32"E along said Railroad R.O.W. line, distance 1449.72 feet; thence N09°12'53"E, distance 973.98 feet; thence N43°32'45"E, distance 225.86 feet; thence N52°45'46"E, distance 226.70 feet; thence N62°46'59"E, distance 247.03 feet; thence N00°01'42"E, distance 74.07 feet to a point on the south R.O.W. line of the County road; thence N89°58'18"W along the south R.O.W. line of the County road, distance 719.16 feet to the point of beginning. Containing 6.76 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLOSED SESSION FOR LITIGATION

Cerny moved and Capek seconded the motion that the Fillmore County Board hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session litigation items authorized by Statute to be discussed in closed session. 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 and requested that Highway Superintendent and County Clerk remain. Closed session began at 2:17 p.m.

RETURN TO REGULAR SESSION

Capek moved and Yates seconded the motion to return to open session at 2:55 p.m. 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.

GENERAL ASSISTANCE GUIDELINES

After discussion, Yates moved and Cerny seconded the motion to approve and adopt the General Assistance Guidelines for Fillmore County as of October 1, 2006. 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.

ADJOURNMENT

Agenda items "Highway 81 & Road G lighting and Region V Systems/Public Health funding" were tabled until the September 26th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., September 26, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., September 26, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:15 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

RURAL APPREHENSION PROGRAM AGREEMENT

After discussion, Capek moved and Cerny seconded the introduction of the following resolution:

RESOLUTION 2006-39

WHEREAS, law enforcement agencies with the following counties: Butler, Clay, Fillmore, Hamilton, Jefferson, Merrick, Nuckolls, Saunders, Seward, Thayer, Webster, and York desire to enter into a cooperative law enforcement effort; and

WHEREAS, the above agencies have submitted a grant application known as the RURAL APPREHENSION PROGRAM (hereafter referred to as RAP 17); and

WHEREAS, the RAP project has been funded by the Nebraska Crime Commission; and

WHEREAS, the various counties, communities, and agencies within those jurisdictions desire to make the most efficient use of the power by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner pursuant to forms of governmental organization that will accord best with geographic, economic, populations, and other facts; and

WHEREAS, an interlocal agreement, consistent with Nebraska Revised Statutes 13-801 et.seq, would be in the best interest of all participating agencies; and

WHEREAS, the agencies desire to enter into a written interlocal agreement for the purposes of carrying out the RAP objectives and grant requirements of the Nebraska Crime Commission.

BE IT RESOLVED THAT, The Fillmore County Board of Supervisors authorizes William L. Burgess to enter Fillmore County into an interlocal agreement for joint and cooperative action pursuant to the provisions of Section 13-801 through 13-807 of Nebraska Revised Statutes. The interlocal agreement shall be for the strict administration of the RAP project and all funds allocated by the Nebraska Crime Commission, and Match dollars allocated by the RAP members. Further, this interlocal agreement shall not establish a separate legal entity, rather a joint and cooperative undertaking between public agencies i.e. state, county, city, and village. (Nebraska Revised Statute 13-801)

Amount of match dollars allocated by the Fillmore County Board of Supervisors for the 2006 - 2007 grant period (RAP 17) will be \$3,317.00 (6,634 x \$0.50)

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

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.

| <u>GENERAL FUND</u> | | |
|------------------------------------|---------------------|-----------|
| Howard F. Ach, Atty | Mile | \$43.05 |
| Alltel | Uti | 64.89 |
| Joseph N. Bixby DR. | Ser | 2,437.50 |
| Blue Cross/Blue Shield of Nebraska | Insur | 16,496.49 |
| Brody Chemical | Sup | 49.59 |
| Chaney Chemical, Inc. | Sup | 504.00 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Drummond American Corp. | Sup | 377.73 |
| Fillmore County Building & Grounds | Sup | 75.53 |
| Fillmore County Sheriff | Ser, Mile | 639.83 |
| Fillmore County Treasurer | Post, Vehicle, Wksh | 15,456.20 |

| | | |
|--|---------------------|-----------|
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Fort Dearborn Life Insurance Co. | Insur | 201.87 |
| The Garbage Company | Ser | 117.25 |
| Geneva State Bank | Ser | 37.50 |
| Geneva State Bank | SS | 2,815.57 |
| Norma Gregory | Ret | 25.00 |
| Head Start Child & Family Development | Annual request | 7,163.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Mile | 2,752.89 |
| Stephen J. Kraviec | Ser, Post | 1,640.72 |
| Lease Consultants Corp. | Ser | 249.00 |
| May Clinic Health Letter | Subscription | 24.00 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Mid- American Research Chemical | Sup | 324.76 |
| NVO Information Systems, Inc. | Sup | 499.00 |
| Nebraska Public Power Dist. | Uti | 2,025.57 |
| Nebraska Technology & Telecommunications | Uti | 1,072.53 |
| Amy Nelson | Mile, Sup | 57.82 |
| PC Nuts | Sup | 79.90 |
| Region V Systems | Annual request | 10,494.00 |
| Patty Scarborough | Mile | 121.50 |
| State of Nebraska Dept. of Admin. Services | Ser | 59.14 |
| State of Nebraska HHS Laboratory | Ser | 150.00 |
| Thayer County Treasurer | Sup | 470.94 |
| Union Bank & Trust | Ret | 2,348.48 |
| USDA, APHIS | Ser | 1,588.75 |
| Daniel L. Werner | Ser, Mile | 432.45 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| Windstream | Uti | 293.97 |
| Payroll | Salaries | 39,154.84 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Aurora Coop | Fuel | 1,058.60 |
| B's Enterprises | Grader Blades, Sup | 3,013.60 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,562.49 |
| Dorchester Farmers Coop | Fuel | 16,621.77 |
| Farm Plan | Parts, Sup | 123.77 |
| Fillmore County Hospital | Ser | 45.00 |
| Fort Dearborn Life Insurance Co. | Insur | 124.59 |
| Gambles | Sup | 30.90 |
| The Garbage Company | Ser | 112.94 |
| Geneva State Bank | SS | 1,776.32 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel | 1,788.86 |
| Donovan Jirkovsky | Ret | 25.00 |
| Nebraska Iowa Industrial Fasteners | Sup | 88.50 |
| Nebraska Machinery | Parts, Sup | 2,126.95 |
| Nebraska Public Power | Uti | 276.95 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 115.37 |
| Nelson Petroleum Company | Fuel | 1,753.15 |
| Overland Sand & Gravel | Gravel | 325.83 |
| Perennial Public Power | Uti | 30.44 |
| South Dakota LTAP | Wksh | 60.00 |
| Speece Lewis Engineers | Ser | 3,150.00 |
| Sutton Lumber | Signs & Posts | 1,344.00 |
| Union Bank | Ret | 1,549.21 |
| U.S. Postal Service | Post, Sup | 222.05 |
| USIS Commercial Services | Ser | 89.70 |
| Payroll | Salaries | 24,422.49 |
| | | |
| <u>ECONOMIC DEV. – TOURISM FUND</u> | | |
| Fillmore County Development Corp. | Mile, Sup, Ser | 343.20 |
| Nebraska Life Publishing, Inc. | Ad | 492.37 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Obstetricians & Gynecologist, PC | Ser | 170.89 |
| Urology, PC | Ser | 39.78 |
| Weaver Pharmacy | Sup | 39.14 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | August Patient Care | 669.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 949.44 |
| Family Caregiver Retreat | Wksh | 15.00 |

| | | |
|---|----------|----------|
| Fillmore County Rural Transit | Ser | 45.00 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva State Bank | SS | 169.11 |
| Nebraska Signal | Ad | 6.30 |
| Union Bank & Trust | Ret | 134.09 |
| Payroll | Salaries | 2,243.81 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Pierson, Fitchett, Hunzeker, Blake & Katt | Ser | 2,175.37 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Blue Cross/Blue Shield of Nebraska | Insur | 474.72 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 87.33 |
| Union Bank & Trust | Ret | 77.06 |
| Payroll | Salaries | 1,141.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Nebraska Public Power District | Uti | 105.16 |
| Windstream | Uti | 1,057.54 |
| | | |

CLAIMS APPROVED

Kimbrough moved and Yates seconded the motion to approve the claims as presented. 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.

REGION V SYSTEMS & PUBLIC HEALTH REQUEST

After discussion, Cerny moved and Capek seconded the motion to deny the request of \$3,000.00 from Region V Systems and Public Health Solutions for a volunteer database. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Capek moved and Simacek seconded the motion to approve the following applications for a driveway permit:

Mark Kimbrough – to install a new 40’ driveway on the north side of the NW ¼, Section 35-6-3, Stanton Township;
Lavern Vejraska – to install a new driveway on the east side of the NE ¼, Section 34-6-1, Glengary Township;
Don Miller Trust – to install a new 40’ driveway on the west side of the SW ¼, Section 3-7-3, Geneva Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ABANDONING PART OF ROADWAY

Highway Superintendent, Elmer Hessheimer presented to the Board that he has been approached about abandoning a part of the roadway on the North & West side of Section 3 & 4, Fairmont Township.

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

RESOLUTION 2006-40

WHEREAS, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of County Road A, between Road 15 and Road 17, the North part of Road 16 between Road A and Road B and a section of roadway in the NW ¼ in Section 3-8-2, Fairmont Township and to submit within thirty (30) days a written report of his recommendation of the partial vacation of Road A, a partial vacation of Road 16 between Road A and Road B and the vacation of a section of roadway in the NW ¼ of Section 3-8-2.

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.

SKID STEER LOADER LETTING

After discussion and reviewing the bids from the previous meeting, Yates moved and Cerny seconded the motion to purchase the new 2006 John Deere CT322 skid steer loader with grapple and forks with the trade-in for \$34,930.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

SKID STEER LOADER LETTING

After further discussion, Kimbrough moved and Simacek seconded the motion to purchase the 2006 Cat 257B skid steer loader with grapple and forks with no trade-in for \$39,645.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

UTILITY TRAILER

After reviewing and discussing the bids received, Cerny moved and Galusha seconded the motion to purchase the 2003 Titan 20' flat trailer with ramps for \$2,700.00 from Geneva Trailer Sales. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ROAD DEPARTMENT ANNUAL REPORT

Highway Superintendent, Elmer Hessheimer presented the Roads Department Annual Report.

After discussion, Simacek moved and Galusha seconded the motion to approve and sign the 2005-2006 Roads Department Annual Report. 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.

SHICKLEY NORTH PROJECT CONSTRUCTION ENGINEER

The selection committee, which included Dennis Kimbrough, Larry Cerny, and Elmer Hessheimer reported to the Board that there were four engineering firms that submitted a proposal: Mainelli Wagner & Associates, Inc., Tagge Engineering Consultants, Inc., Speece-Lewis Engineers, Inc., and JEO Consulting Group, Inc. After completing their construction engineer selection process their recommendation to the Board was to select Speece-Lewis Engineers, Inc. as our construction engineer for the Shickley North project.

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

RESOLUTION 2006-41

WHEREAS, The Selection Committee for a construction engineer have completed the Construction Engineer Selection Process for the Shickley North Bridge Project #BR-2725(5).

WHEREAS, The Fillmore County Board of Supervisors have selected Speece-Lewis Engineers, Inc. to be the Construction Engineer for the Shickley North Bridge Project #BR-2725(5).

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

SELECTION COMMITTEE

September 26, 2006

Elmer Hessheimer, Highway Superintendent, requested that a selection committee be appointed for the process of selecting a Construction Engineer Consultant for a three (3) year period.

After discussion, Capek moved and Simacek seconded the motion to appoint Dennis Kimbrough, Larry Cerny, and Elmer Hessheimer to this committee. 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.

CHANGE ORDERS FOR FAIRMONT SW PROJECT

Elmer Hessheimer, Highway Superintendent presented the following two change orders to Constructors, Inc.: Change Order #1 for the pavement marking for a total of \$4,260.90, and Change Order #2 for overruns/underruns in the amount of \$6,798.08 for the Fairmont SW paving project.

After discussion, Simacek moved and Cerny seconded the motion to approve Change Orders #1 and #2 to Constructors, Inc. 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.

ZONING REGULATIONS & PROCEDURES HEARING

The hearing to review and change the zoning regulations and procedures pertaining to special use permits for utilities and utility distribution systems was opened at 11:01 a.m.

Zoning Administrator, Gerald Slezak informed the Board that the Zoning Board would like to see 6.6 added to the Special Use Permit section. This contains that "non-public utilities and utility distribution systems shall only be allowed by special permit in the Ag-1 and Ag-2 Zoning Districts. The procedures for the application and authorization of such permit does not require written notice of hearing to record title owners of affected property and property in proximity to nor posting of all affected property when such utility or distribution system is to be placed on multiple parcels and exceeds one (1) mile in length or extent. All other procedures described in section 6.2 apply". Amend the minimum lot size for utilities in Ag-1 and Ag-2 requiring a special use permit to 100 feet by 100 feet.

