

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 9, 2007, 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 publication 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 9:15 a.m. and the regular meeting adjourned at 2:40 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 2007. Simacek nominated Mueller. Kimbrough moved that nominations cease and a unanimous ballot be cast for Mueller. Upon roll call, the vote was as follows:

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

The temporary Chairman declared Mueller to be the Board Chairman for the year 2007 and Mueller assumed the chair.

ELECTION OF VICE-CHAIRMAN

Chairman Mueller asked for nominations for vice-chairman. Kimbrough nominated Yates. Capek moved that nominations cease and a unanimous ballot be cast for Yates. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NAMING OFFICIAL BANK DEPOSITORIES

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

RESOLUTION 2007-01

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

The Chairman declared the resolution adopted.

AUTHORIZED INVESTMENTS

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

RESOLUTION 2007-02

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 State Government Bond, United State 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: Mueller, Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny

Nays: None

The Chairman declared the resolution adopted.

DEPOSIT OF SURPLUS FUNDS

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

RESOLUTION 2007-03

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	\$ 3,214,932.20
Farmers State Bank of Fairmont	\$ 861,209.97
Geneva State Bank of Geneva	\$14,007,000.00
York State Bank & Trust Company of Geneva & York	\$13,703,583.66
Cornerstone Bank of York and Geneva	\$49,299,123.80
Farmers and Merchants Bank of Milligan	\$ 3,110,859.53

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 2007, 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: Galusha, Capek, Yates, Simacek, Kimbrough, Cerny, and Mueller

Nays: None

The Chairman declared the resolution adopted.

SECURITIES COMMITTEE

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

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

Nays: None

The Chairman declared the motion carried.

EQUIPMENT PURCHASE

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

Nays: None

The Chairman declared the motion carried.

LEGAL NEWSPAPER

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

Nays: None

The Chairman declared the motion carried.

ROAD REPORTS

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

Nays: None

The Chairman declared the motion carried.

ROAD REPORTS TO SUPERVISORS

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

Nays: None

The Chairman declared the motion carried.

REPRESENTATIVE TO DEVELOPMENT CORPORATION MEETINGS

Cerny moved and Yates 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 2007. 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.

ADJOURNMENT

As there were no other items remaining on the agenda for the reorganization meeting, the Chairman adjourned the Reorganization portion of the meeting at 9:15 a.m.

Attest

Chairman

Regular Meeting

January 9, 2007

The Fillmore County Board of Supervisors convened in open and public session at 9:15 a.m., January 9, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. Simacek was excused at 11:30 a.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 publication is on file in the County Clerk's Office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting information is posted as required by law and available for public distribution if requested. The meeting adjourned at 3:40 p.m.

MINUTES APPROVED WITH CORRECTION

Kimbrough moved and Cerny seconded the motion to approve the minutes from the December 26th Board meeting with the following correction: under the Road's Department Bill Michl came in to discuss his concerns with the Board in regards to Road 24. 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.

FEE REPORTS

Galusha moved and Kimbrough seconded the motion to approve the fee reports for December 2006 and Quarterly reports:

County Clerk: Dec. \$8,042.98 (State \$5,027.19 & County \$3,015.79);

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Quarterly: \$27,574.78 (State \$16,294.45 & County \$ 11,280.33)

Clerk of District Court: Dec. \$825.78; Quarterly: \$2,341.95

Sheriff: \$907.22; Quarterly: \$6,979.99

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.

TRAILBLAZER RC & D

Capek moved and Kimbrough seconded the motion to appoint Larry Cerny to the Trailblazer RC & D board and appoint Patt Lentfer as the alternate for a term beginning January 1, 2007 and ending December 31, 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.

DRIVEWAY PERMITS

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

John Pospisil – to install a new driveway on the east side of the NE ¼ of Section 23-7-2, Madison Township;

Don Bristol – to widen an existing driveway to 40' on the east side of the SE ¼ of Section 14-8-3, West Blue Township;

Josephine Gell Family – to install a new 20' to 30' driveway on the south side of SW ¼ of Section 19-6-4, Momence Township;

Trailblazer Pipeline Company – to install a new 25' driveway on the west side of the NW ¼, Section 16-5-3, Hamilton 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

After discussion, Kimbrough moved and Simacek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Aquila – to install a 6" steel natural gas pipeline 800' on the east side of the SE ¼ of Section 17-5-3, Hamilton Township; between the SE ¼ of Section 17-5-3 and the NE ¼ of Section 20-5-3, Hamilton Township; between the SE ¼ of Section 20-5-3 and the NE ¼ of Section 27-5-3, Hamilton Township; between the SE ¼ of Section 27-5-3 and the NE ¼ of Section 32-5-3, Hamilton Township; and between the SE ¼ of Section 32-5-3, Hamilton Township and the NW ¼ of Section 5-4-3, Thayer County. Aquila 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: Mueller, Galusha, Capek, Simacek, and Kimbrough

Nays: Yates

Abstaining: Cerny

The Chairman declared the motion carried.

CONCRETE BOX BIDS

Bids for the two concrete boxes were opened at 10:00 a.m. as advertised. The following bids were received:

<u>Bidder</u>	<u>Project #C003003710</u>		<u>Project #C003004215</u>		<u>Bids Tied</u>
	<u>Original Bid</u>	<u>Alternate Bid</u>	<u>Original Bid</u>	<u>Alternate Bid</u>	
Collins Contracting	\$137,144.06	\$111,520.36	\$107,250.76	\$101,941.86	Y
Gus Construction	\$165,761.65	\$120,831.65	\$137,303.80	\$112,443.65	N
TCW Construction	\$137,405.84	\$ 98,224.59	\$107,314.52	\$ 83,490.52	N
L. J. Webb Construction	\$117,267.90	\$ 96,769.75	\$ 90,537.93	\$ 81,445.90	Y

Larry Lewis, with Speece-Lewis Engineers, Inc. will review all bids and bring a suggestion back to the Board.

CONCRETE BOX LETTING

After discussion, Highway Superintendent Elmer Hessheimer suggested that we go with the low bidder and the original bids.

Cerny moved and Kimbrough seconded the motion to go with L. J. Webb Construction of Geneva, Nebraska for both projects (C003003710 and C003004215) and have them perform the projects as to the specifications of the original bid for a total of \$207,805.83. 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.

FILLMORE COUNTY ONE TO SIX YEAR PLAN

A public hearing will be held on February 13, 2007 in the Boardroom of the Fillmore County Courthouse at 9:45 a.m. for the One to Six year Plan for Fillmore County.

ONE YEAR PLAN FOR ROAD'S DEPARTMENT

After review and discussion, Simacek moved and Galusha seconded the motion to approve the One Year Plan for the Fillmore County Road's Department. 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.

911 ADDRESS CHANGES

Planning Administrator, Gerald Slezak informed the Board that there were some incorrect 911 address' that should be corrected. Gerald reviewed all the changes that needed to be made. After discussion, the Board directed Gerald to get all the addresses corrected and to come back to the Board for final approval.

BOARD OF EQUALIZATION

At the request of the County Treasurer, Kimbrough moved and Capek seconded the motion to go into session as the Fillmore County Board of Equalization at 11:20 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

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

Galusha moved and Simacek seconded the motion to approve the application from the Grafton Holy Cross Cemetery for 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

Capek moved and Cerny 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.

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	\$3,249.31
Ameritas Life Insurance Corp.	Ret	2,586.11
Jon Anderson	Uni	35.00
Aquila	Uti	1,371.60
Axis Capital, Inc.	Ser	243.32
Blue Cross/Blue Shield of Nebraska	Insur	15,547.05
Business Office Systems, Inc.	Sup	139.00
Daryl L. Callenius	Uni, Meals	75.50
City of Geneva	Uti	121.10
County Assessor's Assoc. of Nebraska	Dues	50.00
DAS Communications	Ser	448.00
Dell Marketing, L. P.	Sup	179.98
Des Moines Stamp	Sup	167.50
Earls Window Service	Ser	5.00
Jeffrey D. Ebeling	Uni	35.00
Fillmore County Sheriff	Ser	137.54
Fillmore County Treasurer	Taxes	141.28
First Concord Benefits Group, LLC	Ser	39.00
Fort Dearborn Life Insurance Co.	Insur	178.57
Geneva State Bank	Sup	61.92
Geneva State Bank	SS	2,762.70
Hair Works	Ser	15.00
Hometown Leasing	Ser	448.07
JEO Consulting Group, Inc.	Ser	935.00

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Steve Julich	Uni	35.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,885.00
Lancaster County Court	Sup	9.75
Lincoln Area Agency on Aging	Budget request	8,041.00
MIPS, Inc.	Ser	544.54
Rich Mueller/Tom Biegert	Rent	625.00
The Nebraska Signal	Pro, Ads	540.68
Neopost, Inc.	Ser	420.00
Ralph's Geneva Tire & Service Center	Rep, Sup	90.00
Steven G. Roemmich	Uni	35.00
Saline County Treasurer	Bailiff budget request	5,114.00
State of Nebraska Dept. of Correction	Boarding Prisoners	357.00
Chad Summers	Uni	35.00
UN-L IS-Telecommunications	Uti	32.79
Brandy VanDeWalle	Mile	43.61
Windstream	Uti	509.26
York News Times	Ad	57.25
Payroll	Salaries	38,266.94
<u>ROAD/BRIDGE FUND</u>		
Action Auto Supply	Parts	\$441.52
Alltel	Uti	89.42
Ameritas Life Insurance Corp.	Ret	1,596.89
Aquila	Uti	570.68
Blackburn Mfg. Co.	Sup	232.43
Blue Cross/Blue Shield of Nebraska	Insur	10,562.49
Business World Products	Ser	29.25
City of Geneva	Uti	50.70
Conoco Phillips Fleet	Fuel	1,856.56
Dorchester Farmers Coop	Fuel	858.00
Fillmore County Shop	Post, Sup	42.00
Filter Care of Nebraska	Parts	37.05
Fort Dearborn Life Insurance Co.	Insur	124.59
Geneva Implement	Parts, Rep	24.55
Geneva State Bank	SS	1,759.67
Geneva Welding & Supply, Inc.	Parts, Sup, Rep	727.22
Grafton Oil	Fuel	891.33
HSBC Business Solutions	Sup	57.62
Kerry's Auto Repair & Service	Sup	495.12
Lichti Oil	Fuel	847.20
Mike's Radiator & Tire	Rep	40.00
Nebraska Dept. of Revenue	Sales Tax	466.23
The Nebraska Signal	Ads	194.74
Nick's Farm Store	Rep	8.56
Perennial Public Power	Uti	36.23
Power Plan	Parts	174.18
R & D Parts, LLC	Parts	189.54
Ralph's Geneva Tire & Service	Rep, Sup	175.75
Village of Ohiowa	Uti	20.00
Payroll	Salaries	24,353.87
<u>ECONOMIC DEVELOPMENT – TOURISM</u>		
Fillmore County Development Corp.	Mile, Wksh, Sup	\$203.21
<u>SENIOR SERVICES FUND</u>		
Ameritas Life Insurance Corp.	Ret	\$134.09
Blue Cross/Blue Shield of Nebraska	Insur	949.44

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Exeter Golden Agers	LAAA	250.00
Fairmont Aging Services	LAAA	1,646.00
Fort Dearborn Life Insurance Co.	Insur	11.30
Geneva Senior Center	Uti, LAAA, Rent, Sup	2,246.70
Geneva State Bank	SS	165.28
Susan Kerl	Ser	132.00
Nancy Kohler	Mile, Sup, Post	59.43
Jeannie Krejci	Ser	84.00
JoAnn Vavra	Ser	120.00
Rhonda Stokebrand	Mile	26.70
Payroll	Salaries	2,191.31
NOXIOUS WEED FUND		
Ameritas Life Insurance Corp.	Ret	77.06
Blue Cross/Blue Shield of Nebraska	Insur	474.72
Fort Dearborn Life Insurance Co.	Insur	1.42
Geneva State Bank	SS	87.33
Payroll	Salaries	1,141.66

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

KENO OPTIONS

Delton Myers, Geneva City Council; Carolyn Ackerman, Geneva City Council; and Barb Whitley, City Clerk were present for the discussion on the Counties options for Keno.

Board of Supervisors informed the City Council representatives that they would like to continue having the Keno at Gregory's of Geneva until the two year's were up from annexation, which would be September 2007. After those two years were up, the County would then turn Gregory's keno funds to the City. This would allow the County to have one more year of Keno grants to be awarded.

FURNITURE

After discussion, Yates moved and Kimbrough seconded the motion that all new or additional furnishings in county buildings need prior approval from the County Board. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CARRYING OF FIREARMS POLICY

County Attorney, Jill Cunningham provided a written policy for the "Prohibition of Firearms, Including Concealed Handguns, onto Fillmore County Premises".

After discussion, Capek moved and Galusha seconded the motion to approve and adopt the policy as written by the County Attorney for the Prohibition of Firearms, including Concealed Handguns onto Fillmore County premises. A copy of the policy was ordered to be filed in the County Clerk's office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

JAIL INSPECTION

Jail inspection was completed, with everything looking in proper order.

ADJOURNMENT

Agenda items "Smoking Policy and Breakroom Furniture" were tabled until the January 23rd 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 23, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 23, 2007, 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:20 p.m.

MINUTES APPROVED

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

EXTENSION BOARD

Yates moved and Galusha seconded the motion to appoint Sheila Street and Ginger Wilkins as members at large for a three year term beginning January 1, 2007 and ending December 31, 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.

PUBLIC HEALTH SOLUTIONS

Jane Ford Witthoff, Health Director presented the annual report for Public Health Solutions.

RESCIND MOTION

After discussion, Kimbrough moved and Simacek seconded the motion to rescind the motion approving Aquila to occupy county right-of-way from the January 9, 2007 Board Meeting. The reason for rescinding the motion is that the application did not have the correct legal descriptions and the pipeline route may be changed. 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.

DITCH CLEANING PERMIT

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

Albert Simacek – to clean silt from the road ditch adjoining the south side of the SE ¼ for an 1/8 of a mile and the east side of the SE ¼ for 50 yards of Section 20-7-2, Madison Township.

Upon roll call, the vote was as follows:

Ayes: Capek
Nays: Yates, Kimbrough, Cerny, Mueller, and Galusha Abstaining due to conflict of interest: Simacek

The Chairman declared the motion failed.

PROJECT #C003003710

Cerny moved and Simacek seconded the motion to approve the contract with L. J. Webb Contractor, Inc. for Concrete Box Project #C003003710 for \$117,267.90 located on the east side of Section 36-6-2, Chelsea 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.

PROJECT #C003004215

Cerny moved and Kimbrough seconded the motion to approve the contract with L. J. Webb Contractor, Inc. for the Concrete Box Project #C003004215 for \$90,537.93 located between Section 10 and Section 15-5-1, Franklin 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.

SMOKING POLICY

After discussion, Capek moved and Yates seconded the motion to amend the current smoking policy to allow smoking 50 feet from any county buildings with the exception of the restroom in the dispatch area for dispatchers only, and in vehicles/equipment that is assigned to one individual at all times. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

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	\$302.52
Ameritas Life Insurance Corp.	Ret	2,604.67
Aramark Uniform Services, Inc.	Ser	376.82
Joseph N. Bixby DR.	Ser	210.00
Bottorf & Maser, Attorney	Ser, Mile, Sup	727.14
William L. Burgess	Uni, Meals, Fuel, Sup	99.02
Larry Cerny	Mile	485.05
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	440.00
Conoco Phillips Fleet	Fuel	1,484.53
Dell Marketing, L. P.	Equip	1,142.22
Douglas County Sheriff	Ser, Mile	55.93
Duckwall – Alco Stores, Inc.	Sup	134.27
Eakes Office Plus	Sup	1,770.84
Evening With Friends	Ser	1,010.99
Executive Copier Services	Ser	46.02
Fillmore County Clerk of District Court	Court Costs	1,500.00
Fillmore County Treasurer	Transfer, Taxes, Post, Sup, Interest	202,656.11
The Garbage Co., Inc.	Ser	103.02
Teri Gemar	Meals	18.43
Geneva State Bank	Ser	50.00
Geneva State Bank	SS	2,783.14
Geneva Super Foods	Sup	275.20
Geneva TV & Appliance, Inc.	Sup	18.00
Graham Tire Grand Island	Tires	316.48
Norma Gregory	Ret	25.00
Barbara Hein	Ret	176.00
Hilty’s of Geneva	Sup	109.13
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Sup	2,535.66
Kerry’s Auto Repair & Service	Sup, Rep	406.34
Stephen J. Kraviec	Ser, Post	1,645.13
Kustom Signals, Inc.	Equip	608.00
Lancaster County Sheriff	Ser	23.00
Lease Consultants Corp.	Ser	249.00
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	100.00
Mid-States Organized Crime Information Center	Dues	100.00
MIPS, Inc.	Ser	2,085.63
Nebraska Assoc. of County Officials	Wksh	420.00
Nebraska Clerk of the District Court Assoc.	Wksh, Dues	50.00
Nebraska Technology & Telecommunications, Inc.	Uti	1,043.34
Nebraska Public Power District	Uti	682.53
Amy Nelson	Sup	254.00
Nelson Petroleum Co.	Fuel	872.64
Omaha World – Herald	Sup	53.80
Elaine Pavlish	Ret	84.00
Vernon Pearson	Ret	48.00
Protex Central, Inc.	Ser	182.00
Rasmussen Mechanical Services, Inc.	Rep, Sup	1,586.91
Region V – Central Office	Budget Request	2,952.25
Sarpy County Sheriff	Boarding Prisoner, Ser	1,741.02
Mary L. Saum	Mile	226.51
Seiler & Parker, P. C.	Ser	76.50
Lee Bauer Smith	Ret	108.00
State of Nebraska Dept. of Motor Vehicles	Ser	3.00

Deanna Strothkamp	Ret	72.00
Luetta Strothkamp	Ret	96.00
Mary C. Tesar	Ret	24.00
Trailblazer R C & D	Dues	100.00
Bea Vavra	Ret	84.00
Carol Vejraska	Ret	23.08
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	456.58
York County Sheriff	Boarding Prisoner, Ser	291.00
Payroll	Salaries	38,552.05
ROAD / BRIDGE FUND		
All Roads Barricade, Inc.	Sup	170.64
Ameritas Life Insurance Corp.	Ret	1,590.37
Auto Value Parts Stores	Parts, Sup	310.38
Jo Ann Bowlus, Trustee	ROW, Easement, Fencing	2,136.44
Casey's General Store	Fuel	54.28
Century Lumber Center	Parts, Rep, Sup	55.66
Contech Construction Products	Culverts	16,868.16
Dorchester Farmers Coop	Fuel, Rep, Tires	5,012.60
Dultmeier Sales	Rep	418.29
Gary A. Fitzgibbon	ROW, Easement, Fencing	1,755.12
Gambles	Sup, Misc	75.71
The Garbage Company	Ser	60.42
Geneva State Bank	SS	1,699.01
Dale Goeking	Ret	96.00
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	114.46
Grafton Oil	Fuel	888.42
Grafton Oil	Sup	259.05
Heath, Inc.	Rep	60.00
Bruce D. Houchin & Wayne Houchin Jr.	Easement	25.00
Ronald Isley	Ret	103.86
Nolan James	Ret	12.00
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	1,080.18
Marlborough	Sup	48.00
Scott Most	Easement	25.00
Nebraska Bolt	Sup	87.36
Nebraska LTAP – Univ. of Nebraska	Dues	85.00
Nebraska Iowa Industrial Fasteners	Sup	239.42
Nebraska Machinery	Parts, Sup	967.39
Nebraska Public Power	Uti	203.21
Nebraska Technology & Telecommunications, Inc.	Uti	105.33
Nelson Petroleum Company	Fuel, Parts, Sup	1,373.07
Newman Traffic Signs	Sup	650.00
Nichols Construction	Gravel	2,865.31
Larry S. Nun	Easement	25.00
Overland Sand & Gravel	Gravel	15,984.11
Perennial Public Power	Uti	85.04
Shell	Fuel	203.80
Stamp Fulfillment Services	Sup	222.05
Superior Deshler, Inc.	Fuel	49.90
U. S. Postal Service	Ser, Sup	222.05
Weaver Repair	Sup	129.60
Wick's Sterling Trucks	Parts	33.48
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	41.49
Donald D. Wittmack	Ret	12.00
Payroll	Salaries	23,560.70
INSTITUTIONS FUND		
State of Nebraska Health & Human Services	Dec. Patient Care	372.00
SENIOR SERVICES FUND		
Ameritas Life Insurance Corp.	Ret	134.09
Conoco Phillips Fleet	Fuel	12.72
Dawg's Smokehouse Café	HDM's	205.00
Judy Dondlinger	Ser	120.00
Exeter Care Center	HDM's	196.00
Geneva State Bank	SS	165.62
Elizabeth Mattox Manning	Ser	144.00
Ron's Tavern	HDM's	236.00
Payroll	Salaries	2,195.68

<u>INHERITANCE TAX</u>		
Pierson, Fitchett, Hunzeker, Blake & Katt	Ser	3,962.50
<u>KENO FUND</u>		
American Legion Auxiliary Unit #21	Grant Funds	600.00
Cortney Bulin	Grant Funds	100.00
Discover Geneva Promotion Committee	Grant Funds	1,000.00
Edgar Recreational Center	Grant Funds	1,500.00
Exeter – Milligan Post Prom Committee	Grant Funds	560.00
Fairmont Aging Service	Grant Funds	1,000.00
Fairmont Cemetery Association	Grant Funds	1,300.00
Fairmont Public Library	Grant Funds	495.00
Fairmont Public Library	Grant Funds	450.00
Fillmore County Coalition	Grant Funds	1,200.00
Fillmore County Good Beginnings	Grant Funds	3,000.00
Fillmore County Hospital Auxiliary	Grant Funds	1,000.00
Fillmore County Visitors Co.	Grant Funds	500.00
G. F. W. C. Exeter Woman’s Club	Grant Funds	185.00
Geneva Arts Council	Grant Funds	3,750.00
Geneva Ball Players’ Association	Grant Funds	1,000.00
Geneva Chamber of Commerce	Grant Funds	500.00
Geneva Lodge #79	Grant Funds	1,000.00
Geneva Volunteer Fire Department	Grant Funds	300.00
Grafton Q125 Committee	Grant Funds	4,000.00
Milligan Auditorium	Grant Funds	3,000.00
Milligan Blood Mobile	Grant Funds	100.00
Music Boosters – Fillmore Central High School Band	Grant Funds	500.00
Shickley FFA	Grant Funds	500.00
“What’s Happening” Monthly Paper	Grant Funds	375.00
<u>NOXIOUS WEED FUND</u>		
Alltel	Uti	38.30
Ameritas Life Insurance Corp.	Ret	81.79
Gaylord Craddock	Mile	45.39
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	129.04
Frances Heinrichs	Mile	30.26
Nebraska Weed Control Assoc.	Dues	50.00
Tim Schepers	Mile	14.24
Payroll	Salaries	1,686.66
<u>E911 COMMUNICATIONS FUND</u>		
Nebraska Public Power District	Uti	121.21
Windstream	Uti	970.70

CLAIMS APPROVED

Simacek moved and Kimbrough 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.

ADJOURNMENT

Agenda items “Pipeline with Aquila, Parcel Layer, and County Website” were tabled until the February 13th Board meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., February 13, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 13, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, Galusha, and Simacek. The Deputy 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:10 p.m.

MINUTES APPROVED

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

FEE REPORTS

Simacek moved and Capek seconded the motion to approve the fee reports for January, 2007:

County Clerk: \$10,076.00 (State \$6,133.13 & County \$3,942.87);

Clerk of District Court: \$1,626.49

Sheriff: \$856.24

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

The December 2006 report for the Fillmore County Rural Transit was reviewed and ordered placed on file in the Clerk's office.

EXTENSION OFFICE REPORT

Brandy VanDeWalle, Extension Educator, updated the Board on Ag related programs.

CONSTITUTION AND BY-LAWS

After discussion, Yates moved and Kimbrough seconded the motion that the Chairman signs the Constitution and By-Laws to change the Extension Board Members from nine to seven.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

TREE GRANT

Brandy VanDeWalle and Terri Volkmer discussed the Trees for Nebraska Towns Program that needs to be submitted by March 1, 2007.

DRIVEWAY PERMITS

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

Melvin Plock – to extend an existing driveway to 40' on the east side of the SE ¼ of Section 20-8-2, Fairmont Township;

Howard Lefler – to install a new 40' driveway on the north side of the NE ¼ of Section 33-8-2, Fairmont Township;

Herb Stoldorf – to extend an existing driveway to 40' and add approximately 10' to the south on the east side of the SE ¼ of Section 2-6-3, Stanton Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY-RIGHT-OF-WAY

After discussion, Yates moved and Kimbrough seconded the motion to approve the following application for a permit to occupy county right-of-way:

February 13, 2007

Advanced BioEnergy, LLC – to install a non-process water discharge line from the ethanol plant between Sections 1-7-3 and 12-7-3, Geneva Township, at the half section line. 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 non-process water discharge line from the ethanol plant between Sections 12-7-3 and 13-7-3, Geneva Township, at the half section line. 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 non-process water discharge line from the ethanol plant between Sections 13-7-3 and 24-7-3, Geneva Township, at the half section line. 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 non-process water discharge line from the ethanol plant between Sections 24-7-3 and 25-7-3, Geneva Township, at the half section line. 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.

Aquila, Inc – to install a 6 inch natural gas pipeline from NW ¼ of Section 16-5-3 to SW ¼ of Section 21-5-3; from the NE ¼ of Section 20-5-3 to SW ¼ of Section 29-5-3; from NE ¼ of Section 29-5-3 to SW ¼ of Section 32-5-3; and from NW ¼ of Section 32-5-3 to SW ¼ of 32-5-3; all in Hamilton 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.

Windstream – to install a buried communications cable systems between Sections 10-5-1 and 15-5-1; 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.

Windstream – to install a buried communications cable systems between Sections 31-6-1, Glengary Township and 36-6-2, 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: Mueller, Galusha, Capek, Yates, Simacek, Kimbrough
Nays: None Abstaining: Cerny

The Chairman declared the motion carried.

PUBLIC HEARING ON ONE AND SIX YEAR PLAN

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

CONCRETE BOX PROJECTS

Cerny moved and Galusha made the motion to allow Webb Construction an extension of one month to complete concrete box project #C003004215 between Section 10 and 15-5-1, Franklin Township and concrete box project #C003003710 located on the east side of Section 36-6-2, Chelsea Township, making the completion date July 1, 2007.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CRUSHED ROCK

Discussion was held regarding crushed rock prices to stabilize a county road. A motion was made by Cerny and seconded by Simacek to obtain crushed rock from the lowest bidder to place on a mile road located between Road G and H on Road 24; and a mile road located between Road V and W on Road 6; for a total of two miles.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOX PROJECT C30-331

Simacek made a motion and Capek seconded to remove the box project C30-331 out of the One and Six Year Plan.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

CLOSE HEARING ON ONE TO SIX YEAR PLAN

The Chairman declared the public hearing on the One to Six Year Plan closed at 10:23 a.m. No one appeared to testify either for or against the proposal.

ONE & SIX YEAR PLAN

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

RESOLUTION 2007-04

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 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 2007-2008 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent, with the following changes:
None

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

PLANNING & ZONING BOARD MEMBER

Galusha moved and Simacek seconded the motion to appoint Cindy Slocum to the Zoning Board to replace Tom Boyer whose term ends June 30, 2008.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HOWELL SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the Howell Subdivision, located in NE ¼ of the SE ¼, Section 9-6-3, Chelsea Township.

Kimbrough moved and Yates seconded the motion to approve the plat of Howell Subdivision as follows:

A tract of land comprising of part of the NE ¼ of the SE ¼ of Section Nine (9), Township Six (6) North, Range Three (3), West of the Sixth (6th) P.M., Fillmore County, Nebraska, described as follows: Commencing at the NE corner of said SE 1/4, and assuming the east line of said SE ¼ to have a bearing of S00°05'01"E, and on the east line of said SE ¼, 20.00 feet to the point of beginning, said point being a ¾" rebar w/cap; thence S00°05'01"E, and on the east line of said SE 1/4 , 400.00 feet to a ¾" rebar w/cap; thence S89°59'49"W, and parallel with the north

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line of the S ½ of said Section Nine (9), 330.00 feet to a ¾" rebar w/cap; thence N00°05'01"W, and parallel with the east line of said SE ¼, 400.00 feet to a ¾" rebar w/cap; thence N89°59'49"E, and parallel with the north line of said S1/4 of Section Nine (9), 330.00 feet to the point of beginning and containing 3.03 acres more or less of which 0.30 of an acre more or less is occupied by county road R.O.W.

Upon roll call, the vote was as follows:

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

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 Ach	Ser	\$3,317.61
All Around Law Care	Ser	60.00
Ameritas Life Insurance Corp	Ret	2,612.91
Aquila	Uti	2,102.97
Jon Anderson	Uni	35.00
Andrews Electric Inc	Rep	123.20
Aramark Uniform Services	Ser	304.65
Axis Capital Inc	Lease	243.32
Joseph N Bixby	Ser	322.50
Blue Cross/Blue Shield	Insur	15,072.33
Bottorf & Maser	Ser	2,204.28
Butler County Sheriff	Ser	15.00
William L Burgess	Uni/Meals	41.90
Daryl L Callenius	Uni	35.00
City of Geneva	Uti/Election	745.99
Crossroads Awards	Sup	84.00
DAS Comm/Interagency Billing	Ser	448.00
Duckwall-Also Stores Inc	Sup	41.21
Educational Service Unit #5	Election	112.71
Educational Service Unit #6	Election	183.10
Educational Service Unit #9	Election	38.72
Eakes Office Plus	Sup	778.07
Earls Window Service	Ser	5.00
Jeffrey D Ebeling	Uni	35.00
Julie Effenbeck	Ser	150.00
Executive Copier Service	Sup	84.94
Exeter-Milligan School District	Election	414.30
Fillmore Central School District	Election	577.98
Fillmore County Clerk	Ser	16.50
Fillmore County Court	Misc	861.70
Fillmore County Treasurer	Transfers/Misc	48,264.75
First Concord Benefits Group	Misc	36.00
Friend Public School	Election	53.90
Furniture To go	Furniture	369.00
The Garbage Co Inc	Uti	147.92
Teri Gemar	Mile	92.15
Geneva State Bank	SS	2,787.10
Geneva TV & Appliance Inc	Sup	6.00
Heartland School District	Election	67.76
Hilty's of Geneva	Sup	7.58
Hometown Leasing	Lease	576.51
JEO Consulting Group Inc	Ser	1,027.00
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Offices	Ser	2,528.92
Knoche Appraisal & Cons LLC	Ser	1,140.00
Stephen J Kraviec	Ser	1,638.50
Lafayette Life Insurance Co	Insur	155.72
Lease Consultants Corporation	Lease	249.00
Little Blue Natural Resources Dist	Election	507.22
Loup Valley Lighting Inc	Sup	467.52
McCool Jct. School Dist	Election	96.07
Meridian Public School	Election	28.61
Mid American Research Chemical	Sup	176.16
MIPS Inc	Ser	2,672.07
Rich Mueller/Tom Biegert	Rent	625.00
NE Assoc of Co Clerks	Dues	45.00
NE Assoc of Co Officials	Dues	1,090.00

The Nebraska Signal	Sup/Printing	1,251.88
NE Technology & Telecomm Inc	Uti	1,054.65
Nelson Petroleum Co	Fuel	666.26
Nicks Farm Store Co	Ser	325.06
OfficeNet	Equip	540.80
Quill	Sup	63.54
Ralphs Geneva Tire & Serv	Ser/Sup	133.16
Steven G Roemmich	Uni	35.00
Shickley Public School Dist	Election	111.87
Gerald Slezak	Mile/sup	109.44
St of NE; Dept of Adm Serv	Ser	58.15
Chad Summers	Uni	35.00
Sutton Public School	Election	58.08
UN-L IS Telecommunications	Uti	31.61
Upper Big Blue NRD	Election	1,464.84
Village of Exeter	Election	35.94
Village of Fairmont	Election	57.20
Village of Grafton	Election	29.04
Village of Milligan	Election	38.13
Village of Shickley	Election	28.18
Village of Strang	Election	27.76
West Payment Center	Sup	180.00
Eric Williams	Mile	135.80
Windstream	Uti	213.38
York County Sheriff	Ser	5.50
York News Times	Adv	122.99
Payroll	Salaries	27,287.23

ROAD FUND

Action Auto Supply	Parts	18.57
Alltel	Uti	83.67
Ameritas Life Insurance Cop	Ret	1,593.77
Aquila	Uti	1,002.32
Auto Value Parts Stores	Pts	422.23
Baum Hydraulics	Pts/Fr	171.92
Blue Cross/Blue Shield	Insur	10,562.49
Business World Products	Rep	29.25
Casey's General Store	Fuel	1,422.39
Century Lumber Center	Pts/Sup	312.46
City of Geneva	Uti	53.80
Conoco Phillips Fleet	Fuel	363.99
Dorchester Farmers Coop	Fuel	4,044.15
Duckwall Store 767	Sup	24.99
Elsie L Dungan, Trustee	ROW	2,652.89
David J Elznic	Easement	25.00
Farm Plan	Pts	1,085.21
Fillmore Co Shop	Post	24.33
Filter Care of NE	Pts	236.30
The Garbage Company	Uti	60.42
Geneva Implement	Pts	159.21
Geneva State Bank	SS	1,702.86
Geneva Super Foods	Sup	21.00
Geneva Welding	Pts	212.94
Grafton Oil	Sup	1,022.07
Heath Machine Shop	Ser	25.00
Island Supply Company	Pts	86.50
Jill's Sweet Shop	Misc	22.47
Lafayette Life Ins Co	Insur	99.23
Michl Service	Fuel	95.65
NE Assn Co Engineers	Wksh	145.00
NE Department of Roads	Misc	555.64
NE Iowa Industrial Fastners	Sup	80.41
NE Signal	Misc	18.91
NE Tech & Tellecomm Inc.	Uti	107.26
Nelson Petroleum Company	Pts/Fuel	997.63
Nichols Construction	Gravel	12,279.99
Perennial Public Power	Uti	43.74
Power Plan	Pts	334.71
R & D Parts LLC	Pts/Sup	141.98
Ralph's Geneva Tire & Service	Rep/Pts	258.08
Sahling Kenworth Inc	Pts	58.18
Superior Deshler Inc	Fuel	46.58
Kyle A Svec	Easement	25.00
USIS Commercial Services	Ser	59.80
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	39.47
Village of Milligan	Uti	20.09
Weaver Pharmacy	Misc	18.05

ZEP Manufacturing	Sup/Fr	66.58
Payroll	Salaries	17,052.74

JUVENILE DIVERSION PROGRAM

Dave Wythers	Ser	1,329.00
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ECONOMIC DEVELOPMENT TOURISM

Grafton Q125 Committee	Grant	250.00
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SENIOR SERVICES

Ameritas Life Insurance Co	Ret	135.51
Janet Bartak	Mile	67.90
Blue Cross/Blue Shield	Insur	949.44
Dawg's Smokehouse Café	HDM	195.00
Judy Dondlinger	Ser	132.00
Exeter Care Center	HDM	150.50
Exeter Golden Agers	USDA	102.03
Fairmont Aging Services	USDA	285.57
Geneva Senior Center	Sup	1,345.36
Geneva State Bank	SS	170.92
Susan Kerl	Ser	144.00
Nancy Kohler	Sup/Mile	278.67
Jeannine Krejci	Ser	135.00
Lafayette Life Insurance Co	Insur	9.00
Elizabeth Mattox Manning	Ser	120.00
Rons Tavern	HDM	228.00
Rhonda Stokebrand	Mile	15.03
JoAnn Vavra	Ser	209.00
Payroll	Salaries	1,710.89

KENO FUND

Exeter-Milligan NE Ambassador		
Of Music	Grant	500.00
Fillmore County Treasurer	Taxes	1,122.21
Strang Comm Improvement Prgm	Grant	1,000.00

NOXIOUS WEED

Alltel	Uti	38.30
Ameritas Life Insurance Co	Ret	77.06
Blue Cross/Blue Shield	Insur	474.72
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	87.33
Lafayette Life Insurance Co	Insur	1.13
Payroll	Salaries	902.96

COMMUNICATIONS CENTER

Windstream	Uti	854.28
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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

UPPER BIG BLUE NRD – PARCEL LAYER

Rod DeBuhr with Upper Big Blue NRD, York, Nebraska, met with the Board to answer any questions they might have regarding his request to obtain Fillmore County's parcel layer.

After discussion, Cerny moved and Kimbrough seconded the motion to give the Upper Big Blue NRD access to Fillmore County's parcel layer for their use only.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FILLMORE COUNTY CHAPLIN CORE

Pastor Chris Lake, Pastor Jeff Jensen and Terry Marshall met with the Board regarding the development of the Fillmore County Chaplin Core. After discussion, Kimbrough moved and Galusha seconded the motion to approve the Fillmore County Chaplin Core pending answers from workman’s compensation regarding the insurance.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item “Abandoned road in Section 3-8-2, Fairmont Township” was tabled until the February 27, 2007 meeting. As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., February 27, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 27, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Yates, Capek, and Simacek. Galusha was absent and Simacek left at 10:15. Sharla Dinneen, an ODEGEO member was also present. The Deputy 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:30 p.m.

MINUTES APPROVED WITH CORRECTION

Simacek moved and Yates seconded the motion to approve the minutes from the February 13th Board meeting with the following correction: under the Road's Department, William Plock came in to discuss the vacation of a road in Section 3 and 4 of 8-2; Fairmont Township. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

REPORT

The January 2007 Fillmore County Transit report was reviewed and ordered placed on file in the County Clerk's Office.

INTERAGENCY LINK TO WEBSITE

Eric Williams discussed with the Board a request to form a link to the County website for the Interagency. It was determined that Mr. Williams would submit a list of organizations to MIPS for review as to cost and problems it may incur.

BRYAN LGH LETTER

After discussion, it was determined by the Board that no response was to be done on the letter from Bryan LGH.

DRIVEWAY PERMITS

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

Mick & Ken Krejci – to build a new driveway 40' wide in the SE ¼ of the SW ¼ of Section 14-8-2, Fairmont Township;

Aquila Inc – to install a 24' driveway into pressure reducing station, located in the SW ¼ of NW ¼ of section 16-5-3, Hamilton Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

After discussion, Capek moved and Yates seconded the motion to approve the following applications for a permit to occupy county right-of-way:

Windstream – to install a buried communications cable system between Section 10 and 11-8-1, Exeter 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.

Desert Island Farms Inc – to install an underground wire and water pipe between the east side of Section 7 and the west side of Section 8 of 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: Simacek, Kimbrough, Cerny, Mueller, Capek, Yates

Nays: None

The Chairman declared the motion carried.

VACATION OF ROAD IN FAIRMONT TOWNSHIP

County Highway Superintendent, Hessheimer. William Plock and the Board reviewed the Resolution 2006-49. After discussion, Cerny introduced and Kimbrough seconded the following resolution amending Resolution 2006-49.

RESOLUTION 2007-05

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 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 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 2,060.84 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 intersection of the Section line common to Sections 3 and 4 and the Standard Parallel (county line) and go South 2,060.84 feet. The adjoining landowner is the U.S. Fish and Wildlife.

Tract 4:

Fillmore County Road 16 between Fillmore County Road A and Fillmore County Road B; the West 33 feet of the North 2,060.84 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 intersection of the Section line common to Sections 3 and 4 and the Standard Parallel (county line) and go South 2,060.84 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 to be vacated as described in Book 27, page 237; 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 a Northeasterly direction 1,481.7 feet (22.45 chains) to a point 1,264.12' (19.1533 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 a point 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: Kimbrough, Cerny, Mueller, Capek, Yates, Simacek
Nays: None

The Chairman declared the resolution adopted.

PROJECT STPE-2727(2)

Yates moved and Cerny seconded the motion to have the Chairman sign the Engineering Agreement for Geneva's asphalt overlay Project STPE-2727(2). Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PROJECT STPE-2725(6)

Kimbrough moved and Cerny seconded the motion to have the Chairman sign the Engineering Agreement for Shickley's asphalt overlay Project STPE-2725(6). Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

NRD WATER TRANSFERS

The Board discussed the NRD's water transfers and the effects they are going to have in this area. No action was taken.

911 TOWER

The Central Power's warranty regarding the 911 tower extending it to a five year term was discussed. It will be reviewed and discussed further in the future.

DRUG MEETINGS

Bill Burgess discussed with the Board the drug meetings he attended in regards to the discussion of the grant, operation of the drug core and the cost to Fillmore County.

OPEN PERMISSIVE EXEMPTION HEARING

The Permissive Exemption Hearing was opened at 10:30 a.m. as advertised.

BOARD OF EQUALIZATION

At the request of the County Assessor, Cerny moved and Yates seconded the motion to go into session as the Fillmore County Board of Equalization at 10:33 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX CORRECTIONS

Capek moved and Cerny seconded the motion to approve the tax corrections: 18-06, 19-06, 20-06, 21-06 and 22-06 as presented by the County Assessor. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX EXEMPTION

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

Yates moved and Cerny seconded the motion to approve the application from Sisters of St Francis from motor vehicle fees. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Kimbrough moved and Capek seconded the motion to adjourn as Board of Equalization and return to regular session as the Fillmore County Board of Supervisors at 10:43 a.m. Upon roll call, the vote was as follows:

Ayes: Kimbrough, Cerny, Mueller, Capek, Yates

Nays: None

The Chairman declared the motion carried.

PERMISSIVE HEARING CLOSED

The Chairman declared the public hearing on the Permissive Exemptions closed at 10:44 a.m. No one appeared to testify either for or against the exemptions.

APPROVE PERMISSIVE EXEMPTIONS

Yates moved and Capek seconded the motion to approve the Permissive Exemption Applications as presented by the County Assessor and maintained in the office of the County Clerk. Upon roll call, the vote was as follows:

Ayes: Kimbrough, Cerny, Mueller, Capek, Yates

Nays: None

The Chairman declared the motion carried.

SPECIAL USE PERMIT FOR PIPELINE - AQUILA

The Special Use Permit for Pipeline – Aquila was opened at 11:00 a.m. as advertised.

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

Alltel	Uti	\$301.09
Ameritas Life Insurance Co.	Ret	2,551.96
Blue Cross/Blue Shield	Insur	15,547.05
Casey's	Misc	26.34
Helen H Cellar	Ser	40.00
Marilyn Christianity	Ben	25.00
City of Geneva	Rent	440.00
Conoco Phillips Fleet	Fuel	1,257.46
Jan Cotner	Ser	45.00
Drummond American Corp	Sup	152.75
Eakes Office Plus	Sup	143.52
First Concord Benefits	Ser	36.00
Geneva State Bank	Ser	25.00
Geneva State Bank	SS	2,738.62
Geneva Super Foods	Sup	272.12
Norma Gregory	Ben	25.00
Hampton Inn	Lodging	825.00
Hebron Journal Register	Ad	13.00
Hilty's of Geneva	Sup	482.98
Holiday Inn	Lodging/Meals	162.55
Hometown Leasing	Ser	128.44
Jims Repair	Ser	32.00
Kerry's Auto Repair & Service	Ser	232.14
Dennis Kimbrough	Mile	155.30
Ann H McDonald	Ben	18.00
Microfilm Imaging Systems Inc	Lease	100.00
Mid-American Research Chemical	Sup	529.05
National Assoc of Co Veterans	Wksh	290.00
National Sheriffs Assoc	Dues	50.00
Nebraska Public Power Dist	Uti	850.94
The Nebraska Signal	Ad/Sub	50.10
Darcy Nun	Ser	29.08
Sherri Nun	Ser	100.00
Platte Valley Comm. of Hastings	Ser	586.35
Mary L Saum	Mile/Meals	106.67
Secretary of State	Misc	65.00
ST of NE; Dept of Adm. Service	Ser	57.95
ST of NE; Dept of Corrections	Ser	192.12
ST of NE; HHS Laboratory	Ser	216.24
Subway	Meal	100.45
Brandy VanDeWalle	Mile	36.86
Daniel L Werner, Atty.	Ser	595.05

Wingate Inn	Lodging	69.95
Payroll	Salaries	26,636.88

ROAD

Ameritas Life Insurance Corp	Ret	\$2,650.59
Blue Cross/Blue Shield	Insur	10,562.49
Dorchester Farmers Coop	Fuel	893.20
Farm Plan	Pts/Sup	624.76
Gambles	Sup	172.15
Geneva State Bank	SS	1,699.00
Grafton Mini Mart	Fuel	56.90
Grafton Oil	Fuel	2,588.28
Ralph Gould	Ben	18.00
Elmer Hessheimer	Misc	10.00
Donovan Jirkovsky	Ben	25.00
Kerry's Auto Repair & Service	Tires	258.00
Lichti Oil	Fuel	1,812.28
Nebraska Machinery	Pts/Ser	3,520.54
Nebraska Public Power	Uti	291.21
Nelson Petroleum Co	Fuel	933.34
Perennial Public Power	Uti	80.77
Perennial Public Power	Ser	10,907.43
Speece Lewis Engineers	Ser	1,666.30
Glenn Stych, et al	ROW	1,984.10
Wal-Mart	Sup	39.60
Payroll	Salaries	17,014.87

INSTITUTIONS

State of NE; Heath & Human Ser	Ser	372.00
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SENIOR SERVICES

Ameritas Life Insurance Corp	Ret	\$223.49
Blue Cross/Blue Shield	Insur	949.44
ConocoPhillips Fleet	Fuel	5.00
Geneva State Bank	SS	160.61
Payroll	Salaries	1,607.89

NOXIOUS WEED

Ameritas Life Insurance Corp	Ret	\$77.06
Blue Cross/Blue Shield	Insur	474.72
Geneva State Bank	SS	87.33
Payroll	Salaries	902.96

COMMUNICATIONS CENTER

Nebraska Public Power Dist	Uti	\$146.65
Windstream	Uti	116.52

CLAIMS APPROVED

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

Ayes: Cerny, Mueller, Capek, Yates

Nays: None Abstaining due to conflict of interest: Kimbrough

The Chairman declared the motion carried.

CLOSE SPECIAL USE PERMIT

The Chairman declared the public hearing on the special Use Permit for Pipeline – Aquila closed at 11:10 a.m. No one appeared to testify either for or against the permit.

APPROVE SPECIAL USE PERMIT

Kimbrough moved and Yates seconded the motion to approve the Special Use Permit for Aquila. Upon roll call, the vote was as follows:

Ayes: Mueller, Capek, Yates, Kimbrough, Cerny

Nays: None

The Chairman declared the motion carried.

COMPREHENSIVE PLAN HEARING FOR ZONING CHANGES

The Chairman opened the Comprehensive Plan Hearing for Zoning Changes at 11:11 a.m. as advertised.

HOWELL'S SUBDIVISION

After discussion, Yates moved and Kimbrough seconded the motion to approve the corrected Howell Subdivision reflecting all owners. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING & ZONING DISCUSSION ITEMS

Other items discussed with the Planning and Zoning Administrator were the Horne subdivision located in the S ½ of the NE ¼ Section 29-8-1, Exeter Township that will be approved the Village of Exeter; the 911 address changes in Geneva and Fairmont; the subdivision procedures; and the office hours of the Administrator.

HEARING CLOSED ON COMPREHENSIVE PLAN

The Chairman declared the hearing closed on the Comprehensive Plan for Zoning Changes at 11:53 a.m. Pat Lentfer, Ben Ulmer, Greg Scellin and Dan Aspegren attended the meeting.

CHANGE COMPREHENSIVE PLAN

After discussion it was moved by Kimbrough and seconded by Yates to change the comprehensive plan and future land use plan on both sides of Highway 81, ½ mile each side for the four miles from Road G to Road K together with the S ½ of the SE ¼ of Section 6-7-2 and N ½ of the NE ¼ of Section 7-7-2. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CHANGE ZONING DISTRICT

After discussion, it was moved by Yates and seconded by Cerny to change the zoning district from Ag-1 to C-2 commercial along Highway 81, ¼ mile either side from Road G to Road K plus the E ½ of the SE ¼ of Section 24-7-3. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SIGN OVERLAY DISTRICT

After discussion, it was moved by Kimbrough and seconded by Capek to add a sign overlay district on the commercial district along Highway 81, ¼ mile either side from Road G to Road K plus the E ½ of the SE ¼ of Section 24-7-3. Upon roll call, the vote was as follows;

Ayes: Kimbrough, Cerny, Mueller, Capek, 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., March 13, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 13, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk’s office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:16 p.m.

MINUTES APPROVED

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

FEE REPORTS

Yates moved and Simacek seconded the motion to approve the fee reports for February 2007:

County Clerk: \$7,992.00 (State \$4,546.59 & County \$3,445.41);
Clerk of District Court: 326.62
Sheriff: \$675.54

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.

TREE REMOVAL BIDS

The following bids were received for tree removal and stump grinding:

	<u>Six Trees</u>	<u>Two Trees</u>	<u>Stump Grinding</u>
Stan’s Recycle & Salvage	\$2,280.00	\$950.00	No Bid
Hebron Tree Service	\$2,200.00	\$600.00	No Bid
Olena Stump Grinding	No Bid	No Bid	\$300.00 / 6 Trees
S & H Bushwhackers	\$3,225.00/7 Trees	No Bid	\$940.00 / 7 Trees
Jeff’s Tree Service	\$1,500.00	\$500.00	Included in bid

BRYAN LGH

After discussion the Board will have the County Attorney write a letter to Bryan LGH informing them that we have a contract with Region V regarding EPC’s.

DRIVEWAY PERMITS

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

- Joel Pospisil – to install a new 20’ driveway on the east side of the SE ¼, Section 14-7-1, Liberty Township;
- Tim Schepers – to widen two existing driveways to 40’ on the north side of the NE ¼, Section 20-8-2 and the west side of the SW ¼, Section 20-8-2, 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.

4-DAY WORK WEEK FOR ROAD’S DEPT.

After discussion, Yates moved and Galusha seconded the motion to approve a 4-day work week for the Road’s Department employees starting June 4th and ending August 31st. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PRELIMINARY ENGINEERING PROCESS

March 13, 2007

Highway Superintendent, Elmer Hessheimer explained to the Board that effective immediately we will have to have a selection process for any new Preliminary Engineering projects, similar to the Construction Engineering process.

DRUG COURTS

Judge Johnson, County Sheriff Bill Burgess, and County Attorney Jill Cunningham updated the Board on the Drug Court that will be established for Fillmore County.

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

Ace Sand & Gravel: Belle Prairie - \$10.15, Bennett - \$10.03, Bryant - \$11.88, Chelsea - \$11.34, Exeter - \$12.06, Fairmont - \$12.70, Franklin - \$9.49, Geneva - \$12.55, Glengary - \$10.10, Grafton - \$14.04, Hamilton - \$11.20, Liberty - \$11.33, Madison - \$11.99, Momence - \$12.63, Stanton - \$11.89, West Blue - \$13.36, and Stockpile - \$6.60

Beatrice Concrete Co.: Belle Prairie - \$9.64, Franklin - \$9.33, Glengary - \$9.96, Liberty - \$10.69, and Stockpile - \$7.00

DLP Enterprises, dba Nichols Sand & Gravel: Belle Prairie - \$8.65, Bennett - \$9.54, Bryant - \$8.55, Chelsea - \$9.39, Exeter - \$9.34, Fairmont - \$7.84, Franklin - \$8.54, Geneva - \$9.29, Glengary - \$8.87, Grafton - \$9.30, Hamilton - \$8.72, Liberty - \$8.34, Madison - \$8.60, Momence - \$9.06, Stanton - \$8.94, West Blue - \$8.55, and Stockpile - \$6.50

Overland Sand & Gravel: Belle Prairie - \$11.70, Bennett - \$11.70, Bryant - \$13.38, Chelsea - \$11.00, Exeter - \$9.15, Fairmont - \$9.18, Franklin - \$11.42, Geneva - \$10.86, Glengary - \$10.87, Grafton - \$10.86, Hamilton - \$12.54, Liberty - \$9.74, Madison - \$10.02, Momence - \$12.54, Stanton - \$11.70, West Blue - \$10.02, and Stockpile - \$7.50

COARSE ROAD GRAVEL

Overland Sand & Gravel: Bennett - \$12.48, Chelsea - \$14.44, Exeter - \$13.60, Fairmont - \$12.76, Geneva - \$13.32, Glengary - \$15.28, Grafton - \$11.08, Liberty - \$14.44, Madison - \$13.60, Momence - \$12.90, Stanton - \$13.74, West Blue - \$12.76, and Stockpile - \$5.20

GRAVEL LETTING

After discussion, Kimbrough moved and Yates seconded the motion to accept all bids, awarding each township to the lowest bidder, if lowest bidder cannot fulfill the need, then will purchase from the second lowest bidder. 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.

TREE REMOVAL

After discussion, Galusha moved and Cerny seconded the motion to have Jeff's Tree Service remove six trees in the courthouse lawn including the removal of stumps for \$1,500.00 and to replace them with ten new trees per the tree grant proposal. 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.

PINE TREE REMOVAL

After discussion, Cerny moved and Galusha seconded the motion to have Jeff's Tree Service remove the two pine trees located on the NE and NW corners of the courthouse and to remove the stumps for \$500.00. The Board will get a recommendation from the Arboretum on what to put in to replace these trees. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

AUDIT REPORT

Ron Willnerd from Contryman & Associates presented the annual audit report to the Board for fiscal year ending June 30, 2006.

CLOSED SESSION FOR PERSONNEL

Cerny moved and Kimbrough 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

March 13, 2007

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, Capek, Yates, and Simacek,
Nays: None

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

RETURN TO REGULAR SESSION

Capek moved and Galusha seconded the motion to return to open session at 11:24 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.

SPECIAL USE PERMIT

Nick Weinrich and Chris Meyer from Plains Power presented a proposal to install three 120 foot towers in the county to assist area farmers with their RTK systems. On March 27th at 11:00 a.m. there will be a public hearing on this special use permit.

FILLMORE COUNTY AGING SERVICE COMMISSION

Yates moved and Simacek seconded the motion to re-appoint June Rozanek to the Fillmore County Aging Service Commission for a three year term ending March 31, 2009. 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

Howard Ach	Rent/Ser	3,269.06
All Around Lawn Care	Ser	30.00
Ameritas Life Insurance Corp	Ret	2,689.24
Jon Anderson	Uni	35.00
Aquila	Uti	2,205.00
Aramark Uniform Service	Ser	303.87
Axis Capital Inc	Lease	243.32
Jeremy S Bangert	Ser	20.00
William L Burgess	Uni/Post	40.12
Business Office Systems	Sup	5.00
Daryl L Callenius	Uni/Misc	73.83
Century Lumber Center	Sup	13.00
City of Geneva	Uti	121.10
County Veterans Service Office Assoc	Dues/Reg.	95.00
DAS Comm/Interagency Billing	Ser	448.00
Duckwall – Alco Stores	Sup	55.75
Earls Window Service	Ser	5.00
Eakes	Sup	796.90
Jeffrey D Ebeling	Uni	35.00
Fillmore County Clerk	Ser	10.50
Fillmore County Treasurer	Post/Reg	808.00
Teri Gemar	Mil/Meals	74.47
Geneva State Bank	SS	2,900.58
Geneva State Bank	Fees	25.00
Geneva State Bank	Sup	54.15
Hilty's of Geneva	Sup	539.57
Hometown Leasing	Lease	576.51
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Office	Ser	2,543.50
Kerry's Auto Repair & Service	Ser	281.52
Knoche Appraisal & Consulting	Ser	2,716.00
Stephen J Kraviec	Ser	1,642.70
Lease Consultants Corp	Lease	249.00
Main Street Hardware	Sup	181.00
Mid-American Research Chemical	Sup	563.71

Rich Mueller/Tom Biegert	Rent	625.00
The Nebraska Signal	Adv/Sup	1,367.93
Nelson Petroleum Co.	Fuel	894.02
Nicks Farm Store Co	Rep	154.06
O'Keefe Elevator Co Inc	Ser	190.65
Ralph's Geneva Tire & Service	Rep	164.75
Rasmussen Mechanical Ser	Rep	693.37
Steven G Roemmich	Uni	35.00
Seiler & Parker PC	Ser	1,144.33
Chad Summers	Uni	35.00
UN-L IS-Telecommunications	Uti	40.50
UNL, Nebraska Forest Service	Wksh	110.00
Brandy VanDeWalle	Mile/Meals	93.66
Williams Exterminating Inc	Ser	110.00
Windstream	Uti	526.07
York County Sheriff's Office	Ser	69.06
Payroll	Salaries	\$28,399.30

ROAD FUND

Action Auto Supply	Sup	\$8.93
Alltel	Uti	83.67
Ameritas Life Insurance Co	Ret	2,649.44
Aquila	Uti	1,072.04
Auto Glass Center Inc	Pts	582.00
Auto Value Parts Stores	Sup/Pts	1,007.24
Black & Decker	Rep	31.82
Business World Prod	Rep	29.25
Casey's General Store	Fuel	1,671.58
Century Lumber Center	Sup/Pts	126.79
City of Geneva	Uti	56.90
Don's Signs	Sup	157.00
Dorchester Farmers Coop	Fuel	1,434.66
Dultmeier Sales	Rep	495.70
Fillmore County Treasurer	Wksh	36.00
Filter Care of Nebraska	Pts	148.45
Friesen Chevrolet Inc	Misc	4.51
Geneva Implement	Pts	88.28
Geneva State Bank	SS	1,698.39
Geneva Super Foods	Sup	29.70
Geneva Welding	Pts/Sup	249.93
Grafton Oil	Fuel	1,851.99
Holiday Inn of Kearney	Lodging	64.00
Inland Truck Parts Co	Pts	15.73
Matt Friend Truck Equipment	Pts	366.70
Michl Service	Fuel	136.50
Mid-Land Equipment Co	Pts	48.59
Nebraska Machinery	Pts	925.33
Nebraska Signal	Sup	649.82
Nebraska Tech & Tellecomm	Uti	106.49
Nelson Petroleum Company	Fuel	3,605.91
Overland Sand & Gravel	Gravel	3,676.50
Perennial Public Power	Uti	54.55
Power Plan	Pts	3,926.62
R & D Parts LLC	Pts/Sup	69.33
Ralph's Geneva Tire & Service	Rep	6,730.05
Roit Repair	Rep	24.72
Shell	Fuel	75.10
Superior Deshler Inc	Fuel	84.55
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	36.32
Wicks Sterling Trucks	Pts	609.76
Payroll	Salaries	17,009.61

JUVENILE DIVERSION

Dave Wythers	Ser/Mile/Uti	\$2,607.00
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SENIOR SERVICE

Ameritas Life Insurance Corp	Ret	\$223.49
Dawg's Smokehouse Café	HDM	180.00
Judy Dondlinger	Ser	132.00
Exeter Care Center	HDM	185.80
Exeter Golden Agers	USDA	30.78
Fairmont Aging Services	USDA	148.20
Geneva Senior Center	USDA	733.85
Geneva State Bank	SS	166.82
Susan Kerl	Ser	132.00
Nancy Kohler	Mile	50.93

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Jeannine Krejci	Ser	120.00
Elizabeth Mattox Manning	Ser	144.00
Ron's Tavern	HDM	216.00
Rhonda Stokebrand	Mil	54.56
Payroll	Salaries	1,673.52

NOXIOUS WEED

Alltel	Uti	\$38.30
Ameritas Life Insurance Corp	Ret	77.06
Merlin Ehmen	Rent/Mile/Sup	442.28
Geneva State Bank	SS	87.33
The Nebraska Signal	Ads	10.31
Platte Valley Communications	Uti	70.00
Payroll	Salaries	902.96

COMMUNICATIONS CENTER 911

Windstream	Uti	\$972.24
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CLAIMS APPROVED

Simacek moved and Cerny 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.

SURPLUS

At the request on the Clerk Magistrate Cindy Carrigan, Capek moved and Kimbrough seconded the motion to declare a metal desk surplus. 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

As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., March 27, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 27, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:54 a.m.

MINUTES APPROVED

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

DRIVEWAY PERMITS

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

Michael Kahler Jr. – install a new driveway on the north side of the NW ¼, Section 21-7-4, Bennett Township;

Sonny Hansen – install a new 20' driveway on the west side of the NW ¼, Section 8-7-1, 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.

OCCUPY COUNTY RIGHT-OF-WAY

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

Roger Pittard – to install an electrical line between the SE ¼, Section 28-7-3 and the SW ¼, Section 27-7-3, 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.

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.

DITCH CLEANING PERMIT

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

Jerry Galusha – to clean silt from the road ditch adjoining the south side of the SE ¼, Section 27-8-3, West Blue Township.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Galusha

The Chairman declared the motion carried.

UTILITY AGREEMENT

After discussion, Simacek moved and Capek seconded the motion to approve and sign the utility agreement with Perennial Public Power District to relocate four power poles on project #C003004215 in Sections 10 and 15, Franklin Township. Estimated cost would not exceed \$13,249.95. 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.

CDL POLICY

After discussion, Kimbrough moved and Cerny seconded the motion to adopt the updated CDL policy from NIRMA to the employee handbook. All employees with CDL’s will receive the new CDL policy handbook. 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.

TOWNSHIP BONDS

Kimbrough moved and Galusha seconded the motion to approve bonds for Arnold A. Heinrichs, Hamilton Township Treasurer; Darreld Saltzman, Hamilton Township Chairman; and Scott Houck, Hamilton Township Clerk for a term beginning January 8, 2007 and ending January 8, 2011 and a bond for Wayne Houchin Jr., Belle Prairie Township Clerk for a term beginning January 5, 2007 and ending January 5, 2011. 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.

CULVERT PIPE BIDS

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

	ROUND HELECAL										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton:	\$7.80	8.60	11.40	18.10	21.50	35.84	40.80	47.00	62.50	75.00	120.00
Contech:	7.30	8.20	10.80	16.80	20.20	32.60	36.50	41.90	58.30	69.90	82.30
Metal Culverts:	7.50	8.91	11.93	18.29	21.81	35.57	40.52	46.20	65.01	77.62	118.79
Midwest Services:	8.15	9.69	12.94	19.45	23.24	38.30	43.61	48.91	69.75	83.12	96.49

	ELLIPTICAL HELECAL PIPE "SQUASH"										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton:	\$8.20	9.00	11.90	18.80	22.25	37.25	42.86	52.00	68.50	82.00	126.00
Contech:	7.80	8.70	11.60	18.00	21.30	34.00	39.20	44.30	61.50	74.00	89.40
Metal Culverts:	8.04	9.45	12.73	19.09	22.74	36.63	41.65	47.45	66.40	79.33	123.54
Midwest Services:	8.94	10.58	13.91	20.62	24.42	39.71	45.20	50.91	72.73	87.10	101.14

	ROUND CMP										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton:	\$8.20	8.90	11.90	18.90	22.40	39.80	42.50	48.90	65.10	78.10	125.00
Contech:	7.70	8.90	11.90	18.30	21.80	35.30	39.90	45.50	64.00	76.00	106.00
Metal Culverts:	7.50	8.91	11.93	18.29	21.81	35.57	40.52	46.20	65.01	77.62	118.79
Midwest Services:	9.02	10.72	14.30	21.52	25.70	42.72	48.65	54.56	77.80	92.70	107.63

	ELLIPTICAL "SQUASH PIPE"										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton:	\$8.60	9.40	12.40	19.60	23.20	38.80	44.60	54.20	71.20	85.40	132.00
Contech:	8.20	9.30	12.30	18.55	22.20	39.00	40.70	46.00	65.60	82.00	114.00
Metal Culverts:	8.04	9.45	12.73	19.09	22.74	36.63	41.65	47.45	66.40	79.33	123.54
Midwest Services:	9.89	11.70	15.38	22.80	26.99	44.29	50.42	56.79	81.13	97.15	112.82

CULVERT PIPE LETTING

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

BOARD OF EQUALIZATION

Board of Equalization dates for 2007 will be July 9th and July 10th after the regularly scheduled Board meeting.

PART-TIME HOLIDAYS

After discussion, Cerny moved and Yates seconded the motion that part-time employees would be paid for the holidays that are listed in the handbook. 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.

EMERGENCY MANAGEMENT UPDATE

Terry Marshall, Emergency Manager informed the Board that he is updating the Fillmore County LEOP and would like to have a representative out from the State to review the LEOP with all affected subdivisions. He will be applying for a EMPG Grant for reimbursement of emergency manager salary. Terry also informed the Board as to what grants would be available through Homeland Security for 2007.

PUBLIC HEARING FOR SPECIAL USE PERMIT

The public hearing for the special use permit for the RTK tower locations opened at 11:03 a.m. as advertised. As no one appeared to testify for or against this special use permit, the hearing was closed at 11:17 a.m.

SPECIAL USE PERMIT

Kimbrough moved and Galusha seconded the motion to approve the special use permit for the following locations of the three 120 feet RTK towers: NE ¼, Section 32-8-3, West Blue Township; SE ¼ of the NE ¼, Section 7-7-1, Liberty Township; and SE ¼ of the NW ¼, Section 6-5-3, Hamilton 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.

DRUG COURT INTERLOCAL AGREEMENT WITH PROBATION ADMINISTRATION

County Attorney, Jill Cunningham presented an interlocal agreement to establish the Southeast Nebraska Adult Drug Court with the Nebraska Supreme Court, the Office of Probation Administration, and the counties of Fillmore, Gage, Jefferson, and Saline.

After discussion, Simacek moved and Yates seconded the motion to approve the following interlocal agreement:

This Interlocal Agreement is made and entered into among the Counties of Fillmore, Gage, Jefferson, and Saline in Nebraska, political subdivisions of the State of Nebraska, hereinafter referred to as the "Counties", the Nebraska Supreme Court hereinafter referred to as the "Court", and the Office of Probation Administration, hereinafter referred to as the "Office."

WHEREAS, the Interlocal Cooperation Act, Neb. Rev. Stat. § 13-801 et seq., provides that unit of local government of the State of Nebraska and Nebraska state agencies may enter into an agreement for the joint and cooperative exercise of powers, privileges, or authority capable of being exercised by either agency; and

WHEREAS, Neb. Rev. Stat. § 13-807, et. Seq., (Reissue 1997) provides that one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or other undertaking which each public agency entering into the contract is authorized by law to perform; and

WHEREAS, the Counties, the Court and the Office are public entities as defined by Neb. Rev. Stat. § 13-803; and

WHEREAS, the Counties' intention in contracting for such services is to reduce recidivism, redirect participants out of the court system and costs associated by establishing the Southeast Nebraska Adult Drug Court, "Problem-Solving Court"; and

WHEREAS, the Court and the Office are willing to perform this service for the Counties in consideration of certain amounts to be paid and established pursuant to the terms of this Agreement, and

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed between the parties as follows:

The term of this Agreement is May 1, 2007 through and including June 30, 2008.

1. The expenses incident to the conduct and maintenance of the Problem-Solving Court shall in the first instance be paid by Saline County, which shall act as the fiscal agent.
2. Each county shall provide office space and necessary facilities for Problem-Solving Court staff performing their official duties and shall bear the costs incident to maintenance of such offices.
3. The Problem-Solving Court shall operate as a "probation based" problem solving court and shall adhere to the Nebraska Supreme Court rules governing establishment and operation of problem solving courts.
4. The salaries and benefits of Problem-Solving Court staff authorized by the Supreme Court shall be paid by the Office and/or Court. (Exhibit "A")
5. In jurisdictions where probation staff operates in conjunction with a Problem-Solving Court, the salaries and benefits of those employees will be paid directly by the Office.