With no public comment the hearing was closed at 11:22 a.m.

SPECIAL USE PERMIT HEARING

The hearing to receive and review a Special Use Permit for Montana Dakota Utilities Co. to bury a 6" natural gas pipeline to service the proposed ethanol plant SW of Fairmont was opened at 11:15 a.m.

Zoning Administrator, Gerald Slezak presented the Special Use permit from Montana Dakota Utilities Co. with maps attached to show the pipeline route from Strang to the Ethanol Plant outside of Fairmont.

With no public comment the hearing was closed at 11:33 a.m.

ZONING CHANGE

After discussion, Simacek moved and Kimbrough seconded the motion to approve the addition of 6.6 to the Special Use Permit section of the zoning regulations effective July 1, 2006. 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.

MINIMUM LOT SIZE FOR UTILITIES

After discussion, Yates moved and Galusha seconded the motion to change the minimum lot size to 100 feet by 100 feet for all public and private utilities. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SPECIAL USE PERMIT

Capek moved and Simacek seconded the motion to approve the Special Use Permit for Montana Dakota Utilities Co. for Advanced BioEnergy, LLC to bury a 6" pipeline with route attached. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BLUE VALLEY MENTAL HEALTH

John Day from Blue Valley Mental Health presented to the Board that they need additional funding for the Substance Abuse program in Fillmore County in the amount of \$11,440.00.

CLOSED SESSION FOR PERSONNEL

Yates moved and Simacek seconded the motion that the Fillmore County Board hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session, personnel items authorized by Statute to be discusses in closes session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that Zoning Administrator remain. Closed session began at 12:00 noon.

RETURN TO REGULAR SESSION

Galusha moved and Kimbrough seconded the motion to return to open session at 12:10 p.m. 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.

BLUE VALLEY MENTAL HEALTH REQUEST

After discussion, Kimbrough moved and Cerny seconded the motion to deny the request from Blue Valley Mental Health for additional funding. 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.

ADJOURNMENT

Agenda items "Highway 81 & Road G lighting, Board of Equalization, and 10 Best Practices" were tabled until the October 10th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., October 10, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., October 24, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Galusha, and Simacek. Capek was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:08 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approve as presented.

DITCH CLEANING PERMIT

Galusha moved and Simacek seconded the motion to approve the following application for a permit to clean silt from a road ditch:

Charles Dondlinger – to clean silt from the road ditch adjoining to the south side of the SW ¼ and the W ½ of the SE ¼ Section 14-6-4, Momence 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.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Galusha seconded the motion to approve the following applications for permits to occupy county right-of-way:

Ron Tatro – to install a gas line between the NE ¼ of Section 31-6-2 and the NW ¼ of Section 32-6-2, Chelsea Township and to install a gas line between the SE ¼ of Section 29-6-2 and the NE ¼ of Section 32-6-2, Chelsea Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

JDM Farms – to install an electrical line between the SE ¼ of Section 8-5-4 and the SW ¼ of Section 9-5-4, Bryant Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Wilma Plock – to install an electrical line between the SE ¼ of Section 4-8-2 and the SW ¼ of Section 5-8-2, Fairmont Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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: Cerny, Mueller, Galusha, Yates, Simacek, and Kimbrough
Nays: None

The Chairman declared the motion carried.

SET HEARING TO CLOSE ROAD

Highway Superintendent, Elmer Hessheimer presented the traffic study to report the use of public roads located on the North side of Section 4-8-2, the North side of Section 3-8-2, between Section 3 and Section 4-8-2 and a diagonal roadway located in the NW ¼ of Section 3-8-2, all in Fairmont Township. Wayne Plock and Wilma Plock also presented to the Board the reason why they would like to see these road vacated.

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

RESOLUTION 2006-44

WHEREAS, the County Board directed the County Highway Superintendent, by resolution, to study the use being made of the public roads located on the North side of Section 4-8-2, the North side of Section 3-8-2, between Section 3 and Section 4-8-2 and a diagonal roadway located in the NW ¼ of Section 3-8-2, all in Fairmont Township.

WHEREAS, a written report was submitted by the County Highway Superintendent recommending to close and vacate the following:

Fillmore County Road A between Fillmore County Road 15 and Fillmore County Road 16; a portion of the north side of the NE ¼ in Section 4, T-8-N, R-2-W in Fairmont Township. The vacation of road would start at the northeast corner of Section 4 and proceed west approximately 2,539 feet. This area is 33 feet wide.

Fillmore County Road A between Fillmore County Road 16 and Fillmore County Road 17; a portion of the north side of the NW ¼ in Section 3, T-8-N, R-2-W in Fairmont Township. The vacation of road would start at the northwest corner of Section 3 and proceed east approximately 2,664 feet. The area is 33 feet wide.

Fillmore County Road 16 between Fillmore County Road A and Fillmore County Road B; a portion of the north ½ between Section 3 and Section 4, T-8-N, R-2-W in Fairmont Township. The vacation of road would start in the northwest corner of Section 3 and run south approximately 2,056 feet. This area is 66 feet wide.

A portion of the NW ¼ in Section 3, T-8-N, R-2-W in Fairmont Township. This area was purchased by Fillmore County to build a road around the wetland area and then abandoned in 1918.

The Fillmore County Highway Superintendent further recommends that the vacated segments of road be offered to the Fairmont Township and the County of York. If they reject taking over the maintenance of the portion of road that would be closed, the ownership of the county road right-of-way could be reverted to the adjacent landowners.

NOW THEREFORE Be it Resolved by the Fillmore County Board of Supervisors that a hearing be set for 10:00 a.m., November 28, 2006 to hear testimony concerning the proposed abandonment of the four tracts listed above.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

FLOODPLAIN DEVELOPMENT PERMIT

Yates moved and Kimbrough seconded the motion to approve and sign the Floodplain Development Permit for Project #C003004215 located between Sections 10 and 15, T-5-N, R-1-W. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BIDS FOR THE JOHN DEERE BACKHOE

Highway Superintendent, Elmer Hessheimer presented four bids for the John Deere Backhoe ranging from \$2,551.00 to \$5,254.00.

After discussion, Cerny moved and Galusha seconded the motion to accept the bid from Kenneth Marks for \$5,254.00 for the John Deere Backhoe. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WARNING LIGHTS ON HIGHWAY 81

Highway Superintendent, Elmer Hessheimer informed the Board that the State of Nebraska will not allow for warning lights to be put on Highway 81 for trucks turning into the Ethanol Plant.

911 TOWER RENTAL SPACE

Corey Dick and Matt Friesen from Mainstay Communications requested to rent space on the new 911 tower for a fixed wireless internet service. After discussion, the Board requested that they submit a two year contract with the monthly fee of \$500.00 to the Board for approval.

BOARD OF EQUALIZATION

At the request of the County Clerk and the County Assessor, Simacek moved and Cerny seconded the motion to go into session as the Fillmore County Board of Equalization at 10:56 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the County Clerk, Amy Nelson, Kimbrough moved and Simacek seconded the motion to declare an emergency in order to add an item to the agenda, said item “Levies set by other Counties”. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

APPROVE LEVIES SET BY OTHER COUNTIES

Cerny moved and Galusha seconded the motion to approve the list of levies from other counties as presented by the County Clerk:

| | | |
|-------------------------------------|---------------------|-----------------|
| <u>School Districts:</u> | | |
| Sutton School Dist. #2 | General Fund | 1.158355 |
| | Special Building | <u>0.022981</u> |
| | TOTAL | 1.181336 |
| Davenport/Bruning Unified Dist. #47 | General Fund | 0.900072 |
| Friend Dist. #68 | General Fund | 1.182041 |
| | Bond Fund | 0.071411 |
| | Special Building | <u>0.020000</u> |
| | TOTAL | 1.273452 |
| McCool Jct. School Dist. #83 | General Fund | 1.246820 |
| | Special Building | <u>0.019490</u> |
| | TOTAL | 1.266310 |
| Bruning/Davenport Unified Dist. #94 | General Fund | 0.900072 |
| Heartland School Dist. #96 | General Fund | 1.063730 |
| Meridian School Dist. #303 | General Fund | 1.155561 |
| <u>Fire Districts:</u> | | |
| Bruning Fire District | General Fund | 0.015563 |
| | Sinking Fund | <u>0.019257</u> |
| | TOTAL | 0.034820 |
| Sutton Fire District | General Fund | 0.017285 |
| | Sinking Fund | 0.020825 |
| | Ambulance | <u>0.001666</u> |
| | TOTAL | 0.039776 |
| Upper Big Blue NRD | General Fund | 0.036834 |
| Little Blue NRD | General Fund | 0.038539 |
| ESU #5 | General Fund | 0.015000 |
| ESU #6 | General Fund | 0.015000 |
| ESU #9 | General Fund | 0.015441 |
| Southeast Community College | General Fund | 0.063400 |
| | Capital Improvement | <u>0.005500</u> |
| | TOTAL | 0.068900 |

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VALUATION CHANGES

Kimbrough moved and Simacek seconded the motion to approve the list of valuation changes presented by the County Assessor. A complete list was ordered to be filed in the County Clerk’s office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PROTEST

After discussion, Yates moved and Kimbrough seconded the motion to approve protest #2006-85 for the W 92' of Lots 521 – 523 in the original town of Exeter, change was for improvements and the total change was \$12,080.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX CORRECTION

Yates moved and Galusha seconded the motion to approve Tax Correction #04-05 as presented by the County Assessor. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VALUATION ADJUSTMENT

After discussion, Kimbrough moved and Simacek seconded the motion to adjust the outbuilding to approximately \$7.00 a square foot for parcel #2186. Total adjustment is \$6,620.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Yates moved and Simacek seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 11:12 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COUNTY VEHICLE POLICY

After discussion, Kimbrough moved and Yates seconded the motion to approve and adopt the changes made to the current county vehicle policy. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SMOKING POLICY

After discussion, Cerny moved and Kimbrough seconded the motion effective January 1, 2007 to ban all smoking and smokeless tobacco from county property, buildings, vehicles, and equipment. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERAL ASSISTANCE

After discussion, Cerny moved and Simacek seconded the motion to deny all benefits for general assistance application #2006-01. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLAIMS

October 24, 2006

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.

| | | |
|--|----------------|------------|
| <u>GENERAL FUND</u> | | |
| Alltel | Uti | \$371.88 |
| American Red Cross | Sup | 18.00 |
| Ameritas Life Insurance Corp. | Ret | 2,289.83 |
| Aramark Uniform Services, Inc. | Ser | 395.91 |
| Joseph N. Bixby DR | Ser | 255.00 |
| Blue Cross/Blue Shield of Nebraska | Insur | 16,021.77 |
| Blue Valley Community Action Partnership | Annual Request | 3,714.00 |
| Bottorf & Maser, Atty. | Ser, Mile | 329.88 |
| Thomas Boyer | Mtgs, Mile | 23.01 |
| City of Seward | Ser | 3,317.00 |
| Jill R. Cunningham | Mile | 67.64 |
| Dugan Business Forms | Sup | 441.64 |
| Robert Dumpert | Mtgs, Mile | 56.70 |
| Eakes Office Plus | Sup, Ser | 1,354.06 |
| Sharon Elznic | Mtgs, Mile | 66.36 |
| Fillmore County Court | Ser | 112.00 |
| Fillmore County Medical Center | Ser | 166.00 |
| Fillmore County Treasurer | Transfer, Post | 186,819.84 |
| Fort Dearborn Life Insurance Co. | Insur | 201.87 |
| Galls – An Aramark Co. | Sup | 374.86 |
| The Garbage Co., Inc. | Ser | 117.25 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,759.93 |
| Geneva Super Foods | Sup | 720.21 |
| GIS Workshop | Ser | 38,500.00 |
| Matt Harre | Mtgs, Mile | 87.72 |
| Hilty's of Geneva | Sup | 19.64 |
| Holiday Inn | Lodging | 188.85 |
| JEO Consulting Group, Inc. | Ser | 360.00 |
| Lease Consultants Corp. | Ser | 249.00 |
| Norma Lichtenberg | Mtgs, Mile | 56.70 |
| Thomas Manning | Mtgs, Mile | 46.02 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| Mierau & Co., P.C. | Ser | 1,200.00 |
| MIPS, Inc. | Ser | 2,085.63 |
| Morley Most | Mtgs, Mile | 85.05 |
| Naomi Mussman | Mile | 132.97 |
| Nebraska Assoc. of County Officials | Wksh, Sup | 141.00 |
| Nebraska Public Power District | Uti | 1,427.54 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,065.03 |
| Amy Nelson | Sup | 42.86 |
| Merle Noel | Mtgs, Mile | 66.36 |
| Reg Noel | Mtgs, Mile | 54.92 |
| Ken Real | Mtgs, Mile | 52.25 |
| Seiler & Parker, P. C. | Ser, Sup | 174.50 |
| Service Master Clean of York | Ser | 211.50 |
| State of Nebraska Dept. of Admin. Services | Ser | 56.77 |
| Thayer County Sheriff | Ser | 15.50 |
| UN-L IS-Telecommunications | Uti | 33.36 |
| Walter F. Stephens, Jr., Inc. | Sup | 47.14 |
| Weaver Pharmacy | Sup | 21.36 |
| West Payment Center | Sup | 150.00 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| Payroll | Salaries | 38,427.38 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 1,537.57 |
| Blue Cross/Blue Shield of Nebraska | Insur | 10,562.49 |
| Constructors, Inc. | Ser | 6,649.65 |
| Dorchester Farmers Coop | Fuel | 2,234.18 |
| Drummond American | Sup | 145.72 |
| Fort Dearborn Life Insurance Co. | Insur | 124.59 |
| Gambles | Sup, Misc | 95.22 |
| The Garbage Company | Ser | 56.47 |
| Geneva State Bank | SS | 1,746.79 |
| Grafton Mini Mart | Fuel | 68.40 |
| Grafton Oil | Fuel | 917.62 |
| Kabredlo's Inc. | Fuel | 124.00 |
| Lichti Oil | Fuel | 977.11 |

| | | |
|--|--------------------------------|-----------|
| Nebraska Assoc. of County Officials | Wksh | 130.00 |
| Nebraska Iowa Industrial Fasteners | Sup | 121.85 |
| Nebraska Public Power District | Uti | 209.00 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 113.09 |
| Nelson Petroleum Company | Fuel | 2,948.50 |
| Overland Sand & Gravel | Gravel | 5,878.72 |
| Perennial Public Power | Uti | 31.19 |
| Roit Repair | Rep | 17.95 |
| Shell | Fuel | 50.00 |
| Superior Deshler, Inc. | Fuel | 101.00 |
| Village of Exeter | Uti | 15.00 |
| Village of Shickley | Uti | 290.09 |
| Payroll | Salaries | 24,036.39 |
| | | |
| <u>ECONOMIC DEVELOPMENT - TOURISM</u> | | |
| Siegel Display Products | Sup | 106.35 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Radiology Assoc. | Ser | 70.40 |
| Weaver Pharmacy | Sup | 884.40 |
| York General Hospital | Ser | 59.45 |
| | | |
| <u>INSTITUTIONS FUND</u> | | |
| State of Nebraska Health & Human Services | Sept. Patient Care | 423.00 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 134.09 |
| Blue Cross/Blue Shield of Nebraska | Insur | 949.44 |
| Fort Dearborn Life Insurance Co. | Insur | 11.30 |
| Geneva State Bank | SS | 169.11 |
| Payroll | Salaries | 2,243.81 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Pierson, Fitchett, Hunzeker, Blake & Katt | Ser, Sup, Mile | 3,088.19 |
| | | |
| <u>KENO GRANT FUND</u> | | |
| Fillmore County Treasurer | 3 rd Quarter Return | 937.62 |
| | | |
| <u>ETHANOL PLANT ROAD BOND FUND</u> | | |
| Southeast Nebraska Development District | Ser | 1,789.60 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 84.15 |
| Blue Cross/Blue Shield of Nebraska | Insur | 474.72 |
| Fort Dearborn Life Insurance Co. | Insur | 1.42 |
| Geneva State Bank | SS | 134.38 |
| Payroll | Salaries | 1,756.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Nebraska Public Power District | Uti | 102.79 |
| Platte Valley Communications of Hastings | Equip | 155.63 |
| Windstream | Uti | 1,007.54 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item “Real Estate Lease” was tabled until the November 14th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., November 14, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 10:00 a.m., October 2, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, and Simacek. Capek and Galusha were absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 11:15 a.m.

CLOSED SESSION FOR LITIGATION

Kimbrough moved and Yates seconded the motion that the Fillmore County Board hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session litigation items authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the Highway Superintendent, County Sheriff, County Clerk, Craig Nelson with NIRMA, and Attorney Charlie Campbell to remain. Closed session began at 10:03 a.m.

RETURN TO REGULAR SESSION

Yates moved and Simacek seconded the motion to return to open session at 11:07 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., October 10, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., October 10, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Kimbrough, Yates, Capek, Galusha, and Simacek. Cerny was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 11:35 a.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

FEE REPORTS

Simacek moved and Yates seconded the motion to approve the fee reports for September 2006 and third quarter:

County Clerk: September \$5,246.50 (State \$2,824.54 & County \$2,421.96);
Quarterly \$21,209.38 (State \$9,775.15 & County \$11,434.23)
Clerk of District Court: September \$710.05; Quarterly \$1,710.22
Sheriff: September \$4,469.30; Quarterly \$12,713.23

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX SALE RESOLUTION

County Treasurer, Barbara Stephenson presented to the Board a listing of delinquent and unsold parcels.

At the request of the County Treasurer, Kimbrough moved and Galusha seconded the introduction of the following resolution:

RESOLUTION 2006-42

WHEREAS, the County Treasurer of Fillmore County has reported in writing to the County Board setting out a complete list of all parcels of real estate in the county on which taxes are delinquent and which were not sold for want of bidders at the last annual tax sale held in Fillmore County and said real estate taxes have been delinquent for a period of three or more years.

WHEREAS, The County Board has examined the same and while it may direct the issuance of tax sale certificates to the county upon any parcel of real estate upon which there are any delinquent taxes, it shall, as to all parcels of real estate upon which taxes are delinquent for three or more years, either enter an order directing the foreclosure of the lien of such taxes or shall enter an order for the County Treasurer to issue tax sale certificates to the county covering the delinquent taxes upon such parcels for real estate, to be foreclosed in the manner provided in Section 77-1901 to 77-1918, Nebraska Revised Statutes.

WHEREAS, more than two consecutive years have elapsed upon real estate which has been offered for sale and not sold for want of bidders; and

WHEREAS, more than three years will have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tract has expired;

BE IT NOW RESOLVED that the County Board shall direct the County Attorney to commence foreclosure on such liens or certificates on all real estate which has heretofore been advertised and offered for sale and remains unsold for want of bidders and certificates of tax sale issued thereupon.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

MOBILE HOME TAXES

At the request of the County Treasurer, Yates moved and Capek seconded the introduction of the following resolution:

RESOLUTION 2006-43

October 10, 2006

WHEREAS, The Fillmore County Treasurer has uncollected taxes on personal property from the years 2001 through 2004 on a trailer house, property ID #300003647, owned by Francis Botts, located on Lot 3, McCoy's Trailer Court, Fairmont, Nebraska; and also on a trailer house, property ID #300003668, owned by Tammy Burcham, located on Lot 1, McCoy's Trailer Court, Fairmont, Nebraska, for taxes in advance for 2001, and

WHEREAS, these trailers heretofore described in this resolution have either been destroyed or are no longer located in Fillmore County, Nebraska, nor can the owners of either trailers be located,

NOW THEREFORE, the Fillmore County Board of Supervisors hereby strikes the taxes for the years 2001 through 2004 from the tax roll on the trailer house, property ID #300003647, owned by Francis Botts, located on Lot 3, McCoy's Trailer Court, Fairmont, Nebraska; and also on a trailer house, property ID #300003668, owned by Tammy Burcham, located on Lot 1, McCoy's Trailer Court, Fairmont, Nebraska, for taxes in advance for 2001 unless personal property belonging to the persons against whom such tax has been levied and assessed can be found within Fillmore County, Nebraska to satisfy the tax obligation.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

JUVENILE DIVERSION GRANT FUNDS

Galusha moved and Simacek seconded the motion to authorize the Chairman to sign the Equal Employment Opportunity and Drug-Free Workplace agreements in order to receive grant funds for the Juvenile Diversion Program. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SURPLUS

At the request of the County Highway Superintendent, Galusha moved and Yates seconded the motion to declare the 1973 Backhoe surplus. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

LIGHTING FOR INTERSECTION HWY 81 & ROAD G

Highway Superintendent, Elmer Hessheimer informed the Board that three bids have been turned in for the lighting of intersection of Highway 81 and Road G, with bids ranging from \$29,860.06 to \$33,836.00. The bids include four intersection lights and two warning signal lights.

After discussion, Kimbrough moved and Simacek seconded the motion to accept the low bid of \$29,860.06 from Watts Electric with the approval from the State of Nebraska for the two warning signal lights. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

COST ALLOCATION

Capek moved and Kimbrough seconded the motion to authorize the Chairman to sign the Cost Allocation Plan with Maximus for the fiscal year 2007. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SOUTHEAST COMMUNITIY COLLEGE

Jack Huck, President of Southeast Community College presented the annual report and annual graduate placement report to the Board.

FLOODPLAIN PERMIT

Planning and Zoning Administrator, Gerald Slezak presented a floodplain permit from Little Blue Natural Resources District for Section 34-T5N-R1W and the SW ¼ of Section 35-T5N-R1W, Franklin Township. The

NRD proposes to construct a flood-control and groundwater recharge dam. No physical work is designated for these lands, only detention of flood waters.

After discussion, Capek moved and Yates seconded the motion to approve the floodplain permit for the Little Blue Natural Resources District. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADVANCED BIOENERGY III SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Advanced BioEnergy III Subdivision, located in the NW ¼, Section 25-8-3, West Blue Township.

Kimbrough moved and Galusha seconded the motion to approve the plat of Advanced BioEnergy III Subdivision as follows:

A tract of land located in the NW ¼, Section 25, Township 8 North, Range 3 West of the 6th P. M., Fillmore County, Nebraska more particularly described as follows: Commencing at the southeast corner of said NW ¼ of Section 25; thence N89°58'28"W along the south line of said NW ¼ of Section 25 (bearing assumed and all of the following bearings referenced therefrom) distance 8.53 feet to a point on the westerly right of way of Burlington Northern Railroad and the point of beginning; thence N32°30'01"W, distance 1010.45 feet to a point on the south right of way line of U. S. Highway 6; thence N86°59'59"E along the south right of way of U. S. Highway 6, distance 339.89 feet to a point on the westerly right of way of Burlington Northern Railroad; thence along the westerly R.O.W. Burlington Northern Railroad on a 676.78 foot radius curve to the right, arc distance 532.71 feet, chord bearing of S22°50'30"E, chord distance 519.07 feet; thence S00°17'32"E and continuing along the westerly right of way of Burlington Northern Railroad, distance 391.63 feet to the point of beginning. Containing 4.74 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ASSIGNMENT & ASSUMPTION AGREEMENT

After discussion, Galusha moved and Simacek seconded the motion to authorize the Chairman to sign the Assignment and Assumption Agreement with ABE Fairmont, LLC a subsidiary to Advanced BioEnergy, LLC with the corrections recommended from the County Attorney. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOARD OF EQUALIZATION

At the request of the County Clerk, Yates moved and Simacek seconded the motion to go into session as the Fillmore County Board of Equalization at 11:30 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADOPT LEVIES

Capek moved and Yates seconded the motion to adopt the following proposed levies for Fillmore County political subdivisions, as shown by the tax requests on the budgets filed in the Clerk's office:

LEVIES FOR FILLMORE COUNTY FOR 2006 – 2007

| | |
|--|-----------------|
| County General | 0.364486 |
| Medical/Relief Fund | 0.002068 |
| Institutions Fund | 0.000732 |
| Hospital Operating Fund | 0.013511 |
| Courthouse Bond Fund | <u>0.012350</u> |
| TOTAL COUNTY LEVY | 0.393147 |
| Fillmore County Agricultural Society – General | 0.006597 |
| Sinking Fund | <u>0.002247</u> |
| TOTAL | 0.008844 |
| Fillmore County Historical Society | 0.000899 |

SCHOOL DISTRICTS

| | |
|--|-----------------|
| Exeter-Milligan School Dist. #1 – General Fund | 1.205652 |
| Special Building Fund | <u>0.027684</u> |
| TOTAL | 1.233336 |

| | |
|--|-----------------|
| Fillmore Central School Dist. #25 – General Fund | 1.076349 |
| Special Building Fund | 0.011386 |
| Qualified Capital Purposes | <u>0.016120</u> |
| TOTAL | 1.103855 |

| | |
|--|----------|
| Shickley School Dist. #54 – General Fund | 1.060672 |
|--|----------|