6. In jurisdictions where County employees operate in conjunction with a Problem-Solving Court the salaries and benefits of those employees shall first be paid by the Counties. The Counties will request reimbursement from the Court, on a quarterly basis, for the aforementioned costs.
7. In jurisdictions where probation staff operates in conjunction with a Problem-Solving Court, the costs of mileage and cell-phones of individuals under the supervision of the Problem-Solving court shall be paid by the Office.
8. Participants in Problem-Solving Court programs in which probation personnel or probation resources are utilized pursuant to an interlocal agreement shall pay the one-time administrative enrollment fee and the monthly probation programming fee. Any participant, who defaults on the payment of any such fees may, at the discretion of the court, be removed from such program or service. The Court shall establish the administrative enrollment fee and monthly probation programming fees as follows:

Adult participants placed in Problem-Solving Court shall pay a onetime administrative enrollment fee of thirty dollars. The fee shall be paid in a lump sum upon the beginning of program or service. Adult participants placed in Problem-Solving Court shall pay a monthly programming fee of twenty-five dollars, not later than the 10th day of each month, for the duration of participation in a program or service.

The Court shall waive payment of the monthly programming fees in whole or in part if, after a hearing, determination is made that such payment would constitute an undue hardship on the offender due to limited income, employment or school status, or physical or mental handicap. Such waiver shall be in effect only during the period of time that the participant is unable to pay his or her monthly fee.

If a participant defaults in the payment of monthly programming fees or any installment thereof, the court may revoke his or her participation for nonpayment, except that shall not be revoked nor shall the offender be imprisoned for such nonpayment if the participant is financially unable to make the payment, if he or she so states to the court in writing under oath, and if the court so finds after a hearing. If the court determines that the default in payment described is attributable to a deliberate refusal to obey the order of the court or to failure on the participant's part to make a good faith effort to obtain the funds required for payment, the court may enter an order allowing the participant additional time for payment, reducing the amount of each installment, or revoking the fees or the unpaid portion in whole or in part.

9. Employees assigned to the Problem-Solving Court are guided by all policies and procedures therein. The cost of approved Probation Solving Court training and travel may be encumbered by the Court as available funds permit. If funds are not available, responsibility shall lie with the Counties.
10. Employees who are Probation employees are likewise under the policies and procedures of the Supreme Court, Office of Probation Administration, local probation district, and under the direct supervision of the District Chief Probation Officer.
11. Collaboration, cooperation and communication are expected between all participating parties including, but not limited to the Supreme Court, the Office of Probation Administration, Department of Health and Human Services, and County Governments.
12. All parties acknowledge the possibility of future reductions in State and/or County appropriations. Neither the Counties, Court nor Office guarantees the continued availability of funding for this agreement notwithstanding the consideration stated above. In the event funds to finance this agreement become unavailable either in full or in part due to such reductions in appropriations, either part may terminate this agreement or reduce the consideration upon notice in writing to the other. The effective date of such termination or reduction in consideration shall be the actual effective date of the elimination or reduction of appropriations. In the event of a reduction in consideration, either party may cancel this agreement as of the effective date of the proposed reduction upon the provision of advance written notice to the other.
13. This Agreement shall supersede any and all previous agreements between the parties regarding the subject matter covered herein, and any previous agreements are hereby terminated by agreement of the parties.

The interlocal agreement was ordered to be filed in the County Clerk's office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRUG COURT INTERLOCAL AGREEMENT WITH THE COUNTIES

County Attorney, Jill Cunningham presented an interlocal agreement to establish the Southeast Nebraska Adult Drug Court with the following counties: Fillmore, Gage, Jefferson, and Saline.

After discussion, Cerny moved and Galusha seconded the motion to approve the following interlocal agreement with a possible change to Exhibit "A" due to the incorrect amount of population for Fillmore County:

This Interlocal Agreement is made and entered into among the Counties of Fillmore, Gage, Jefferson, and Saline in Nebraska, political subdivision of the State of Nebraska, hereinafter referred to as the "Counties".

Executive Copier Services	Ser	189.60
Fillmore County Development Corp.	Qtrly Budget Request	10,000.00
Fillmore County Treasurer	Ser, Taxes, Post, Wksh	12,858.99
Gambles	Sup	4.59
The Garbage Co. Inc.	Ser	125.47
Geneva State Bank	SS	2,816.97
Geneva Super Foods	Sup	263.86
Lambert Hopken	Mile	116.40
Terry Marshall	Phone, Internet	513.99
Maximus, Inc.	Ser	1,401.62
Microfilm Imaging Systems, Inc.	Ser	100.00
MIPS, Inc.	Ser, Sup	3,402.06
Nebraska Public Power Dist.	Uti	733.28
Nebraska Technology & Telecommunications	Uti	989.66
Protex Central Inc.	Sup	84.67
Quality Inn & Suites	Lodging	188.85
Rasmussen Mechanical Services, Inc.	Rep, Ser	1,080.56
Secretary of State	Ser	91.59
State of Nebraska Dept. of Admin. Services	Ser	53.23
State of Nebraska Dept. of Correctional Services	Sup	4.00
State of Nebraska HHS Laboratory	Ser	268.07
Thayer County Treasurer	Sup	446.56
USDA, APHIS	Ser	3,177.50
Daniel Werner, P. C., L. L. O.	Ser	18.75
Windstream	Uti	311.48
Payroll	Salaries	38,990.42
ROAD/BRIDGE FUND		
Ameritas Life Insurance Corp.	Ret	1,590.37
Blue Cross/Blue Shield of Nebraska	Insur	10,562.49
Farm Plan	Parts	553.55
Gambles	Sup	58.00
The Garbage Company	Ser	60.42
Geneva State Bank	SS	1,716.32
Grafton Mini Mart	Fuel	148.91
Grafton Oil	Fuel	939.51
Lichti Oil	Fuel	1,389.16
Nebraska Dept. of Roads Controller Div.	Project	2,086.66
Nebraska Iowa Industrial Fasteners	Sup	319.36
Nebraska Public Power	Uti	253.45
Nelson Petroleum Company	Fuel	1,054.50
Overland Sand & Gravel	Gravel	5,844.68
Perennial Public Power	Uti	90.15
Thomas R. Pribyl	Easement	25.00
Donna Saltzman	Ser	40.00
Speece Lewis Engineers	Ser	9,150.00
Payroll	Salaries	23,784.68
ECONOMIC DEV. – TOURISM		
Fillmore County Development Corp.	Mile, Post, Sup, Ser	467.94
Grafton Q-125 Committee	Marketing Grant	250.00
Milligan Auditorium	Marketing Grant	250.00
Milligan Grassland Day Committee	Tourism Grant	136.80
Naimon Enterprises	Ser	25.00
Mina Nutter	Ser	250.00
INSTITUTIONS		
State of Nebraska Health & Human Services	Febr. Patient Care	336.00
SENIOR SERVICES FUND		
Ameritas Life Insurance Corp	Ret	134.09
Blue Cross/Blue Shield of Nebraska	Insur	949.44
Conoco Phillips Fleet	Fuel	5.00
Geneva State Bank	SS	165.52
Payroll	Salaries	2,205.11
KENO GRANT FUND		
Geneva Woman's Club	Keno Grant	600.00
HOSPITAL OPERATING FUND		
Fillmore County Hospital	Taxes	17,647.75
NOXIOUS WEED FUND		
Ameritas Life Insurance Corp	Ret	77.06
Blue Cross/Blue Shield of Nebraska	Insur	474.72

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Geneva State Bank	SS	87.33
Payroll	Salaries	1,141.66
E911 COMMUNICATIONS FUND		
Nebraska Public Power District	Uti	131.65

CLAIMS APPROVED

Galusha 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.

GENERAL ASSISTANCE 2007-01

After discussion, Yates moved and Kimbrough seconded the motion to grant assistance to GA 2007-01 with the guidelines of General Assistance. Applicant must supply doctor’s note and copies of all bills requested for payment. 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

As there were no other items to come before the Board, the Chairman declared the meeting adjourned until 9:00 a.m., April 10, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 10, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, and Yates. Galusha 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:19 p.m.

MINUTES APPROVED

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

FEE REPORTS

Yates moved and Simacek seconded the motion to approve the fee reports for March 2007 and first quarter:

County Clerk: March \$19,180.03 (State \$12,209.55 & County \$6,970.48)
Quarterly \$37,248.03 (State \$22,889.27 & County \$14,370.21)
Clerk of District Court: March \$1,452.53; Quarterly \$3,405.65
Sheriff: March \$768.60; Quarterly \$2,300.38

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Tom & Bob Votipka – install a new driveway on the west side of the SW ¼, Section 30-7-1, Liberty Township;
Jim Rose – extend existing driveway on the west side of the SW ¼, Section 29-7-2, Madison Township;
TMT Swartzendruber – install a 30' culvert in existing driveway on the east side of the SE ¼, Section 20-5-3, Hamilton Township and to replace culvert in existing driveway on the south side of the SW ¼, Section 20-5-3, Hamilton Township;
Steven Kamler – extend existing driveway on the south side of the SE ¼, Section 30-6-3, Stanton Township;
Dennis Peters – install a new 40' driveway on the west side of the SW ¼, Section 23-8-1, Exeter 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.

DITCH CLEANING PERMIT

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

Steven Kamler – to clean silt from the road ditch adjoining the S ½ of the SE ¼, Section 30-6-3, Stanton Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Cerny seconded the motion to approve the following application for a permit to occupy county right-of-way:

Daniel & Kris Stengel – to install underground power line between the SW ¼, Section 16-7-4 and the NW ¼, Section 21-7-4, 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: Kimbrough, Cerny, Mueller, Capek, Yates, and Simacek
Nays: None

The Chairman declared the motion carried.

CONCRETE BOX PROJECTS

Yates moved and Cerny made the motion to allow Webb Construction an extension of one month to complete concrete box project #C003004215 between Section 10 and 15-5-1, Franklin Township and concrete box project #C003003710 located on the east side of Section 36-6-2, Chelsea Township, making the completion date July 15, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RURAL TRANSIT BUDGET REQUEST

Jane Cronk, Director of Fillmore County Rural Transit informed the Board the budget for 2007-2008 would be \$90,881.00 with the County's share at \$22,220.00.

After discussion, Kimbrough moved and Cerny seconded the motion to approve \$20,000.00 for the 2007-2008 budget request for the Fillmore County Rural Transit, the remaining amount paid by reserve funds. 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.

RURAL TRANSIT SERVICE FUNDING

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

RESOLUTION 2007-06

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 of 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 2007-2008.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CONTRACT WITH BLUE VALLEY COMMUNITY ACTION

Cerny moved and Yates seconded the motion to approve the contract with Blue Valley Community Action for the period beginning July 1, 2007 and ending June 30, 2008 for rural transit services. Upon roll call, the vote was as follows:

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

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>		
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April 10, 2007

Howard Ach, Atty.	Rent, Post, Sup, Equip, Mile, Meals	\$4,613.88
Ameritas Life Insurance Corp.	Ret	2,588.09
Jon Anderson	Uni	35.00
Aquila	Uti	1,150.30
Axis Capital, Inc.	Ser	243.32
Blue Valley Community Action Partnership	Budget request	3,842.00
Bottorf & Maser, Atty.	Ser, Mile	1,019.52
William L. Burgess	Uni, Meals	41.90
Daryl L. Callenius	Uni, Meals	42.06
Central Nebraska Refrigeration, Inc.	Rep	99.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Uti	124.00
City of Geneva	Rent	440.00
Conoco Phillips Fleet	Fuel	1,237.26
Contryman Associates, P.C.	Ser	8,500.00
DAS Communications	Ser	448.00
Robert Dumpert	Mile, Mtgs	88.65
Eakes Office Plus	Sup, Equip,	2,437.27
Earl's Window Service	Ser	5.00
Jeffrey D. Ebeling	Uni	35.00
Sharon Elznic	Mile, Mtgs	68.28
Executive Copier Services	Ser	77.97
Fillmore County Treasurer	Transfer	27,601.21
First Concord Benefits Group, LLC	Ser	36.00
Teri Gemar	Dues	20.00
Geneva State Bank	SS	2,794.23
Germer, Murray & Johnson, Atty.	Ser, Sup	1,437.90
Norma Gregory	Ret	25.00
Matt Harre	Mile, Mtgs	91.56
Hastings Tribune Classifieds	Ad	46.65
Hometown Leasing	Ser	576.51
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	2,549.32
Ralph Kassik	Mile, Mtgs	27.61
Kerry's Auto Repair & Service	Rep	459.64
Knoche Appraisal & Consulting, LLC	Ser, Mile	4,105.00
Stephen Kraviec	Ser, Post	1,642.13
Lancaster County Sheriff	Ser	20.00
Thomas Manning	Mile, Mtgs	71.19
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	329.78
Midwest Radar & Equipment, Inc.	Rep, Ser	207.50
Morley Most	Mile, Mtgs	88.65
Rich Mueller / Tom Biegert	Rent	625.00
Nebraska Farmer	Subscription	53.95
The Nebraska Signal	Sup, Pro, Ad	491.13
Nelson Petroleum Co.	Fuel	1,013.63
Merle Noel	Mile, Mtgs	45.52
Reg Noel	Mile, Mtgs	85.74
Protex Central, Inc.	Rep	616.55
R & D Parts LLC	Sup	12.40
Ralph's Geneva Tire & Service Center	Rep	91.90
Ken Real	Mile, Mtgs	27.13
Region V – Central Office	Budget request	2,952.25
Steven G. Roemmich	Uni	35.00
Seiler & Parker, P. C.	Ser, Mile	311.58
Gerald Slezak	Mile, Phone	103.82
Cindy Slocum	Mile, Mtgs	23.73
State of Nebraska, DAS Surplus Property Div.	Sup	5.00
Chad Summers	Uni	35.00
University of Nebraska – Lincoln Extension	Sup	434.03
UN-L IS – Telecommunications	Uti	29.75
Brandy VanDeWalle	Meal, Mile	232.50
Terri Volkmer	Sup	61.78
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	213.62
York County Sheriff	Ser, Mile	16.00
Payroll	Salaries	38,693.27
ROAD / BRIDGE FUND:		
Action Auto Supply	Parts	152.93
Alltel	Uti	83.67
Ameritas Life Insurance Corp.	Ret	1,560.86
Aquila	Uti	563.29
Auto Value Parts Stores	Parts, Sup	928.00

Business World Products	Ser	29.25
Century Lumber Center	Parts, Sup	40.40
City of Geneva	Uti	56.90
Conoco Phillips Fleet	Fuel	34.01
Dorchester Farmers Coop	Fuel	1,113.98
Fillmore County Shop	Post, Sup	45.62
Filter Care of Nebraska	Parts	113.25
Geneva Implement	Parts	263.19
Geneva State Bank	SS	1,665.76
Geneva Welding & Supply, Inc.	Parts, Sup	151.40
Ralph Gould	Ret	18.00
Grafton Oil	Fuel, Sup	2,306.95
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	1,025.88
Michl Service	Fuel	184.00
Nebraska Association of County Engineers	Wksh	75.00
Nebraska Iowa Industrial Fasteners	Sup	136.72
Nebraska LTAP	Wksh	15.00
Nebraska Signal	Ad	12.89
Nebraska Truck & Equipment	Parts, Rep	1,817.36
Nelson Petroleum Company	Fuel, Sup	2,692.68
Newman Traffic Signs	Sup	971.80
Nichols Construction	Gravel	34,889.63
Nick's Farm Store	Parts	63.34
Overland Sand & Gravel	Gravel	9,697.75
Perennial Public Power	Uti	54.72
R & D Auto Parts	Parts, Sup	170.44
Ralph's Geneva Tire & Service	Sup, Rep	446.49
Roit Repair	Equip	169.95
USIS Commercial Services	Ser	89.70
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	47.15
Village of Milligan	Uti	20.50
Village of Ohioa	Uti	20.00
Zep Manufacturing	Sup	66.25
Payroll	Salaries	23,661.65
JUVENILE DIVERSION FUND:		
Fillmore County Clerk	Sup	3.25
ECONOMIC DEV. – TOURISM FUND:		
Fillmore County Planning & Zoning	Permit	25.00
EMPLOYMENT SECURITY FUND:		
State of Nebraska, Dept. of Labor Unemployment	Misc.	247.59
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	134.09
Janet Bartak	Mile	89.73
Conoco Phillips Fleet	Fuel	12.38
Dawg's Smokehouse Café	HDM's	210.00
Judy Dondlinger	Ser	156.00
Exeter Care Center	HDM's	150.50
Exeter Golden Agers	USDA – January	46.17
Fairmont Aging Services	USDA – January	171.57
Fillmore County Rural Transit	Ser	30.00
Geneva Senior Center	USDA – January, Rent, Sup	702.83
Geneva State Bank	SS	164.53
Susan Kerl	Ser	156.00
Nancy Kohler	Post, Sup, Mile	209.18
Jeannine Krejci	Ser	108.00
Ron's Tavern	HDM's	208.00
Rhonda Stokebrand	Mile, Wksh	844.12
JoAnn Vavra	Ser	132.00
Payroll	Salaries	2,192.21
INHERITANCE TAX FUND:		
Fillmore County Treasurer	Transfer	6,000.00
ETHANOL PLANT ROAD FUND:		
UMB Bank, NA	Principal, Interest	43,287.50
HOSPITAL OPERTATING FUND:		
Fillmore County Hospital	March taxes collected	3,113.86

NOXIOUS WEED FUND:		
Alltel	Uti	38.30
Ameritas Life Insurance Corp.	Ret	77.06
Shane Bristol	Rep	70.00
Chaney Chemical	Sup	13,929.30
Gaylord Craddock	Mile	32.98
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	87.33
Frances Heinrichs	Mile	49.47
Tim Schepers	Mile	15.52
Payroll	Salaries	1,141.66

CLAIMS APPROVED

Simacek 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.

FILLMORE COUNTY AGING SERVICE COMMISSION

Cerny moved and Yates seconded the motion to appoint George Thompson and Betty Spousta to the Fillmore County Aging Service Commission for a three year term ending March 31, 2010, and Eunice Stuckey to the Fillmore County Aging Service Commission for a two year term ending March 31, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFETY MANUAL

After discussion, Simacek moved and Cerny seconded the motion to approve and adopt the Safety Manual as presented by the safety committee. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

AUDIT SERVICES

After discussion, the Board of Supervisors decided to have the County Clerk send out letters to all local and previous accountants to get a proposal on their audit services.

EPC BILLING

After discussion, the Board authorized the Clerk to only pay the Medicaid rate for the EPC billing dated March 28, 2007.

ADJOURNMENT

Agenda item “Agreement with Windstream Communications” was tabled until the April 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., April 24, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 24, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. The County Clerk was present to record the minutes of the meeting. Visitors were Megan Williams and Kyle Svec ODEGEO members.

Notice of the meeting was given by publication 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. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:05.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes approved adding that Sylvia Jividen and Bryce Kassik were visitors as ODEGEO members.

BLUE CROSS / BLUE SHIELD

Dennis Kimbrough reported to the Board that the Blue Cross/Blue Shield insurance rates would increase 8.46 % for fiscal year 2007-2008.

DRIVEWAY PERMITS

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

Jean Lovegrove Hughes Trust and Stewart H. Dand – remove existing driveway and install a new 40' driveway north of existing on the west side of the NW ¼, Section 19-7-3, Geneva Township;

Leonard Sluka – install a new 36' driveway on the north side of the E ½ of the NW ¼, Section 19-6-1, Glengary Township;

Steve Serr – replace existing driveway with a 36' driveway on the east side of the SE ¼, Section 22-8-4, Grafton 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.

DITCH CLEANING PERMITS

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

Donald E. Kuska & Kuska Farms, Inc. – to clean silt from the road ditch on the north and west side that adjoins the NW ¼, Section 18-7-1, and the west and south side that adjoins the SW ¼, Section 18-7-1, Liberty Township;

Kuska Farms, Inc. – to clean silt from the road ditch on the north and west side that adjoins the NW ¼, Section 19-7-1, Liberty 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.

INTERLOCAL AGREEMENT WITH SALINE COUNTY

Cerny moved and Yates seconded the motion to approve and sign the interlocal agreement with Saline County for the Concrete Box Project between the NW ¼ of Section 6-8-1, Saline County and the NE ¼ of Section 1-8-1, Exeter Township, Fillmore County. 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.

LIBERTY TOWNSHIP BOND

Yates moved and Capek seconded the motion to approve the bond for Galen Kuska, Treasurer for Liberty Township for a term beginning April 3, 2007 and ending April 3, 2010. 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.

FAIRMONT RURAL FIRE DISTRICT BOND

Simacek moved and Kimbrough seconded the motion to approve the bond for George Thompson, Secretary/Treasurer Fairmont Rural Fire District for a term beginning June 30, 2007 and ending June 30, 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.

RECYCLING GRANT

Yates moved and Capek seconded the motion to approve and sign the 2007 Waste Reduction and Recycling Incentive Grant for tire clean-up in Fillmore County. Recycling day will be June 2, 2007 at the Fairmont Airbase. 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.

EMERGENCY MANGEMENT

After discussion, Cerny moved and Galusha seconded the motion to add the emergency manager cell phone to one of Fillmore County's plans and up the minutes to the 1600 minute plan. Emergency manager will be allowed 800 minutes a month for business calls only. 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.

CISDA AND 211

Carol Hrdlicka, Executive Director of CIDsA/New Beginnings presented the 2007-2008 budget request for CISDA of \$750.00 to the Board.

Carol Hrdlicka and Eric Williams presented the benefits of adding 2-1-1 to Fillmore County. 2-1-1 would cost \$1,143.00 a year to the County. 2-1-1 offers a broad range of services to members of Fillmore County. Both requests will be discussed with budget reviews.

COMMUNITY DEVELOPMENT BLOCK GRANT

Dave Taladay, with Southeast Nebraska Development District (SENDD), Patt Lentfer, Alan Jefferson, and Gary Dick from the Fillmore County Development Corp. (FCDC) presented their wishes to undertake a "Countywide Housing Market Study with Strategies for Affordable Housing" project. Dave Taladay explained that the FCDC could not apply for funding under the Community Development Block Grant (CDBG) without the assistance of Fillmore County.

After discussion, Cerny moved and Yates seconded the motion to approve SENDD to start the CDBG application process for the FCDC. 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.

INTERLOCAL AGREEMENT WITH COMMUNITIES

Kimbrough moved and Simacek seconded the motion to approve the interlocal agreement between the FCDC, Village of Exeter, Fairmont, Grafton, Milligan, Ohioa, Shickley, Strang, the City of Geneva, and the County for the "Countywide Housing Market Study with Strategies for Affordable Housing" with that approval of the County Attorney. 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.

EXENTION OFFICE HELP

Brandy VanDeWalle, Tim Engle, and Galen Niederklein with the Extension Board presented the benefits and budget requirements of going from a part-time 4-H Assistant to a full-time 4-H Assistant. The Board agreed that they would have to wait until budget time to discuss this further.

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.	Rent, Sup, Post, Meals, Equip, Mile	\$3,893.88
Alltel	Uti	348.70
Ameritas Life Insurance Corp.	Ret	2,672.50
Aramark Uniform Service	Ser	385.74
Bear Graphics, Inc.	Sup	382.35
Blue Cross / Blue Shield of Nebraska	Insur	15,547.05
Bryan LGH Medical Center	EPC	680.17
William L. Burgess	Equip	188.74
Chaney Chemical	Sup	389.50
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	440.00
Douglas County Sheriff	Ser	5.52
Duckwall – Alco Stores, Inc.	Sup	131.42
Dunkin Transmission	Rep, Equip	2,272.94
Evercom Systems, Inc.	Sup	113.63
Fillmore County Treasurer	Post, Sup, Interest	324.45
The Garbage Company	Ser	125.47
Teri Gemar	Mile	76.63
Geneva State Bank	Ser	37.50
Geneva State Bank	SS	2,777.44
Geneva Super Foods	Sup	110.04
Germer, Murray & Johnson	Ser, Mile	1,298.79
Norma Gregory	Ret	25.00
Nancy A. Hansen	Meals	56.92
Heath, Inc.	Rep	250.00
Hilty's of Geneva	Sup	621.37
JEO Consulting Group	Ser	2,075.00
Jim's Repair	Rep, Sup	291.93
Lease Consultants Corp.	Ser	249.00
Lynn Peavey Company	Sup	47.88
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	100.00
Milligan Towing LTR	Ser	133.00
MIPS, Inc.	Ser	2,631.41
Nebraska Public Power	Uti	849.53
Nebraska Sheriff's Assoc.	Dues	120.00
Nebraska State Bar Assoc.	Sup	31.50
Nebraska Technology & Telecommunications, Inc.	Uti	1,086.19
Amy Nelson	Sup	225.00
O'Keefe Elevator Co., Inc.	Ser	9.88
Parade of Flags	Sup	367.00
Platte Valley Comm. of Hastings	Rep	593.00
Redfield & Company, Inc.	Sup	263.10
Region V Systems	EPC's	1,430.00
State of Nebraska Crime Commission	Sup	12.00
State of Nebraska DAS/Surplus Property	Sup	15.00
State of Nebraska Dept. of Admin. Services	Ser	53.19
State of Nebraska Dept. of Correctional Services	Sup	4.00
State of Nebraska HHS Laboratory	Sup	129.28
Barbara L. Stephenson	Mile	95.06
Windstream	Uti	304.91
York News Times	Ad	64.25
Payroll	Salaries	38,473.89
ROAD/BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,623.92
B's Enterprises	Sup	1,680.00
Blue Cross / Blue Shield of Nebraska	Insur	10,562.49
Casey's General Store	Fuel	2,526.42
Dollar General	Sup	10.00
Donrich Machine & Driveline	Rep	38.00
Dorchester Farmers Coop	Fuel, Sup	2,822.09
Fillmore County Hospital	Ser	16.00
Geneva State Bank	SS	1,737.21
The Garbage Company	Ser	60.42
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	121.08
Grafton Oil	Fuel	1,058.40
Donovan Jirkovsky	Ret	25.00

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Kabredlo's Inc.	Fuel	155.76
Lichti Oil	Fuel	2,447.29
Mid-Land Equipment Co.	Parts	178.21
Nebraska Machinery	Parts, Sup	1,272.27
Nebraska Public Power	Uti	221.29
Nebraska Tech & Tellecomm., Inc.	Uti	114.72
Overland Sand & Gravel	Gravel	3,557.43
Perennial Public Power	Uti	65.02
Shell	Fuel	55.50
Speece Lewis Engineers	Ser	2,637.08
Superior Deshler, Inc.	Fuel	100.26
Payroll	Salaries	23,519.69
ECONOMIC DEVELOPMENT – TOURISM		
Nebraska Festival & Events, Inc.	Dues	25.00
Siegel Display Products	Sup	107.35
INSTITUTIONS		
State of Nebraska Health & Human Services	March Patient Care	372.00
SENIOR SERVICES FUND		
Ameritas Life Insurance Corp.	Ret	134.09
Blue Cross / Blue Shield of Nebraska	Insur	949.44
Exeter Golden Agers	USDA	46.17
Fairmont Aging Services	USDA	165.87
Fillmore County Treasurer	Post	117.00
Geneva Activity & Education Dept.	Ser	25.00
Geneva Senior Center	USDA, Uti	752.36
Geneva State Bank	SS	163.53
JoAnn Vavra	Ser	96.00
Payroll	Salaries	2,179.08
TIRE CLEAN-UP GRANT:		
Fillmore County Treasurer	Transfer	396.50
INHERITANCE TAX FUND:		
Jeff's Tree Service	Ser	2,033.84
KENO FUND:		
Fillmore County Treasurer	Quarterly return	823.73
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	84.15
Blue Cross / Blue Shield of Nebraska	Insur	474.72
Geneva State Bank	SS	134.39
Payroll	Salaries	1,756.66
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	127.51
Windstream	Uti	982.09

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda item “Phone Service for Courthouse” was tabled until the May 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., May 8, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., May 8, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. The Deputy 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:08 p.m.

JAIL INSPECTION

Everything looked good with the jail inspection that was done after the Board meeting on April 24, 2007.

MINUTES APPROVED

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

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 9:04 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.

TAX CORRECTIONS

Cerny moved and Capek seconded the motion to approve Tax Corrections #23-06, 24-07, and 25-07 as presented by the County Assessor. 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.

NOTICE CHANGES

After discussion, Simacek moved and Yates seconded the motion to approve the notice changes as presented by the County Assessor. Approved list was ordered on file 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.

HEARING FOR EXEMPTION FROM MOTOR VEHICLE FEES

The County Treasurer presented an application from Blue Valley Community Action Partnership (Fillmore County Rural Transit) for exemption from motor vehicle fees.

Kimbrough moved and Galusha seconded the motion to approve the application from Blue Valley Community Action Partnership for a 2006 Chrysler Sport Van. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Cerny moved and Capek seconded the motion to adjourn as Board of Equalization and return to regular session as the Fillmore County Board of Supervisors at 9:27 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.

DRIVEWAY PERMITS

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

Dan Aspegren – to widen an existing driveway to 40’ on the south side of the SW ¼, Section 24-7-3, Geneva Township;
Aspegren Farms – to widen three existing driveways to 40’ on the south side of the SE ¼, Section 27-7-2, Madison 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

Yates moved and Simacek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Kent & Kurt Myers – to bury electrical line from the SW ¼ of Section 21-6-2 to the NW ¼ of Section 28-6-2, Chelsea Township. The owners agree 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 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.

LOWERING SPEED LIMIT

After discussion the Board requested that the Highway Superintendent perform a speed study on R Street.

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:		
Ace Agri Supply	Sup	\$63.20
Howard F. Ach, Atty.	Rent, Post, Sup, Copies	3,387.87
Action Auto Supply	Sup	21.97
Ameritas Life Insurance Corp.	Ret	2,674.57
Jon Anderson	Uni, Misc	62.08
Andrews Electric Co., Inc.	Rep	220.72
Aquila	Uti	672.59
Auto Value Parts Stores	Sup	308.49
Axis Capital, Inc.	Ser	243.32
William L. Burgess	Uni, Meals	42.97
Daryl L. Callenius	Uni	35.00
Chaney Chemical, Inc.	Sup	61.50
City of Geneva	Uti	111.10
The Daily Record	Notice	120.39
Deluxe Business Checks & Solutions	Sup	76.15
Des Moines Stamp Mfg. Co.	Sup	44.45
Douglas County Sheriff	Fees, Mile	5.52
Duckwall's	Sup	17.67
Earl's Window Service	Ser	5.00
Jeffrey D. Ebeling	Uni	35.00
Fillmore County Treasurer	Transfer	343,551.36
First Concord Benefits Group, LLC	Ser	36.00
Franklin County Treasurer	Ser	12.26
Geneva State Bank	SS	2,781.32
Geneva Welding & Supply, Inc.	Sup	22.00
Hilty's of Geneva	Sup	435.40
Hometown Leasing	Ser	448.07
Steve Julich	Uni	35.00
Kerry's Auto Repair & Service	Rep	179.43
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,070.00
Stephen J. Kraviec	Ser, Post	1,633.52
MIPS, Inc.	Ser	400.00
Rich Mueller / Tom Biegert	Rent	625.00

Nebraska Assoc. of County Extension Boards	Dues	100.00
Nebraska Assoc. of County Officials	Wksh	60.00
Nebraska Clerk of District Court Assoc.	Wksh	50.00
The Nebraska Signal	Ads, Sup, Pro	3,488.62
Nebraska Supreme Court	Subscription	350.00
Nelson Petroleum Co.	Fuel	1,525.92
Patrice's Specialties, LLC	Rep	50.00
Progressive Automotive	Rep	289.00
Steven G. Roemmich	Uni	35.00
Secretary of State	Ser	60.00
Chad Summers	Uni	35.00
UN-L IS Telecommunications	Uti	22.71
Brandy VanDeWalle	Meal, Mile	23.36
Williams Exterminating, Inc.	Ser	45.00
Windstream	Uti	166.94
Payroll	Salaries	38,524.08
ROAD/BRIDGE FUND:		
Action Auto Supply	Parts, Rep	41.50
Alltel	Uti	83.29
Ameritas Life Insurance Corp.	Ret	1,592.98
Andrews Electric Co., Inc.	Rep	25.90
Aquila	Uti	317.91
Business World Products	Ser	29.25
City of Geneva	Uti	56.90
Dorchester Farmers Coop	Fuel	2,681.91
Farm Plan	Parts, Tools	925.63
Filter Care of Nebraska	Parts	125.30
Friesen Chevrolet, Inc.	Parts	20.38
Gambles	Sup	68.98
Geneva Implement	Parts	82.97
Geneva State Bank	SS	1,713.30
Geneva Welding & Supply, Inc.	Sup	31.60
Grafton Oil	Fuel	1,432.64
Kerry's Auto Repair & Service	Parts, Rep	1,061.84
Lichti Oil	Fuel	1,122.91
Lincoln Clutch & Brake	Parts	409.13
Nichols Construction	Gravel	42,914.39
Nick's Farm Store	Rep	362.92
Overland Sand & Gravel	Gravel	2,097.12
Patrice's Specialties	Parts, Ser	210.00
Perennial Public Power	Uti	37.96
Power Plan	Parts	294.60
R & D Parts, LLC	Parts, Sup	522.54
Ralph's Geneva Tire & Service	Rep, Sup	192.85
Speece Lewis Engineers	Ser	2,425.00
Wick's Sterling Trucks	Parts	9.49
Zep Manufacturing	Sup	84.12
Payroll	Salaries	23,745.22
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	134.09
Janet Bartak	Mile, Meal	46.35
Dawg's Smokehouse Café	HDM's	195.00
Exeter Golden Agers	LAAA	250.00
Fairmont Aging Services	LAAA	1,646.00
Geneva Senior Center	Rent, Sup, Uti, LAAA	2,290.91
Geneva State Bank	SS	167.21
Susan Kerl	Ser	132.00
Nancy Kohler	Mile, Sup	288.71
Elizabeth Mattox Manning	Ser	144.00
Ron's Tavern	HDM's	228.00
Rhonda Stokebrand	Mile	46.56
JoAnn Vavra	Ser	96.00
Payroll	Salaries	2,227.21
INHERITANCE TAX FUND:		
Fillmore County Treasurer	Transfer	3,303.00
Fillmore County Treasurer	Transfer	25,100.00
NOXIOUS WEED FUND:		
Alltel	Uti	37.87
Ameritas Life Insurance Corp.	Ret	77.06
Shane Bristol	Rep, Parts	129.50
Brothers Equipment	Parts	28.00

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Chaney Chemical	Sup	5,661.30
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	87.33
Grafton Mini Mart	Fuel	69.00
The Nebraska Signal	Ads	201.30
Payroll	Salaries	1,141.66

CLAIMS APPROVED

Kimbrough moved or 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.