TOWNSHIPS

| | |
|-----------------|----------|
| Exeter/Fairmont | 0.009792 |
| West Blue | 0.016125 |
| Grafton | 0.024999 |
| Bennett | 0.024722 |
| Geneva | 0.007267 |
| Madison | 0.009161 |
| Liberty | 0.023732 |
| Glengary | 0.010693 |
| Chelsea | 0.019618 |
| Stanton | 0.013605 |
| Momence | 0.013532 |
| Bryant | 0.013027 |
| Hamilton | 0.017724 |
| Belle Prairie | 0.023772 |
| Franklin | 0.008254 |

FIRE DISTRICTS

| | |
|-----------------------|-----------------|
| Exeter – General Fund | 0.024556 |
| Bond | <u>0.015782</u> |
| TOTAL | 0.040338 |

| | |
|-------------------------|----------|
| Fairmont – General Fund | 0.016523 |
| Grafton – General Fund | 0.025892 |
| Geneva – General Fund | 0.009792 |

| | |
|-------------------------|-----------------|
| Milligan – General Fund | 0.027003 |
| Sinking Fund | <u>0.001710</u> |
| TOTAL | 0.028713 |

| | |
|-----------------------|-----------------|
| Ohiowa – General Fund | 0.024662 |
| Sinking Fund | 0.004063 |
| Bond | <u>0.017049</u> |
| TOTAL | 0.045774 |

| | |
|-------------------------|----------|
| Shickley – General Fund | 0.020500 |
|-------------------------|----------|

CITIES AND VILLAGES

| | |
|-------------------------------|-----------------|
| Exeter Village – General Fund | 0.437706 |
| Bond | <u>0.268272</u> |
| TOTAL | 0.705978 |

| | |
|---------------------------------|-----------------|
| Fairmont Village – General Fund | 0.450000 |
| Bond | <u>0.579370</u> |
| TOTAL | 1.029370 |

| | |
|--------------------------------|-----------------|
| Grafton Village – General Fund | 0.449331 |
| Bond | <u>0.220536</u> |
| TOTAL | 0.669867 |

| | |
|----------------------------|-----------------|
| Geneva City – General Fund | 0.157134 |
| Bond | <u>0.341677</u> |
| TOTAL | 0.498811 |

| | |
|---------------------------------|----------|
| Milligan Village – General Fund | 0.437707 |
|---------------------------------|----------|

| | |
|---------------------------------|-----------------|
| Shickley Village – General Fund | 0.450000 |
| Bond | <u>0.541230</u> |
| TOTAL | 0.991230 |

| | |
|-------------------------------|----------|
| Strang Village – General Fund | 0.413380 |
|-------------------------------|----------|

| | |
|-------------------------------|----------|
| Ohiowa Village – General Fund | 0.449967 |
|-------------------------------|----------|

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Yates moved and Kimbrough seconded the motion to adjourn as Board of Equalization and return to regular session of the Fillmore County Board of Supervisors at 11:33 a.m. Upon roll call, the vote was as follows:

Ayes: Yates, Simacek, Kimbrough, Mueller, Galusha, and Capek
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 | | |
|--|------------------------------|----------|
| Access Data Corporation | Serv | 892.50 |
| Howard F. Ach, Atty | Rent, Sup, Copies | 3,114.66 |
| Alltel | Uti | 270.78 |
| Jon Anderson | Uni, Misc. | 135.00 |
| Applied Concepts, Inc. – Stalker Radar | Equip | 1,125.00 |
| Aquila | Uti | 58.32 |
| The Arsenal Group, Inc. | Sup | 342.10 |
| Auto Value Parts Stores | Sup | 22.58 |
| Axis Capital, Inc. | Ser | 486.64 |
| Blue Valley Community Action Partnership | 1 st Qtr. Request | 3,842.00 |
| William L. Burgess | Uni, Meals, Misc. | 193.31 |
| Daryl L. Callenius | Uni, Misc. | 135.00 |
| City of Geneva | Uti | 319.10 |
| Conoco Phillips Fleet | Fuel | 1,084.70 |
| Contryman Associates, P. C. | Ser | 6,500.00 |
| Jill R. Cunningham | Mile | 211.25 |
| DAS Communications | Ser | 448.00 |
| Duckwall – Alco Stores, Inc. | Sup | 76.45 |
| Earls Window Service | Ser | 5.00 |
| Jeffrey D. Ebeling | Uni, Misc. | 135.00 |
| Evercom Systems, Inc. | Sup | 226.50 |
| Executive Copier Systems | Ser | 65.70 |
| Gage County Clerk | Probation request | 2,633.61 |
| Galls – An Aramark Co. | Sup | 119.47 |
| Teri Gemar | Mile | 409.40 |
| Geneva State Bank | SS | 3,148.88 |
| Geneva Super Foods | Sup | 820.09 |
| Geneva TV & Appliance, Inc. | Sup | 6.00 |
| Hometown Leasing | Ser | 583.45 |
| Steve Julich | Uni, Misc | 145.00 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post, Copies | 2,524.74 |
| Kerry’s Auto Repair & Service | Rep, Sup | 192.31 |
| Knoche Appraisal & Consulting, LLC | Ser, Mile | 2,280.00 |
| Stephen J. Kraviec | Ser, Post | 1,643.90 |
| Kustom Signals, Inc. | Equip | 4,040.00 |
| Terry Marshall | Uti | 326.19 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| National Association of Counties | Dues | 400.00 |
| Nebraska Assoc. of County Officials | Wksh | 95.00 |
| Nebraska Criminal Defense Attorney’s Assoc. | Wksh | 190.00 |
| Nebraska Emergency Service Communications Assoc. | Wksh | 95.00 |
| Nebraska Fire Sprinkler Corp. | Ser | 426.00 |
| The Nebraska Signal | Pro, Ads, Subscription | 1,137.46 |
| Amy Nelson | Mile | 63.19 |
| Nelson Petroleum Co. | Fuel | 815.51 |
| O’Keefe Elevator Company, Inc. | Ser | 206.60 |
| PC Nuts | Sup | 92.00 |
| Quality Inn & Suites | Lodging | 183.00 |
| Ralph’s Geneva Tire & Service Center | Rep | 15.85 |
| Ramada Inn | Lodging | 156.00 |
| Region V | Qtr request | 2,952.25 |
| RepCo Marketing, Inc. | Sup | 19.75 |
| Steven G. Roemmich | Uni, Misc. | 135.00 |

| | | |
|------------------------------------|-------------------|------------|
| Gerald Slezak | Mile, Uti | 44.71 |
| Chad Summers | Uni, Misc. | 135.00 |
| Union Bank & Trust | Ret | 2,421.44 |
| Brandy VanDeWalle | Lodging, Mile | 599.50 |
| Walter F. Stephens, Jr., Inc. | Sup | 96.34 |
| Weaver Pharmacy | Sup | 15.98 |
| Windstream | Uti | 161.82 |
| Payroll | Salaries | 41,161.88 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Alltel | Uti | 108.52 |
| Aquila | Uti | 71.55 |
| Auto Value Parts Stores | Parts, Sup | 102.62 |
| Business World Products | Rep | 29.25 |
| C & C Extinguisher Service | Sup | 192.25 |
| Century Lumber Center | Rep, Parts, Sup | 283.82 |
| Chaney Chemical | Sup | 38.13 |
| City of Geneva | Uti | 60.00 |
| Conoco Phillips Fleet | Fuel, Sup | 113.40 |
| Constructors, Inc. | Ser | 5,395.05 |
| Dorchester Farmers Coop | Fuel | 2,176.13 |
| Eakes Office Plus | Equip | 324.90 |
| Fillmore County Clerk | Misc. | 10.00 |
| Fillmore County Shop | Post | 31.34 |
| Fillmore Western Railroad | Misc | 500.00 |
| Filter Care of Nebraska | Parts | 10.80 |
| Friesen Chevrolet, Inc. | Parts | 25.11 |
| Geneva Implement | Sup | 19.07 |
| Geneva State Bank | SS | 1,853.81 |
| Geneva Welding & Supply, Inc. | Parts, Sup, Equip | 2,755.49 |
| Grafton Oil | Sup | 538.52 |
| Grafton Oil | Fuel | 923.16 |
| Logan Contractors Supply, Inc. | Ser | 1,335.00 |
| Michl Service | Fuel | 98.88 |
| Mike's Radiator & Tire | Rep | 10.00 |
| Murphy Tractor & Equipment Co. | Equip | 148,295.00 |
| Nebraska Machinery | Equip | 39,545.00 |
| Nebraska Signal | Ads | 26.47 |
| Nelson Petroleum Co. | Fuel, Sup, Parts | 3,060.08 |
| Nichols Construction | Gravel | 38,423.16 |
| Nick's Farm Store | Rep | 91.73 |
| Orscheln | Parts | 189.99 |
| Overland Sand & Gravel | Gravel | 14,979.42 |
| Perennial Public Power | Uti | 20.61 |
| Platte Valley Communications | Sup | 49.46 |
| Power Plan | Parts | 1,349.16 |
| R & D Parts | Sup | 118.14 |
| Ralph's Geneva Tire & Service | Rep | 80.75 |
| Shickley Lumber | Sup | 4.39 |
| Speece Lewis Engineers | Ser | 3,315.00 |
| Union Bank & Trust | Ret | 1,552.05 |
| Village of Fairmont | Uti | 33.85 |
| Village of Milligan | Uti | 20.84 |
| Village of Ohioa | Uti | 20.00 |
| Zep Manufacturing | Sup | 86.23 |
| Payroll | Salaries | 24,232.75 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Urology, PC | Ser | 39.78 |
| York General Hospital | Ser | 870.11 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Janet Bartak | Mile | 66.75 |
| Dawg's Smokehouse Café | HDM's | 285.00 |
| Exeter Care Center | HDM's | 178.50 |
| Geneva Senior Center | Rent, Copies, Uti | 151.96 |
| Geneva State Bank | SS | 172.00 |
| Nancy Kohler | Mile | 241.64 |
| Jeannine Krejci | Ser | 132.00 |
| Elizabeth Mattox Manning | Ser | 132.00 |
| Nebraska Signal | Sup | 132.00 |
| Ron's Tavern | HDM's | 152.00 |
| Rhonda Stokebrand | Mile | 58.73 |
| Union Bank & Trust | Ret | 134.09 |
| Payroll | Salaries | 2,248.18 |

| | | |
|--|----------|-----------|
| | | |
| <u>ETHANOL PLANT ROAD BOND FUND</u> | | |
| Constructors, Inc. | Ser | 48,549.70 |
| UMB Bank | Interest | 7,274.53 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Alltel | Uti | 38.18 |
| Gaylord Craddock | Mile | 45.39 |
| Merlin Ehmen | Rent | 220.00 |
| Geneva State Bank | SS | 87.33 |
| Frances Heinrichs | Mile | 45.39 |
| The Nebraska Signal | Ad | 84.00 |
| Tim Schepers | Mile | 7.12 |
| Union Bank & Trust | Ret | 77.06 |
| Payroll | Salaries | 1,141.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Dell Marketing L. P. | Equip | 199.91 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “County Vehicle Policy, General Assistance 2006-01, and Tax Corrections” were tabled until the October 24th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., October 24, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., November 14, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 11:45 a.m.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved as presented.

FEE REPORTS

Yates moved and Capek seconded the motion to approve the fee reports for October 2006:

County Clerk: \$7,600.30 (State \$3,931.33 & County \$3,668.97)

Clerk of District Court: \$885.34

Sheriff: \$3,925.27

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.

DRIVEWAY PERMITS

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

Morely Most – to install a new 40' driveway on the north side of the NW ¼, Section 22-5-1, Franklin Township;

Eugene Dondlinger – to install a new 20' – 30' driveway on the west side of the SW ¼, Section 21-6-4, Momence Township;

Kay Kleinschmidt – to install a new 40' driveway on the east side of the NE ¼, Section 36-8-4, Grafton Township;

Steve Ozenbaugh – to install a new 20' driveway on the east side of the NE ¼, Section 11-5-2, Belle Prairie Township;

Albert Simacek – to rebuild an existing driveway on the north side of the NE ¼, Section 20-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Simacek

The Chairman declared the motion carried.

DITCH CLEANING PERMIT

Yates moved and Capek seconded the motion to approve the following applications for a permit to clean silt from a road ditch:

Eugene Dondlinger – to clean silt from the road ditch adjoining the west side of the SW ¼ of Section 21-6-4, Momence Township;

Albert Simacek – to clean silt from the road ditch adjoining the east side of the NE ¼ of Section 20-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Simacek

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Galusha moved and Simacek seconded the motion to approve the following applications for permits to occupy county right-of-way:

George Alker Estate - to install an electric line between the SE ¼ of Section 24-7-4, Bennett Township and the SW ¼ of Section 19-7-3, Geneva Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface

November 14, 2006

of the road 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.

Jerry Otte – to install an electric line between the SE ¼ of Section 6-7-3 and the NE ¼ of Section 7-7-3, Geneva Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Jerry Otte – to install an electric line between the SW ¼ of Section 2-7-4 and the NW ¼ of Section 11-7-4, Bennett Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

DJ Farms – to install an electric line between the NE ¼ of Section 5-6-2 and the NW ¼ of Section 4-6-2, Chelsea Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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: Simacek, Kimbrough, Cerny, Mueller, Galusha, Capek, and Yates
Nays: None

The Chairman declared the motion carried.

CONSTRUCTION ENGINEER

The selection committee reported to the Board that they had interviewed three different engineers and gave their recommendation of Speece-Lewis Engineers, Inc.

Tom Krueger and Gregory Wood from JEO Consulting Group, Inc. asked to make a presentation to the Board in regards to their company.

After JEO's presentation and discussion, Yates moved and Kimbrough seconded the motion to select Speece-Lewis Engineers, Inc. as the Construction Engineer for a three year contract. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SHICKLEY ASPHALT OVERLAY PROJECT #STPE-2725(6)

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

RESOLUTION 2006-45

WHEREAS, there has been signed by Fillmore County on the 10th day of May, 2005, and the State on the 13th day of May, 2005, an agreement providing for the construction of a Federal Aid Project beginning approximately 0.31 mile north of the Southeast corner of Section 12, Township 5 North, Range 4 West and extends 0.69 mile north, terminating at the Northwest corner of Section 12, Township 5 North, Range 4 West, and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as STPE-2725(6), and

WHEREAS, the above mentioned agreement provided that the County would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on November 2, 2006 at which time five bids were received for the construction of this proposed work, and

WHEREAS, the following contractor for the items of work listed has been selected as the low bidder to whom the contract should be awarded: Werner Construction, Inc. of Hastings, Nebraska, Bituminous: \$260,818.78,

NOW THEREFORE, in consideration of the above facts, the Board of Supervisors of Fillmore County, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment for the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Board hereby concurs in the selection of the above mentioned contractor for the items of work listed, to whom the contract should be awarded.

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3. The Board hereby authorized the Chairman to sign the contract with the above mentioned contractor for the above mentioned work.
4. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

GENEVA ASPHALT OVERLAY PROJECT #STPE-2727(2)

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

RESOLUTION 2006-46

WHEREAS, there has been signed by Fillmore County on the 10th day of May, 2005, and the State on the 13th day of May, 2005, an agreement providing for the construction of a Federal Aid Project beginning approximately 0.01 mile north of the Southwest corner of Section 36, Township 7 North, Range 3 West and extends 0.73 mile north, and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as STPE-2727(2), and

WHEREAS, the above mentioned agreement provided that the County would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on November 2, 2006 at which time five bids were received for the construction of this proposed work, and

WHEREAS, the following contractor for the items of work listed has been selected as the low bidder to whom the contract should be awarded: Werner Construction, Inc. of Hastings, Nebraska, Bituminous: \$225,942.43,

NOW THEREFORE, in consideration of the above facts, the Board of Supervisors of Fillmore County, by this resolution, takes the following official action:

5. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment for the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
6. The Board hereby concurs in the selection of the above mentioned contractor for the items of work listed, to whom the contract should be awarded.
7. The Board hereby authorized the Chairman to sign the contract with the above mentioned contractor for the above mentioned work.
8. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

SHICKLEY NORTH BRIDGE PROJECT #BR-2725(5)

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

RESOLUTION 2006-47

WHEREAS, there has been signed by Fillmore County on the 24th day of July, 2001, and the State on the 20th day of August, 2001, an agreement providing for the construction of a Federal Aid Project beginning 0.2 mile north of the Southwest corner of Section 12, Township 6 North, Range 4 West and extends 0.4 mile north, crossing Turkey Creek, and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as BR-2725(5), and

WHEREAS, the above mentioned agreement provided that the County would pay all costs not paid for with Federal or State funds, and

WHEREAS, the State received bids for the construction of this project on November 2, 2006 at which time seven bids were received for the construction of this proposed work, and

WHEREAS, the following contractor for the items of work listed has been selected as the low bidder to whom the contract should be awarded: Elk Horn Construction Co., Sergeant Bluff, IA, Grading, Culverts, Bridge, Guardrail, and General items: \$499,597.31,

NOW THEREFORE, in consideration of the above facts, the Board of Supervisors of Fillmore County, by this resolution, takes the following official action:

- 9. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment for the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
- 10. The Board hereby concurs in the selection of the above mentioned contractor for the items of work listed, to whom the contract should be awarded.
- 11. The Board hereby authorized the Chairman to sign the contract with the above mentioned contractor for the above mentioned work.
- 12. The Board does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

HIGH PRESSURE HOT WATER WASHER

Highway Superintendent, Elmer Hessheimer presented three bids for a new high pressure hot water washer.

After review and discussion, Cerny moved and Yates seconded the motion to award Ace Agri Supply with the bid for a new Water Cannon high pressure hot water washer for \$3,428.00. 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.

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 | | |
|-----------------------------------|-----------------------|-----------|
| A-1 Body & Glass | Rep | \$66.38 |
| Howard F. Ach | Rent, Sup, Post, Misc | 3,232.77 |
| Ameritas Life Insurance Corp. | Ret | 4,670.25 |
| Jon Anderson | Uni | 35.00 |
| Aquila | Uti | 72.62 |
| Aramark Uniform Services, Inc. | Ser | 305.59 |
| Axis Capital, Inc. | Ser | 243.32 |
| Deb Beans | Meals | 8.43 |
| Bear Graphic, Inc. | Sup | 283.68 |
| Bottorf & Maser, Atty | Ser, Mile | 498.63 |
| William L. Burgess | Uni | 35.00 |
| C & C Extinguisher Service | Sup | 133.50 |
| Daryl L. Callenius | Uni | 35.00 |
| Cindy Carrigan | Sup | 37.64 |
| Chaney Chemical, Inc. | Sup | 162.88 |
| Marilyn Christiancy | Ret | 25.00 |
| City of Geneva | Uti | 292.00 |
| City of Geneva | Rent | 440.00 |
| DAS Communications | Ser | 448.00 |
| Douglas County Sheriff | Ser, Mile | 15.95 |
| Duckwalls | Sup | 5.96 |
| Dugan Business Forms | Sup | 263.93 |
| Eakes Office Plus | Sup, Equip | 1,202.26 |
| Earls Window Service | Ser | 5.00 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Election Systems & Software | Ser, Sup | 7,335.68 |
| Executive Copier Services | Ser | 21.44 |
| Fillmore County Development Corp. | Quarterly request | 10,000.00 |
| Fillmore County Treasurer | Transfer | 9,677.33 |
| Fillmore County Treasurer | Interest | 107.18 |

| | | |
|--|----------------------|-----------|
| First Concord Benefits Group, LLC | Ser | 39.00 |
| The Garbage Co., Inc. | Ser | 117.25 |
| Teri Gemer | Mile, Meals | 51.66 |
| Geneva State Bank | SS | 5,467.91 |
| Geneva TV & Appliance, Inc. | Sup | 24.00 |
| Norma Gregory | Ret | 25.00 |
| Nancy Hansen | Meals | 9.62 |
| Hometown Leasing | Ser | 583.45 |
| Steve Julich | Uni | 35.00 |
| Kerry's Auto Repair & Service | Rep | 59.95 |
| Knoche Appraisal & Consulting, LLC | Ser, Mile | 1,710.00 |
| Stephen J. Kraviec | Ser, Post | 1,645.01 |
| Lease Consultants Corp. | Ser | 249.00 |
| Maximus, Inc. | Ser | 821.48 |
| Ann H. McDonald | Ret | 18.00 |
| Mid-American Research Chemical | Sup | 201.97 |
| Howard Mills | Meals | 8.01 |
| MIPS, Inc. | Ser, Sup | 2,883.36 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| Nebraska Assoc. of County Officials | Wksh | 120.00 |
| Nebraska County Court Association | Dues | 25.00 |
| The Nebraska Signal | Pro, Ads, Sup | 1,158.49 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,023.94 |
| Amy Nelson | Sup | 118.04 |
| Nelson Petroleum Co. | Fuel | 625.33 |
| Nissen Electric | Rep | 235.00 |
| Valerie Oakleaf | Meals | 7.48 |
| Protex Central Incorporated | Ser | 128.25 |
| Ralph's Geneva Tire & Service Center | Rep, Equip | 672.98 |
| Steven G. Roemmich | Uni | 35.00 |
| The Sentinel | Subscription | 28.00 |
| Southeast Nebraska Development District | Annual request | 6,838.00 |
| Olivia Shellhase | Meals | 8.01 |
| State of Nebraska Health & Human Services | Ser | 75.00 |
| Chad Summers | Uni | 35.00 |
| Thayer County Sheriff's Office | Ser | 27.35 |
| UN-L IS-Telecommunications | Uti | 47.80 |
| University of Nebraska | Sup | 317.03 |
| Brandy VanDeWalle | Mile | 138.84 |
| Weathertop | Subscription | 184.80 |
| Daniel L. Werner, Atty. | Ser, Mile, Post, Sup | 628.28 |
| Windstream | Uti | 493.42 |
| York County Sheriff | Ser, Mile | 5.50 |
| Payroll | Salaries | 76,176.53 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Action Auto Supply | Parts | 19.75 |
| Alltel | Uti | 107.98 |
| Ameritas Life Insurance Corp | Ret | 3,120.88 |
| Aquila | Uti | 109.77 |
| Auto Value Parts Stores | Parts, Sup | 390.22 |
| Barco Municipal Products | Tools | 302.80 |
| Business World Products | Sup | 90.24 |
| Casey's General Store | Fuel | 23.60 |
| Century Lumber Center | Parts, Sup | 212.05 |
| Chaney Chemical | Sup | 96.00 |
| City of Geneva | Uti | 53.80 |
| Conoco Phillips Fleet | Fuel | 1,251.07 |
| Dobson Brothers Construction Co. | Ser | 3,026.80 |
| Dorchester Farmers Coop | Fuel | 3,561.82 |
| Dultmeier Sales | Equip | 528.77 |
| Farm Plan | Parts, Rep | 292.58 |
| Fillmore County Shop | Post, Misc | 44.94 |
| Filter Care of Nebraska | Parts | 43.15 |
| The Garbage Company | Ser | 56.47 |
| Geneva Implement | Parts, Rep | 75.99 |
| Geneva State Bank | SS | 3,437.94 |
| Geneva TV & Appliance | Equip | 150.00 |
| Geneva Welding & Supply, Inc. | Parts, Sup, Tools | 514.98 |
| Ralph Gould | Ret | 18.00 |
| Grafton Oil | Fuel | 867.24 |
| Elmer Hessheimer | Misc. | 19.96 |
| Donovan Jirkovsky | Ret | 25.00 |
| Jim Kamler | Parts | 11.76 |
| Lichti Oil | Fuel | 985.05 |