FEE REPORTS

Galusha moved and Cerny seconded the motion to approve the fee reports for April 2007:

County Clerk: \$10,577.51 (State \$6,104.13 & County \$4,473.38)
Clerk of District Court: \$1,492.71
Sheriff: \$1,420.00

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.

TOWNSHIP BONDS

Yates moved and Galusha seconded the motion to approve the following township bonds for a term beginning January 7, 2007 and ending January 7, 2008: Ralph Kassik and Henry Rohla Jr., Glengary Township; Don A. Griess, Richard Hoarty, and Robert Fessler, Bennett Township; Russ Kleinschmidt, Bridgette Flohrs, and Gary Kimbrough, Stanton Township; Tom D. Manning, Douglas Hafer, and Tom Novak, Madison Township; Donald Bristol, Sterling J. Dyer, and Larry L. Cudaback, Exeter-Fairmont Township; Clarence Nun Jr., Jerry Engle, and Kent W. Myers, Chelsea Township; James Oberlander, Larry Biester, and Charlie Allgood, Geneva Township; and Morley Most, Galen Dunse, and Galen Niederklein, Franklin Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OHIOWA RURAL FIRE DISTRICT BOND

Kimbrough moved and Simacek seconded the motion to approve the bond for Brock Domeier, Secretary/Treasurer for the Ohiowa Rural Fire District for a term beginning July 1, 2006 and ending July 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.

CISDA BOARD

Simacek moved and Yates seconded the motion to re-appoint Brenda Slater to the CISDA board for a one year term beginning May 1, 2007 and ending May 1, 2008. 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.

FILLMORE COUNTY PUBLIC HEALTH BOARD

Galusha moved and Capek 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, County Coroner P. R. Farmer, and Ray Capek for a one year term ending January 1, 2008. 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.

FREQUENCY RECONFIGURATION AGREEMENT

Yates moved and Simacek seconded the motion to approve and sign the Frequency Reconfiguration agreement with Nextel West Corp. to start phase II process. 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.

2007 EMERGENCY MANAGEMENT GRANT

Kimbrough moved and Capek seconded the motion to approve and sign the 2007 Emergency Management Performance Grant application. 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.

REGION V SERVICES AND REGION V SYSTEMS

Dave Merrill and Lisa Obermier from Region V Services presented the annual report.

C. J. Johnson from Region V Systems presented the annual report and the 2007-2008 budget request to the Board. The budget request for the County remained the same as last year \$10,494.00. Action on the request will be taken during the budget process later this summer.

INVOICE PROCESSING GUIDELINES FOR EPC'S

After discussion, Cerny moved and Simacek seconded the motion to adopt and approve the guidelines for Invoice Processing of Emergency Protective Custody holds for Psychiatric and Medical Care. A complete copy of the guidelines were ordered on file 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.

PLATINUM SERVICES

Don Mroczek, with Platinum Services, Inc. presented a new benefit that could be offered to employees for Cancer, Heart Attack and Stroke insurance. After discussion the Board will have employee meetings to discuss this option with the employees.

IRRIGATION WELL DRILLING & WATER CONSERVATION

Len Schropfer presented to the Board his concerns with irrigation well drilling and water conservation.

PA SYSTEM

Bob Higel, City of Geneva Administrator and Barb Whitley, City of Geneva Clerk addressed the Board in regards to the City installing a PA system for events. The City of Geneva needs a place to put a control box for the PA system and will be researching a couple places in the courthouse or courthouse lawn. The City will do further research and get back to the Board.

ADJOURNMENT

Agenda item "Employee Manual" 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., May 22, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., May 22, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:43 a.m.

MINUTES APPROVED

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

BOARD OF EQUALIZATION

At the request of the County Assessor, Yates moved and Simacek seconded the motion to go into session as the Fillmore County Board of Equalization at 9:04 a.m. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

TAX CORRECTIONS

Simacek moved and Kimbrough seconded the motion to approve Tax Corrections #26-06 and 27-06 as presented by the County Assessor. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

NOTICE CHANGES

Kimbrough moved and Cerny seconded the motion to approve the notice changes as presented by the County Assessor. Approved list was ordered on file 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.

NOTICE CHANGE

Yates moved and Galusha seconded the motion to approve the notice change with a break out of personal property as presented by the County Assessor. Change was ordered on file in the County Clerk's office. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to a conflict of interest: Cerny

The Chairman declared the motion carried.

RETURN TO REGULAR SESSION

Galusha moved and Cerny seconded the motion to adjourn as Board of Equalization and return to regular session as the Fillmore County Board of Supervisors at 9:13 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.

DRIVEWAY PERMITS

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

Edna Schelbitzki and Brian Mussman – to build a new driveway on the north side of the N ½ of Section 18-5-1 at the half mile line, Franklin Township;

Steve Ewalt – to widen existing driveway to 40' on the north side of the NW ¼, Section 12-6-3, Stanton Township;

Leonard Chlup – to widen existing driveway to 40' on the north side of the W ½ of the NE ¼, Section 23-7-1, Liberty Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Yates moved and Galusha seconded the motion to approve the following application for a permit to occupy county right-of-way:

Windstream Communications – to bury communication cable between Sections 28 & 33-8-3, West Blue Township. The owners agree 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TOWNSHIP BONDS

Kimbrough moved and Galusha seconded the motion to approve the following township bonds: John Charles Dondlinger, David Stolzenburg, and Patrick O'Brien for a term beginning January 1, 2007 and ending January 1, 2011 for Momence Township; blanket bond for Grafton Township with no specific term; and Bill Softley and John Lowe for a term beginning January 7, 2007 and ending January 7, 2008 for West Blue Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WITHDRAWING SECURITY

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

RESOLUTION 2007-07

RESOLVED, that the First National Bank of Exeter, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

Cusip #31339YUEO for 150,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADDING SECURITY

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

RESOLUTION 2007-08

RESOLVED, that the First National Bank of Exeter, Nebraska, be allowed to add the following security held by Midwest Independent Bank to-wit:

Cusip #3128X5XA1 for \$400,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

REGION V SYSTEM AGREEMENT

Simacek moved and Cerny seconded the motion to approve the Emergency Protective Custody agreement with Region V Systems for a one year period beginning July 1, 2007 and ending June 30, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DISTRICT #12 PROBATION

John McCathy, Jr., District #12 Probation Officer submitted the budget request for 2007-2008, with no increase in the amount of \$2,599.07. Action on the request will be taken during the budget process later this summer.

HEALTH INSURANCE

After discussion, the Board decided to leave the deductible at \$500.00 for the employee health insurance.

BIDS FOR COUNTY AUDIT

Bids for gravel were opened at 10:35 a.m. as advertised. The following bids were received:

Romans, Wiemer & Associates – one year audit \$9,000.00 and a three year commitment would be \$8,450.00 for fiscal year ending 2007, \$8,500.00 for 2008, and \$8,600.00 for 2009;
Contryman Associates, P. C. – a three year commitment would be \$8,200.00 per year for fiscal years ending 2007, 2008, and 2009;
Marvin E. Jewell & Co., P. C. – a three year commitment would be \$9,950.00 per year for fiscal years ending 2007, 2008, and 2009;
Dana F. Cole & Company, LLP – a three year commitment would be \$9,350.00 for fiscal year ending 2007, \$9,675.00 for 2008, and \$10,000.00 for 2009.

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:		
All Around Lawn Care	Ser	\$30.00
Alltel	Uti	577.48
Ameritas Life Insurance Corp.	Ret	3,041.85
Aramark Uniform Services, Inc.	Ser	307.84
Blue Cross/Blue Shield of Nebraska	Insur	16,021.77
Blue Valley Community Action Partnership	4 th Qtr budget request	3,842.00
Casey's General Stores, Inc.	Fuel	36.00
Conoco Phillips Fleet	Fuel	993.60
DAS Communications	Ser	448.00
Duckwall – Alco Stores, Inc.	Sup	103.25
Eakes Office Plus	Sup	852.53
Evercom Systems, Inc.	Sup	234.08
Executive Copier Services	Ser	55.66
Fillmore County Sheriff	Ser	370.44
Fillmore County Treasurer	Post	1,179.66
The Garbage Co.	Ser	125.47
Teri Gemar	Mile, Wksh	173.93
Geneva State Bank	SS	2,849.44
Geneva State Bank	Ser	25.00
Geneva Super Foods	Sup	814.68
Hometown Leasing	Ser	128.44
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup, Wksh	3,384.44
Kerry's Auto Repair & Service	Main, Rep	55.70
Lease Consultants Corp.	Ser	249.00
Microfilm Imaging Systems, Inc.	Ser	100.00
MIPS, Inc.	Ser, Sup, Equip	2,370.58
Moses Motor Company, Inc.	Rep	206.59
Nebraska County Attorneys Association	Wksh, Dues	756.50
Nebraska Criminal Defense Attorney's Assoc.	Wksh	190.00
Nebraska Law Enforcement Training Center	Wksh	50.00
Nebraska Public Power District	Uti	811.42
The Nebraska Signal	Ad	12.80
Nebraska Technology & Telecommunications, Inc.	Uti	1,094.12
Notary Public Underwriters of Nebraska, Inc.	Sup	95.00
Mary Novak	Sup	59.57
Ralph's Geneva Tire & Service Center	Sup, Rep	572.30
Region V Systems	EPC	330.00

		May 22, 2007
Restraint System Technologies, LLC	Sup	115.20
Seiler & Parker, P. C.	Ser	345.00
State of Nebraska Dept. of Admin. Services	Ser	58.12
State of Nebraska Dept. of Correctional Services	Inmate Housing	142.80
State of Nebraska Dept. of Labor	Ser	36.00
State of Nebraska Dept. of Motor Vehicles	Ser	4.00
University of Nebraska SREC	Ser	1,260.00
Weaver Pharmacy	Sup	229.63
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	57.93
Payroll	Salaries	39,414.75
ROAD/BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,584.85
Auto Value Parts Stores	Parts, Sup	623.83
Barco Municipal Products	Sup	155.34
Blue Cross/Blue Shield of Nebraska	Insur	10,562.49
Casey's General Store	Fuel	166.25
Century Lumber Center	Parts, Sup	220.65
Contech Construction Products	Sup	3,031.20
Dorchester Farmers Coop	Fuel	1,644.29
Drummond American	Sup	140.06
Fillmore County Shop	Post, Misc.	24.39
The Garbage Company	Ser	60.42
Geneva Engineering	Sup	100.00
Geneva State Bank	SS	1,713.43
Heath, Inc.	Rep	50.00
Jill's Sweet Shop	Misc	23.11
Lauber Seed Farm	Sup	144.00
Lichti Oil	Fuel	5,080.36
Mid-Land Equipment Co.	Parts	119.10
Nebraska Bolt	Sup	17.96
Nebraska Iowa Industrial Fasteners	Sup	316.01
Nebraska Public Power District	Uti	185.57
Nebraska Tech & Tellecomm., Inc.	Uti	113.60
Nelson Petroleum Company	Fuel, Parts	3,346.97
Newman Traffic Signs	Sup	1,082.50
Overland Sand & Gravel	Gravel	2,018.65
Raynor Garage Doors of CE. NE., Inc.	Rep	135.00
Gary Richards & Sheila Richards	ROW, Easement, Fencing	3,710.00
Shell	Fuel	155.74
Smith's Plumbing & Well Service	Parts, Rep	3,178.67
Speece Lewis Engineers	Ser	3,710.00
Fred Stych	Sup	450.00
Superior Deshler, Inc.	Fuel	57.14
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	16.26
Westover Rock & Sand, Inc.	Gravel	28,472.84
Payroll	Salaries	23,747.01
JUVENILE DIVERSION FUND:		
Dave Wythers	Ser, Uti	2,937.00
ECONOMIC DEVELOPMENT-TOURISM FUND:		
Carol Vejraska	Mile, Lodging	188.89
INSTITUTIONS FUND:		
State of Nebraska Health & Human Services	April Patient Care	360.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	137.26
Blue Cross/Blue Shield of Nebraska	Insur	949.44
Conoco Phillips Fleet	Fuel	21.09
Corporate Insurance Management, Inc.	Insur	1,123.60
Judy Dondlinger	Ser	216.00
Exeter Care Center	HDM's	189.00
Geneva State Bank	SS	168.38
Jeannine Krejci	Ser	144.00
Payroll	Salaries	2,242.46
INHERITANCE TAX FUND:		
Pierson, Fitchett, Hunzeker, Blake & Katt, Atty	Ser, Mile, Misc.	6,554.65
COURTHOUSE BOND FUND:		
Fillmore County Treasurer	Principal & Interest	85,770.00

May 22, 2007		
ROAD BOND FUND:		
Fillmore County Treasurer	Interest	35,153.75
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	77.06
Blue Cross/Blue Shield of Nebraska	Insur	474.72
Geneva State Bank	SS	87.33
Payroll	Salaries	1,141.66
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	116.21
Windstream	Uti	982.50

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

LETTING FOR COUNTY AUDIT

After discussion, Yates moved and Kimbrough seconded the motion to award Contryman Associates, LLP with a three year contract for auditing the County. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “Courthouse & Road Bonds, Speed Limit on R Street, and Glengary Township Road” 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 12, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., June 12, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:45 p.m.

MINUTES APPROVED

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

FEE REPORTS

Kimbrough moved and Yates seconded the motion to approve the fee reports for May 2007:

County Clerk: \$11,723.73 (State \$6,869.15 & County \$4,854.58)
Clerk of District Court: \$746.04
Sheriff: \$844.26

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

See Board of Equalization minutes.

COURTHOUSE & ROAD BONDS

Tyler Williams, with Edward Jones informed the Board that the interest rates have gone up on the bonds and at this time it would not benefit the County to refinance those bonds.

After discussion, Galusha moved and Simacek seconded the motion to authorize Chairman Mueller to be able to lock in the interest rate on the Courthouse and Road bonds if they lowered and have a significant savings to the County. 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 PERMIT

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

Galen Real – to install a new 40' driveway on the west side of the SW ¼, Section 1-8-3, West Blue 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.

SILT CLEANING PERMITS

Yates moved and Capek seconded the motion to approve the following applications for permits to clean silt from the road ditch:

Dennis Kimbrough – to clean silt from the road ditch on the east side that adjoins the SE ¼, Section 23-6-3, Stanton Township;
Kenneth Boswell – to clean silt from the road ditch on the south side that adjoins the SW ¼, Section 34-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Kimbrough

The Chairman declared the motion carried.

BRYANT TOWNSHIP BONDS

Kimbrough moved and Galusha seconded the motion to approve the bond for Howard Johnson, Eldon Reeb, and Steve Heinrichs for a term beginning January 6, 2007 and ending January 6, 2011 for Bryant Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WEST BLUE TOWNSHIP BONDS

Galusha moved and Yates seconded the motion to approve the bond for Elden Luethke for a term beginning January 7, 2007 and ending January 7, 2008 for West Blue Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VETERAN’S SERVICE BOARD

Simacek moved and Yates seconded the motion to appoint Tim Wilbeck to finish William Lief’s term ending June 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CHILD SUPPORT ENFORCEMENT CONTRACT FOR SUPPLEMENTAL SERVICES

Simacek moved and Capek seconded the motion to approve the contract with Stephen J. Kraviec, Attorney as the authorized attorney for child support enforcement supplemental services in the amount of \$5,238.00. The authorized attorney will supplement legal services to secure establishment of such services for child support establishment and enforcement from incentive funds received by the State in the amount of \$5,238.00. 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.

ADVERTISING AT RIALTO II

After discussion, it was decided that the County would not advertise with the Fillmore County Coalition at the Rialto II theatre.

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

GENERAL FUND:		
A-1 Body & Glass	Rep	\$250.00
Howard F. Ach, Atty.	Rent, Sup, Post, Meals, Mile	3,683.17
Ameritas Life Insurance Corp.	Ret	5,988.07
Jon Anderson	Uni	35.00
Aquila	Uti	96.85
Aramark Uniform Services, Inc.	Ser	459.21
Auto Value Parts Store	Parts, Sup	72.62
B & J Automotive, LLC	Rep	89.28
Joseph N. Bixby, DR	Ser	637.50
William L. Burgess	Uni, Meal	62.98
Daryl L. Callenius	Uni	35.00
Casey’s General Stores, Inc.	Fuel	1,860.48
City of Geneva	Rent, Uti	626.00
Marilyn Christiancy	Ret	25.00
DAS Communications	Ser	448.00
Dell Marketing	Equip, Sup	1,988.65

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Dugan Business Forms	Sup	888.64
Eakes Office Plus	Sup	2,122.84
Earls Window Service	Ser	10.00
Jeffrey D. Ebeling	Uni	35.00
Emblem Enterprises, Inc.	Sup	311.69
Evercom Systems, Inc.	Sup	227.25
Executive Copier Services	Ser	57.24
Farm & Home Publishers, LTD	Sup	1,400.10
Fillmore County Clerk	Sup	10.00
Fillmore County Court	Ser	745.51
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Sheriff's Department	Ser	25.00
First Concord Benefits Group, LLC	Ser	36.00
Gambles	Sup	23.37
The Garbage Co.	Ser	125.47
Teri Gemar	Mile	71.78
Geneva Activity & Education Department	Ser, Sup	309.00
Geneva State Bank	SS	5,644.19
Norma Gregory	Ret	25.00
Hilty's of Geneva	Sup	101.61
Holiday Inn – Grand Island	Lodging, Meals	341.52
Holiday Inn – Kearney	Lodging	129.90
Hometown Leasing	Ser	576.51
Jim's Repair	Rep, Ser	204.71
Steve Julich	Uni	35.00
Kerry's Auto Repair & Service	Rep	31.25
Knoche Appraisal & Consulting, LLC	Ser, Mile	557.00
Stephen J. Kraviec	Ser, Post	1,638.21
Lafayette Life Insurance	Insur	660.24
Lichti Oil	Fuel	810.35
M-C Industries, Inc.	Sup	234.00
Ann H. McDonald	Ret	18.00
Maximus, Inc.	Ser	1,211.57
MIPS, Inc.	Ser	2,112.63
Rich Mueller/Tom Biegert	Rent	625.00
Murphy Plumbing & Heating, Inc.	Ser, Sup	444.00
Lynn Mussman	Lodging	65.00
Nebraska Association of County Officials	Sup, Wksh	105.00
The Nebraska Signal	Sup, Pro, Ads, Notices	1,066.15
Nick's Farm Store	Rep	20.83
O'Keefe Elevator Co., Inc.	Ser	202.08
Omaha World Herald	Subscription	189.28
Platte Valley Community of Hastings	Ser, Sup	24,102.78
R & D Parts, LLC	Sup	18.58
Steven G. Roemmich	Uni	35.00
Seiler & Parker, P. C.	Ser	105.00
State of Nebraska Crime Commission	Sup	14.00
State of Nebraska Dept. of Corrections	Equip, Boarding Prisoner	5,976.52
State of Nebraska HHS Laboratory	Ser	360.07
Chad Summers	Uni	35.00
Thayer County Treasurer	Sup	493.35
Text & Data Technologies Inc.	Ser	900.00
UN-L IS-Telecommunications	Uti	32.85
Brandy VanDeWalle	Meal, Mile	107.34
Weaver Pharmacy	Sup	138.77
Daniel L. Werner, P. C.	Ser	75.00
Windstream	Uti	593.02
Wingate Inn	Lodging	389.70
Payroll	Salaries	78,115.23
<u>ROAD/BRIDGE FUND:</u>		
All Roads Barricade, Inc.	Sup	97.87
Alltel	Uti	83.24
Ameritas Life Insurance Corp.	Ret	3,180.75
Aquila	Uti	98.05
Percy & Marie Aspegren	ROW	520.00
Auto Value Parts Stores	Parts, Sup	384.15
B's Enterprises	Sup	8,860.00
Business World Products	Ser	29.25
C & C Extinguisher Service	Equip	314.00
Casey's General Store	Fuel	361.90
Century Lumber Center	Parts, Sup	79.32
City of Geneva	Uti	53.80
Dorchester Farmers Coop	Fuel	1,441.84
Farm Plan	Parts	410.47

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Filter Care of Nebraska	Parts	24.65
Friesen Chevrolet, Inc.	Parts	28.50
The Garbage Company	Ser	60.42
Geneva Implement	Parts	37.41
Geneva State Bank	SS	3,454.12
Geneva Welding & Supply, Inc.	Parts, Rep, Sup	545.39
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	211.39
Grafton Oil	Fuel	1,111.41
Donovan Jirkovsky	Ret	25.00
Lafayette Life Insurance	Insur	376.93
Lichti Oil	Fuel, Parts, Sup	7,364.61
Midwest Service & Sales	Parts	718.00
Nebraska Bolt	Sup	68.79
Nebraska Iowa Industrial Fasteners	Sup	142.54
Newman Traffic Signs	Sup	1,611.75
Nichols Construction	Gravel	40,950.60
Overland Sand & Gravel	Gravel	8,130.15
Perennial Public Power	Uti	50.55
Platte Valley Communications	Parts	8.76
Power Plan	Parts	100.16
R & D Parts	Sup	114.26
Ralph's Geneva Tire & Service	Rep, Tires	829.09
Donna Saltzman	Ser	25.00
Village of Fairmont	Uti	34.03
L. J. Webb Contractor, Inc.	Ser, Project	74,330.77
Payroll	Salaries	47,850.43
<u>ECONOMIC DEVELOPMENT – TOURISM</u>		
The Nebraska Signal	Ad	73.20
Southeast Nebraska Tourism Council	Dues	25.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp.	Ret	268.73
Exeter Care Center	HDM's	328.00
Exeter Golden Agers	USDA	19.95
Fairmont Aging Services	USDA	205.20
Geneva Senior Center	Rent, USDA, Sup	712.30
Geneva State Bank	SS	342.27
Susan Kerl	Ser	156.00
Nancy Kohler	Sup, Mile	131.71
Lafayette Life Insurance	Insur	36.00
Lichti Oil	Fuel	49.86
The Nebraska Signal	Ad	38.40
Ron's Tavern	HDM's	264.00
Rhonda Stokebrand	Mile	21.09
Payroll	Salaries	4,556.96
<u>INHERITANCE TAX FUND:</u>		
Plains Tree Farm, Inc.	Ser, Sup	4,000.00
<u>ETHANOL PLANT ROAD FUND:</u>		
UMB Bank, N.A.	Ser	287.38
<u>NOXIOUS WEED FUND:</u>		
Action Auto Supply	Rep, Sup	168.29
Alltel	Uti	38.17
Ameritas Life Insurance Corp.	Ret	154.12
Shane Bristol	Rep, Parts	82.17
Brothers Equipment, Inc.	Parts	169.77
Century Lumber	Sup	230.49
Chaney Chemical, Inc.	Sup	963.70
Merlin Ehmen	Rent	220.00
Ekeler Repair	Rep, Parts	554.79
Geneva State Bank	SS	263.24
Grafton Mini Mart	Fuel	552.98
Lafayette Life Insurance	Insur	5.67
Lichti Oil	Fuel	377.32
Ralph's Geneva Tire & Service	Tires, Rep	342.09
Payroll	Salaries	3,441.20

CLAIMS APPROVED

June 12, 2007

Kimbrough 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.

HIGHWAY 81 COURTHOUSE SIGN

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

The Chairman declared the motion carried.

SAFETY COMMITTEE

Gerald Slezak, Chairman of the Safety Committee gave a report from the last safety committee meeting. On the first Monday of each month all panic buttons in the courthouse will be checked to ensure they are working properly. The Safety committee will come up with a policy if there would be an event in the courthouse and how to notify all employees. All employees will receive a safety manual.

JDGK SUBDIVISION

Planning and Zoning Administrator, Gerald Slezak submitted the plat for the JDGK Subdivision, located in the NW ¼, SW ¼ of Section 17-8-4, Grafton Township.

Galusha moved and Cerny seconded the motion to approve the plat for the JDGK Subdivision with appropriate signature of the Commission Chairman as follows:

A tract of land comprising a part of the Northwest Quarter of the Southwest Quarter (NW ¼, SW ¼) of Section 17, Township 8 North, Range 4 West of the 6th P. M., Fillmore County, Nebraska, more particularly described as: commencing at the northwest corner of said NW ¼ of the SW ¼; thence S 00°00'00"W on and upon the west line of said NW ¼ of the SW ¼ a distance of 707.91 feet to the point of beginning; thence continuing upon the aforesaid bearing a distance of 443.74 feet to the point; thence S 90°00'00"E a distance of 294.50 feet to a point; thence N 00°00'00"E and parallel with the west line of said NW ¼ of the SW ¼ a distance of 473.74 feet to a point; thence N 90°00'00"W a distance of 150.90 feet to a point; thence S 00°00'00"E and parallel with the west line of the said NW ¼ of the SW ¼ a distance of 30.00 feet to a point; thence N 90°00'00"W a distance of 143.60 feet to the point of beginning. Said tract contains 3.104 acres more or less of which 0.336 acres are County Road right-of-way.

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.

CONGRESS ON YOUR CORNER

Alex Straatmann, Constituent Services Representative for Adrian Smith's office informed the board that he will have a mobile office in Fillmore County about twice a year to help residents with any questions. Alex said that they help with passports, Medicare issues, social security issues, and other items. This office will be in the Geneva Library basement.

USDA WILDLIFE SERVICES

Spencer Nelson with USDA Wildlife presented his annual report and budget request for 2007-2008. The budget request for the County increased to \$6,990.50 or \$635.50 more than 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

CITY SOUND SYSTEM

Chris Lake, Dave Biba, and Bob Higel attended the board meeting to see if the new sound system receiver that the City is purchasing could be located in the Courthouse break room.

After discussion, Yates moved and Cerny seconded the motion to allow the city to place the receiver for the sound system in the Courthouse break room. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

SALARY COMMITTEE

Larry Cerny, Chairman of the salary committee reported that they recommend a fifteen cent an hour raise with an additional 1% of previous year's salary at the discretion of the department head.

After discussion, Cerny moved and Yates seconded the motion to approve a \$.15 per hour salary increase with an additional 1% of previous year's salary at the discretion of the department head. The Highway Superintendent, Senior Services Director, Emergency Manager, Deputy Civil Defense, Veteran's Service Officer, Planning & Zoning Administrator, Weed Superintendent and the Custodian/Groundskeeper salaries will be set by the Board. Upon roll call, the vote was as follows:

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

Nays: Simacek

The Chairman declared the motion carried.

HIGHWAY SUPERINTENDENT SALARY

Simacek moved and Galusha seconded the motion to increase the Highway Superintendent's salary by \$312.00 a year. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, Yates, and Simacek

Nays: Mueller, Kimbrough, and Cerny

The Chairman declared the motion carried.

EMERGENCY MANAGER SALARY

Yates moved and Capek seconded the motion to increase the Emergency Manager's salary by \$312.00 a year. Upon roll call, the vote was as follows:

Ayes: Capek and Yates

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

The Chairman declared the motion failed.

EMERGENCY MANAGER & DEPUTY CIVIL DEFENSE SALARY

After discussion, Kimbrough moved and Cerny seconded the motion to have no change in salary for the Emergency Manager and the Deputy Civil Defense. Upon roll call, the vote was as follows:

Ayes: Yates, Kimbrough, Cerny, and Galusha

Nays: Capek, Simacek, and Mueller

The Chairman declared the motion carried.

VETERAN'S SERVICE OFFICER SALARY

Cerny moved and Yates seconded the motion to increase the Veteran's Service Officer's salary by \$.15 an hour with the additional 1% of previous year's salary. 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.

CUSTODIAN/GROUNDSKEEPER SALARY

Yates moved and Galusha seconded the motion to increase the Custodian/Groundskeeper salary by \$.15 an hour with the additional 1% of previous year's salary. 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.

WEED SUPERINTENDENT SALARY

Kimbrough moved and Capek seconded the motion to increase the Weed Supervisor's salary by \$.15 an hour. Upon roll call, the vote was as follows:

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

Nays: Cerny and Yates

The Chairman declared the motion carried.

PROGRAM MANAGER'S RESIGNATION

June 12, 2007

Kimbrough moved and Capek seconded the motion to accept the resignation from Nancy Kohler, Program manager of Senior Services effective July 3, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ZONING ADMINISTRATOR RESIGNATION

Yates moved and Galusha seconded the motion to accept the resignation from Gerald Slezak, Zoning Administrator effective July 1, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items "Salaries for Senior Services and Planning & Zoning Administrator" 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 9:10 a.m., June 26, 2007.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., June 26, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Vice-Chairman Yates presiding. Members present were Cerny, Kimbrough, Simacek, 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 3:28 p.m.

MINUTES APPROVED

Chairman of the Board, Yates declared the minutes approved with the following correction: Howard Ach, Deputy County Attorney presented an offer of \$15,000.00 to settle the chiller lawsuit with three of the parties involved. After discussion the Board agreed to decline the offer of \$15,000.00.

BLUE VALLEY COMMUNITY ACTION

Richard Nation, Chief Executive Officer and Lisa Epp presented the annual report and budget request for 2007-2008. The budget request for the County increased to \$3,825.00 or \$111.00 more than 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

DRIVEWAY PERMIT

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

Jerry Galusha – to extend an existing driveway 20' on the south side of the SE ¼, Section 27-8-3, West Blue Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LOWERING SPEED LIMIT ON ROAD R

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

RESOLUTION 2007-09

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 location:

<u>TYPE OF DEVICE</u>	<u>LOCATION</u>
45 mph SPEED ZONE sign	R Street from 1 st Street to 13 th Street also known as Road L from Road 12 to Road 13

NOW THEREFORE, Be it Resolved by the Fillmore County Board of Supervisors that this resolution is approved this 26th day of June, 2007.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

OPERATOR AREAS

Elmer Hessheimer, Highway Superintendent, presented a map showing the areas that each operator would cover if they switch from twelve operators to eleven operators.

After discussion, Galusha moved and Cerny seconded the motion to try the eleven operator areas starting August 9th until December 31st, at which time they will discuss how this is working out. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GLENGARY TOWNSHIP PROJECT

Roger Pribyl, Ralph Kassik, and Henry Rohla Jr. presented to the Board that they would like to raise the road between Sections 2 and 3-6-1, Glengary Township. The railroad tracks are going to be removed and the township would like to raise the road about 5 feet and install culverts to assist with drainage. Elmer Hessheimer and the township board will work together to get an estimate of what this would cost. The township will report back to the Board with the cost estimate.

LIBERTY TOWNSHIP

Bill Michl and Galen Kuska represented the Liberty Township board and Jim Motis was present to discuss whether the County or the Township will be responsible for the maintenance of Road H between Sections 6 and 7-7-1, Liberty Township. After discussion, the Board agreed that the County would maintain Road H between Sections 6 and 7-7-1, Liberty Township and bill Liberty Township for snow removal when they request the County to remove snow.

HORIZONTAL CURVE SIGNAGE PROGRAM

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

RESOLUTION 2007-10

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 High Risk Rural Road Committee to oversee facets of the HSIP,

WHEREAS, the High Risk Rural Road Committee has determined that it is desirable to erect signage warning motorists on county roads of horizontal curves in the State of Nebraska,

WHEREAS, the High Risk Rural Road Committee, approved a project known as STPP-STWD() – Horizontal Curve Signage to accomplish the following:

1. Install appropriate horizontal curve warning signage in advance of, and/or throughout, curves which are not currently marked.
Or
2. Install appropriate horizontal curve warning signage in advance of, and/or throughout, curves which are not improperly marked.
Or
3. Replace existing horizontal curve warning signage which has been damaged or doesn't meet retroreflectivity standards.
And
4. All sign installations will be in accordance with the applicable section of the Manual of Uniform Traffic Control Devices. The installation work will be done by the County forces, and will be viewed as the 20% local match.
And
5. The County will certify to the State of Nebraska that all signage was properly erected within twelve (12) 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 material list attached, and 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 twelve (12) 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: Galusha, Capek, Yates, Simacek, Kimbrough, and Cerny
Nays: None

The Chairman declared the resolution adopted.

CASA

June 26, 2007

Amanda Miller, Director for Court Appointed Special Advocates (CASA) presented the annual report and budget request for 2007-2008. The budget request for the County increased to \$7,676.00 or \$513.00 more than 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

JUVENILE DIVERSION PROGRAM

Dave Wythers presented his budget request for 2007-2008 to the Board. The budget request for the County is \$17,770.00, which is the same as the 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

HOPE CRISIS CENTER

Carmen Grummert, Executive Director for the Hope Crisis Center presented the budget request for 2007-2008 to the Board. This is the first year for this budget request as they have been funded through Blue Valley Community Action in the previous years. The budget request for the County is \$2,080.00, action on the request will be taken during the budget process later this summer.

OZENBAUGH SUBDIVISION

Steve Ozenbaugh submitted a plat for the Ozenbaugh Subdivision, located in the NE ¼, Section 11-5-2, Belle Prairie Township.

Cerny moved and Capek seconded the motion to approve the plat for the Ozenbaugh Subdivision with appropriate signature of the Commission Chairman as follows:

A tract of land located in the 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 NE ¼ thence S00°00'00"W (assumed bearing) along the east line said 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 480.00 feet; thence S90°00'00"W perpendicular to the east line said NE ¼ a distance of 546.66 feet; thence N00°00'00"E parallel with the east line said NE ¼ a distance of 476.26 feet to the south line said Highway number 74; thence N89°36'27"E along said south line parallel with the north line said NE ¼ a distance of 546.67 feet to the place of beginning containing 6.00 acres of which 0.36 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: Capek, Yates, Simacek, Kimbrough, Cerny, and Galusha

Nays: None

The Chairman declared the motion carried.

PUBLIC HEARING FOR SPECIAL USE PERMIT

The public hearing for the special use permit for the Harre Feed Yards, LLC opened at 11:16 a.m. as advertised. Robert and Kathleen Harre were present. As no one appeared to testify for or against this special use permit, the hearing was closed at 11:27 a.m.

SPECIAL USE PERMIT

Kimbrough moved and Galusha seconded the motion to approve the special use permit for the Harre Feed Yards, LLC to increase from 5,300 head of cattle to 7,300 head. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

911 ADDRESSES

Gerald Slezak, Planning and Zoning Administrator and Bill Burgess County Sheriff addressed the issue regarding residents removing the land-line phones from homes and only have cell phones. Currently Windstream assists the 911 center in receiving information on 911 calls from land line phones. Once the land line phone is dropped the 911 center does not know where the call is coming from. After discussion, it was decided to look into what the GIS system would offer in regards to this issue. The 911 center will be receiving phase two and at that point the 911 center will be able to identify where the cell calls are coming from.

EXTENSION OFFICE

Brandy VanDeWalle, Mary Novak, and Galen Niederklein presented the budget request for the Extension Office for 2007-2008. The budget request for the County increased to \$86,302.00 or \$6,524.15 more than 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

CHILLER LAWSUIT

The Board requested that Howard Ach contact the attorney handling the chiller lawsuit for the courthouse and try to get this settled without too much more cost. Howard will report back to the Board.

SENIOR SERVICES

Nancy Kohler presented the budget request for the Senior Services for 2007-2008. The budget request for the County increased to \$129,167.00 or \$157.94 more than 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

CHILD SUPPORT CONTRACT

Stephen Kraviec submitted the contract to the Board.

After discussion, Kimbrough moved and Simacek 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, 2007 and ends June 30, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

USDA WILDLIFE SERVICES

Spencer Nelson 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, 2007 to June 30, 2008 at the June 12th Board meeting.

After review from the County Attorney, Capek moved and Galusha seconded the motion to approve and sign the annual contract with USDA Wildlife for a yearly fee of \$6,990.50. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DISTRICT COURT BAILIFF

Vicky Johnson sent in the budget request for the District Court Bailiff for 2007-2008. The budget request for Fillmore County is \$7,323.68 with a credit of \$1,548.12 (for Bailiff not using insurance) for a total request of \$5,775.56, which is \$661.56 more than the 2006-2007 budget year. Action on the request will be taken during the budget process later this summer.

REGION V SYSTEMS

Region V Systems submitted a letter indicating that the Mental Health budget request for 2007-2008 would be \$9,098.00 which is \$178.00 more than the 2006-2007 budget year and the Substance Abuse budget request for 2007-2008 would be \$1,605.00, which is \$31.00 more than the 2006-2007 budget year. Action on these requests will be taken during the budget process later this summer.

AMERICAN CANCER RELAY FOR LIFE

Patsy Gewecke, Co-Chair for the American Cancer Relay for Life in Fillmore County submitted a request to place a banner in the courthouse lawn. The Board approved this banner to be placed in the courthouse lawn with the assistance of Terri Volkmer.

OHIOWA RURAL FIRE DISTRICT

Capek moved and Galusha seconded the motion to approve the Ohiowa Rural Fire District bond for all board members for a term beginning July 1, 2007 and ending July 1, 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.

FILLMORE COUNTY DEVELOPMENT CORP.

Simacek moved and Cerny seconded the motion to appoint Dennis Kimbrough as the ex-officio representative of the Fillmore County Board at meetings of the Fillmore County Development Corporation for 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VISITOR'S COMMITTEE

Cerny moved and Capek seconded the motion to reappoint Elmer Hessheimer and Mina Nutter and to appoint Cindy Bolken to replace Jim Williamson to the visitor's committee for a four year term beginning June 1, 2007 and ending May 31, 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.

REGION V MENTAL HEALTH BOARD

Simacek moved and Kimbrough seconded the motion to reappoint Jerry Galusha to the Region V Mental Health Board for a three year term beginning January 2007 and ending January 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VETERAN'S SERVICE BOARD

Kimbrough moved and Capek seconded the motion to reappoint Ralph Kassik to the Veteran's Service Board for a five year term beginning on July 1, 2007 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EXTENSION BOARD

Cerny moved and Simacek seconded the motion to reappoint Mary Lu Vossler to the Extension Board for a two year term beginning January 2007 and ending December 31, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DEFICIT APPROPRIATION

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

RESOLUTION 2007-11

WHEREAS, all of the funds in the 2006-2007 budget for the Surveyor 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 2006-2007 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 \$30,500.00 be appropriated to the Surveyor budget from the unused funds in the Assessor's and Data Processing account of the General Fund Budget for 2006-2007 of said County.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CLOSED SESSION

Cerny moved and Simacek seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session, Senior Services Program Manager applicants authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the County Clerk remain. Closed session began at 3:05 p.m.

RETURN TO REGULAR SESSION

Capek moved and Kimbrough seconded the motion to return to open session at 3:12 p.m. Upon roll call, the vote was follows:

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

The Chairman declared the motion carried.

OFFER TO SENIOR SERVICES PROGRAM MANAGER

Galusha moved and Capek seconded the motion to request Dennis Kimbrough to offer the Senior Services Program Manager position to the top candidate at a salary of \$13.00 per hour. Upon roll call, the vote was as follows:

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

<u>GENERAL FUND:</u>		
Joan Ackland	Meals	\$29.24
Alltel	Uti	451.00
Ameritas Life Insurance Corp.	Ret	2,935.31
The Arsenal Group, Inc.	Sup, Rep	675.00
Axis Capital, Inc.	Ser	243.32
Daryl Callenius	Sup	12.20
Carmichael Business Systems	Sup	208.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	440.00
The Daily Record	Ad	116.64
Dell Marketing, L.P.	Sup, Equip	1,325.18
Douglas County Sheriff	Mile, Ser, Sup	18.34
Drummond American	Sup	408.09
Duckwall – Alco Stores, Inc.	Sup	12.41
Robert Dumpert	Mtgs, Mile	59.10
Eakes Office Plus	Equip	164.95
Sharon Elznic	Mtgs, Mile	68.28
F & S Supply Co., Inc.	Sup	174.37
Fillmore County Sheriff	Ser	25.00
Fillmore County Treasurer	Transfers, Post	249,562.52
Gambles	Sup	130.43
Geneva State Bank	Ser	25.00
Geneva State Bank	SS	2,932.82
Geneva Super Foods	Sup	601.61
Geneva Welding & Supply Co.	Mile	63.05
GIS Workshop	Ser, GIS	38,500.00
Norma Gregory	Ret	25.00
Matt Harre	Mtgs, Mile	91.56
DeBorah B. Hoarty	Mile	32.01
Holiday Inn	Lodging	134.00
Holiday Inn Kearney	Lodging	259.80
Hometown Leasing	Ser	128.44
Jim’s Repair	Rep, Sup, Labor	896.22
Howard Johnson	Mile	72.75
Kalkwarf & Smith Law Offices	Ser, Post, Sup	3,537.41
Ralph Kassik	Mtgs, Mile	27.61
Kerry’s Auto Repair & Service	Rep	10.00
Galen Kuska	Mile	55.32
Lancaster County Sheriff	Ser	5.00
Latimer Reporting	Ser, Post, Sup	473.50
Lease Consultants Corp.	Ser	249.00
Lynn Peavey Company	Sup	39.90
Annette Marget	Mile	46.56
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	100.00
Midland Telecom, Inc.	Rep	65.00
MIPS, Inc.	Ser	112.61
Morley Most	Mtgs, Mile	88.65
Nebraska Public Power District	Uti	1,007.82
The Nebraska Signal	Sup	2,315.00
Nebraska Technology & Telecommunications, Inc.	Uti	1,067.79
Galen Niederklein	Mile	124.45

		June 26, 2007
Merle Noel	Mtgs, Mile	68.28
Reg Noel	Mtgs, Mile	85.74
Vicki Ozenbaugh	Mile	58.20
PC Nuts	Sup	79.95
Postmaster	Rent	656.00
Ken Real	Mtgs, Mile	54.25
Region V Systems	EPC	1,100.00
Seiler & Parker, P. C.	Ser, Mile	326.84
Cindy Slocum	Mtgs, Mile	23.73
State of Nebraska Dept. of Admin. Services	Ser	55.32
State of Nebraska Dept. of Correctional Services	Boarding Prisoners	3,827.29
State of Nebraska HHS Laboratory	Ser	281.38
Barbara L. Stephenson	Mile	100.40
Tri-Tech, Inc.	Sup	63.50
Brandy VanDeWalle	Equip, Sup	256.96
Mary Lu Vossler	Mile	55.32
Walter F. Stephens, Jr., Inc.	Sup	142.28
Daniel L. Werner	Ser, Sup	877.83
Eric Williams	Lodging, Meals, Mile	760.45
Payroll	Salaries	40,504.38
ROAD/BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,633.14
Contech Construction Products	Culverts	13,582.70
Don's Signs	Sup	144.60
Dorchester Farmers Coop	Fuel	2,476.20
Duckwall Store	Sup	22.98
Farm Plan	Parts	170.75
Fillmore County Hospital	Ser	32.00
Geneva State Bank	SS	1,796.38
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	81.94
Elmer Hessheimer	Fuel	68.18
Holiday Inn & Conference Center Sidney	Lodging	234.00
Donovan Jirkovsky	Ret	25.00
L. J. Webb Contractor, Inc.	Ser, Projects	105,307.60
Lichti Oil	Fuel	21,394.61
Marlborough	Sup	118.00
Moses Motor Company, Inc.	Rep	77.45
Nebraska Machinery	Parts	455.94
Nebraska Public Power	Uti	158.15
Nebraska Tech & Telecommunications, Inc.	Uti	115.56
Nichols Construction	Gravel	10,439.22
Perennial Public Power	Uti	33.12
Postmaster	Post	104.00
Shell	Fuel	193.50
Speece Lewis Engineers	Ser	6,240.26
Superior Deshler, Inc.	Fuel	71.61
USIS Commercial Services	Ser	89.70
Village of Exeter	Uti	15.00
Payroll	Salaries	24,831.29
JUVENILE DIVERSION FUND:		
Dave Wythers	Ser, Uti	3,030.00
ECONOMIC DEVELOPMENT – TOURISM FUND:		
Fillmore County Development Corp.	Mile, Wksh, Sup, Ser	394.27
Geneva Chamber of Commerce	Rent	200.00
Nebraska Travel Association	Dues	75.00
INSTITUTIONS FUND:		
State of Nebraska Health & Human Services	May Patient Care	372.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	134.09
Dawg's Smokehouse Café	HDM's	180.00
Exeter Golden Agers	USDA, Sup	114.82
Fairmont Aging Services	USDA	209.19
Fillmore County Treasurer	Post	164.00
Geneva Senior Center	USDA	629.28
Geneva State Bank	SS	173.84
Nancy Kohler	Sup	17.05
Elizabeth Mattox Manning	Ser	180.00
Payroll	Salaries	2,313.81

INHERITANCE TAX FUND:		
Fillmore County Treasurer	Transfer	125,000.00
Olsson Associates	Ser	880.00
Pierson, Fitchett, Hunzeker, Blake & Katt	Ser, Mile	4,157.62
HOSPITAL OPERATING FUND:		
Fillmore County Hospital	Taxes	40,407.47
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	77.06
Ekeler Repair	Rep, Sup, Labor	229.91
Geneva State Bank	SS	344.14
Payroll	Salaries	4,498.58
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	114.04
Windstream	Uti	864.39
Windstream	Rep	147.50

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “Appointment to Safety Committee and Employee Break Policy” were tabled until a future meeting. As there was no other items to come before the Board, Cerny moved and Capek seconded the motion to adjourn until 9:00 a.m., July 10, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 10, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:38 a.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 fee reports for June 2007, 4th Quarter, and fiscal year:

County Clerk: June: \$11,155.16 (State \$6,869.65 & County \$4,285.51); 4th Qtr: \$33,456.40 (State \$19,842.93 & County \$13,613.47); Fiscal Year: \$116,824.30 (State \$68,801.80 & County \$48,022.50)
Clerk of District Court: June: \$537.41; 4th Qtr: \$2,776.16; Fiscal Year \$10,233.97
Sheriff: June: \$1,296.49; 4th Qtr: \$4,329.35; Fiscal Year \$25,554.35

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.

DRIVEWAY PERMITS

Capek moved and Yates seconded the motion to approve the following applications for driveway permits:

Kuska Farms – to install a new 40' driveway on the north side of the NW ¼, Section 18-7-1, Liberty Township;
K & K Myers – to remove existing driveway and install a new 20' driveway on the east side of the NE ¼, Section 17-6-2, Chelsea Township;
K & K Myers – to remove existing driveway and install a new 20' driveway on the north side of the NE ¼, Section 16-6-2, Chelsea Township;
K & K Myers – to remove existing driveway and install a new 20' driveway on the east side of the SE ¼, Section 8-6-2, Chelsea Township;
Vaden Myers – to remove existing driveway and install a new 20' driveway on the west side of the SW ¼, Section 28-6-2, Chelsea Township;
R & M Farms – to install a new 30' driveway on the west side of the NW ¼, Section 30-6-4, Stanton Township;
R & M Farms – to remove existing driveway and install a new driveway on the north side of the NE ¼, Section 20-6-3, Stanton 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.

STOP SIGN STUDY

Highway Superintendent, Elmer Hessheimer presented the stop sign study for County Road H and County Road 12.

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

RESOLUTION 2007-12

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 Road H and 12, sign to
be placed on Road H on east side of the intersection

NOW THEREFORE Be It Resolved by the Fillmore County Board of Supervisors that this resolution is approved this 10th day of July, 2007.

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 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 – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – Utilities, Wksh – workshop expense.

GENERAL FUND:		
Howard F. Ach, Atty	Rent, Sup, Post	\$3,607.38
Advantage Laser Products, Inc.	Sup	277.93
Ameritas Life Insurance Corp.	Insur	2,793.43
Jon Anderson	Uni, Post, Mile	51.61
Aquila	Uti	81.38
Auto Value Parts Stores	Sup	2.67
Axis Capital, Inc.	Ser	243.32
Bear Graphics	Sup	303.13
Bottorf & Maser, Atty	Ser, Mile	528.51
William L. Burgess	Uni	35.00
Daryl L. Callenius	Uni	35.00
Casey's General Store, Inc.	Fuel	1,797.51
City of Geneva	Uti	117.10
DAS Communications	Ser	448.00
Donna's Computer Sales & Service	Ser	227.00
Eakes Office Plus	Sup	863.79
Earls Window Service	Ser	5.00
First Concord Benefits Group, LLC	Ser	36.00
Geneva State Bank	SS	2,994.29
Geneva Super Foods	Sup	543.60
GIS Workshop	GIS	38,500.00
Hometown Leasing	Ser	448.07
JEO Consulting Group, Inc.	Ser	1,528.50
Steve Julich	Uni	35.00
Ralph Kassik	Mile	25.22
Richard Kleinschmidt	Mile	15.52
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,627.00
Stephen J. Kraviec	Ser, Post	1,642.87
Lafayette Life Insurance Co.	Insur	163.15
Lichti Oil	Fuel	973.89
Harold Long	Mile	18.44
Terry Marshall	Sup	57.80
Mid-American Research Chemical	Sup	547.79
Midwest Radar & Equipment, Inc.	Sup, Rep	121.45
Nebraska Association of County Officials	Dues	1,157.86
The Nebraska Signal	Ads, Pro, Sup	901.63
Neopost, Inc.	Ser	420.00
Nick's Farm Store	Reps, Parts	337.60
Ralph's Geneva Tire & Service Center	Tires, Reps	821.71
Steven G. Roemmich	Uni	35.00
Saline County Sheriff Office	Boarding Prisoners	1,430.00
State of Nebraska Dept. of Motor Vehicles	Ser	8.00
Chad Summers	Uni	35.00
UN-L IS – Telecommunications	Uti	29.71
Brandy VanDeWalle	Meals, Mile	101.00
Walter F. Stephens, Jr., Inc.	Sup	96.78
Tim Wilbeck	Mile	15.52
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	599.67
Payroll	Salaries	41,375.31
ROAD / BRIDGE FUND:		
Action Auto Supply	Parts	24.18
Alltel	Uti	83.50

Ameritas Life Insurance Corp.	Ret	1,533.99
Aquila	Uti	79.10
Percy & Marie Aspegren	ROW, Easement, Fencing	4,345.00
Auto Value Parts Stores	Parts, Sup, Rep	167.71
Business World Products	Ser	29.25
Casey's General Store	Fuel	249.66
Century Lumber Center	Tools, Sup	37.63
City of Geneva	Uti	50.70
CNH Capital	Parts	136.62
Dorchester Farmers Coop	Fuel	1,035.00
Filter Care of Nebraska	Parts	134.90
Gambles	Sup, Misc, Rep	102.41
Geneva State Bank	SS	1,645.16
Geneva Welding & Supply, Inc.	Culverts, Sup	3,948.55
Grafton Oil	Sup	1,379.40
Lafayette Life Insurance Company	Insur	93.39
Lentfer Irrigation & Manufacturing	Sup	15.00
Lichti Oil	Fuel, Parts	3,532.53
Lichti Oil	Fuel	5,563.05
Nebraska Iowa Industrial Fasteners	Sup	64.63
Nichols Construction	Gravel	51,409.64
Perennial Public Power	Uti, Project	13,271.84
Power Plan	Parts	3,509.45
R & D Parts, LLC	Sup	127.40
Ralph's Geneva Tire & Service	Sup, Rep	89.70
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	15.46
Village of Grafton	Uti	21.07
Village of Milligan	Uti	20.80
Village of Ohioa	Uti	20.00
Weller Tractor	Parts	952.53
Payroll	Salaries	22,911.20
<u>ECONOMIC DEVELOPMENT – TOURISM:</u>		
McBattas Package & Printing	Ad	252.50
The Nebraska Signal	Ad	42.70
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp.	Ret	136.95
Janet Bartak	Meals	7.50
Exeter Care Center	HDM's	272.00
Fillmore County Rural Transit	Mile	20.00
Gambles	Sup	24.99
Geneva Senior Center	Uti, Rent, Sup	212.43
Geneva State Bank	SS	173.40
Nancy Kohler	Mile, Post	149.14
Lafayette Life Insurance Company	Insur	9.00
Lichti Oil	Mile	72.18
Elizabeth Mattox Manning	Ser	132.00
Ron's Tavern	HDM's	263.50
Rhonda Stokebrand	Mile	65.72
Payroll	Salaries	2,307.96
<u>INHERITANCE TAX FUND:</u>		
Fillmore County Treasurer	Transfer	3,000.00
Jeff's Tree Service	Ser	600.00
Plains Tree Farm, Inc.	Ser, Trees	600.00
<u>ETHANOL PLANT ROAD BOND FUND:</u>		
Constructors, Inc.	Lighting	31,332.02
<u>HOSPITAL OPERATING FUND:</u>		
Fillmore County Hospital	June Taxes	913.40
<u>NOXIOUS WEED FUND:</u>		
Alltel	Uti	38.17
Ameritas Life Insurance Corp.	Ret	77.09
Brothers Equipment	Parts	82.41
Merlin Ehmen	Rent, Post	239.57
Geneva State Bank	SS	402.69
Grafton Mini Mart	Fuel	186.12
Lafayette Life Insurance Company	Insur	1.36
Payroll	Salaries	5,263.90
<u>E911 – COMMUNICATIONS FUND:</u>		

		July 10, 2007
Windstream	Ser	1,102.03

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

The Chairman declared the motion carried.

DEFICIT APPROPRIATION

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

RESOLUTION 2007-13

WHEREAS, all of the funds in the 2006-2007 budget for the Clerk of District Court 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 2006-2007 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 \$991.00 be appropriated to the Clerk of District Court budget from the unused funds in the District Judge account of the General Fund Budget for 2006-2007 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.

REGION V SERVICES

Region V Services submitted a letter for the budget request for 2007-2008. Requested \$11,809.00 for the 2007-2008 budget year, there is no increase from the 2006-2007 budget year. Action on this request will be taken during the budget process later this summer.

FILLMORE COUNTY DEVELOPMENT CORP.

Patt Lentfer and Carol Vejraska presented the annual overview and budget request. The 2007-2008 budget request is \$45,000.00, which is \$5,000.00 more than 2006-2007 budget year. Action on this request will be taken during the budget process later this summer.

TRAILBLAZER RC & D

Patt Lentfer and Larry Cerny requested to use the Road Department's parking lot for a hazardous waste collection on August 25, 2007 from 8:00 a.m. to 11:00 a.m., which Trailblazer's RC & D received a grant to assist in funding. The Board agreed to allow Trailblazer's RC & D use the Road Department's parking lot.

MURPHY TWIN SILO SUBDIVISION

Planning & Zoning Administrator, Gerald Slezak submitted the plat for the Murphy Twin Silo Subdivision, located in the NE ¼, Section 31-8-1, Exeter Township.

Kimbrough moved and Galusha seconded the motion to approve the Murphy Twin Silo Subdivision as follows:

Beginning at the NE corner of said NE ¼ thence S00°03'13"E (assumed bearing) on the east line of said NE ¼ 1023.00 feet; thence N81°33'04"W 260.00 feet; thence N01°52'05"E 118.00 feet; thence N18°08'00"W 106.00 feet; thence N00°41'00"E 196.00 feet; thence N87°26'00"W 54.00 feet; thence N03°29'00"E 266.00 feet; thence N00°02'25"W 301.00 feet to the north line of the said NE ¼; thence S89°51'34"E on said north line 321.00 feet to the point of beginning. Containing 6.96 acres more or less.

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.

ERWIN E. SCHMIDT SUBDIVISION

Planning & Zoning Administrator, Gerald Slezak submitted the plat for the Erwin E. Schmidt Subdivision, located in the SE ¼, SW ¼, Section 17-7-4, Bennett Township.

Yates moved and Simacek seconded the motion to approve the Erwin E. Schmidt Subdivision as follows:

A tract of land comprising a part of the SE ¼ of the SW ¼ of Section 17, Township 7 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska. More particularly described as: commencing at the SE ¼ corner of said SE ¼ of the SW ¼; thence S90°00'00"W on and upon the south line of said SE ¼ of the SW ¼ a distance of 668.53 feet to the point of beginning; thence continuing upon the aforesaid bearing a distance of 476.02 feet to a point; thence N05°31'48"E a distance of 383.79 feet to a point; thence N81°03'31"E a distance of 462.42 feet to a point; thence S02°14'29"W a distance of 454.22 feet to the point of beginning. Said tract contains 4.452 acres more or less of which 0.360 acres are County Road right-of-way.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items "Employee Break policy and Glengary Township project" were tabled until a future meeting. As there was no other items to come before the Board, Cerny moved and Capek seconded the motion to adjourn until 9:10 a.m., July 24, 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.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 11, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 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.

INFORMAL BUDGET REVIEWS

Informal budget reviews for 2007-2008 budgets were held. The following proposed budgets were reviewed:

Noxious Weed, Building & Grounds, Veteran's Service, Treasurer, Road's, Waste Oil, Assessor, Surveyor, Clerk of District Court, District Judge, County Court, County Attorney, Sheriff, Jail, County Drug Law Enforcement, Grant #3, Civil Defense, E911, Planning & Zoning, Board, Clerk, Register of Deeds, Elections, Data Processing, Juvenile Diversion, Miscellaneous, Economic Development – Tourism, Medical/Relief, Institutions, Senior Services, DEQ Grant – Tire Clean-up, Inheritance Tax, Lottery – Keno, Courthouse Bond, Road Bond, and Ethanol Plant Road Bond.

Several suggestions for changes were made. Final action will not be taken until the budget hearing in September.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., July 24, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Capek, Galusha, and Yates. Simacek 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:50 a.m.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the Deputy County Attorney, Howard Ach, Cerny moved and Capek seconded the motion to declare an emergency in order to add an item to the agenda, said item "pending litigation". Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MINUTES APPROVED

Chairman of the Board, Mueller declared the minutes from July 10th and July 11th were approved as presented.

DELINQUENT & UNSOLD PARCELS

After discussion, Kimbrough moved and Galusha seconded the motion to direct the County Treasurer to put a County Treasurer's tax sale certificate on the 2005 delinquent and unsold parcels. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WITHDRAWING SECURITIES

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

RESOLUTION 2007-14

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

Cusip #986365DD3 for \$150,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

WITHDRAWING SECURITIES

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

RESOLUTION 2007-15

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

Cusip #986365DE1 for \$150,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

DRIVEWAY PERMITS

Capek moved and Cerny seconded the motion to approve the following applications for driveway permits:

Michael & Debra Nichols – install a new 40’ driveway on the west side of the NW ¼, Section 28-8-1, Exeter Township;
Bob Nunns – to remove a driveway and to extend another driveway on the west side of the NW ¼, Section 16-6-2, Chelsea Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMIT

After discussion, Cerny moved and Capek seconded the motion to approve the following application for a driveway permit pending the land owner’s signature:

Elden Walters – to extend an existing driveway to 40’ on the north side of the NW ¼, Section 35-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Galusha moved and Capek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Windstream Communications – to bury communications cable between Section 31-8-3, West Blue Township and Section 36-8-4, Grafton Township. Windstream 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BRIDGE MARKERS

After discussion, Yates moved and Galusha seconded the motion to direct the Highway Superintendent to put up Hazard Markers as follows on bridges that are 28’ and wider: the steel post holding the bridge hazard markers on the left side of bridges will be cut off 18” above ground and a bolt-able splice will be placed on the steel post to assist local landowners with getting wide equipment through the bridge. This will only happen on bridges that are causing problems with getting equipment through. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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

GENERAL FUND:		
Alltel	Uti	\$364.23
Ameritas Life Insurance Corp.	Ret	2,924.99
Amsterdam Printing & Litho	Sup	203.79
Aramark Uniform Services, Inc.	Ser	383.08
Blue Cross/Blue Shield of Nebraska	Insur	16,991.00
Bottorf & Maser, Atty	Ser, Mile	1,296.78
Marilyn Christianity	Ret	25.00
City of Geneva	Rent	440.00
Jill R. Cunningham	Mile	112.52
Duckwall – Alco Stores, Inc.	Sup	55.75
Eakes Office Plus	Sup, Ser	322.42

		July 24, 2007
Executive Copier Services	Ser	68.72
Fillmore County Building & Grounds	Sup, Ser	97.45
Fillmore County Treasurer	Transfer	10,430.86
First Concord Benefits Group, LLC	Ser	36.00
The Garbage Co., Inc.	Ser	125.47
Geneva Chamber of Commerce	Rent – billboard	200.00
Geneva State Bank	Ser, SS	2,815.92
Germer, Murray, and Johnson, Atty.	Ser, Mile	1,608.64
Gloystein Veterinary Clinic	Ser	558.12
Norma Gregory	Ret	25.00
JEO Consulting Group, Inc.	Ser	927.50
Kalkwarf & Smith Law Office, LLC	Ser, Post, Wksh	3,769.32
Stephen Kraviec, Atty.	Ser	5,238.00
Lease Consultants Corp.	Ser	249.00
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	100.00
MIPS, Inc.	Ser	2,196.69
Nebraska Fire Sprinkler Corp.	Ser	373.00
Nebraska Public Power District	Uti	1,892.47
The Nebraska Signal	Ad	69.01
Nebraska Technology & Telecommunications, Inc.	Uti	1,098.10
NIRMA	Insur	49,146.10
Region V	Ser	2,952.25
Region V Systems	EPC	220.00
Mary L. Saum	Mile, Meals	224.60
Jon Scoville	Mile	67.90
State of Nebraska Dept. of Admin. Services	Ser	57.45
State of Nebraska Dept of Motor Vehicles	Ser	3.00
State of Nebraska Public Health Environmental	Ser	154.00
Windstream	Uti	299.47
York County Sheriff	Ser, Mile	15.50
Payroll	Salaries	38,716.09
ROAD / BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,567.40
Blue Cross / Blue Shield of Nebraska	Insur	10,812.45
Dorchester Farmers Coop	Fuel, Rep	1,831.98
Donald L. & Trudy K. Dunkin	ROW, Easement, Fencing	1,300.00
The Garbage Company	Uti	60.42
Geneva State Bank	SS	1,723.68
Geneva Super Foods	Sup	11.04
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	94.76
Grafton Oil	Fuel	1,041.12
Elmer Hessheimer	Ser	900.00
Donovan Jirkovsky	Ret	25.00
Nebraska Bolt	Sup	121.35
Nebraska Machinery	Parts	760.34
Nebraska Public Power	Uti	251.62
Nebraska Technology & Telecommunications, Inc.	Uti	108.69
Newman Traffic Signs	Sup	629.00
NIRMA	Insur	68,684.00
Overland Sand & Gravel	Gravel	1,509.06
Perennial Public Power	Uti	33.60
Shell	Fuel	82.23
Speece Lewis Engineers	Ser	6,044.63
Village of Shickley	Gravel	147.42
Payroll	Salaries	23,937.36
INSTITUTIONS:		
State of Nebraska Health & Human Service	June Patient Care	756.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	585.79
Blue Cross / Blue Shield of Nebraska	Insur	1,029.76
Dawg's Smokehouse Café	HDM's	115.50
Geneva State Bank	SS	677.24
Hastings Tribune	Ad	39.00
NIRMA	Insur	185.90
Payroll	Salaries	8,894.29
INHERITANCE TAX FUND:		
Pierson, Fitchett, Hunzeker, Blake, & Katt	Ser	666.87
NOXIOUS WEED FUND:		

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Ameritas Life Insurance Corp.	Ret	84.99
Blue Cross / Blue Shield of Nebraska	Insur	514.88
Gaylord Craddock	Mile	49.47
Geneva State Bank	SS	311.46
Frances Heinrichs	Mile	32.98
NIRMA	Insur	2,094.00
Tim Schepers	Mile	15.52
Weaver Pharmacy	Sup	15.56
Payroll	Salaries	4,071.35
E911 COMMUNICATIONS FUND:		
Central Power	Rep	500.00
Nebraska Public Power District	Uti	142.00

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

NIRMA INSURANCE

Galusha moved and Yates 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 of August 1, 2007 to August 1, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

JAIL INSPECTION

Jail inspection was completed with everything looking in proper order.

APPOINT BUDGET MAKING AUTHORITY

Kimbrough moved and Galusha 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: Yates, Kimbrough, Cerny, Mueller, Galusha, and Capek
Nays: None

The Chairman declared the motion carried.

LINCOLN AREA AGENCY ON AGING

Lincoln Area Agency on Aging submitted a letter requesting \$8,604.00 for their budget request for 2007-2008. The budget request is \$563.00 more than the 2006-2007 budget year. Action on this request will be taken during the budget process later this summer.

GLENGARY TOWNSHIP BOND

Capek moved and Cerny seconded the motion to approve the bond for Roger Pribyl for a term beginning January 7, 2007 and ending January 7, 2008 for Glengary Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING COMMISSION BOARD MEMBERS

Cerny moved and Kimbrough seconded the motion to reappoint Norma Lichtenberg, Ralph Kassik, and Robert Dumpert to the Planning Commission for a three year term beginning July 1, 2007 and ending June 30, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT (SEND)

Dave Taladay, Program Manager presented the annual review and budget request. The 2007-2008 budget request is \$7,037.00, which is \$199.00 more than the 2006-2007 budget year. Action on this request will be taken during the budget process later this summer.

RENTAL AGREEMENT

Bob Higel, City Administrator and Rod Norrie, Mayor of Geneva informed the Board that the rental agreement with the City for the Health & Human Service and Veteran's Service office will be coming due December 31, 2007. The City Attorney will provide a new four year contract with the monthly rental rate increasing from \$440.00 to \$650.00 with all utilities paid.

LAW ENFORCEMENT CONTRACT

County Sheriff, William Burgess, the Fillmore County Board of Supervisors, City Administrator, Bob Higel, and Mayor of Geneva, Rod Norrie discussed the law enforcement contract will be coming due on September 30, 2007. Burgess informed the City that they would like to contract for another two years with a 15% increase, which would be \$126,500.00 per year. The City Attorney will draw up a new contract and present it to the City Council and the Board of Supervisors at a later date.

CLOSED SESSION

Kimbrough moved and Yates seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest regarding pending litigation authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the Deputy County Attorney and the County Clerk remain. Closed session began at 11:30 a.m.

RETURN TO REGULAR SESSION

Capek moved and Cerny seconded the motion to return to open session at 11:40 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items to come before the Board, Yates moved and Kimbrough seconded the motion to adjourn until 9:10 a.m., August 14, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., August 14, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Kimbrough, Simacek, Capek, Galusha, and Yates. Cerny was absent; Galusha was excused at 2:00 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 3:08 p.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 July:

County Clerk: \$7,094.25 (State \$3,619.81 & County \$3,474.44)

Clerk of District Court: \$1,022.88

Sheriff: \$753.42

Upon roll call, the vote was as follows:

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

Nays: None

Absent: Galusha

The Chairman declared the motion carried.

COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

John Trouba, with Southeast Nebraska Development District (SENDD) presented the Comprehensive Economic Development Strategy paperwork to the Board.

After discussion, Kimbrough moved and Yates seconded the introduction of the following resolution.

RESOLUTION 2007-16

WHEREAS, the Legislature of Nebraska has established boundaries of the state's planning districts and councils of governments;

WHEREAS, Fillmore County is currently not part of any economic development district and is in need of planning assistance for accomplishment of our economic development goals and objectives;

WHEREAS, Fillmore County desires to become an active participant in the affairs of the River Country Economic Development District (RCEDD)/SENDD and has adopted a Comprehensive Economic Development Strategy (CEDS) which is being incorporated into the RCEDD CEDS;

WHEREAS, Fillmore County's membership in the River Country Economic Development District/SENDD will contribute to a more effective program of economic development in the area,

IT IS THEREFORE RESOLVED BY the Fillmore County Board of Supervisors that Fillmore County supports its inclusion in the membership of the River Country Economic Development District/SENDD.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

RIVER COUNTRY ECONOMIC DEVELOPMENT DISTRICT

After discussion, Yates moved and Galusha seconded the introduction of the following resolution.

RESOLUTION 2007-17

WHEREAS, the Fillmore County Board of Supervisors recognizes the need for a strong economic environment in Fillmore County, Nebraska; and

WHEREAS, said strong economic environment will benefit the residents and businesses of Fillmore County, Nebraska; and

WHEREAS, the United States Economic Development Administration (EDA) has funding available to assist local governments and businesses to achieve a strong economic development; and

WHEREAS, in order to acquire said funding, it is necessary that a Comprehensive Economic Development Strategy (CEDS) be created,

NOW, THEREFORE, be it hereby resolved by the Fillmore County Board of Supervisors that Fillmore County, Nebraska adopt the CEDS document completed by a county-wide planning process composed of representatives of Fillmore County.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

RE-ALIGN RCEDD/SEND D BOUNDARIES

Capek moved and Kimbrough seconded the motion to approve and sign the letter to the U. S. Department of Commerce Economic Development Administration to request the re-alignment of the RCEDD/SEND D boundaries. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

- Don Bristol – install a new 40’ driveway on the west side of the SW ¼, Section 11-8-2, Fairmont Township;
- Don Bristol – remove an existing driveway and install a new 30’ driveway on the south side of the SE ¼, Section 10-8-2, Fairmont Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MOWER REPLACEMENT

Terri Volkmer, Building & Grounds Manager presented proposals from Nick’s Farm Store and Plains Power to replace the current mower. Bids were \$7,325.00 from Nick’s Farm Store for a 2007 Grasshopper, model #725G2 and \$5,770.00 from Plains Power & Equipment, Inc. for a 2001 John Deere, model 777 Mid Ztrak. Scott Eichelberger from Nick’s Farm Store was present to answer any questions. After discussion, the Board decided to go and look at both mower’s during lunch.

LAW ENFORCEMENT AGREEMENT WITH CITY OF GENEVA

After discussion, Yates moved and Kimbrough seconded the motion to approve and sign the interlocal agreement with the City of Geneva for law enforcement. New contract amount is \$10,541.66 per month or \$126,500.00 per year for a two year period beginning October 1, 2007 and ending September 30, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LIQUOR LICENSE PUBLIC HEARING

The public hearing for the Class D Liquor License for Kabredlo’s, Inc. opened at 10:39 a.m. as advertised. As no one appeared to testify for or against this liquor license, the hearing closed at 10:57 a.m.

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

GENERAL FUND:		
Howard F. Ach, Atty.	Rent, Sup, Post, mile	\$3,595.02
Ameritas Life Insurance Corp.	Ret	2,872.56
Jon Anderson	Uni	35.00

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Aquila	Uti	80.68
Aramark Uniform Services, Inc.	Ser	322.17
Axis Capital, Inc.	Ser	243.32
Joseph N. Bixby DR.	Ser	1,027.50
Blue Cross/Blue Shield of Nebraska	Insur	16,991.00
Bottorf & Maser, Atty.	Ser, Mile	472.26
William L. Burgess	Uni, Meal	48.92
Daryl L. Callenius	Uni	35.00
Chaney Chemical, Inc.	Sup	466.68
City of Geneva	Uti	387.10
Coast to Coast Computer Products	Sup	133.75
DAS Central Finance	Ser	448.00
Dell Marketing, L.P.	Sup	427.45
Drummond American Corp.	Sup	179.47
Duckwall's	Sup	18.82
Eakes Office Plus	Sup	639.21
Earl's Window Service	Ser	5.00
Evercom Systems, Inc.	Sup	113.63
Executive Copier Services	Ser	152.53
Fillmore County Clerk of District Court	Fees	1,500.00
Fillmore County Court	Fees	1,363.07
Fillmore County Medical Center	Sup	73.00
Fillmore County Treasurer	Sup, Post, Ser, Equip	26,725.08
The Garbage Co., Inc.	Ser	125.47
Geneva State Bank	Sup, SS	2,796.48
Geneva TV & Appliance, Inc.	Equip	109.97
Germer, Murray, & Johnson, Atty.	Ser, Mile	893.98
Gloystein Veterinary Clinic	Ser	118.00
Reesa Hoffschneider	Mile	15.52
Hometown Leasing	Ser	576.51
Information Systems	Sup, Ser	159.10
Steve Julich	Uni	35.00
Knoche Appraisal & Consulting, LLC	Ser	2,304.00
Stephen J. Kraviec	Ser, Post	1,696.48
Lafayette Life Insurance Co.	Insur	163.15
Languages Unlimited	Ser	165.00
Lease Consultants Corp.	Ser	249.00
Lichti Oil	Fuel	824.45
Loup Valley Lighting Inc.	Sup	285.72
MIPS, Inc.	Ser	2,598.67
Monroe Systems For Business, Inc.	Sup	53.38
Rich Mueller/Tom Biegert	Rent	1,250.00
Mobile Binders	Sup	150.00
Naber's Repair Service	Sup	21.00
Nebraska Public Power District	Uti	2,144.08
The Nebraska Signal	Sup, Ads, Proc	1,173.89
Nebraska Technology & Telecommunications, Inc.	Uti	1,035.72
OMB Police Supply	Sup	19.49
Quill	Sup	30.93
Ralph's Geneva Tire & Service Center	Rep, Sup	163.14
Steven G. Roemmich	Uni	35.00
Secretary of State Rules & Regulations	Ser	20.00
Seiler & Parker, P. C.	Ser	753.66
Gerald Slezak	Mile, Uti, Sup	167.96
State of Nebraska Dept. of Correctional Services	Boarding Prisoners'	2,726.04
Chad Summers	Uni	35.00
Sunflower Marketing	Sup	547.50
UN-L IS – Telecommunications	Uti	34.28
USDA, APHIS	Ser	1,588.75
Brandy VanDeWalle	Mile	54.32
Weaver Pharmacy	Sup	534.68
Eric Williams	Mile	73.72
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	208.16
Joyce Wusk	Mile	36.86
Payroll	Salaries	37,853.49
ROAD/BRIDGE FUND:		
Alltel	Uti	86.79
Ameritas Life Insurance Corp.	Ret	1,560.40
Aquila	Uti	77.40
Auto Value Parts Stores	Parts, Sup	273.75
Blue Cross/Blue Shield of Nebraska	Insur	10,812.45
Business World Products	Ser	29.25
Casey's General Store	Fuel	1,544.21

Century Lumber Center	Sup, Parts	28.59
Chaney Chemical	Sup	7.50
City of Geneva	Uti	60.00
Contech Construction Products	Culverts	7,182.50
Dorchester Farmers Coop	Fuel	3,760.46
Farm Plan	Parts, Sup	2,768.78
Fillmore County Shop	Post	22.96
Filter Care of Nebraska	Parts	16.30
Friesen Chevrolet, Inc.	Rep, Parts	710.63
The Garbage Company	Ser	60.42
Geneva Activity & Education Department	Ser	330.00
Geneva Implement	Parts, Sup	114.79
Geneva State Bank	SS	1,700.52
Geneva Super Foods	Sup	27.98
Geneva Welding & Supply, Inc.	Sup	22.00
Grafton Oil	Sup	978.45
Hilty's of Geneva	Sup	17.27
Lafayette Life Insurance Company	Insur	88.89
Lichti Oil	Fuel, Parts, Sup	7,035.54
Michl Service	Fuel	69.00
Nebraska Machinery	Parts	521.19
Nebraska Technology & Telecommunications, Inc.	Uti	105.56
Nichols Construction	Gravel	27,269.76
Overland Sand & Gravel	Gravel	6,164.20
Perennial Public Power	Uti	22.17
Power Plan	Parts	107.18
R & D Parts, LLC	Sup, Tools	229.26
Ralph's Geneva Tire & Service	Rep	241.95
Shell	Fuel	75.11
Speece Lewis Engineers	Ser	16,878.64
Superior Deshler, Inc.	Fuel	47.98
USIS Commercial Services	Ser	59.80
Village of Fairmont	Uti	15.23
Village of Grafton	Uti	21.07
Wick's Sterling Truck	Parts	519.80
L. J. Webb Contractor, Inc.	Ser, Projects	38,250.45
Payroll	Salaries	23,634.79
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	64.99
Janet Bartek	Mile	126.59
Blue Cross/Blue Shield of Nebraska	Insur	514.88
Dawg's Smokehouse Café	HDM's	126.50
Exeter Care Center	HDM's	276.00
Fillmore County Treasurer	Post	164.00
Geneva Senior Center	HDM's, Uti, Sup, Rent	214.25
Geneva State Bank	SS	93.40
Lafayette Life Insurance Company	Insur	4.50
Elizabeth Mattox Manning	Ser	144.00
Brenda Motis	Mile	55.78
Ron's Tavern	HDM's	216.75
Payroll	Salaries	1,232.50
INHERITANCE TAX FUND:		
Fillmore County Treasurer	Transfer	10,000.00
KENO FUND:		
Fillmore County Treasurer	Qrtly Return	900.50
NOXIOUS WEED FUND:		
Action Auto Supply	Sup	11.67
Alltel	Uti	38.13
Ameritas Life Insurance Corp.	Ret	77.90
Blue Cross/Blue Shield of Nebraska	Insur	514.88
Merlin Ehmen	Rent	220.00
Ekeler Repair	Rep, Sup	113.98
Geneva Activity & Education Dept.	Ser	105.00
Geneva State Bank	SS	88.29
Grafton Mini Mart	Fuel	1,492.89
Lafayette Life Insurance Company	Insur	1.36
Lichti Oil	Fuel	1,774.94
Payroll	Salaries	1,154.12
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	154.43

		August 14, 2007
Windstream	Uti	983.73

CLAIMS

Simacek moved and Kimbrough 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.

BONDS

Tyler Williams, with Edward Jones discussed the Milligan Road Bonds to pay down bonds with the money received from the State of Nebraska Roads Department. Further details will be discussed at the August 28th meeting.

LIQUOR LICENSE

Simacek moved and Galusha seconded the motion to approve Kabredlo's, Inc. to operate with a Class D liquor license. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TOWNSHIP BONDS

Capek moved and Yates seconded the motion to approve the bonds for Mitchell Ozenbaugh, Belle Prairie Township for a term beginning May 10, 2007 and ending May 7, 2011 and David Krupicka, Liberty Township for a term beginning August 1, 2007 and ending August 1, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CARE MANAGEMENT CONTRACT

After discussion, Kimbrough moved and Galusha 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, and Kimbrough
Nays: None

The Chairman declared the motion carried.

RURAL TRANSIT SERVICES CONTRACT

Yates moved and Capek seconded the motion to approve the contract with the State of Nebraska for federal and state public transportation operating assistance for fiscal year 2008. Federal funds shall be \$41,673.00 and State funds shall be \$19,596.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BUDGET REVIEW

Randy Mierau informed the Board that they would have to make a few cuts to fall within the levy limit. After discussion the Board reviewed a few of the budgets and made a few changes. Further review will be made at the August 28th Board meeting.

MOWER REPLACEMENT

Kimbrough moved and Capek seconded the motion to purchase the Grasshopper mower from Nick's Farm Store for 7,325.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “Internet Access for Road’s, Lease Agreement with City of Geneva for Health & Human Service office, phone service, and combine copier lease contracts” were tabled until the next meeting. As there was no other items to come before the Board, Simacek moved and Capek seconded the motion to adjourn until 9:10 a.m., August 28, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:22 a.m., August 28, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:30 p.m.

MINUTES APPROVED WITH CORRECTION

Chairman of the Board, Mueller approved the minutes with the following correction: Mower replacement; bids were \$7,325.00 from Nick's Farm Store for a 2007 Grasshopper model #725G2 and \$5,770.00 from Plains Power & Equipment, Inc. for a 2007 John Deere, model 777 Mid Ztrak, not a 2001.

REGIONAL PREVENTION CENTER

Sandy Morrissey, Director of Region V Prevention Coalition presented information regarding county coalitions, prevention allocations, the meth task force, and substance abuse usage data for Fillmore County.

DRIVEWAY PERMITS

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

Hinds Farms – to widen an existing driveway to 40' on the west side of the NW ¼, Section 13-5-4, Bryant Township;

Hinds Farms – to widen an existing driveway to 40' on the east side of the NE ¼, Section 19-5-4, Bryant Township;

Mark Metcalf & Patricia Vauck – to remove and build a new driveway on the east side of the NE ¼, Section 19-8-4, Grafton Township;

JDM Farms – install a new 30' driveway on the south side of the SW ¼, Section 25-5-4, Bryant Township;

Lorraine Hofmann – to widen existing driveway on the west side of the SW ¼, Section 7-8-4, Grafton 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

Capek moved and Simacek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Richard Girmus – to bury an electrical line between the SE ¼ of Section 7 and the SW ¼ of Section 8-6-1, Glengary 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 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.

DRAINAGE PROBLEM IN BENNETT

Elmer Hessheimer, Highway Superintendent informed the Board of the drainage problem that is occurring in the west end of Section 8 & 17-7-4, Bennett Township. Charles Hoarty was also present to discuss the problem with the Board.

After discussion, the Board instructed the Highway Superintendent to have Speece Lewis Engineering firm survey the property and then contact the landowners to clean out the natural drainage area.

COUNTY ROAD 2 – CRUSHED ROCK

After discussion, Galusha moved and Yates seconded the motion to put crushed rock on County Road 2 from Hwy. 6 north to the County Line over a three year period. 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.

INTERNET SERVICE FOR ROAD DEPT.

After discussion, the Board requested that the Highway Superintendent purchase internet service from Windstream at 3Mbps for \$24.99 a month.

LINCOLN AREA AGENCY ON AGING

June Pederson and Denise Boyd with the Lincoln Area Agency on Aging (LAAA) presented the annual report and budget request for 2007-2008. Budget request was submitted at a previous meeting.

ROAD BONDS

Tyler Williams with Edward Jones informed the Board that with the last payment from the State of Nebraska that they could pay off the bonds for 2016 – 2022.

After discussion, Yates moved and Simacek seconded the motion have Edward Jones call the 2016-2022 bonds for the Milligan Road and to authorize the Chairman to sign the documents. 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.

TAX FORECLOSURES

After discussion and at the request of the County Treasurer, Cerny moved and Kimbrough seconded the introduction of the following resolution:

RESOLUTION 2007-22

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 years or more;

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 of real estate, to the 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 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 tracts has expired;

BE IT 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 thereon.

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.

PHONE SYSTEM FOR COUNTY ATTORNEY

After discussion, Cerny moved and Yates seconded the motion to share the cost of a new phone system for the County Attorney's office for \$2,369.00 to come out of the Data Processing account. If there is a change in the County Attorney, they would reimburse the County for the portion of the phone system, which will be prorated by straight line over a five (5) year period. 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.

INHERITANCE TAX

Deputy County Attorney, Howard Ach informed the Board of the changes to inheritance tax that the legislature made during the last session.

PLANNING & ZONING ADMINISTRATOR

Morley Most, Chairman of the Zoning Commission Board presented the Board with the recommendation of Geraldine Daniels for the Planning & Zoning Administrator / Flood Plain Manager.

Capek moved and Cerny seconded the motion to appoint Geraldine Daniels as the Planning & Zoning Administrator / Flood Plain Manager starting September 4th at \$12.00 per hour with a six (6) month probationary period. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFTEY COMMITTEE

Yates moved and Cerny seconded the motion to appoint Mary Novak to the safety committee to replace Gerald Slezak for his remaining term ending December 31, 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.

SAFETY COMMITTEE REPORT

Gerald Slezak reported to the Board the minutes of the August meeting. The Safety Committee would like to have a 10 minute training video regarding fire extinguishers. Panic button procedures will be set-up by the Sheriff's office.

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

GENERAL FUND:		
Alltel	Uti	\$561.64
Ameritas Life Insurance Corp.	Ret	2,645.96
Black Hills Ammunition	Sup	399.00
Blue Cross / Blue Shield of Nebraska	Insur	16,991.01
Business Telecommunications Systems, Inc.	Rep, Mile	304.00
C & C Extinguisher Service	Rep, Sup	467.25
Casey's General Store, Inc.	Fuel	1,567.30
Marilyn Christianity	Ret	25.00
City of Geneva	Rent	440.00
Dollar General Store	Sup	7.00
Duckwall – Alco Stores, Inc.	Sup	72.54
Eakes Office Plus	Sup	36.04
Fillmore County Treasurer	Transfer, Interest, Post, Wksh	10,313.62
Franklin County Treasurer	Sup	11.04
Gambles	Sup	105.04
Geneva State Bank	Ser, SS	2,748.79
Geneva Super Foods	Sup	791.68
Geneva Welding & Supply, Inc.	Rep	154.50
Germer, Murray, & Johnson	Ser, Mile	1,191.48
Norma Gregory	Ret	25.00
Hilty's of Geneva	Sup	48.45
JEO Consulting Group, Inc.	Ser	270.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	3,016.48
Maximus, Inc.	Ser	1,105.45
Microfilm Imaging Systems, Inc.	Ser	100.00
Mid-American Research Chemical	Sup	443.81
Ann H. McDonald	Ret	18.00
Nebraska Public Power District	Uti	109.81
P C Nuts	Sup	22.00
Platte Valley Communications	Rep	50.75
Platte Valley Communications of Hastings	Equip, Ser	10,737.07
Postmaster	Rent	40.00
Region V Systems	EPC	2,970.00
Shell Fleet Plus	Fuel	140.51
State of Nebraska Crime Commission	Sup	12.00
State of Nebraska HHS Laboratory	Ser	128.42

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Thomson West	Sup	168.00
Weaver Pharmacy	Sup	431.15
West Payment Center	Sup	349.50
Windstream	Uti	227.20
Payroll	Salaries	37,839.13
<u>ROAD / BRIDGE FUND:</u>		
Ameritas Life Insurance Corp.	Ret	1,570.69
Blue Cross / Blue Shield of Nebraska	Insur	10,812.45
Dorchester Farmers Coop	Fuel	2,669.10
Farm Plan	Parts, Rep	324.36
Fillmore County Hospital	Ser	50.00
Geneva State Bank	SS	1,705.57
Ralph Gould	Ret	18.00
Grafton Oil	Fuel	196.74
Donovan Jirkovsky	Ret	25.00
Kabredlo's Inc.	Fuel	69.31
Lichti Oil	Fuel	2,736.17
Midwest Laboratories, Inc.	Ser	43.00
Nebraska Public Power District	Uti	292.78
Overland Sand & Gravel	Gravel	17,895.68
Perennial Public Power	Uti	35.12
Speece Lewis Engineers	Ser	2,296.41
Payroll	Salaries	23,700.80
<u>INSTITUTIONS FUND:</u>		
State of Nebraska Health & Human Services	July Patient Care	372.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp	Ret	129.92
Blue Cross / Blue Shield of Nebraska	Insur	1,029.76
Geneva State Bank	SS	165.62
Brenda Motis	Mile	52.38
Nebraska Assoc. of Senior Centers	Wksh	40.00
The Nebraska Signal	Ad	295.00
Rhonda Stokebrand	Mile	68.38
Payroll	Salaries	2,176.52
<u>INHERITANCE TAX FUND:</u>		
F & S Supply Co., Inc.	Sup	289.87
Fillmore County Treasurer	Advance	5,000.00
Pierson, Fitchett, Hunzeker, Blake & Katt	Ser, Mile	8,157.74
<u>HOSPITAL OPERATING FUND:</u>		
Fillmore County Hospital	Taxes	949.87
<u>NOXIOUS WEED FUND:</u>		
Ameritas Life Insurance Corp.	Ret	77.90
Blue Cross / Blue Shield of Nebraska	Insur	514.88
Geneva State Bank	SS	88.29
Payroll	Salaries	1,154.12
<u>E911 COMMUNCATIONS FUND:</u>		
Andrews Electric Co., Inc.	Rep, Sup	91.66

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, Cerny, Mueller, Galusha, and Capek
Nays: Kimbrough Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

BUDGET REVIEWS

Mary Novak discussed a few changes that did not affect the bottom line for the extension office. Howard Ach and Jill Cunningham discussed the copier line item with the Board. After discussion, the Board agreed to lease a copier for the County Attorney's office.

INVENTORIES APPROVED

Capek moved and Cerny seconded the motion to approve the inventories of the county offices and departments as presented. Upon roll call, the vote was as follows:

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

The Chairman decaled the motion carried.

PHONE SERVICE

After discussion, Kimbrough moved and Galusha seconded the motion to sign a five year contract with Windstream for phone and long distance service. Upon roll call, the vote as follows:

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

The Chairman declared the motion carried.

TOWNSHIP BOND

Galusha moved and Yates seconded the motion to approve the bond for William Michl, Liberty Township for a term beginning August 21, 2007 and ending August 21, 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LINCOLN AREA AGENCY ON AGING ADVISORY COUNCIL

Yates moved and Capek seconded the motion to appoint Christina Snell to the Lincoln Area Agency on Aging Advisory Council for a three year term beginning July 1, 2007 and ending June 30, 2010. 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 item "Election Scanner" was tabled until the next Board meeting. As there was no other items to come before the Board, Simacek moved and Capek seconded the motion to adjourn until 9:10 a.m., September 11, 2007. 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.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., September 6, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Simacek, Capek, Galusha, and Yates. Kimbrough was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was posted in three locations and by broadcasting on radio station KAWL. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 9:45 a.m.

ANTENNA SITE LEASE AGREEMENT

Emergency Manager, Terry Marshall presented a lease agreement to the Board from Horizon Christian Fellowship to lease space on the old communications tower, monthly rent will be \$500.00 with utilities paid by the County.

After discussion, Cerny moved and Yates seconded the motion approve the ninety (90) day antenna site lease agreement with Horizon Christian Fellowship. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY DECLARED TO ADD ITEM TO AGENDA

At the request of the Chairman, Yates moved and Capek seconded the motion to declare an emergency in order to add an item to the agenda, said item "Settlement Agreement". Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SETTLEMENT AGREEMENT

After discussion, Capek moved and Cerny seconded the motion to approve the Chairman to sign the Settlement Agreement to release Carrier Corp. from the chiller lawsuit, in turn Carrier agrees to be an expert witness for Fillmore County. 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

As there was no other items to come before the Board, Simacek moved and Capek seconded the motion to adjourn until 9:30 a.m., September 11, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:44 a.m., September 11, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. The County Clerk was present to record the minutes of the meeting. Visitors: Joey Salmon, Chris Lake, Delton Myers, Robert Higel, Barb Whitley, Tom Ortgies, Eric Williams, Patt Lentfer, Jason Bspalec, Elmer Hessheimer, Larry Eichelberger, Gerald Slezak, and Scott Eichelberger.

Notice of the meeting was given by publication 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. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:30 p.m.

MINUTES APPROVED

Chairman of the Board, Mueller approve the minutes as presented.

DRIVEWAY PERMITS

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

Larry Krupicka – install a new 40' driveway on the south side of the SE ¼, Section 25-5-1, Franklin Township;

Richard Girmus – install a new 40' driveway on the west side of the SW ¼, Section 18-6-1, Glengary Township;

Gerald Stengel – replace an existing driveway with a 40' driveway on the west side of the SW ¼ NW ¼, Section 25-6-4, Momence 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.

SILT CLEANING PERMITS

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

Gerald Stengel – to clean silt from the road ditch on the north side of the NW ¼, Section 30-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

After discussion, Kimbrough moved and Cerny seconded the motion to approve the following application for a permit to occupy county right-of-way:

Robert Lovegrove – to bury and underground watering system on the south side of the SE ¼, Section 29-8-3, 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

Ayes: Galusha, Yates, Simacek, and Kimbrough

Nays: Mueller, Capek, and Cerny

The Chairman declared the motion carried.

ELK RUN CREEK DRAINAGE ISSUE

After discussion, the Board approved the letter to send to the landowners along Elk Run Creek to clean up the natural drainage issue.

LEASE AGREEMENT

September 11, 2007

Aramark Uniform Services, Inc.	Ser	328.63
Axis Capital, Inc.	Ser	243.32
Bear Graphics	Sup	531.68
William L. Burgess	Uni, Meal	43.29
Daryl L. Callenius	Uni, Meals	65.84
Century Lumber Center	Sup	57.27
City of Geneva	Uti	444.00
Dell Marketing, L.P.	Sup	19.00
Department of Administration Service	Ser	448.00
Duckwall – Alco Stores, Inc.	Sup	44.85
Eakes Office Plus	Sup, Equip	1,149.74
Earls Window Service	Ser	5.00
Fillmore County Clerk	Title, Filing	27.00
Fillmore County Hospital	Ser	115.94
Fillmore County Medical Center	Ser	86.04
Fillmore County Treasurer	Transfer, Wksh, Post	387,506.45
First Concord Benefits Group, LLC	Ser	36.00
Galls	Sup	923.01
The Garbage Co., Inc.	Ser	125.47
Geneva State Bank	SS	2,800.17
Guys & Gals Salon	Ser	12.00
Hilty's of Geneva	Sup	435.45
Hometown Leasing	Ser	576.51
Lambert Hopken	Mile	67.90
Steve Julich	Uni, Post	41.95
Kerry's Auto Repair & Service	Ser, Rep	418.08
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,280.00
Stephen J. Kraviec	Ser, Post	1,689.01
Lafayette Life Insurance Co.	Insur	163.15
Letter Publications	Sup	258.00
Rich Mueller / Tom Biegert	Rent	625.00
Nebraska Child Support Enforcement Assoc.	Wksh	95.00
Nebraska Law Enforcement Training Center	Wksh	50.00
The Nebraska Signal	Pro, Sup, Subscription, Ads	1,319.93
Nick's Farm Store Co.	Equip, Sup, Rep	7,582.97
NVO Information Systems, Inc.	Ser	499.00
O'Keefe Elevator Company, Inc.	Ser	202.08
Platte Valley Communications of Hastings	Sup	428.88
Ralph's Geneva Tire & Service Center	Rep, Ser	160.41
Steven G. Roemmich	Uni, Meals	53.33
State of Nebraska Dept. of Admin. Services	Ser	60.44
State of Nebraska Dept. of Correctional Services	Boarding Prisoners	2,213.40
State of Nebraska Dept. of Prop. Assessment & Taxation	Wksh	500.00
Chad Summers	Uni	35.00
UN-L IS-Telecommunications	Uti	17.65
Brandy VanDeWalle	Meal, Mile	269.10
Windstream	Uti	341.56
Payroll	Salaries	38,837.49
ROAD / BRIDGE FUND:		
Alltel	Uti	86.79
Ameritas Life Insurance Corp.	Ret	1,573.01
Aquila	Uti	74.32
Auto Value Parts Stores	Parts, Sup	264.25
Business World Products	Ser	29.25
Lorene E. Buzek & Robert E. Kottas	ROW, Easement	280.00
Lorene E. Buzek	ROW, Easement, Fencing	1,825.00
Century Lumber Center	Sup	8.99
City of Geneva	Uti	53.80
CNH Capital	Parts	211.90
Fillmore County Shop	Post, Misc.	31.78
Fillmore County Treasurer	Wksh	36.00
Filter Care of Nebraska	Parts	133.80
The Garbage Company	Ser	60.42
Geneva Implement	Parts	15.60
Geneva State Bank	SS	1,727.70
Geneva Welding & Supply, Inc.	Sup, Signs	431.41
Grafton Oil	Fuel	1,106.40
Grafton Oil	Sup	326.15
Jim Kamler	Parts	12.27
Richard L. Kassik & Judy R. Kassik	ROW, Easement, Fencing	1,792.00
L. J. Webb Contractor, Inc.	Project C003004215	3,213.60
Lafayette Life Insurance Company	Insur	88.89
Lauber Seed Farm	Sup	146.25

September 11, 2007		
Lichti Oil	Fuel	3,225.99
Michl Service	Fuel	133.00
Mike's Radiator & Tire	Rep	20.00
Nichols Construction	Gravel	25,601.84
Overland Sand & Gravel	Gravel	3,478.10
Perennial Public Power	Uti	22.37
Power Plan	Parts	58.74
R & D Parts, LLC	Sup	26.82
Ralph's Geneva Tire & Service	Sup, Rep	567.44
Shell	Fuel	31.70
Superior Deshler, Inc.	Fuel	107.96
US Postal Service	Sup	222.05
Village of Exeter	Uti	30.00
Village of Fairmont	Uti	33.96
Village of Grafton	Uti	21.07
Thomas C. Vossler & Mary L. Vossler	ROW, Easement, Fencing	1,665.00
Payroll	Salaries	23,989.98
ECONOMIC DEVELOPMENT – TOURISM:		
Arcee Construction	Ser, Sup	950.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	129.92
Geneva Senior Center	Rent, Sup, Uti	180.21
Geneva State Bank	SS	155.98
Lafayette Life Insurance Company	Insur	9.00
Elizabeth Mattox Manning	Ser	132.00
Brenda Motis	Mile	14.55
Rhonda Stokebrand	Mile	122.22
Payroll	Salaries	2,050.67
ETHANOL PLANT ROAD BOND FUND:		
Southeast Nebraska Development District	Ser	255.96
HOSPITAL OPERATING FUND:		
Fillmore County Hospital	Taxes	26,009.11
NOXIOUS WEED FUND:		
Alltel	Uti	38.13
Ameritas Life Insurance Corp.	Ret	77.90
City of Geneva	Uti	41.30
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	88.29
Grafton Mini Mart	Fuel	125.00
Lafayette Life Insurance Company	Insur	1.36
The Nebraska Signal	Ads	85.40
Payroll	Salaries	1,154.12

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ALLTEL

Bill Ashburn, Vice President of State Affairs; Mary Gordon, Indirect Sales Manager; and Kevin Lockhorn, Network Specialist from Alltel were present to discuss the issues that Fillmore County residents are having with their cellular service. Alltel has said that they will install a repeater in Geneva in 2008 to help with service in the Geneva area this will be funded with Federal funds. Alltel representatives also said that they will have the cellular tower site inspected to ensure the tower is operating correctly.

FEE REPORTS

Simacek moved and Yates seconded the motion to approve the following fee reports for August 2007:

County Clerk: \$6,732.71 (State \$3,493.55 & County \$3,239.16)
Clerk of District Court: \$1,046.02
Sheriff: \$668.47

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.

ADJOURNMENT

As there were no other items to come before the Board, Capek moved and Galusha seconded the motion to adjourn until 9:10 a.m., September 25, 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.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., September 25, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. Kimbrough was absent at 12:00 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:35 p.m.

MINUTES APPROVED

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

CLOSED SESSION

Kimbrough moved and Simacek seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session personnel issues as 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 only the Board members remain. Closed session began at 9:13 a.m.

RETURN TO REGULAR SESSION

Cerny moved and Yates seconded the motion to return to open session at 9:30 a.m. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMIT

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

John Lentfer – install a new 25' driveway on the west side of the NW ¼, Section 26-5-2, Belle Prairie Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SILT CLEANING PERMITS

Galusha moved and Simacek seconded the motion to approve the following applications for permits to clean silt from the road ditch:

JDM Farms – to clean silt from the road ditch on the west side of the SW ¼, Section 19-5-3, Hamilton Township;

JDM Farms – to clean silt from the road ditch on the east side of the SE ¼, Section 24-5-4, Bryant Township.

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.

SPEED LIMIT CHANGE

Roger Glenn ? with the Fairmont Village Board requested the speed limit be clarified on 6th Street south to County Road F in Fairmont. After discussion, the Board and the Highway Superintendent, Elmer Hessheimer said the correct procedure is for the Village Board to pass a resolution stating what they would like the speed limit to be and then the County Board would also have to approve a resolution.

ROAD DEPARTMENT ANNUAL REPORT

Highway Superintendent, Elmer Hessheimer presented the Roads Department Annual Report.

After discussion, Kimbrough moved and Galusha seconded the motion to approve and sign the 2006-2007 Roads Department Annual Report. 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.

ELK CREEK DRAINAGE

Highway Superintendent, Elmer Hessheimer informed the Board that the letters to the landowners along this channel have been sent. The Road's Dept. will clean out a few areas along this channel that needs to be clean out.

CLOSED SESSION

Simacek moved and Yates seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session personnel issues as authorized by Statute to be discussed in closed session. 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 and requested that Highway Superintendent, Deputy County Attorney, and the County Clerk remain. Closed session began at 9:45 a.m.

RETURN TO REGULAR SESSION

Kimbrough moved and Capek seconded the motion to return to open session at 10:15 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.