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| Marlborough | Sup | 103.00 |
| Mike's Radiator & Tire | Rep | 40.00 |
| Nebraska Bolt | Sup | 42.68 |
| Nebraska Iowa Industrial/Fasteners | Sup | 151.61 |
| Nebraska Machinery | Parts, Equip Rental | 3,591.24 |
| Nebraska Signal | Ads | 26.47 |
| Nebraska Technology & Telecommunications | Uti | 107.17 |
| Nelson Petroleum Company | Fuel, Parts | 2,553.65 |
| Newman Traffic Signs | Sup | 502.50 |
| Nichols Construction | Gravel | 55,202.40 |
| Nick's Farm Store | Rep | 85.09 |
| Overhead Door | Rep | 122.00 |
| Overland Sand & Gravel | Gravel | 12,567.13 |
| Patrice's Specialties | Parts | 360.00 |
| Perennial Public Power | Uti | 20.25 |
| Power Plan | Parts | 300.70 |
| R & D Parts, LLC | Parts, Sup | 152.86 |
| Ralph's Geneva Tire & Service | Tires, Rep | 3,486.40 |
| Roit Repair | Rep | 14.98 |
| Shell | Fuel | 77.00 |
| Speece Lewis Engineers | Ser | 730.31 |
| Superior Deshler, Inc. | Fuel | 47.02 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 15.84 |
| Payroll | Salaries | 47,345.85 |
| | | |
| <u>ECONOMIC DEVELOPMENT - TOURISM</u> | | |
| Fillmore County Treasurer | Sup | 4.00 |
| Ronald Kuska | Ser | 879.75 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| Physician's Laboratory PC | Ser | 251.10 |
| York Medical Clinic PC | Ser | 78.55 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 270.07 |
| Janet Bartak | Mile, Meals | 190.94 |
| Dawg's Smokehouse Café | HDM's | 310.00 |
| Judy Dondlinger | Ser | 156.00 |
| Exeter Care Center | HDM's | 231.00 |
| Exeter Golden Agers | USDA, LAAA | 325.24 |
| Fairmont Aging Services | USDA, LAAA | 1,919.03 |
| Gambles | Sup | 21.97 |
| Geneva Senior Center | USDA, LAAA, Rent, Sup, Uti | 3,425.26 |
| Geneva State Bank | SS | 342.02 |
| Nancy Kohler | Sup, Mile | 209.71 |
| Jeannine Krejci | Ser | 156.00 |
| Elizabeth Mattox Manning | Ser | 156.00 |
| Ron's Tavern | HDM's | 264.00 |
| Rhonda Stokebrand | Mile | 96.12 |
| JoAnn Vavra | Ser | 216.00 |
| Payroll | Salaries | 4,537.37 |
| | | |
| <u>COURTHOUSE BOND FUND</u> | | |
| Fillmore County Treasurer | Interest | 20,420.00 |
| | | |
| <u>ROAD BOND FUND</u> | | |
| Fillmore County Treasurer | Principal & Interest | 95,853.75 |
| | | |
| <u>HOSPITAL OPERATING FUND</u> | | |
| Fillmore County Hospital | Taxes Collected | 12,145.92 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Alltel | Uti | 38.30 |
| Ameritas Life Insurance Corp. | Ret | 154.12 |
| Merlin Ehmen | Rent | 220.00 |
| Geneva State Bank | SS | 174.66 |
| Grafton Mini Mart | Fuel | 51.87 |
| Payroll | Salaries | 2,283.32 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Andrews Electric Co., Inc. | Rep | 2,722.99 |
| Nebraska Public Power District | Uti | 112.25 |
| Windstream | Rep | 220.78 |
| Windstream | Ser | 853.63 |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

MAINSTAY COMMUNICATIONS

After discussion, Kimbrough moved and Galusha seconded the motion to approve and sign contract with Mainstay Communications for rental of the 911 tower with the changes made by the County Attorney. 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.

SUBORDINATE AGREEMENT

After discussion, Simacek moved and Yates seconded the motion to approve and sign the amendment of the Subordination Agreement with Wells Fargo for the ethanol plant. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BLUE VALLEY COMMUNITY ACTION

After discussion, Yates moved and Capek seconded the motion to approve and sign the real estate lease – purchase agreement with Blue Valley Community Action, Inc. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOARD OF EQUALIZATION

At the request of the County Assessor and the County Treasurer, Capek moved and Cerny seconded the motion to go into session as the Fillmore County Board of Equalization at 11:14 a.m. 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.

VALUATION CHANGES

Simacek moved and Yates seconded the motion to approve the list of valuation changes presented by the County Assessor. A complete list was ordered to be filed in the County Clerk’s office. 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.

TAX CORRECTION

Yates moved and Capek seconded the motion to approve Tax Correction #25-05 as presented by the County Assessor. 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from the Geneva Assembly of God Church for exemption from motor vehicle fees.

Simacek moved and Yates seconded the motion to approve the application from the Geneva Assembly of God Church for a 2000 Chevrolet Sport Van. 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.

RETURN TO REGULAR SESSION

Yates moved and Kimbrough seconded the motion to adjourn as Board of Equalization and return to regular session as the Fillmore County Board of Supervisors at 11:22 a.m. 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.

GENEVA RURAL FIRE DISTRICT BOND

Simacek moved and Kimbrough seconded the motion to approve the bond for the Geneva Rural Fire District Secretary/Treasurer James White for a term beginning on November 1, 2006 and ending November 1, 2007. 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.

SHICKLEY RURAL FIRE DISTRICT BOND

Galusha moved and Capek seconded the motion to approve the bond for the Shickley Rural Fire District Treasurer Jeffrey D. Row for a term beginning on November 23, 2005 and ending November 23, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BLUE VALLEY COMMUNITY ACTION

Galusha moved and Capek seconded the motion to reappoint Albert Simacek to the Blue Valley Community Action board for a term beginning on November 1, 2006 and ending November 1, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MILEAGE RATE

Kimbrough moved and Galusha seconded the motion to set the mileage rate effective January 1, 2007 for travel on county business to \$0.485 cents as determined by the Nebraska Department of Administrative Services and the rate for the Sheriff at \$0.515 cents per mile for serving papers. 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.

OZENBAUGH SUBDIVISION

After discussion, Yates moved and Capek seconded the motion to rescind the motion made on April 25, 2006 in regards to the Ozenbaugh Subdivision. 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.

PUBLIC HEALTH SOLUTIONS

Public Health Solution has requested a meeting room be available for them to use every Wednesday. After discussion, the Board decided to have either the Driver's Exam Room or the Board Room available for them to use.

ADJOURNMENT

Agenda items “Vehicle Policy and Smoking Policy” were tabled until the November 28th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., November 28, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 12, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Kimbrough, Yates, Capek, Galusha, and Simacek. Cerny was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:15 p.m.

MINUTES APPROVED WITH CORRECTION

Chairman of the Board, Mueller declared the minutes approved with the following correction, Simacek was excused to leave at 10:30 a.m. and Yates was excused to leave at 11:30 a.m.

FEE REPORTS

Kimbrough moved and Simacek seconded the motion to approve the fee reports for November 2006:

County Clerk: \$11,931.50 (State \$7,335.93 & County \$4,595.57)
Clerk of District Court: \$630.83
Sheriff: \$2,147.50

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Shirley Moroney – remove driveway on the east side of the NE 1/4 and install a new 20' driveway on the north side of the NE 1/4, Section 35-6-3, Stanton Township;

Linus Kamler – to rebuild existing driveway and add approximately 20' on the north side of the NE 1/4, Section 19-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT CHELSEA TOWNSHIP

Simacek moved and Yates seconded the motion to approve the application for a floodplain development permit located between the north part of the SE 1/4, Section 35-6-2 and the north part of the SW 1/4, Section 36-6-2, Chelsea Township. This is to replace a collapsed bridge with three (3) 72" arch steel culverts with flared end sections on the inlet side with trash guards on the flared ends to keep trash from blocking the inlet side of the culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT CHELSEA TOWNSHIP

Kimbrough moved and Capek seconded the motion to approve the application for a floodplain development permit located between the SW 1/4, Section 15-6-2 and NW 1/4, Section 22-6-2, Chelsea Township. This is to replace a bridge with three (3) 60" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT FRANKLIN TOWNSHIP

Yates moved and Capek seconded the motion to approve the application for a floodplain development permit located between the SW 1/4, Section 21-5-1 and the NW 1/4, Section 28-5-1, Franklin Township. This is to replace a bridge with three (3) 84" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT GLENGARY TOWNSHIP

Capek moved and Kimbrough seconded the motion to approve the application for a floodplain development permit located between the SE ¼, Section 20-6-1 and the SW ¼, Section 21-6-1, Glengary Township. This is to replace a bridge with three (3) 72" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FLOODPLAIN PERMIT MADISON & LIBERTY TOWNSHIP

Simacek moved and Yates seconded the motion to approve the application for a floodplain development permit located between the SE ¼, Section 36-7-2, Madison Township and the SW ¼, Section 31-7-1, Liberty Township. This is to replace a bridge with three (3) 60" arch steel culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONSTRUCTION ENGINEERING CONTRACT

Galusha moved and Kimbrough seconded the motion to approve the contract for a Construction Engineer with Speece-Lewis Engineers, Inc. for the Shickley north bridge project #BR-2725(5). Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONSULTING CONTRACT

Larry Lewis, with Speece Lewis Engineers, Inc. presented a new contract to the Board for engineering and consultant services beginning January 1, 2007 and ending December 31, 2007.

After discussion, Kimbrough moved and Yates seconded the motion to approve the contract with Speece Lewis Engineers, Inc. for engineering and consultant services, drainage design, and consultant recommendations for the fiscal year 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VACATING ROADS IN FAIRMONT TOWNSHIP

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

RESOLUTION 2006-49

WHEREAS, the Fillmore County Board directed the County Highway Superintendent, by resolution, to study the use being made of the public roads located on the North side of Section 4-8-2, the North side of Section 3-8-2, between Section 3 and Section 4-8-2 and a diagonal roadway located in the NW ¼ of Section 3-8-2, all in Fairmont Township.

WHEREAS, the Fillmore County Highway Superintendent has reported in writing the results of such study and has recommended the vacation and abandonment of said roads, and

WHEREAS, upon receipt of said report the Fillmore County Board adopted a resolution fixing the time for a public hearing at 10:00 a.m., November 28, 2006 in the boardroom of the Fillmore County Courthouse in Geneva, Nebraska, Fillmore County, and

WHEREAS, a copy of the said resolution was published once a week for three consecutive weeks in The Nebraska Signal, the legal newspaper published in and of general circulation in Fillmore County, Nebraska, a proof thereof is now on file in the County Clerk's office of said County, and

WHEREAS, the hearing was held on November 28, 2006 at 10:00 a.m. in the boardroom of the Fillmore County Courthouse in Geneva, Nebraska, Fillmore County. On said petition and no person appeared to oppose

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the closing or abandonment of said roads, nor was there any written testimony received against closing or abandonment of said roads,

NOW THEREFORE BE IT RESOLVED, by the Board of Supervisors of Fillmore County, Nebraska, pursuant to Section 39-1725, R. S. of Nebraska, 1943 as amended, that the following five tracts of roadway, be and the same hereby is closed, vacated, and abandoned from this date, and that the right-of-way of said roads shall be reverted to the owners of the land abutting thereon to the center of the road:

Tract 1:

Fillmore County Road A between Fillmore County Road 15 and Fillmore County Road 16;
The North 33 feet of the East 2,556 feet of the NE ¼ in section 4, T-8-N, R-2-W in Fillmore County. The vacation of the public road right of way would start at the Northeast corner of section 4 and proceed West approximately 2,556 feet. The adjoining landowner is the U.S. Fish and Wildlife.

Tract 2:

Fillmore County Road A between Fillmore County Road 16 and Fillmore County Road 17;
The North 33 feet of the NW ¼ in section 3, T-8-N, R-2-W in Fillmore County. The vacation of the public road right of way would start at the Northwest corner of section 3 and proceed East approximately 2,642 feet. The adjoining landowner is Wilma Plock.

Tract 3:

Fillmore County Road 16 between Fillmore County Road A and Fillmore County Road B;
The East 33 feet of the North 2,038 feet of the NE ¼ in section 4, T-8-N, R-2-W in Fillmore County. The vacation of the public road right of way would start at the Northeast corner of section 4 and proceed South approximately 2,038 feet. The adjoining landowner is the U.S. Fish and Wildlife.

Tract 4:

Fillmore County Road A between Fillmore County Road 16 and Fillmore County Road 17;
The West 33 feet of the North 2,038 feet of the NE ¼ in section 3, T-8-N, R-2-W in Fillmore County. The vacation of the public road right of way would start at the Northwest corner of section 3 and proceed South approximately 2,038 feet. The adjoining landowner is Wilma Plock.

Tract 5:

A portion of the NW 1/4 in section 3, T-8-N, R-2-W in Fairmont Township. This area was purchased by Fillmore County to build a road around the wetland area and then abandoned in 1918.
The description of the public right of way for a road for vacation is as follows:
Beginning at a point 777.59 feet (11.7816 chains) South of the Northwest Section Corner Marker of section 3, T-8-N, R-2-W, thence running in an Northeasterly direction 1,481.7 feet (22.45 chains) East of the above mentioned Northwest Section Corner Marker of said section 3, thence running 75.9 feet (1.15 chains) East and thence running from that point in a Southwesterly direction 1,570.8 feet (23.80 chains) to appoint 821.81 feet (12.4516 chains) due South of the said Northwest Section Corner Marker of said section 3 and thence 44.2 feet (0.670 chains) North to the point of beginning, comprising of a strip of land 40 feet in width and containing 1.4006 acres. The adjoining landowner is Wilma Plock.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BOARD OF EQUALIZATION

At the request of the County Assessor, Capek moved and Yates seconded the motion to go into session as the Fillmore County Board of Equalization at 11:12 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX CORRECTIONS

Yates moved and Kimbrough seconded the motion to approve Tax Corrections #10-06 to #17-06 as presented by the County Assessor. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Simacek moved and Yates seconded the motion to adjourn as Board of Equalization and return to regular session as the Fillmore County Board of Supervisors at 11:14 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SUBDIVISION & LOT SPLIT HEARING

Planning and Zoning Administrator, Gerald Slezak informed the Board that the Zoning Board will have a hearing December 18th and the Board will have one on December 26th in regards to the subdivision and lot split regulations.