MOTOR GRADER BIDS

Bids for a new motor grader were opened at 10:15 a.m. The following bids were received:

<u>Bidder</u>	<u>Make</u>	<u>Cash Price</u>	<u>Trade Price</u>
Murphy Tractor & Equipment	2007 or 2008 Deere & Co., Model 770D	\$183,535.00	\$159,035.00
Murphy Tractor & Equipment	2007 Deere & Co., Model 770D	\$185,535.00	\$161,035.00
NMC – Cat	2007 Caterpillar, Model 12H VHP Plus	\$189,106.00	\$165,106.00
NMC – Cat	2008 Caterpillar, Model 12M VHP Plus	\$198,486.00	\$174,486.00
Mid-Land Equipment	2007/2008 Case, Model 845	\$164,852.00	\$138,352.00

MOTOR GRADER LETTING

After discussion and review of all bids, Yates moved and Simacek seconded the motion to purchase the 2007 Caterpillar, Model 12H VHP Plus for \$165,106.00, additional five (5) year warrant on the engine and all drive train components for \$2,700.00 for a total of \$167,806.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLOSED SESSION

Yates moved and Cerny seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session pending litigation as authorized by Statute to be discussed in closed session. 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 and requested that Highway Superintendent, Deputy County Attorney, and the County Clerk remain. Closed session began at 10:59 a.m.

RETURN TO REGULAR SESSION

Galusha moved and Kimbrough seconded the motion to return to open session at 11:08 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.

PUBLIC HEARING

The public hearing to change the zoning regulations in the agricultural transition zone (Ag – 2) to allow for higher residential density than is currently allowed was opened at 11:10 a.m. as advertised. The proposed change would allow houses to be placed a minimum of 25 feet apart within ½ mile of the village/city limits and a minimum of 100 feet apart in the Ag-2 district if more than ½ mile from the village/city limits. As there was no one to appear to testify for or against the hearing was closed at 11:20 a.m.

CHILLER LAWSUIT

Deputy County Attorney, Howard Ach gave the Board an update regarding the lawsuit on the chiller. The Board directed the Deputy County Attorney to settle this lawsuit.

1224 I STREET

Deputy County Attorney, Howard Ach informed the Board that he had written a letter to the Attorney General's office on September 13th and has not heard anything back from the Attorney General's office. City Administrator Robert Higel, City Clerk Barb Whitley, and Councilman Delton Myers were also present.

PUBLIC HEARING

The public hearing to add the definition of a wiper or partial pivot to the zoning regulations as well as the requirements of a permanent physical pivot stop on any pivot that would contact the road right-of-way (ROW) if a mechanical or electronic stop would fail, on any new or replacement pivot was opened at 11:15 a.m. as advertised. The proposed minimum structural requirement is six (6) inch pipe, ten (10) feet long and four (4) feet in the ground with cross pieces. Tom Roemmich, Clay County Highway Superintendent and Bob Rose were present to listen to the discussion.

After discussion, the Board directed the Planning & Zoning Administrator, Geraldine Daniels to have the Zoning Board bring back other options for a permanent pivot stop. The Board would like to have more than one option for a permanent pivot stop. As there were no other comments, the hearing was closed at 11:44 a.m.

HIGHER RESIDENTIAL DENSITY

After discussion, Cerny moved and Simacek seconded the motion to approve the Zoning Board recommendation to change the zoning regulations in the agricultural transition zone (Ag-2) to allow for higher residential density than is currently allowed. This change would allow houses to be placed a minimum of twenty-five (25) feet apart within a ½ mile of the village limits and a minimum of one hundred (100) feet apart in the Ag-2 district if more than a ½ mile from the village limits. 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 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 – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:		
Joan Ackland	Mile, Meals	\$131.08
Alltel	Uti	491.20
Ameritas Life Insurance Corp.	Ret	2,664.57
Jon Anderson	Uni, Meals, Lodging, Post	243.90
Auto Value Parts Stores	Parts	54.58
Blue Cross / Blue Shield of Nebraska	Insur	16,476.13
Bottorf & Maser, Atty	Ser, Mile	1,128.40
William L. Burgess	Uni	35.00
Daryl L. Callenius	Uni	35.00
Casey's General Stores, Inc.	Fuel	2,250.16
City of Seward	RAP	3,317.00
Dell Marketing, L.P.	Sup	89.99
Dugan Business Forms	Sup	235.40
Executive Copier Services	Ser	86.48
F & S Supply Co., Inc.	Sup	755.31
Gambles	Sup	4.19
Geneva State Bank	Ser, SS	2,831.51
Geneva Super Foods	Sup	762.37
HeadStart CFDP	Budget request	7,676.00

Hilty's of Geneva	Sup	48.03
Hometown Leasing	Ser	128.44
Jim's Repair	Rep, Parts	54.25
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	3,650.33
Lease Consultants Corp.	Ser	249.00
Lichti Oil	Fuel	392.42
Microfilm Imaging Systems, Inc.	Ser	100.00
MIPS, Inc.	Ser	2,200.69
Nebraska Assoc. of County Officials	Sup, Wksh	167.00
Nebraska Law Enforcement Training Center	Wksh	210.00
Nebraska Public Power District	Uti	2,154.67
The Nebraska Signal	Ad, Printing	214.10
Nebraska Technology & Telecommunications, Inc.	Uti	1,090.45
Norfolk Country Inn	Lodging	84.00
Perennial Public Power District	Uti	32.20
Platte Valley Communications of Hastings	Ser	1,010.04
R & D Parts, LLC	Parts	11.06
Region V Systems	Budget request	10,703.00
Steven G. Roemmich	Uni	35.00
Saline County Clerk	Adult Drug Court	2,080.60
Secretary of State Rules & Regulations	Sup	20.00
Seiler & Parker, P. C.	Ser	414.00
Shell Fleet Plus	Fuel	2,229.64
Southeast Nebraska Development District	Dues	7,037.00
State of Nebraska Dept. of Administrative Services	Ser	62.06
State of Nebraska Dept. of Correctional Services	Sup	45.00
Chad Summers	Uni	35.00
Walter F. Stephens, Jr., Inc.	Sup	122.64
Weaver Pharmacy	Sup	599.68
Daniel L. Werner, P. C., L. L. O.	Ser, Mile, Sup	723.73
Williams Exterminating, Inc.	Ser	155.00
York County Extension Office	Dues	50.00
Payroll	Salaries	38,756.95
ROAD / BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,570.69
B's Enterprises	Blades	6,048.00
Blue Cross / Blue Shield of Nebraska	Insur	10,812.45
Casey's General Store	Fuel	2,610.87
Dorchester Farmers Coop	Fuel	1,638.29
Farm Plan	Parts	272.92
Gambles	Sup, Tools	158.81
Geneva State Bank	SS	1,717.25
Grafton Mini Mart	Fuel	43.59
Grafton Oil	Fuel	1,144.56
Blanche K. Jappert & Steven L. Jappert	ROW, Easement, Fencing	6,419.00
Kabredlo's Inc.	Fuel	61.01
Kerry's Auto Repair & Service	Rep, Parts	224.22
Lichti Oil	Fuel, parts	9,233.39
Nebraska Iowa Industrial Fasteners	Sup	156.93
Nebraska Machinery	Parts	60.20
Nebraska Public Power	Uti	282.42
Nebraska Technology & Telecommunications Inc.	Uti	111.37
Newman Traffic Signs	Sup	217.66
Leonard Oldehoeft	Easement	25.00
Overland Sand & Gravel	Gravel	13,841.21
Perennial Public Power	Uti	33.10
Lorene V. Sluka & Donald A. Sluka	ROW	530.00
Speece Lewis Engineers	Ser	3,806.25
Phyllis Vavra	ROW, Easement, Fencing	1,358.00
Payroll	Salaries	23,853.39
ECONOMIC DEVELOPMENT – TOURISM:		
Fillmore County Development Corp.	Sup, Mile, Ser	329.70
Milligan Auditorium Association	Grant	214.00
INSTITUTIONS FUND:		
State of Nebraska Health & Human Services System	August Patient Care	315.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	129.92
Blue Cross / Blue Shield of Nebraska	Insur	1,029.76
Dawg's Smokehouse Café	HDM's	170.50
Exeter Care Center	HDM's	256.00

September 25, 2007		
Exeter Golden Agers	LAAA, USDA	96.33
Fairmont Aging Services	LAAA, USDA	380.76
Geneva State Bank	SS	166.99
Brenda Motis	Mile	32.01
Ron's Tavern	HDM's	276.25
Shell Fleet Plus	Fuel	61.11
Payroll	Salaries	2,194.50
ROAD BOND FUND:		
Fillmore County Treasurer	Principal, Interest	764,890.07
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	77.90
Blue Cross / Blue Shield of Nebraska	Insur	514.88
Geneva State Bank	SS	88.29
Payroll	Salaries	1,154.12
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	144.31
Windstream	Uti, Ser	981.74

CLAIMS APPROVED

Yates moved and Capek 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.

PLOCK SUBDIVISION

Planning and Zoning Administrator, Geraldine Daniels presented a plat for the Plock Subdivision, located in the NW ¼, Section 35-5-4, Bryant Township.

Kimbrough moved and Yates seconded the motion to approve the plat for the Plock Subdivision with appropriate signatures as follows:

A tract of land located in the NW ¼ of Section 35, Township 5 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, more particularly described as follows: commencing at the northeast corner said NW ¼ thence S90°00'00"W (assumed bearing) along the north line said NW ¼ a distance of 110.00 feet to the place of beginning; thence S00°00'00"W perpendicular to said north line a distance of 445.75 feet; thence S90°00'00"W parallel with the north line said NW ¼ a distance of 296.76 feet; thence N00°52'08"E a distance of 445.80 feet to the north line said NW ¼; thence N90°00'00"E along said north line a distance of 290.00 feet to the place of beginning containing 3.00 acres of which 0.22 acres contained in the north 33.00 feet thereof is presently being used as a public road.

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.

PICKUP BIDS

Bids for a new pickup were opened at 1:00 p.m. The following bids were received:

<u>Bidder</u>	<u>Make</u>	<u>List Price</u>	<u>Cash Price</u>
Anderson Ford, Omaha	2008 Ford F250	\$33,830.00	\$23,493.00
Rediger Chevrolet, Milford	2008 Chevrolet Silverado 2500	\$32,349.00	\$28,130.00
Friesen Chevrolet, Sutton	2008 Chevrolet CC20903 Chassis	\$32,349.00	\$25,084.00
Friesen Chevrolet, Sutton	2007 Chevrolet CC20903	\$32,180.00	\$23,275.00
Sid Dillon, Wahoo	2007 Chevrolet Silverado Classic	\$32,952.00	\$24,597.77
Sid Dillon, Wahoo	2007 Chevrolet Silverado 2500	\$35,305.00	\$27,999.77
Moses Motor Co., York	2008 Ford F250	\$34,625.00	\$25,745.00
Erdkamp Motors, Exeter	2008 Dodge Ram 2500 ST	\$34,365.00	\$25,289.00

PICKUP LETTING

After discussion, Cerny moved and Simacek seconded the motion to purchase the 2008 Dodge Ram 2500 ST from Erdkamp Motors in Exeter for \$25,289.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SURPLUS

Capek moved and Yates seconded the motion to declare the following items surplus: AIS Model 150 Ballot Scanner, 1984 Genny Power Washer, Winpower Model GA W4D generator, Onan generator, HP Monitor, and a Micro film machine. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENERAL ASSISTANCE

After discussion, Yates moved and Cerny seconded the motion to deny the general assistance application #2007-02. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

Agenda items “Regional Cooperation Agreement, LEOP, and Little Blue Natural Resource District letter regarding a mitigation plan” were tabled until the next Board meeting. As there was no other items to come before the Board, Simacek moved and Capek seconded the motion to adjourn until 9:10 a.m., October 9, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:12 a.m., October 9, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. Galusha excused at 1:05 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:15 p.m.

MINUTES APPROVED WITH CORRECTION

Chairman of the Board, Mueller approved the minutes as presented. Correction from the September 25th Board meeting: pickup bids accepted on September 25th were for a pickup with an Omaha Standard Service Body, model #96H body, and E38-48 lift gate.

Correction to the published minutes from the September 25th Board meeting. Motion to approve the purchase of a 2008 Dodge Ram from Erdkamp Motors carried 5-1, Nay Yates and Kimbrough absent.

FEE REPORTS

Yates moved and Capek seconded the motion to approve the following fee reports for the month of September and third quarter:

Clerk: September \$8,699.86 (State \$5,074.10 & County \$3,625.76),
Quarterly \$22,606.32 (State \$12,187.46 & County \$10,418.86)
Sheriff: September \$497.49 and Quarterly \$1,919.38

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 FLAGS

Terri Volkmer informed the Board that we are out of the Fillmore County Flags and the MC Industries in Geneva no longer makes these flags. MC Industries in Kansas can make them for us for approximately \$45.00 a piece. The Board requested that a sample be made and then they will decide. They also requested that Terri check to see if they could have printing on both sides.

CLOSED SESSION

Simacek moved and Yates seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session personnel issues as authorized by Statute to be discussed in closed session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that only the Board remain. Closed session began at 10:04 a.m.

RETURN TO REGULAR SESSION

Yates moved and Galusha seconded the motion to return to open session at 10:16 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.

DRIVEWAY PERMIT

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

T & R Peterson, Inc. – to widen an existing driveway to 40 feet on the west side of the NW ¼, Section 35-7-4, Bennett 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

Galusha moved and Capek seconded the motion to approve the following application for a permit to occupy county right-of-way:

K & K Myers – to bury an electrical line and a water line between the SE ¼, Section 34 and the SW ¼, Section 35-6-2, 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

Nays: Cerny

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Yates moved and Simacek seconded the motion to approve the following application for a permit to occupy county right-of-way:

Windstream – to bury communications cable between Sections 17 and 20-7-4, Bennett Township. Windstream 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

FLOOD PLAIN PERMIT

Kimbrough moved and Cerny seconded the motion to approve the flood plain permit application for project #C007610115 located on the east side of Section 1-8-1, Exeter Township to replace a 32' timber bridge with a triple 12' x 6' x 60' concrete box culvert, roadway grading, and erosion control. 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.

FLOOD PLAIN PERMIT

Cerny moved and Capek seconded the motion to approve the flood plain permit application for project #C003003030 located between Sections 9 and 16-6-1, Glengary Township to replace a 42' concrete arch bridge with a triple 14' x 12' concrete box culvert, roadway grading, and erosion control. 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.

FLOOD PLAIN PERMIT

Yates moved and Capek seconded the motion to approve the flood plain permit application for project #071015 located between Sections 32 and 33-6-2, Chelsea Township to replace a structurally deficient 16' concrete arch culvert with a triple 10' x 6' x 48' concrete box culvert, roadway grading, and erosion control. 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.

FLOOD PLAIN PERMIT

Galusha moved and Simacek seconded the motion to approve the flood plain permit application for project #BRO-7030(30) located between Sections 25 and 26-7-3, Geneva Township to replace a structurally deficient 32' concrete arch bridge with a 60' single span concrete girder bridge, channel grading, roadway grading, riprap placement, and erosion control. 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.

FLOOD PLAIN PERMIT

Cerny moved and Kimbrough seconded the motion to approve the flood plain permit application for project #BRO-7030(31) located between Sections 15 and 22-7-1, Liberty Township to remove a 32' steel stringer bridge and replace with a triple 12' x 10' x 58' concrete box culvert, roadway grading, channel shaping, erosion control, and seeding. 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.

FLOOD PLAIN PERMIT

Simacek moved and Capek seconded the motion to approve the flood plain permit application for project #BRO-7030(33) located between Section 27, 28, 33, and 34-7-2, Madison Township to remove a 24' timber bridge and twin box culvert with a triple 12' x 9' x 124' concrete box culvert, roadway grading, channel grading, CMP construction, riprap placement, erosion control, and seeding. 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.

PUBLIC HEARING

The public hearing for the Community Development Block Grant (CDBG) application was opened at 10:35 a.m. as advertised. As there was no one to appear to testify for or against the hearing was closed at 10:53 a.m.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

Highway Superintendent, Elmer Hessheimer presented an updated "Request to Occupy County Right-of-Way" permit application.

After discussion, Yates moved and Cerny seconded the motion to approve the updated Occupy County Right-of-Way permit application form. 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.

PROJECT LETTINGS

Elmer Hessheimer, Highway Superintendent informed the Board that he is waiting for the appraisal review on the BRO project located in Sections 33-34 & 27-34, Madison Township. This project was to be let in 2008, with this delay from the State, Elmer is recommending letting BRO project located in Sections 25 and 26 Geneva Township instead.

After discussion, the Board agreed with Elmer and will move the Geneva Township bridge project ahead of the Madison Township diagonal box project.

AUTHORIZE CHAIRMAN TO SIGN APPLICATION

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

RESOLUTION 2007 – 26

WHEREAS, the County of Fillmore County, Nebraska, is an eligible unit of a general government authorized to file an application under the Housing and Community Development Act of 1974 as Amended for Small Cities Community Development Block Grant (CDBG) Program, and,

WHEREAS, the County of Fillmore County, Nebraska has obtained its citizens' comments on community development and housing needs; and has conducted a public hearing upon the proposed application and received favorable public comment respecting the application which is for an amount of \$17,700 in CDBG funds to develop a new "Housing Market Study with Strategies for Affordable Housing" for all communities within Fillmore County; and,

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NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of Fillmore County, Nebraska that the Chairman be authorized and directed to proceed with the formulation of any and all contracts, documents or other memoranda between the County and the Nebraska Department of Economic Development so as to effect acceptance of the grant application.

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.

RURAL APPREHENSION PROGRAM

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

RESOLUTION #2007 - 25

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 2007 - 2008 grant period (RAP 17) will be \$3,317.00 (6,634 x \$0.50)

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.

TOWER LEASE AGREEMENT

After discussion, Simacek moved and Cerny seconded the motion to approve and sign the five (5) year contract with Horizon Broadcast Network to lease space on the old 911 tower. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MITIGATION PLAN

Mike Onnen from the Little Blue NRD presented to the Board the cost to develop a mitigation plan with the Little Blue NRD, Adams, Clay, Gage, Jefferson, Nuckolls, Pawnee, Saline, Thayer, and Webster counties. The approximate cost for each county would be \$6,000.00. After discussion, the Board has asked Mike to come back to the Board at a later date with a better assessment of the cost to complete this mitigation plan.

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

<u>GENERAL FUND:</u>		
Howard F. Ach, Atty.	Rent, Sup, Mile	\$3,476.48
Ameritas Life Insurance Corp.	Ret	2,804.28
Aquila	Uti	78.81
Auto Value Parts Stores	Sup	15.49
Axis Capital, Inc.	Ser	243.32
B & J Automotive, LLC	Rep	63.00
Blue Valley Action Partnership	Budget request	7,785.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Uti, Rent	668.00
Contryman Associates, P. C.	Ser	6,500.00
Geraldine Daniels	Mile	48.50
DAS Central Finance	Ser	448.00
Drummond American Corp.	Sup	216.84
Eakes Office Plus, Inc.	Ser	296.28
Earls Window Service	Ser	5.00
ETS Development Group, LLC	Ser	892.50
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Hospital	Ser	187.00
Fillmore County Treasurer	Post, Wksh, Transfers	164,385.80
First Concord Benefits Group, LLC	Ser	34.50
Gage County Clerk	Probation officer	2,599.07
Geneva State Bank	SS	2,971.13
Norma Gregory	Ret	25.00
Matt Harre	Mtgs, Mile	30.52
Holiday Inn	Lodging	129.90
Hometown Leasing	Ser	448.07
Ralph Kassik	Mtgs, Mile	27.61
Lafayette Life Insurance Co.	Insur	158.65
Latimer Reporting	Ser	72.10
Norma Lichtenberg	Mtgs, Mile	29.55
Thomas Manning	Mtgs, Mile	47.46
Ann H. McDonald	Ret	18.00
MIPS, Inc.	Ser, Sup	2,740.99
Morley Most	Mtgs, Mile	118.20
Rich Mueller / Tom Biegert	Rent	625.00
Nebraska Assoc. of County Officials	Wksh	60.00
The Nebraska Signal	Sup, Pro, Ads	1,207.31
Nick's Farm Store	Sup	14.12
Merle Noel	Mtgs, Mile	68.28
Reg Noel	Mtgs, Mile	28.58
Pioneer Publishing	Ad	24.00
Ken Real	Mtgs, Mile	54.25
Region V Services	Quarterly request	2,952.25
Cindy Slocum	Mtgs, Mile	23.73
State of Nebraska, Dept. Correctional Services	Boarding Prisoners	1,142.40
State of Nebraska HHS Laboratory	Ser	77.00
State of Nebraska Workforce Development	Ser	100.00
UN-L IS Telecommunications	Uti	19.58
USDA, APHIS	Ser	1,747.63
Brandy VanDeWalle	Lodging, Wksh, Meals, Mile	309.19
Windstream	Uti	563.06
York County Sheriff	Boarding Prisoners	715.00
Payroll	Salaries	41,073.85
<u>ROAD / BRIDGE FUND:</u>		
Alltel	Uti	\$86.79
Ameritas Life Insurance Corp.	Ret	1,570.69
Aquila	Uti	74.51
Auto Value Parts Stores	Parts, Sup	369.16
Business World Products	Ser	29.25
C & C Extinguisher Service	Ser	174.25
City of Geneva	Uti	47.60
Dorchester Farmers Coop	Fuel	2,509.96
Drummond American	Sup	124.65
Fillmore County Shop	Sup, Post	35.84
Fillmore County Treasurer	Wksh	70.00
Filter Care of Nebraska	Parts	120.65
Geneva Implement	Parts, Sup	66.85
Geneva State Bank	SS	1,721.31
Geneva Welding & Supply, Inc.	Sup, Parts	327.49
Ralph Gould	Ret	18.00

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Donovan Jirkovsky	Ret	25.00
Lafayette Life Insurance Company	Insur	88.89
Lauber Seed Farm	Sup	426.00
Lichti Oil	Fuel	1,509.48
Michl Service	Fuel	116.16
Mike's Radiator & Tire	Rep	20.00
Nebraska Iowa Industrial Fasteners	Freight	9.77
The Nebraska Signal	Ads	40.58
Nichols Construction	Gravel	54,076.07
Perennial Public Power	Uti	22.51
Power Plan	Parts	840.84
R & D Parts, LLC	Pars, Sup	76.19
Ralph's Geneva Tire & Service	Rep	62.45
Shell	Fuel	190.45
Speece Lewis Engineers	Ser	216.25
U. S. Postal Service	Post	14.55
Village of Fairmont	Uti	33.73
Village of Grafton	Uti	21.07
Village of Milligan	Uti	20.81
Village of Ohioa	Uti	20.00
Payroll	Salaries	23,906.46
JUVENILE DIVERSION FUND:		
Dave Wythers	Ser, Uti, Post, Insur	3,019.97
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	129.92
Janet Bartak	Mile	75.18
Judy Dondlinger	Ser	72.00
Exeter Care Center	HDM's	244.00
Exeter Golden Agers	USDA, LAAA	297.31
Fairmont Aging Services	USDA, LAAA	1,836.38
Fillmore County Treasurer	Post	123.00
Geneva Senior Center	USDA, LAAA, Rent, Uti, Sup	4,182.38
Geneva State Bank	SS	171.80
Holiday Inn Express Hotel & Suites	Lodging	80.95
Jeannine Krejci	Ser	96.00
Lafayette Life Insurance Company	Insur	9.00
Elizabeth Mattox Manning	Ser	132.00
Ron's Tavern	HDM's	221.00
Payroll	Salaries	2,257.43
DEQ GRANTS – TIRE CLEANUP FUND:		
Fillmore County Treasurer	Ad	48.80
Resource Management Company	Tire Recycling	6,866.16
Trailblazer RC & D	Tire Recycling	483.20
INHERITANCE TAX FUND:		
Fillmore County Treasurer	Transfers	16,000.00
Pierson, Fitchett, Hunzeker, Blake & Katt	Ser	4,916.55
ETHANOL PLANT ROAD BOND FUND:		
UMB Bank	Interest	7,613.75
HOSPITAL OPERATING FUND:		
Fillmore County Hospital	Sept. Taxes	11,039.47
NOXIOUS WEED FUND:		
Alltel	Uti	38.13
Ameritas Life Insurance Corp.	Ret	77.90
Central Community College Campus Accts	Wksh	100.00
Gaylord Craddock	Mile	49.97
Merlin Ehmen	Rent	220.00
Fillmore County Treasurer	Repay loan	5,000.00
Geneva State Bank	SS	88.29
Grafton Mini Mart	Fuel	174.65
Frances Heinrichs	Mile	32.98
Lafayette Life Insurance Company	Insur	1.36
Tim Schepers	Mile	23.28
Payroll	Salaries	1,154.12

CLAIMS APPROVED

Cerny 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.

COST ALLOCATION

Simacek moved and Yates seconded the motion to authorize the Chairman to sign the Cost Allocation Plan with Maximus for the fiscal year 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FAIRMONT RURAL FIRE DISTRICT

Simacek moved and Cerny seconded the motion to approve the bond for Mike Bruns and Lowell Stephenson with the Fairmont Rural Fire District. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

E911 EQUIPMENT CONTRACT

Pam Pinkerton, Account Manager and Brian Hicks Director of Business Sales with Windstream discussed the contract with Fillmore County and Windstream for E911 phase two. Fillmore County will be receiving a grant from the Public Service Commission for the equipment.

After discussion, Cerny moved and Kimbrough seconded the motion to approve and sign the contract with Windstream to purchase the equipment for E911 phase two. 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.

ADJOURNMENT

Agenda items “Regional Cooperation Agreement, Copy Machine, Flower Bed, Commencement Date Certificate for Horizon Broadcast Network, Hwy. 81 light contract with Advanced BioEnergy, LLC, addendum to Child Support Enforcement Contract, GIS data, and records retention” were tabled until the next Board meeting. As there were no other items to come before the Board, Cerny moved and Capek seconded the motion to adjourn until 9:10 a.m., October 23, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:16 a.m., October 23, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:24 a.m.

MINUTES APPROVED

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

RECORDS RETENTION

After discussion, Cerny moved and Kimbrough seconded the motion to allow only the County Clerk and the Board Chairman access to personnel records. Each department head can review their individual employee's files and employee can review their own file. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GIS WORKSHOP, INC.

After discussion, Cerny moved and Galusha seconded the motion to approve GIS Workshop, Inc. to process and sell Fillmore Counties GIS data for a flat fee of \$3,500.00 and the money will be deposited into the General Fund. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

KENO AT GREGORY'S

After discussion with County Treasurer Barbara Stephenson and City Clerk Barb Whitley, the Board was in agreement to continue our license to operate Keno at Gregory's for one more month through the end of October to allow the City of Geneva to obtain their license.

DRIVEWAY PERMITS

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

Wilma & Gerald Casper – widen existing driveway 6' to 8' to the south on the west side of the SW ¼ in Section 12-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY

Kimbrough moved and Cerny seconded the motion to approve the following application for a permit to occupy county right-of-way:

Windstream – to bury communications cable between Sections 25 and 36-7-3, Geneva Township. Windstream 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 the Fillmore County Officials.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REGION ONE COORDINATION & COMMUNICATIONS AGREEMENT

After discussion, Yates moved and Kimbrough seconded the motion to approve the Region One Coordination & Communications (ROCC) agreement with Jefferson, Gage, Lancaster, Seward, York, Thayer, Cass, Otoe, Johnson, Pawnee, Richardson, and Nemaha counties. This agreement will assist in numerous planning, exercise and training activities and interoperable communications within the region. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMPG SUBGRANT AWARD AGREEMENT

Kimbrough moved and Galusha seconded the motion to approve and sign the EMPG Subgrant Supplemental Award Agreement for \$8,209.00 for administrative expenses. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HOMELAND SECURITY GRANT FUND ACCEPTANCE

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

RESOLUTION 2007 – 27

WHEREAS, Fillmore County has participated in the federal Homeland Security Grant Program during the past three year and the emergency responders within the county have received equipment and training not otherwise available without State and Federal assistance and guidance.

NOW, THEREFORE, BE IT RESOLVED the Fillmore County Board of Supervisors does hereby resolve that, in order to provide for a coordinated FY 2007 Homeland Security Grant Program application on behalf of the first responders in Fillmore County, the Board has reviewed the grant process and application and does hereby approve submittal of the application to the State of Nebraska for 2006 Homeland Security Grant Program funding.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

CHILD SUPPORT ENFORCEMENT CONTRACT ADDENDUM

After discussion with Stephen Kraviec, Child Support Attorney, Cerny moved and Yates seconded the motion to approve and sign the addendum to the Child Support Enforcement Contract for Supplemental Services dated June 12, 2007 to include additional staffing of the office and purchase of supplemental office equipment. Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, 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 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 – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

<u>GENERAL FUND:</u>		
Alltel	Uti	\$371.03
Ameritas Life Insurance Corp.	Ret	2,529.95
Aramark Uniform Services, Inc.	Ser	411.48
Blue Cross / Blue Shield of Nebraska	Insur	16,476.13
Business World Products, Inc.	Sup	86.65
Casey's General Stores, Inc.	Fuel	1,032.09
Century Lumber Center	Sup	36.76
Marilyn Christiancy	Ret	25.00
CIDSA	Budget request	750.00
City of Geneva	Rent	440.00
Dell Marketing, L. P.	Sup	298.25
Duckwall – Alco Stores, Inc.	Sup	8.33
Eakes Office Plus	Sup, Ser	1,661.82

Fillmore County Treasurer	Post, Wksh	1,265.00
Galls	Sup	381.94
The Garbage Co.	Ser	125.47
Geneva State Bank	Ser, SS	2,680.19
Geneva Super Foods	Sup	700.59
Germer, Murray, & Johnson	Ser, Mile	965.71
Norma Gregory	Ret	25.00
Hometown Leasing	Ser	128.14
Hope Crisis Center	Budget request	1,040.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	2,529.31
Stephen J. Kraviec	Ser, Post	1,691.17
Madison County Sheriff	Boarding Prisoners	600.00
Terry Marshall	Uti, Meals	303.29
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	171.55
Mierau & Co., P. C.	Ser	1,200.00
MIPS, Inc.	Ser	400.00
Rich Mueller / Thomas Biegert	Rent	625.00
National Association of Counties	Dues	400.00
Nebraska Public Power District	Uti	1,810.99
The Nebraska Signal	Ads	128.80
Nebraska Technology & Telecommunications, Inc.	Uti	19.74
Nichols Collision Center	Sup	104.00
Norrie Construction	Rep, Sup	68.24
Mary Novak	Mile	19.89
O’Keefe Elevator Company, Inc.	Ser	215.00
Ralph’s Geneva Tire & Service Center	Rep, Sup	87.28
Region V Systems	EPC	1,320.00
Seiler & Parker, P. C.	Ser, Mile	1,986.68
Spencer, Fane, Britt & Browne, LLP	Ser	795.00
State of Nebraska HHS Laboratory	Ser	77.00
Darlene Vodicka	Mile	102.33
Weaver Pharmacy	Sup	259.53
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	3,695.35
York News – Times	Ad	46.36
Payroll	Salaries	36,862.21
ROAD / BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,567.15
Blue Cross / Blue Shield of Nebraska	Insur	10,812.45
Casey’s General Store	Fuel	2,632.70
Century Lumber Center	Parts, Sup	101.92
Dorchester Farmers Coop	Fuel	3,214.06
The Garbage Company	Ser	60.42
Geneva State Bank	SS	1,684.81
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	84.64
Grafton Oil	Fuel	1,196.69
Jacob North Companies	Sup	26.84
Donovan Jirkovsky	Ret	25.00
Kabredlo’s Inc.	Fuel	135.60
Kerry’s Auto Repair & Service	Parts, Rep, Sup	119.00
Lichti Oil	Fuel, Parts	2,601.99
Nebraska Bolt	Sup	80.61
NMC, Inc.	Parts	463.99
NMC, Inc.	Equip	167,806.00
Nebraska Public Power District	Uti	267.83
Roit Repair	Rep	14.98
Donna Saltzman	Ser	40.00
Superior Deshler, Inc.	Fuel	117.96
Village of Exeter	Uti	16.00
Windstream	Uti	100.51
Payroll	Salaries	23,429.33
ECONOMIC DEVELOPMENT – TOURISM:		
Century Lumber Center	Sup	40.00
McBattas Packaging & Printing	Ad	252.50
INSTITUTIONS FUND:		
State of Nebraska Health & Human Services	Sept. Patient Care	969.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	130.30
Blue Cross / Blue Shield of Nebraska	Insur	1,029.76

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Dawg's Smokehouse Café	HDM's	279.50
Geneva State Bank	SS	165.69
Rhonda Stokebrand	Mile	39.77
Payroll	Salaries	2,177.56
INHERITANCE TAX FUND:		
Pierson, Fitchett, Hunzeker, Blake & Katt	Ser, Sup	559.66
KENO FUND:		
Fillmore County Treasurer	Qrtly Return	586.23
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	84.99
Blue Cross / Blue Shield of Nebraska	Insur	514.88
Geneva State Bank	SS	130.75
Payroll	Salaries	1,709.12
E911 COMMUNICATIONS CENTER FUND:		
Nebraska Public Power District	Uti	139.51
Windstream	Uti	863.61

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

NOXIOUS WEED BOARD APPOINTMENT

Galusha moved and Yates seconded the motion to appoint Ron Isley to the Noxious Weed Board to fulfill Kenneth Hofferber's term through December 2010. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VETERAN'S BOARD APPOINTMENT

After discussion, Yates moved and Cerny seconded the motion to appoint Randy Capek to the Veteran's Service Board for a five year term ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PERMANENT PHYSICAL PIVOT STOP

Geraldine Daniels, Planning & Zoning Administrator presented to the Board the recommendation from the Planning Commission regarding changing the language of a permanent physical pivot stop after a public hearing on September 25, 2007.