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.

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|--|--------------------------|------------|
| GENERAL FUND | | |
| Howard F. Ach, Atty. | Rent, Sup, Post | \$3,195.53 |
| Joan Ackland | Mile, Meal | 76.17 |
| Ameritas Life Insurance Corp. | Ret | 2,414.22 |
| Jon Anderson | Uni | 35.00 |
| Aquila | Uti | 915.74 |
| Aramark Uniform Services, Inc. | Ser | 303.87 |
| Axis Capital, Inc. | Ser | 243.32 |
| Vernon Berggren | Set-up polling site | 20.00 |
| William L. Burgess | Uni | 35.00 |
| Merle Buzek | Set-up polling site | 20.00 |
| Daryl L. Callenius | Uni | 35.00 |
| Garold & Willma Casper | Set-up polling site | 20.00 |
| Century Lumber Center | Sup | 4.38 |
| City of Geneva | Uti | 127.10 |
| DAS Communications | Ser | 448.00 |
| Dell Marketing, L. P. | Equip | 1,163.68 |
| Diebold, Inc. | Main | 134.00 |
| Duckwall – Alco Stores, Inc. | Sup | 64.32 |
| Eakes Office Plus | Sup | 235.80 |
| Earls Window Service | Ser | 5.00 |
| Jeffrey D. Ebeling | Uni | 35.00 |
| Evercom Systems, inc. | Sup | 4.87 |
| Executive Copier Services | Ser | 99.35 |
| Fillmore County Ag Society | Election Rent | 300.00 |
| Fillmore County Clerk | Title | 10.00 |
| Fillmore County Development Corp. | Quarterly Budget request | 10,000.00 |
| First Concord Benefits Group, LLC | Ser | 39.00 |
| Galls – An Aramark Co. | Sup | 114.95 |
| The Garbage Co., Inc. | Ser | 117.25 |
| Teri Gemar | Mile | 91.67 |
| Geneva State Bank | SS | 2,774.53 |
| Geneva State Bank – Shickley | Election Rent | 35.00 |
| Germer, Murray & Johnson, Atty. | Ser, Mile | 1,508.04 |
| Grafton Fire Hall | Election Rent | 35.00 |
| Hilty's of Geneva | Sup | 341.50 |
| Hometown Leasing | Ser | 583.45 |
| Steve Julich | Uni | 35.00 |
| Kerry's Auto Repair & Service | Ser, Rep | 137.65 |
| Knoche Appraisal & Consulting, L. L. C. | Ser, Mile | 3,490.00 |
| Stephen J. Kraviec | Ser, Post | 1,646.41 |
| Lancaster County Court | Ser | 6.25 |
| Mid-American Research Chemical | Sup | 379.12 |
| Midwest Radar & Equipment, Inc. | Ser | 175.00 |
| MIPS, Inc. | Ser | 2,820.01 |
| John Mueller | Set-up polling site | 20.00 |
| Rich Mueller/Tom Biegert | Rent | 625.00 |
| National Assoc. of County Recorders, Election & Clerks | Dues | 55.00 |
| The Nebraska Signal | Pro, Notices, Ad | 1,674.39 |
| Nelson Petroleum Co. | Fuel | 798.60 |
| Nissen Electric | Rep | 385.00 |
| O'Keefe Elevator Company, Inc. | Main | 190.65 |
| Patrice's Specialties, L. L. C. | Rep | 10.00 |
| Rasmussen Mechanical Services, Inc. | Ser, Main | 332.25 |
| Steven G. Roemmich | Uni | 35.00 |
| State of NE DAS/Surplus Property Div. | Sup | 5.00 |
| State of Nebraska, Dept. of Labor | Ser, Main | 75.00 |
| Dale Stengel | Set-up polling site | 20.00 |
| Herb Stoldorf | Set-up polling site | 20.00 |
| Chad Summers | Uni | 35.00 |

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| Brandy VanDeWalle | Mile | 114.81 |
| Village of Exeter | Election Rent | 35.00 |
| Village of Fairmont | Election Rent | 35.00 |
| Windstream | Uti | 252.98 |
| Z C B J Lodge | Election Rent | 35.00 |
| Payroll | Salaries | 38,618.50 |
| Election Workers Payroll | Salaries | 4,469.37 |
| | | |
| <u>ROAD/BRIDGE FUND</u> | | |
| Ace Agri Supply | Equip | 3,546.00 |
| Alltel | Uti | 88.67 |
| Ameritas Life Insurance Corp. | Ret | 1,589.96 |
| Andrews Electric Co., Inc. | Rep | 540.18 |
| Aquila | Uti | 260.16 |
| Auto Value Parts Stores | Parts, Sup, Tools | 264.12 |
| B & J Automotive | Parts, Rep | 429.54 |
| Business World Products | Ser | 58.50 |
| Century Lumber Center | Parts, Rep, Sup | 47.58 |
| City of Geneva | Uti | 50.70 |
| Conoco Phillips Fleet | Fuel | 1,466.37 |
| Contech Construction Products | Culverts | 12,015.60 |
| Don's Signs | Sup | 176.00 |
| Dorchester Farmers Coop | Fuel | 2,590.83 |
| Gaylen I. Dunse | Easement | 25.00 |
| Filter Care of Nebraska | Parts | 20.10 |
| The Garbage Company | Ser | 56.47 |
| Geneva Implement | Parts | 27.89 |
| Geneva State Bank | SS | 1,745.46 |
| Geneva Welding & Supply, Inc. | Parts, Sup, Rep | 669.26 |
| Grafton Oil | Fuel, Sup | 1,156.10 |
| Lichti Oil | Fuel | 11,415.00 |
| Midwest Service & Sales | Sup, Misc. | 239.96 |
| Nebraska Dept. of Road Controller Div. | Ser | 69,320.56 |
| Nebraska Iowa Industrial Fasteners | Sup | 59.30 |
| The Nebraska Signal | Ad | 76.57 |
| Nelson Petroleum Company | Parts, Fuel | 3,076.46 |
| Newman Traffic Signs | Sup | 565.70 |
| Nichols Construction | Gravel | 13,958.22 |
| Nick's Farm Store | Rep | 22.06 |
| Notary Public Underwriters, Inc. | Misc. | 87.50 |
| Perennial Public Power | Uti | 33.27 |
| Power Plan | Parts | 482.08 |
| R & D Parts, L. L. C. | Parts, Sup | 98.90 |
| Ralph's Geneva Tire & Service | Rep, Sup | 483.96 |
| Ramkota Hotel | Lodging | 146.00 |
| John A. Schmidt, Karen L. Schmidt, Dayle W. Schmidt & Pamela B. Schmidt | R.O.W, Easement, Fencing | 1,463.71 |
| Shell | Fuel | 47.00 |
| Tie Yard of Omaha | Gravel | 697.20 |
| Village of Exeter | Uti | 15.00 |
| Village of Fairmont | Uti | 20.46 |
| West Brothers | Sup | 4.99 |
| Wick's Sterling Trucks | Parts | 42.34 |
| Payroll | Salaries | 24,019.05 |
| | | |
| <u>MEDICAL/RELIEF FUND</u> | | |
| State of Nebraska Dept. of Health & Human Service | Ser | 498.75 |
| | | |
| <u>SENIOR SERVICES FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 134.09 |
| Dawg's Smokehouse Café | HDM's | 245.00 |
| Exeter Care Center | HDM's | 255.50 |
| Exeter Golden Agers | USDA | 50.89 |
| Fairmont Aging Services | USDA | 161.83 |
| Geneva Senior Center | USDA, Rent, Sup | 730.14 |
| Geneva State Bank | SS | 180.72 |
| Susan Kerl | Ser | 132.00 |
| Nancy Kohler | Mile, Sup | 146.36 |
| Elizabeth Mattox Manning | Ser | 144.00 |
| The Nebraska Signal | Sup | 171.90 |
| Ron's Tavern | HDM's | 236.00 |
| Rhonda Stokebrand | Mile | 51.62 |
| This Olde Bank Coffee Shop | Sup | 50.00 |
| Payroll | Salaries | 2,395.57 |
| | | |

| <u>NOXIOUS WEED FUND</u> | | |
|---------------------------------|----------|----------|
| Alltel | Uti | 38.30 |
| Ameritas Life Insurance Corp. | Ret | 77.06 |
| Merlin Ehmen | Rent | 220.00 |
| Geneva State Bank | SS | 87.33 |
| Nebraska Weed Control Assoc. | Dues | 106.00 |
| Payroll | Salaries | 1,141.66 |
| | | |

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

The Chairman declared the motion carried.

EMPLOYEE RECOGNITION DINNER

Capek moved and Yates seconded the motion to approve the employee recognition dinner on January 12, 2007 at Evening with Friends in Milligan. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “County Surveyor appointment, Subdivision and Lot split hearing, and Driver’s Records” were tabled until the December 26th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., December 26, 2006.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 26, 2006, in the Courthouse Boardroom in Geneva, Nebraska with Vice-Chairman Simacek presiding as Chairman. Members present were Cerny, Kimbrough, Yates, Capek, and Galusha. Mueller was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by broadcasting on radio station KAWL. A copy of the affidavit of 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. The meeting adjourned at 12:16 p.m.

REPORTS

The November 2006 reports for the Fillmore County Rural Transit, and Fillmore County Hospital Governing Board were reviewed and ordered placed on file in the Clerk's office.

The following is a synopsis of the November minutes of the Fillmore County Hospital Governing Board:

The Fillmore County Hospital Governing Board met on November 16, 2006 at 12:00 noon in the hospital conference room with Chairman Marget presiding. Members present were Ozenbaugh, Nelson, Johnson, Hoarty, and Eichelberger. Kudlacek was also present.

The minutes of the September meeting were approved as amended.

The hospital data, financial reports, and check register listing were presented. After discussion, it was moved and seconded to accept the reports as presented.

The following were recommended for continued medical staff privileges by the Fillmore County Hospital staff: C. F. Ashby, MD; J. L. Bepalec, MD; J. R. Hollis, MD; J. R. Jacobsen, MD; S. D. Straka, MD; M. Fox, PA-C. It was moved and seconded to approve medical staff privileges.

It was moved and seconded to accept the recommendation and amend the original farm lease to reflect the cash rent change. The lease will run for three consecutive years beginning March 1, 2007 and ending February 28, 2010.

As there was no other business to come before the Board, it was moved and seconded that the meeting adjourn until December 21, 2006 in the hospital conference room.

MINUTES APPROVED WITH CORRECTION

After discussion, Cerny moved and Kimbrough seconded the motion to approve the minutes from the December 12th Board meeting with the following correction: under vacating roads in Fairmont Township, Tract 4 should read Fillmore County Road 16 between Fillmore County Road A and Fillmore County Road B; the west 33 feet of the north 2,038 feet of the NW ¼ in section 3, T-8-N, R-2-W in Fillmore County. The vacation of the public road right of way would start at the Northwest corner of Section 3 and proceed south approximately 2,038 feet. The adjoining landowner is Wilma Plock. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GRAFTON TOWNSHIP BOARD

Galusha moved and Yates seconded the motion to appoint Allen Huber and Pauly Griess to the Grafton Township Board for a term beginning January 2, 2007 and ending December 31, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VISITORS COMMITTEE

After discussion, Yates moved and Cerny seconded the motion to appoint Jim Williamson to the Fillmore County Visitors Committee to fulfill Idonna Kuhns term ending May 31, 2007 upon her resignation. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

STATE NOXIOUS WEED PROGRAM

County Noxious Weed Superintendent, Merlin Ehmen presented a letter from the State Noxious Weed program asking for the Board to support the program.

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After discussion, Kimbrough moved and Galusha seconded the motion to authorize the Chairman to send a letter to Governor Heinemann and State Senator Nelson supporting the State Noxious Weed program. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Yates seconded the motion to approve the following applications for permits to occupy county right-of-way:

D. H. Farms – to install an electric line between the SW ¼ of Section 23-8-3 and the NW ¼, of Section 26-8-3, West Blue Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Perennial Public Power District – to install an anchor/guy wire unit on the west side of the SW ¼ of Section 13-7-3, Geneva Township. Perennial Public Power District agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Perennial Public Power District – to install an anchor/guy wire unit on the north side of the NE ¼ of Section 36-8-3, West Blue Township. Perennial Public Power District agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Perennial Public Power District – to install two anchor/guy wire units on the west side of the SW ¼ of Section 29-8-2, Fairmont Township. Perennial Public Power District agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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.

Joel Pospisil – to install an electric line and 6” plastic line between the NE of the SE ¼ of Section 14-7-1 and the NW of the SW ¼ of Section 13-7-1, Liberty Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction or maintenance work required. The surface of the road 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: Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny
Nays: None

The Chairman declared the motion carried.

2007 LETTING DATES

After discussion, Kimbrough moved and Galusha seconded the motion to approve the 2007 letting dates for the Road’s Department. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLOSED SESSION FOR PERSONNEL

Galusha moved and Capek seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session, personnel items authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the County Clerk remain. Closed session began at 10:38 a.m.

RETURN TO REGULAR SESSION

Galusha moved and Capek seconded the motion to return to open session at 11:00 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SUBDIVISION AND LOT SPLIT REGULATION CHANGE HEARING

The public hearing on the proposed regulation changes for a subdivision and lot splits was opened at 11:00 a.m. and kept open until 11:35 a.m. No one appeared to testify either for or against the proposal.

LOT SPLIT REGULATION CHANGE

After discussion, Cerny moved and Capek seconded the motion to approve the following change as a lot split regulation: A lot split (defined as a change in the boundary between adjoining lands which does not create an additional lot or does not result in nonconformity of an existing lot) shall be approved by the governing body (or their designee) of that zoning district before being submitted to the Register of Deeds office. A survey is not required but recommended. A completed zoning application must be received and no hearing is required. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SUBDIVISION REGULATION CHANGE

After discussion, Yates moved and Galusha seconded the motion to approve the following regulation change for a subdivision: Any subdivision of property adjoining the city limits of any village of Fillmore County is subject to the minimum lot size of the adjoining zoning district of that village and is not subject to the current three (3) acre minimum requirement of subdivisions in the Ag-1 and Ag-2 zoning districts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFETY COMMITTEE

Capek moved and Kimbrough seconded the motion to appoint Steve Julich, Bob Mueller, Gerald Slezak, and Pat Halbur to the safety committee for a two year term beginning January 1, 2007 and ending December 31, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MONTANA-DAKOTA SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Montana-Dakota Subdivision, located in the NW ¼ of the SW ¼ of Section 17-5-2, Belle Prairie Township.

Kimbrough moved and Yates seconded the motion to approve the plat of the Montana-Dakota Subdivision as follows:

A tract of land in the NW ¼ of the SW ¼ of Section 17, Township 5 North, Range 2 West of the 6th P. M., Fillmore County, Nebraska more particularly describes as follows: Commencing at the northwest corner of said southwest quarter of section 17; thence north 89°45'54" east along the north line of said southwest quarter of section 17 (bearing assumed and all of the following bearings referenced therefrom) distance 62.00 feet to a point on the easterly right of way of State Hwy. 81 and the point of beginning; thence continuing north 89°45'54" east along the north line of the southwest quarter distance 100.00 feet; thence south 00°23'59" east, parallel to the easterly right of way of State Hwy. 81 distance 125.00 feet; thence south 89°45'54" west parallel to the north side of the southwest quarter distance 100.00 feet to a point on the easterly right of way of State Hwy. 81; thence north 00°23'59" west along the easterly right of way of State Hwy. 81; distance 125.00 feet to the point of beginning. Containing 0.29 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COUNTY SURVEYOR APPOINTMENT

After discussion, Cerny moved and Galusha seconded the motion to appoint Thomas L. Krueger as the County Surveyor for a four year term beginning January 1, 2007 and ending January 1, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NEBRASKA FOOD STAMP PROGRAM

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

RESOLUTION 2006-50

WHEREAS, Fillmore County is committed to healthy families, the full potential of children, support of Nebraska’s working population, the promotion of agriculture, the growth of the local economy, and a healthier lifestyle for all of its citizens; and

WHEREAS, 7.8% of Fillmore County residents live below the poverty line and 10.7% of Nebraskan households are food insecure, yet only 6.7% of Nebraskans use Food Stamps; and

WHEREAS, the Food Stamp Program, funded by the federal government as the nation’s largest feeding program, is America’s first line of defense against hunger and provides a crucial safety net for the most vulnerable and needy citizens of Fillmore County; and

WHEREAS, Food Stamps act as a “multiplier” in the local economy, generating \$.41 of new food spending for every dollar, \$9.20 in local and community spending for every \$5, and 3,300 farm jobs for ever \$1 billion of retail food demanded by Food Stamp recipients; and

WHEREAS, 333 individuals and 137 households participated in the Food Stamp Program in Fillmore County in CY05, receiving a total of \$280,433 for the year in benefits to support local farmers and the local economy; and

WHEREAS, less than 6 of 10 eligible Nebraskan households receive Food Stamp benefits; and

WHEREAS, Nebraska could reach an additional 9,000 participants, \$5,100,000 in federal dollars, and \$9,400,000 in total economic activity by raising it Food Stamp participation rate by just 5%; and

WHEREAS, Food Stamp outreach increases the participation rate of eligible families by erasing stigma, alerting working families of their eligibility, and encouraging participation; and

WHEREAS, Food Stamp outreach in Nebraska could include lengthening Food Stamp office hours for working individuals, simplifying the 14 page assistance application, conducting rural and other forms of outreach, or utilizing the federally supported Federal Outreach Option;

NOW, THEREFORE, BE IT RESOLVED that Fillmore County is a Food Stamp Friendly County. Fillmore County calls upon the Nebraska State Department of Health and Human Services to draw down Federal Food Stamp Outreach matching Funds or apply for Federal Food Stamp Participation Grants to increase outreach efforts. Furthermore, we call upon all of our communities and public policy makers to pursue actions and policies that protect the Food Stamp Program and expand its reach to some of Nebraska’s most vulnerable and needy families.

Upon roll call, the vote was as follows:

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

| <u>GENERAL FUND</u> | | |
|--|-------------------------|----------|
| Alltel | Uti | \$302.63 |
| Ameritas Life Insurance Corp. | Ret | 2,359.06 |
| Applied Concepts, Inc. | Sup | 91.00 |
| Blue Valley Community Action Partnership | 2 nd Quarter | 3,842.00 |
| Marilyn Christianity | Ret | 25.00 |
| City of Geneva | Rent | 440.00 |
| Conoco Phillips Fleet | Fuel | 912.51 |
| Robert Dumpert | Mtgs, Mile | 56.70 |
| Eakes Office Plus | Ser, Sup | 546.09 |
| Election Systems & Software | Ser, Sup | 4,009.26 |

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|--|---------------------------------|-----------|
| Sharon Elznic | Mtgs, Mile | 66.36 |
| Fillmore County Treasurer | Transfer, Post, Training | 9,942.33 |
| Galls – An Aramark Company | Sup | 36.95 |
| Gambles | Sup | 14.99 |
| Geneva State Bank | Ser | 25.00 |
| Geneva State Bank | SS | 2,993.49 |
| Geneva Super Foods | Sup | 504.50 |
| Norma Gregory | Ret | 25.00 |
| Matt Harre | Mtgs, Mile | 87.72 |
| Hilty's of Geneva | Sup | 9.98 |
| Deborah Hoarty | Mile | 26.70 |
| Holiday Inn Central | Lodging | 1,479.00 |
| Howard Johnson | Mile | 80.10 |
| Kalkwarf & Smith Law Offices, LLC | Ser, Post | 2,523.79 |
| Ralph Kassik | Mtgs, Mile | 53.14 |
| Kerry's Auto Repair & Service | Ser, Maint | 191.15 |
| Jim's Repair | Maint | 81.36 |
| Lease Consultants Corp. | Ser | 249.00 |
| Norma Lichtenberg | Mtgs, Mile | 28.35 |
| Loup Valley Lighting, Inc. | Sup | 148.08 |
| Thomas Manning | Mtgs, Mile | 69.03 |
| Annette Marget | Mile | 21.36 |
| Ann H. McDonald | Ret | 18.00 |
| Microfilm Imaging Systems, Inc. | Ser | 100.00 |
| MIPS, Inc. | Sup, Ser | 95.82 |
| Moore Wallace | Sup | 170.52 |
| Morley Most | Mtgs, Mile | 85.05 |
| Nebraska Public Power District | Uti | 781.20 |
| The Nebraska Signal | Sup, Ads | 157.05 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 1,097.84 |
| Merle Noel | Mtgs, Mile | 66.36 |
| Reg Noel | Mtgs, Mile | 82.38 |
| Victoria L. Ozenbaugh | Mile | 85.44 |
| PC Nuts | Sup, Rent | 363.50 |
| Paper Tiger Shredding | Ser | 105.15 |
| Platte Valley Communications of Hastings | Equip | 45,848.40 |
| Ralph's Geneva Tire & Service Center | Rep, Maint | 136.50 |
| Ken Real | Mtgs, Mile | 26.13 |
| Sarpy County Sheriff's Dept. | Boarding Prisoners | 340.00 |
| State of Nebraska Dept. of Admin. Services | Ser | 53.24 |
| Weaver Pharmacy | Sup | 65.90 |
| Williams Exterminating, Inc. | Ser | 110.00 |
| York County Sheriff | Ser, Mile | 5.50 |
| Payroll | Salaries | 41,427.30 |
| | | |
| ROAD & BRIDGE FUND | | |
| Ameritas Life Insurance Corp. | Ret | 1,533.08 |
| Dorchester Farmers Coop | Fuel, Rep | 2,906.26 |
| Farm Plan | Parts | 78.20 |
| Gambles | Sup, Misc. | 264.91 |
| Geneva State Bank | SS | 1,739.74 |
| Ralph Gould | Ret | 18.00 |
| Grafton Mini Mart | Fuel | 123.16 |
| Grafton Oil | Fuel | 908.85 |
| Holiday Inn Central | Lodging | 174.00 |
| Donovan Jirkovsky | Ret | 25.00 |
| Ronald Kapperman, Carol Kapperman, Kurt Kapperman, and Tiffany Kapperman | Right of way, Easement, Fencing | 2,617.38 |
| Kerry's Auto Repair & Service | Sup | 234.56 |
| Lichti Oil | Fuel | 1,086.67 |
| Nebraska Department of Roads Construction Div. | Misc | 25.00 |
| Nebraska Machinery | Parts, Sup | 1,177.59 |
| Nebraska Public Power District | Uti | 218.05 |
| Nebraska Technology & Telecommunications, Inc. | Uti | 115.66 |
| Superior Deshler, Inc. | Fuel | 94.99 |
| Perennial Public Power | Uti | 54.47 |
| Speece Lewis Engineers | Ser | 960.70 |
| Tie Yard of Omaha | Gravel | 670.54 |
| Payroll | Salaries | 23,907.26 |
| | | |
| JUVENILE DIVERSION FUND | | |
| Dave Wythers | Ser, Mile, Uti | 2,814.00 |
| | | |
| INSTITUTIONS FUND | | |
| State Of Nebraska Health & Human Services | Dec. Patient Care | 360.00 |

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| <u>SENIOR SERVICES FUND</u> | | |
| American Society of Aging | Wksh | 450.00 |
| Ameritas Life Insurance Corp. | Ret | 134.09 |
| Conoco Phillips Fleet | Mile | 16.04 |
| Judy Dondlinger | Ser | 144.00 |
| Fillmore County Rural Transit | Mile | 30.00 |
| Fillmore County Treasurer | Post | 156.00 |
| Geneva State Bank | SS | 162.76 |
| Jeannine Krejci | Ser | 132.00 |
| Venbrook Insurance Services | Insur | 335.00 |
| Youth Rehabilitation & Treatment Center | Ser | 150.00 |
| Payroll | Salaries | 2,160.68 |
| | | |
| <u>INHERITANCE TAX FUND</u> | | |
| Fillmore County Treasurer | Transfer | 10,000.00 |
| Pierson, Fitchett, Hunzeker, Blake & Katt | Ser, Mile | 4,342.48 |
| | | |
| <u>HOSPITAL OPERATING FUND</u> | | |
| Fillmore County Hospital | Nov. Taxes | 534.26 |
| | | |
| <u>NOXIOUS WEED FUND</u> | | |
| Ameritas Life Insurance Corp. | Ret | 77.06 |
| Geneva State Bank | SS | 87.33 |
| Payroll | Salaries | 1,141.66 |
| | | |
| <u>E911 COMMUNICATIONS FUND</u> | | |
| Nebraska Public Power District | Uti | 108.91 |
| Windstream | Uti, Ser | 971.78 |
| | | |

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ADJOURN SINE DIE

Agenda items “Engineering Contract, Carrying Firearms, Smoking Policy, and Break room furniture” were tabled until a future Board meeting. As there were was no other business to come before the Board, the Chairman declared the meeting would adjourn sine die until 9:00 a.m., January 9, 2007.

Attest

Chairman