After discussion, Simacek moved and Cerny seconded the motion to approve the following description as "A permanent physical pivot stop is to prevent a pivot from entering the road ROW with the equivalent stopping ability of a structure of a 6" inch pipe 10 ft. long and 4 ft. in the ground with cross pieces". Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WELL/PIVOT PERMIT

Geraldine Daniels, Planning & Zoning Administrator informed the Board that there was a landowner that refuses to get a zoning permit for a new well that has been drilled in Section 36-7-4, Bennett Township. After discussion, the Board requested that Geraldine have the County Attorney send a letter to the landowner of his responsibility as well as the well driller that drilled the well.

UPDATE FROM DEPUTY COUNTY ATTORNEY

October 23, 2007

Deputy County Attorney, Howard Ach informed the Board that he has not received an opinion back from the Attorney General in regards to the foreclosure on 1224 I Street. Howard also informed the Board that he still trying to settle the lawsuit with the Chiller.

ADJOURNMENT

Agenda items “Horizon Broadcast Network and Hwy. 81 light contract with Advanced BioEnergy, LLC” were tabled until the next Board meeting. As there was no other items to come before the Board, Cerny moved and Simacek seconded the motion to adjourn until 9:10 a.m., November 13, 2007. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:16 a.m., November 13, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:41 a.m.

MINUTES APPROVED WITH CORRECTION

Chairman of the Board, Mueller approved the minutes as presented with the following correction of a Physical Pivot Stop the correct motion was "A physical pivot stop is to prevent a pivot from entering the road ROW" and removing the word "permanent" and the description of an equivalent stop.

ZONING REGULATIONS

Deputy County Attorney, Howard Ach informed the Board that he could not send a letter to the landowner who refuses to get a well/pivot permit. After discussion, the Board will have the Zoning Board look into the zoning regulations.

CHILLER LAWSUIT

After discussion, the Board directed the Deputy County Attorney to try and get the chiller lawsuit settled by the end of this week.

CLOSED SESSION

Yates moved and Cerny seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and to consider in closed session pending litigation 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 the Deputy County Attorney, Hospital Administrator, Hospital CFO, and the County Clerk to remain. Closed session began at 9:21 a.m. regarding possible litigation.

RETURN TO REGULAR SESSION

Galusha moved and Simacek seconded the motion to return to open session at 9:46 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.

HOSPITAL LITIGATION

After discussion, Cerny moved and Kimbrough seconded the motion to take no action regarding the possible litigation against the Fillmore County Hospital after receiving a letter and discussion with the Deputy County Attorney. 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.

DRIVEWAY PERMIT

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

Helen Lynn Trust – install a new 40' driveway on the north side of the NE ¼, Section 18-6-1, 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.

SILT CLEANING PERMITS

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

- Bettger Brothers – to clean silt from the road ditch on the north side of the NW ¼, Section 21-8-2, Fairmont Township;
- Evelyn Burns – to clean silt from the road ditch on the south side of the SE ¼, Section 31-5-1, Franklin Township;
- Everett Votipka – to clean silt from the road ditch on the south side of the SW ¼, Section 12-6-2, Chelsea 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.

UTILITY AGREEMENT WITH PERENNIAL PUBLIC POWER

After discussion, Yates moved and Capek seconded the motion to approve the utility agreement with Perennial Public Power for the BRO-7030(31) project between Sections 15 and 22, Liberty Township in the amount of \$6,042.10. 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.

CONSTRUCTION ENGINEERING SERVICES SUPPLEMENTAL AGREEMENT

After discussion, Kimbrough moved and Cerny seconded the motion to approve the supplemental agreement with Construction Engineering Services for the Shickley North Bridge in the amount of \$10,545.80. The County will use soft match funds to pay for their 15% of this agreement. 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.

BRIDGE ON TOWNSHIP ROAD

Highway Superintendent, Elmer Hessheimer informed the Board that there is a bridge inside Section 9, West Blue Township that needs to be replaced. After discussion, the landowners will be notified to see what the needs and concerns are regarding this bridge. Item will be discussed a future Board meeting.

GPS SECTION CORNERS

Tom Krueger, County Surveyor informed the Board that he has set up a Geodetic Control Map for Fillmore County and will continue to update this map for future use. This map will have latitude/longitude, condition, soil type, and will also be an asset for the GIS system.

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

GENERAL FUND:		
Howard F. Ach, Atty.	Rent, Post, Sup, Copies	\$3,228.08
Ameritas Life Insurance Corp.	Ret	5,241.41
Jon Anderson	Uni	35.00
Aquila	Uti	77.82
Aramark Uniform Services, Inc.	Ser	483.97
Axis Capital, Inc.	Ser	243.32
B & J Automotive, LLC	Rep, Sup	326.32
Joseph N. Bixby, DR	Ser	562.50
William L. Burgess	Uni, Meals, Lodging, Fuel, Post	223.44
Daryl L. Callenius	Uni	35.00
Cass County Court	Copies	3.00
Century Lumber Center	Sup	28.29
Chaney Chemical, Inc.	Sup	412.30
City of Geneva	Uti	243.10
DAS Central Finance	Ser	448.00
Dell Marketing, LP	Equip, Ser	775.80

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Duckwall – Alco Stores, Inc.	Sup	37.89
Dugan Business Forms	Sup	43.74
Eakes Office Plus	Sup, Equip	1,336.73
Earls Window Service	Ser	5.00
Evercom	Sup	227.25
F & S Supply Co., Inc.	Sup	80.16
Fillmore County Building & Grounds	Sup, Misc.	109.77
Fillmore County Clerk	Ser	17.00
Fillmore County Hospital	Ser	321.16
Fillmore County Treasurer	Transfer, Interest, Uni, Post	9,779.98
First Concord Benefits Group, LLC	Ser	33.00
Galls	Sup	46.80
The Garbage Co., Inc.	Ser	125.47
Geneva State Bank	SS	5,542.10
Geneva Super Foods	Sup	660.36
Geneva Welding & Supply, Inc.	Sup	55.61
Hall County Court	Ser	2.00
Hometown Leasing	Ser	576.21
Steve Julich	Uni	35.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,796.00
Stephen J. Kraviec	Ser, Post	1,700.27
Lafayette Life Insurance Co.	Insur	163.15
Lease Consultants Corp.	Ser	124.50
Lynn Peavey Company	Sup	39.90
MIPS, Inc.	Ser, Misc.	2,346.82
The Nebraska Signal	Sup, Pro, Ads	1,725.74
Notary Public Underwriters of Nebraska, Inc.	Sup	87.50
Perennial Public Power District	Uti	65.62
Pioneer Publishing	Ads	24.00
Platte County Court	Ser	2.50
Platte Valley Community of Hastings	Sup	235.00
R. L. Polk & Co.	Sup	220.00
Ralph's Geneva Tire & Service Center	Rep	175.85
Steven G. Roemmich	Uni	35.00
Shell Fleet Plus	Fuel	1,621.93
State of Nebraska – DAS	Sup	10.00
Chad Summers	Uni	35.00
Mary Tesar	Mile	67.90
UN-L IS-Telecommunications	Uti	9.62
Brandy VanDeWalle	Wksh, Meals, Mile	78.34
Weaver Pharmacy	Sup	251.90
Daniel Werner	Ser, Mile	1,826.69
Windstream	Uti	175.21
Payroll	Salaries	76,754.38
ROAD/BRIDGE FUND:		
Reinhart & Elaine Ackerman	ROW, Fencing	5,336.00
Alltel	Uti	86.56
Ameritas Life Insurance Corp	Ret	3,127.56
Aquila	Uti	74.66
Aurora Coop	Fuel	21,756.00
Auto Value Parts Stores	Parts, Sup	395.18
Business World Products	Ser	29.25
Casey's General Store	Fuel	260.69
Century Lumber Center	Sup, Misc.	84.56
City of Geneva	Uti	56.90
Dorchester Farmers Coop	Fuel, Rep, Sup	1,074.89
Exeter Lumber Company	Sup	9.89
Farm Plan	Parts	894.23
Fillmore County Shop	Post, Sup, Misc	31.02
Filter Care of Nebraska	Parts	40.70
Friesen Chevrolet, Inc.	Parts, Rep, Sup	793.37
Gambles	Sup	96.85
The Garbage Company	Ser	60.42
Geneva Engineering, Inc.	Equip. Rental	303.75
Geneva Implement	Parts	35.44
Geneva State Bank	SS	3,410.21
Geneva Welding & Supply, Inc.	Sup, Parts	719.40
Grafton Oil	Fuel, Sup	3,035.77
Heath, Inc.	Rep	50.00
Elmer Hessheimer	Sup	67.59
Kamler's Garage	Equip. Rental	180.00
Lafayette Life Insurance Company	Insur	88.89
Lichti Oil	Fuel, Parts	6,860.90
M & B Business Machine Service	Equip, Ser	3,375.00

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Marlborough	Sup	86.50
Mike's Radiator & Tire	Rep, Sup	95.00
Nebraska Bolt	Sup	27.49
Nebraska Iowa Industrial Fasteners	Sup	88.99
Newman Traffic Signs	Sup	54.90
Nichols Construction	Gravel	80,362.08
Overland Sand & Gravel	Gravel	1,106.05
Perennial Public Power District	Uti	55.48
R & D Parts LLC	Parts, Sup	218.06
Ralph's Geneva Tire & Service Center	Sup, Rep	388.50
Ramkota Hotel	Lodging	146.00
Shell	Fuel	2,763.39
Speece Lewis Engineers	Ser	1,379.94
Superior Deshler, Inc.	Fuel	60.11
USIS Commercial Services	Ser	89.70
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	33.92
Village of Grafton	Uti	21.07
Village of Shickley	Uti	229.92
Payroll	Salaries	47,389.27
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	259.84
Janet Bartak	Mile, Sup	87.56
Dawg's Smokehouse Café	HDM's	260.00
Exeter Senior Center	USDA	294.46
Fairmont Aging Services	USDS, LAAA, HDM's	1,843.79
Geneva Senior Center	Sup, Uti, Rent, HDM's, USDA, LAAA	3,139.03
Geneva State Bank	SS	334.33
Susan Kerl	Ser	168.00
Jeannine Krejci	Ser	144.00
Lafayette Life Insurance Company	Insur	9.00
Brenda Motis	Sup, Mile	127.57
Ron's Tavern	HDM's	263.50
Shell Fleet Plus	Fuel	60.30
Rhonda Stokebrand	Mile	45.58
Payroll	Salaries	4,393.50
COURTHOUSE BOND FUND:		
Fillmore County Treasurer	Interest	19,071.25
ROAD BOND FUND:		
Fillmore County Treasurer	Principal & Interest	80,096.25
HOSPITAL OPERATING FUND:		
Fillmore County Hospital	Taxes for October	685.14
NOXIOUS WEED FUND:		
Action Auto Supply	Parts	82.00
Alltel	Uti	38.09
Ameritas Life Insurance Corp.	Ret	155.80
Merlin Ehmen	Rent	220.00
Geneva State Bank	SS	176.58
Geneva Welding & Supply, Inc.	Rep	146.12
Grafton Mini Mart	Fuel	161.80
Lafayette Life Insurance Company	Insur	1.36
Lichti Oil	Fuel	70.00
Ralph's Geneva Tire & Service Center	Rep	16.50
Payroll	Salaries	2,308.24
E911 COMMUNICATIONS FUND:		
Windstream	Uti	119.37

CLAIMS APPROVED

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

The Chairman declared the motion carried.

REGIONAL BOARD OF EMERGENCY MANAGEMENT

November 13, 2007

After discussion, Cerny moved and Capek seconded the motion to appoint Steve Yates to the Regional Board of Emergency Management. 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.

FEE REPORTS

Simacek moved and Yates seconded the motion to approve the following fee reports for the month of September and October 2007 and Rural Transit Report:

County Clerk: \$6,396.56 (State \$3,104.55 & County \$3,292.01)
Clerk of District Court: September \$617.39 and October \$497.14
Sheriff: \$1,349.25

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.

RED RIBBONS

The Board approved to have red ribbons placed on the two north doors and the south door.

COMMUNICATION SYSTEM

Bill Burgess, County Sheriff and Terry Marshall, Emergency Manager explained to the Board how the new communication system works with Fire, EMS, EMT's, and Police.

ADJOURNMENT

Agenda item "Mitigation Plan with NRD" was tabled until the next Board meeting. As there was no other items to come before the Board, Cerny moved and Kimbrough seconded the motion to adjourn until 9:00 a.m., November 27, 2007. Upon roll call, the vote was as follows:

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

Nays: None Absent: Simacek

The Chairman declared the motion carried.

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., November 27, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. 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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:55 p.m.

MINUTES APPROVED

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

PUBLIC HEALTH SOLUTIONS

M. Jane Ford Witthoff, Health Director for Public Health Solutions presented the annual report to the Board.

DRIVEWAY PERMITS

Capek moved and Yates seconded the motion to approve the following applications for driveway permits:

Verlyn Naimon – remove and install a new driveway on the north side of the NE ¼, Section 5-6-2, Chelsea Township;

LaVern Vejraska – to widen an existing driveway on the east side of the NE ¼, Section 34-6-1, Glengary Township and to install a new 40' driveway on the NE ¼, Section 34-6-1, Glengary Township;

Tony Lauenstein – to widen an existing driveway on the west side of the SW ¼, Section 7-6-4, Momence 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 PERMITS

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

Tony Lauenstein – clean silt from the road ditch on the west side of the SW ¼, Section 7-6-4, Momence Township;

Circle 5 Feedlot – clean silt from the road ditch on the south side of the SW ¼, Section 25-8-3, West Blue 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

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

Windstream Communications – to bury communications cable between the SW ¼, Section 26-5-4 and the NW ¼, Section 35-5-4, Bryant Township. Windstream agrees to cooperate fully with the officials of Fillmore County and will keep them fully informed of all construction and 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 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.

BRIDGE ON TOWNSHIP ROAD

After discussion, the Board directed the Highway Superintendent to have the bridge in Section 9, West Blue Township tested to receive a correct tonnage report so that the bridge is signed correctly. At this point the bridge will remain open.

CLOSED SESSION

Yates moved and Capek seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska 1943, for the protection of the public interest and to consider in closed session personnel issues 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 the Emergency Manager remain. Closed session began at 10:04 a.m. regarding personnel issues.

RETURN TO REGULAR SESSION

Kimbrough moved and Galusha seconded the motion to return to open session at 10:23 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.

APPROVE WAIVER OF CONFLICT LETTER

Deputy County Attorney, Howard Ach presented a request from Erickson & Sederstrom, P. C. to approve and sign a waiver of conflict letter drafted by William Nelson. William Nelson represented the County in the matter of Fillmore County, Nebraska vs. Geary Engineering, Inc., et al. involving the dispute regarding the failure of the chiller. Mr. Nelson can no longer represent the County due to the fact that he is currently employed by Erickson & Sederstrom, P. C. who is representing JLC Incorporated in this legal matter.

After discussion, Cerny moved and Yates seconded the motion to approve and sign the waiver of conflict of interest letter, which will release Erickson & Sederstrom, P. C. to continue to represent JLC Incorporated in this legal matter. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LITTLE BLUE NRD MITIGATION PLAN

After discussion and conference call with Mike Onnen with the Little Blue NRD, Yates moved and Kimbrough seconded the motion to approve and sign the interlocal agreement with Little Blue NRD and nine other counties to create a Hazard Mitigation Plan with the cost being approximately \$3,000.00. 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.

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

GENERAL FUND:		
Joan Ackland	Meals, Sup	\$183.22
Alltel	Uti	614.23
Ameritas Life Insurance Corp.	Ret	2,723.96
B & J Automotive, LLC	Rep	58.86
Blue Cross / Blue Shield of Nebraska	Insur	16,991.01
Bottorf & Maser, Atty.	Ser, Mile	667.38
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	440.00
Dell Marketing, L.P.	Equip, Sup	1,644.32
Robert Dumpert	Mtgs, Mile	118.20
Eakes Office Plus	Sup	20.94
Sharon Elznic	Mtgs, Mile	91.04
Executive Copier Services	Sup	178.93
Fillmore County Court	Ser	593.25
Fillmore County Medical Center	Ser	49.55
Fillmore County Treasurer	Witness Fees	657.33
First Concord Benefits Group, LLC	Ser	33.00

Gambles	Sup	4.58
Geneva State Bank	Ser, SS	2,879.16
Norma Gregory	Ret	25.00
JEO Consulting Group, Inc.	Ser	460.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	3,717.99
Lancaster County Sheriff	Ser	8.64
Lease Consultants Corp.	Ser	249.00
Maximus, Inc.	Ser	1,164.89
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	200.00
Mid-American Research Chemical	Sup	576.40
MIPS, Inc.	Ser, Sup	412.42
Rich Mueller / Thomas Biegert	Rent	625.00
National Association of Veterans Service Office	Dues	30.00
Nebraska Association of County Officials	Wksh	1,320.00
Nebraska Public Power District	Uti	748.37
The Nebraska Signal	Ad	38.71
Amy Nelson	Mile	50.44
Newman Traffic Signs	Sup	43.23
Southeast District Assessors Association	Dues	20.00
Seiler & Parker, PC	Ser, Mile	1,169.38
The Sentinel	Subscription	28.00
Seward County Sheriff	Ser	28.39
Shell Fleet Plus	Fuel	2,301.39
State of Nebraska Department of Motor Vehicles	Ser	4.00
State of Nebraska Public Health Environmental Lab	Ser	154.00
University of Nebraska	Sup	128.44
Daniel L. Werner, P. C, L. L. O.	Ser	123.00
West Payment Center	Sup, subscription	488.00
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,197.39
Joyce Wusk	Mile	36.86
Payroll	Salaries	39,463.57
ROAD/BRIDGE FUND:		
Ameritas Life Insurance Corp.	Ret	1,570.28
Blue Cross / Blue Shield of Nebraska	Insur	10,812.45
Dorchester Farmers Coop	Fuel	4,116.43
Farm Plan	Parts	160.21
Gambles	Sup	116.13
Geneva Implement Company	ROW, Easement	775.00
Geneva State Bank	SS	1,727.44
Ralph Gould	Ret	18.00
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	1,316.92
Nebraska Association of County Officials	Wksh	120.00
Nebraska Public Power District	Uti	178.96
NMC, Inc.	Parts, Sup	1,259.12
Perennial Public Power	Uti	32.68
Shickley Lumber	Tools	12.99
Speece Lewis Engineers	Ser	287.31
Windstream	Uti	228.88
Payroll	Salaries	23,986.54
INSTITUTIONS FUND:		
State of Nebraska Health & Human Services	Oct. Patient Care	699.00
SENIOR SERVICES FUND:		
Ameritas Life Insurance Corp.	Ret	129.92
Janet Bartek	Mile	67.90
Blue Cross / Blue Shield of Nebraska	Insur	1,029.76
Judy Dondlinger	Ser	168.00
Geneva State Bank	SS	166.99
Elizabeth Mattox Manning	Ser	132.00
Shell Fleet Plus	Fuel	39.12
Payroll	Salaries	2,194.50
NOXIOUS WEED FUND:		
Ameritas Life Insurance Corp.	Ret	77.90
Blue Cross / Blue Shield of Nebraska	Insur	514.88
Geneva State Bank	SS	88.29
Payroll	Salaries	1,154.12
E911 COMMUNICATIONS FUND:		
Nebraska Public Power District	Uti	126.75
Windstream	Uti	981.80

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.

GENEVA RURAL FIRE DISTRICT BOND

Yates moved and Simacek seconded the motion to approve the bond for James White for a term beginning November 1, 2007 and ending November 1, 2008 for the Geneva Rural Fire District. 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.

MAXIMUS CONTRACT

After discussion, Cerny moved and Capek seconded the motion to approve the Maximus contract for preparation of cost allocation plans for fiscal years 2007, 2008, and 2009. 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.

EMPLOYEE RECOGNITION DINNER

Kimbrough moved and Yates seconded the motion to approve the employee recognition dinner on February 2, 2008 at Evening with Friends in Milligan. 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 GRANTS

Grant requests were received for 37 projects for a total of \$73,940.56. The amount available to be rewarded was \$31,925.82. This is the last year that the County will have KENO funds available. The following are the KENO grant applications the Board approved:

Strang Country Cousins 4-H Club	\$2,000.00	Fillmore Central Music Boosters	\$730.82
Grace Lutheran Cemetery Association	700.00	Exeter Ball Association	825.00
Exeter Ball Association	500.00	G. F. W. C. Exeter Woman's Club	300.00
Geneva Lodge #79 Masons	1,000.00	Beautify Geneva Committee	400.00
Fillmore County Hospital Auxiliary	1,300.00	Geneva Ball Players' Association	1,000.00
Discover Geneva Promotion Committee	1,000.00	Fillmore Central Speech/Drama Boosters	500.00
Fairmont American Legion Post #21	480.00	Fairmont Aging Service	430.00
American Legion Auxiliary Unit #218	425.00	American Legion Post #218	1,500.00
Fairmont Cemetery Association	1,000.00	Fairmont Public Library	600.00
Geneva Arts Council	1,500.00	Milligan Volunteer Fire Department	2,500.00
Ohiowa Chamber of Commerce	1,500.00	American Legion Auxiliary Unit #21	560.00
Geneva Activities and Education Department	1,375.00	Geneva Volunteer Fire Department	1,000.00
South Central Nebraska Visually Impaired Peer Support	1,000.00	Shickley Legion Post #164	1,500.00
Fillmore County Health Fair	700.00	Fillmore County EMS	5,000.00
Fillmore County Historical Society	600.00		
		TOTAL	\$31,925.82

ADJOURNMENT

Agenda item "Surplus Items" was tabled until the next Board meeting and agenda item "Clerk of the District Court was tabled until December 7th when a special meeting will be held. As there were no other items to come before the Board, Capek moved and Cerny seconded the motion to adjourn until 9:10 a.m., December 11, 2007. 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.

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 7, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication and by posting at three different locations. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 10:32 a.m.

INTERIM CLERK OF DISTRICT COURT APPOINTMENT

After discussion, Kimbrough moved and Yates seconded the motion to appoint Pat Engle as the interim Clerk of District Court until an appointment can be made to fulfill the three year term. 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.

APPOINTMENT TO THE CLERK OF THE DISTRICT COURT

After discussion, Kimbrough moved and Cerny seconded the motion to take applications to fulfill the Clerk of the District Courts remaining three year term. 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.

CLERK OF DISTRICT COURT

After discussion, Yates moved and Cerny seconded the motion to keep the Clerk of the District Court position as an elected position. 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.

ADJOURNMENT

As there were no other items to come before the Board, Capek moved and Galusha seconded the motion to adjourn until 9:10 a.m., December 11, 2007. 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.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 11, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. Cerny absent at 10:40 a.m. and Simacek was absent at 11:30 a.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 publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:37 a.m.

MINUTES APPROVED

Chairman of the Board, Mueller approved the minutes with the following correction to the December 7th minutes. Visitors were Albert Wise, Daryl Callenius, Pat Engle, Hannele Plettner, Judge Vicky Johnson, County Attorney Jill Cunningham, and Deputy County Attorney Howard Ach.

FEE REPORTS

Simacek moved and Cerny seconded the motion to approve the following fee reports for the month of November 2007 and the Fillmore County Rural Transit Service:

County Clerk: \$4,999.50 (State share \$2,752.30 & County \$2,247.20)
Clerk of District Court: \$642.45
Sheriff: \$903.94

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.

VISITOR'S COMMITTEE

After discussion, the Board was in agreement that Wanda Overton would be allowed to attend the meetings of the visitor's committee, but at this time they had a representative from the hotel industry and when an appointment became available they would consider getting someone from the Budget Host Inn. This was also what the visitor's committee had discussed as well.

DRIVEWAY PERMITS

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

HRW Farming – install three (3) new 40' driveways on the north and east side of the NE ¼, Section 19-5-1, Franklin Township;
Reginald Sissal Trust – install a new 40' driveway on the north side of the NE ¼, Section 29-5-3, Hamilton Township;
Robert G. Lovegrove – install a new 40' driveway on the south side of the SE ¼, Section 14-7-3, Geneva Township;
Robert G. Lovegrove – widen two (2) existing driveways to 40' on the west side of the NW ¼, Section 31-8-3, West Blue Township;
Robert G. Lovegrove – install a new 40' driveway on the north side of the NE ¼, Section 21-8-4, Grafton Township;
Robert D. Lovegrove – widen an existing driveway to 40' on the south side of the SE ¼, Section 8-7-4, Bennett Township;
Christin Lovegrove – widen an existing driveway to 40' on the north side of the NW ¼, Section 14-8-2, Fairmont Township;
Henry Rohla – install a new 40' driveway on the south side of the SW ¼, Section 36-7-2, Madison 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

Simacek moved and Kimbrough seconded the motion to approve the following application for a permit to occupy county right-of-way:

Scott Schlegel – to bury electrical line between the SE ¼ of Section 10 and the NE ¼ of Section 15-5-2 Belle Prairie Township. The owner agrees to cooperate fully with the officials of Fillmore County and will keep them informed of all construction and 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 the 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.

CONSULTANT CONTRACT FOR 2008

After discussion, Cerny moved and Kimbrough seconded the motion to approve the consultant contract for a term beginning January 1, 2008 through December 31, 2008 with Speece Lewis Engineers with 3.5% to 4.5% increase depending on the job. 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.

TREE CLEAN-UP ON COUNTY RIGHT-OF-WAY

After discussion, the Board decided to have the County Attorney send letters to landowners on the west side of Section 26, Fairmont Township and the north and west side of Section 35 Fairmont Township to inform the landowners by State Statute it is the landowners responsibility to clean-up trees in the County-right-of-way.

FLOODPLAIN PERMIT

Kimbrough moved and Capek seconded the motion to approve the floodplain permit between the SW corner of the SE ¼, Section 16-6-3 and the NW corner of the NE ¼, Section 21-6-3, Stanton Township, will replace a small concrete structure with 2-48” arch steel culverts. 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.

FLOODPLAIN PERMIT

Yates moved and Galusha seconded the motion to approve the floodplain permit between the south part of the SW ¼, Section 22-6-3 and the north part of the NW ¼, Section 27-6-3, Stanton Township, will replace a timber bridge structure with 3-48” arch steel culverts. 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.

FLOODPLAIN PERMIT

Simacek moved and Cerny seconded the motion to approve the floodplain permit between the south part of the SE ¼, Section 27-5-1 and the north part of the NE ¼, Section 34-5-1, Franklin Township, will replace a concrete bridge structure with 2-72” round steel culverts. 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.

SURPLUS ITEMS

After discussion, Yates moved and Simacek seconded the motion to declare a copier and two generators (that are not functional) surplus and to sell all surplus items in the spring. 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.

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

GENERAL FUND:		
Howard Ach, Atty.	Rent, Post, Sup	\$3,186.30

December 11, 2007

Ameritas Life Insurance Corp.	Ret	2,650.04
Jon Anderson	Uni, Post, Fuel	89.62
Andrews Electric Co., Inc.	Rep, Sup	660.86
Aquila	Uti	413.19
Aramark Uniform Services, Inc.	Ser	310.56
Axis Capital, Inc.	Ser	243.32
Barnas Drug, Inc.	Sup	73.31
Joseph N. Bixby	Ser	397.50
William L. Burgess	Uni, Meals, Lodging	276.95
Daryl L. Callenius	Uni	35.00
Randall Capek	Mile	13.58
City of Geneva	Uti	108.00
DAS Central Finance	Ser	448.00
Diebold, Inc.	Main	144.00
Duckwall – Alco Stores, Inc.	Sup	80.20
Dugan Business Forms	Sup	521.88
Eakes Office Plus	Sup	729.23
Earls Window Service	Ser	5.00
Fillmore Central Elementary School	Misc.	30.00
Fillmore County Development Corp.	Budget Request	10,000.00
Fillmore County Treasurer	Taxes, Post, Sup, Transfer	9,434.37
Franklin County Treasurer	Sup	13.25
Galls	Sup	239.36
Geneva State Bank	SS	2,793.66
Geneva Super Foods	Sup	343.43
Geneva TV & Appliance, Inc.	Sup	6.00
Geneva Welding & Supply, Inc.	Rep	51.03
Hilty's of Geneva	Sup	4.36
Hometown Leasing	Ser	704.65
Lambert Hopken	Mile	129.98
Steve Julich	Uni	35.00
Richard Kleinschmidt	Mile	7.76
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,187.00
Stephen Kraviec	Ser, Post	1,688.11
Lafayette Life Insurance Co.	Insur	158.65
Lancaster County Court	Ser	3.75
Harold Long	Mile	9.22
Midwest Radar & Equipment, Inc.	Sup	150.00
MIPS, Inc.	Ser, Sup	2,539.92
Moore Wallace	Sup	59.25
Naomi Mussman	Lodging	308.55
Nebraska Association of County Officials	Dues	1,157.86
The Nebraska Signal	Ads	377.03
Nebraska State Bar Assoc.	Dues	320.00
O'Keefe Elevator Company, Inc.	Maint	202.08
Ralph's Geneva Tire & Service Center	Rep, Sup	102.05
Steven Roemmich	Uni	35.00
State of Nebraska Dept. of Admin. Services	Ser	92.49
Secretary of State Rules & Regs.	Ser	40.00
Chad Summers	Uni	35.00
Julie Tucker	Mile	52.38
UN-L IS-Telecommunications	Uti	9.43
Brandy VanDeWalle	Meals, Mile	59.21
Gary Wagner	Uni	35.00
Watchguard Video	Equip	5,020.00
Windstream	Uti	216.35
Joyce Wusk	Mile	36.86
York County Court	Ser	2.25
Payroll	Salaries	38,626.89
ROAD/BRIDGE FUND:		
Alltel	Uti	86.56
Ameritas Life Insurance Corp.	Ret	1,569.00
Aquila	Uti	200.18
Auto Value Parts Stores	Parts, Sup	408.58
B's Enterprises	Sup	840.00
Casey's General Store	Fuel	115.60
City of Geneva	Uti	50.70
Dorchester Farmers Coop	Fuel	8,922.23
Filter Care of Nebraska	Parts	56.35
Geneva State Bank	SS	1,670.66
Geneva Welding & Supply, Inc.	Parts, Rep	320.36
Hilty's of Geneva	Sup	16.32
Kerry's Auto Repair & Service	Parts, Rep	491.43
Lafayette Life Insurance Company	Insur	88.89

December 11, 2007		
Lichti Oil	Fuel, Sup, Parts	1,823.15
Nebraska Bolt	Sup	43.48
Nebraska Truck & Equipment	Parts	67.02
Newman Traffic Signs	Sup	667.65
Nichols Construction	Gravel	48,207.37
Perennial Public Power	Uti	25.57
Platte Valley Communications	Rep, Equip	520.41
Power Plan	Parts	571.78
R & D Parts	Sup, Tools	233.69
Ralph's Geneva Tire & Service	Sup, Rep	361.35
Shell	Fuel	3,722.47
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	19.83
Village of Grafton	Uti	21.07
Payroll	Salaries	23,244.42
<u>ECONOMIC DEVELOPMENT – TOURISM</u>		
Revitalize Geneva	Ads	250.00
<u>SENIOR SERVICES FUND:</u>		
Ameritas Life Insurance Corp.	Ret	129.92
Dawg's Smokehouse Café	HDM's	130.00
Exeter Senior Center	USDA	102.66
Fairmont Aging Services	USDA	390.18
Fillmore County Treasurer	Post	164.00
Geneva Senior Center	Uti, Rent, USDA, Misc	1,862.84
Geneva State Bank	SS	185.14
Susan Kerl	Ser	132.00
Jeannine Krejci	Ser	132.00
Lafayette Life Insurance Company	Insur	9.00
Brenda Motis	Mile, Sup	112.83
Ron's Tavern	HDM's	296.75
Payroll	Salaries	2,431.81
<u>LAW ENFORCEMENT GRANT FUND:</u>		
Applied Concepts, Inc.	Equip	1,195.00
<u>INHERITANCE TAX FUND:</u>		
Barb Nunns	Ser	350.00
<u>HOSPITAL OPERATING FUND:</u>		
Fillmore County Hospital	Taxes for Nov.	560.96
<u>NOXIOUS WEED FUND:</u>		
Alltel	Uti	38.09
Ameritas Life Insurance Corp.	Ret	77.90
Merlin Ehmen	Rent	220.00
Exeter Lumber Co.	Sup	33.98
Geneva State Bank	SS	88.29
Grafton Mini Mart	Fuel	162.64
Lafayette Life Insurance Co.	Insur	1.36
Payroll	Salaries	1,154.12
<u>E911 COMMUNCATIONS FUND:</u>		
Andrews Electric Co., Inc.	Main	52.00

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

ALL HAZARDS MITIGATION RESOLUTION

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

RESOLUTION 2007-28

WHEREAS, a joint All-Hazards Mitigation Plan identifies the vulnerability of public bodies to natural or man-made hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

The Chairman declared the motion carried.

Attest

Chairman

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 31, 2007, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Mueller presiding. Members present were Cerny, Kimbrough, Simacek, Capek, Galusha, and Yates. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by posting in three locations and by broadcasting on radio station KAWL. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned sine die at 11:20 a.m.

CLOSED SESSION

Kimbrough moved and Yates seconded the motion that the Fillmore County Board of Supervisors hold a closed session at this time pursuant to Section 84-1410, Reissue, Revised Statutes of Nebraska 1943, for the protection of the public interest and to consider in closed session personnel issues by Statute to be discussed in closed session. 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 and requested that the County Clerk remain. Closed session began at 10:06 a.m. regarding personnel issues.

RETURN TO REGULAR SESSION

Capek moved and Simacek seconded the motion to return to open session at 10:37 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.

CLERK OF THE DISTRICT COURT APPOINTMENT

After discussion, Kimbrough moved and Yates seconded the motion to offer the Clerk of the District Court position to candidate #1, if they would not accept then offer to candidate #6. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN SINE DIE

As there were was no other business to come before the Board, Simacek moved and Capek seconded the motion to adjourn sine die until 9:00 a.m., January 8, 2008. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman