

Fillmore County Board Minutes



January 11, 2011

Reorganization Meeting

The Fillmore County Board of Supervisors convened to reorganize, as required by statute, in open and public session at 9:10 a.m. on January 11, 2011, in the Courthouse Boardroom in Geneva, Nebraska. Members present were Yates, Noel, Simacek, Capek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The reorganization meeting adjourned at 9:36 a.m.

ELECTION OF CHAIRMAN

The County Clerk, acting as temporary Chairman, called the meeting to order at 9:10 a.m. The first order of business was the election of a Chairman for the year 2011. Mueller nominated Capek and Simacek seconded the nomination and requested that nominations cease and that a unanimous ballot be cast. Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Capek

The temporary Chairman declared Capek to be the Board Chairman for the year 2011 and Capek assumed the chair.

ELECTION OF VICE-CHAIRMAN

Chairman Capek asked for nominations for Vice-Chairman. Simacek nominated Cerny and Yates seconded the motion and requested that nominations cease and that a unanimous ballot be cast. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared that Cerny would be Vice-Chairman of the Board for 2011.

NAMING OFFICIAL BANK DEPOSITORIES

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

RESOLUTION 2011-01

BE IT RESOLVED by the Fillmore County Board of Supervisors that the First National Bank of Exeter, the Geneva State Bank of Geneva, Shickley, Grafton, and Fairmont, 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: Simacek, Noel, Cerny, Mueller, Galusha, Capek, and Yates

Nays: None

The Chairman declared the resolution adopted.

AUTHORIZED INVESTMENTS

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



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RESOLUTION 2011-02

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

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

DEPOSIT OF SURPLUS FUNDS

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

RESOLUTION 2011-3

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 Section 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 Section 77-2314, Revised Statutes of Nebraska, capital shall mean capital stock, surpluses, undivided profits, capital notes or debentures, and other unimpaired reserves, and

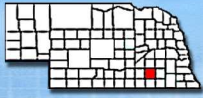
WHEREAS, paid up capital at Fillmore County Banks is as follows:

First National Bank of Exeter	\$ 3,497,536.36
Geneva State Bank of Geneva, Shickley, Grafton, and Fairmont	\$ 17,618,313.54
York State Bank & Trust Company of Geneva & York	\$ 15,552,154.88
Cornerstone Bank of York and Geneva	\$ 80,105,104.00
Farmers and Merchants Bank of Milligan	\$ 4,496,632.25

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 2011, 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 Deposit Insurance Corporation. Bonds 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:



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

Nays: None

The Chairman declared the resolution adopted.

SECURITIES COMMITTEE

Mueller moved and Simacek 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 Cerny to sign if Yates is unavailable. Upon roll call, the vote was as follows:

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

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 claims for his/her office before the allowance of any and all claims. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EQUIPMENT PURCHASE

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

Nays: None

The Chairman declared the motion carried.

LEGAL NEWSPAPER

Yates moved and Mueller seconded the motion to declare The Nebraska Signal the legal newspaper for Fillmore County. Upon roll call, the vote was as follows:

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

Nays: None

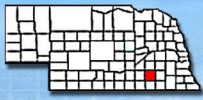
The Chairman declared the motion carried.

PUBLIC HEALTH BOARD

Cerny moved and Yates seconded the motion to appoint the County Attorney, Jill Cunningham; County Sheriff, William Burgess; County Clerk, Amy Nelson; County Coroner, Shaun Farmer; County Supervisor Capek, and Fillmore County Hospital Chief of Staff, to the Fillmore County Public Health Board for a one year term beginning January 1, 2011 and ending December 31, 2011. Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the motion carried.

ROAD REPORTS TO SUPERVISORS

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

Nays: None

The Chairman declared the motion carried.

CONTRACT WITH GENEVA WELDING & SUPPLY

After discussion, Mueller moved and Noel seconded the introduction of the following resolution:

RESOLUTION 2011-04

WHEREAS, Steven Yates is a member of the Board of Supervisors of Fillmore County, Nebraska;

WHEREAS, Steven Yates is the sole proprietor of a business operated in Geneva, Fillmore County, Nebraska under the name of Geneva Welding and Supply, Inc.; and

WHEREAS, the County of Fillmore on a regular basis does business with Geneva Welding and Supply, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Fillmore County, Nebraska does hereby approve the purchase of merchandise and material from Steven Yates doing business as Geneva Welding and Supply, Inc., and the sale by Steven Yates of merchandise and material to the County of Fillmore on a per invoice basis in an amount not to exceed \$5,000.00, without the prior approval by virtue of a resolution passed by the Board of Supervisors of Fillmore County, Nebraska;

BE IT FURTHER RESOLVED, the Board of Supervisors directs that the Clerk of Fillmore County, Nebraska, maintain a separate ledger relative to any purchases made by representative of the County of Fillmore from Geneva Welding and Supply, Inc., or contracts for the purchase of any material, which ledger contains the following information as provided for by Nebraska Revised Statute §49-14, 103.02:

- 1) Names of the contracting parties;
- 2) Nature of the interest of the officer in question;
- 3) Date that the contract was approved by the governing body;
- 4) Amount of the contract; and
- 5) Basic terms of the contract.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Yates

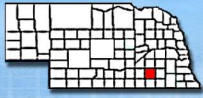
The Chairman declared the resolution adopted.

COUNTY PHYSICIAN

Simacek moved and Cerny seconded the motion to appoint the acting Hospital Chief of Staff as the County Physician. Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the motion carried.

REPRESENTATIVE TO DEVELOPMENT CORPORATION MEETINGS

Yates moved and Mueller seconded the motion to appoint Merle Noel as the representative of the Fillmore County Board at meetings of the Fillmore County Development Corporation for 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURNMENT

As there were no other items remaining on the agenda for the reorganization meeting, Mueller moved and Cerny seconded the motion to adjourn the reorganization portion of the meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman

Regular Meeting

The Fillmore County Board of Supervisors convened in open and public session at 9:45 a.m., January 11, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. Galusha was absent at 10:30 a.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:25 p.m.

MINUTES APPROVED WITH CORRECTION

After discussion, Cerny moved and Simacek seconded the motion to approve the minutes with the following corrections: remove Dorchester under the diesel fuel bids as there business name is Farmers' Cooperative and to remove tower under the liquor license hearing. To be replaced with "As no one appeared to testify for or against the liquor license and the Vice Chairman closed the hearing at 11:21 a.m. Upon roll call, the vote was as follows:

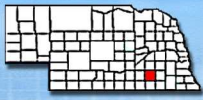
Ayes: Yates, Simacek, Noel, Cerny, Mueller, Galusha, and Capek
Nays: None

The Chairman declared the motion carried.

ONE & SIX YEAR PLAN

After discussion, Yates moved and Cerny seconded the motion to publish the one & six year plan for the Road's Department hearing to be held on February 8, 2011. Upon roll call, the vote was as follows:

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



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Nays: None

The Chairman declared the motion carried.

JUVENILE SERVICES AID GRANT

Carissa Uhrmacher, Project Director with South Central Partnership participated in a conference call with the Board. Fillmore County is contracting with South Central Partnership Regional Consortium for assistance with Juvenile Services. Carissa requested that the Board sign a Memorandum of Understanding with South Central Partnership (SCP) Regional Consortium to arrange funding for 2011/2012 with the Nebraska Crime Commission. SCP also serves Webster, Clay, Adams, Nuckolls, Phelps, Kearney, Franklin and Harlan counties.

After discussion, Cerny moved and Mueller seconded the motion to approve and sign the Memorandum of Understanding with South Central Partnership Regional Consortium to administrate the funding for Juvenile Services. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

TOWER PROJECT

Berggren Architects submitted a letter to the Board that they have received four companies that have submitted their pre-qualification packets to them. These four companies will be requested to attend the pre-bid walk thru on January 20th at 10:00 a.m.

After discussion, Yates moved and Noel seconded the motion to accept the four companies that submitted the pre-qualification packets to Berggren's. They are: Weathercraft Company of Lincoln, Midland Engineering Company of South Bend, Cooper Investment Group dba Roof-Tech of Omaha, and Conner Roofing Company, Inc. of York. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

PLANNING & ZONING OFFICE

Donna Mainwaring, Planning & Zoning Administrator discussed with the Board that the duties would be remaining the same with the exception that the office will be open from 8:00 a.m. to 4:30 p.m. Monday through Friday.

EQUIPMENT FOR RADIOS & PAGERS

Donna Mainwaring, Emergency Manager informed the Board that with the permission of the Chairman she purchased new batteries for the Emergency Managers and Sheriff's office radios and pagers.

FEE REPORTS

Simacek moved and Cerny seconded the motion to approve the following fee reports for the month of December 2010 and Fillmore County Treasurer's Semi-Annual report:

County Clerk: \$23,543.00 (State \$15,270.94 & County \$8,272.06)

Clerk of District Court: \$765.53

Sheriff: \$1,998.17

Upon roll call, the vote was as follows:



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

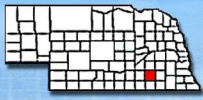
The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

A-1 Body & Glass	Rep	50.00
Howard F. Ach, Atty	Rent, Post	3,279.32
Lanny Ackerman	Mtgs, Mile	30.00
Aging Partners	Budget request	11,364.00
Ameritas Life Insurance Corp.	Ret	3,658.55
Jon Anderson	Misc	37.50
Lois Bernasek	Misc	37.50
Black Hills Energy	Uti	1,284.45
Todd Boller	Meals, Misc	27.39
Bottorf & Maser, Atty.	Ser, Mile	2,062.50
C & C Extinguisher Service	Sup	78.50
Daryl L. Callenius	Misc	37.50
City of Geneva	Uti	138.70
Constellation Energy	Uti	254.37
Brandie Conway	Misc	37.50
Counseling Affiliates of Nebraska LLC	Ser	1,312.50
Gaylord Craddock	Mile	51.00
Dawg's Smokehouse Café	HDM's	465.00
Dell Marketing, LP	Equip	1,490.41
Des Moines Stamp Mfg. Co.	Sup	144.25
Dollar General	Misc	2.00
Judy Dondlinger	Ser	108.00
Eakes Office Plus	Sup	758.40
Earls Window Service	Ser	6.00
Sharon Elznic	Mtgs, Mile	69.00
Fillmore County Clerk of the District Court	Fees	303.00
Fillmore County Sheriff	Fees	278.84
Fillmore County Treasurer	Post, Wksh, Misc, Taxes	325,301.92
First Concord Benefits Group, LLC	Insur	218.00
Geneva State Bank	SS	7,241.28
Geneva Super Foods	Sup	642.06
John Griess	Mtgs, Mile	27.00
Hall County Sheriff	Ser	19.59
Matt Harre	Mtgs, Mile	62.00
Frances Heinrichs	Mile	51.00
Bob Hester	Misc	37.50
Hilty's of Geneva	Sup	271.06
Hometown Leasing	Ser	710.75
Ronald Isley	Mile	39.00
Steve Julich	Misc	37.50
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,401.00
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,712.94
Lancaster County Sheriff	Ser	44.65
Lichti Oil	Fuel	272.80



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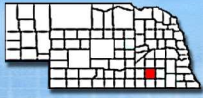


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Madison National Life	Insur	188.07
Elizabeth Mattox Manning	Ser	144.00
Microfilm Imaging Systems, Inc.	Ser	64.00
Mid-States Organized Crime Information	Dues	100.00
Midwest Engines	Main	892.00
Midwest Process Services	Ser	28.60
Howard Mills	Misc	37.50
MIPS, Inc.	Ser, Sup	3,212.19
Mark Morgan	Mtgs, Mile	81.00
Morley Most	Mtgs, Mile	90.00
Brenda Motis	Mile	103.00
Marvin Nadherny	Mtgs, Mile	81.00
Nebraska Assoc. of County Clerks, Reg. Of Deeds, & Election Commissioners	Dues	75.00
The Nebraska Signal	Ads, Sup	1,002.96
Merle Noel	Mtgs, Mile	46.50
Reg Noel	Mtgs, Mile	46.50
North American Weed Management Assoc.	Dues	65.00
Leonard Oldehoeft	Mile	12.00
Dawn Opfer	Misc	37.50
Ralphs Geneva Tire & Service Center, Inc.	Rep, Main	1,130.79
Region V Services	Budget Request	2,952.25
Stephanie Rodriguez	Misc	37.50
Steven G. Roemmich	Misc	37.50
Saline County Sheriff	Ser	48.00
Chris Schendt	Misc	37.50
Shell Fleet Plus	Fuel	2,661.49
State of Nebraska AS Central Finance	Ser	448.00
Allan Stuckey	Mtgs, Mile	54.00
University of Nebraska – Lincoln	Sup	152.30
UN-L IS-Telecommunications	Uti	13.12
Brandy VanDeWalle	Lodging, Mile, Meals	111.60
Anthony Whitmore	Misc	37.50
Windstream	Uti	233.88
York County Sheriff	Ser	45.00
Payroll	Salaries	49,099.95

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Rep	40.98
Ameritas Life Insurance Corp.	Ret	2,548.12
B's Enterprises	Equip	1,060.00
Joe Birky	Easement	25.00
Black Hills Energy	Uti	941.72
Casey's General Store	Fuel	145.44
Century Lumber Center	Sup	91.20
City of Geneva	Uti	438.19
Dorchester Farmers Coop	Fuel	967.68
Filter Care of Nebraska	Parts	11.65
Friesen Chevrolet, Inc.	Parts	52.57
Geneva Implement Co., Inc.	Parts, Rep	278.36
Geneva State Bank	SS	2,805.62
Geneva Welding & Supply, Inc.	Parts, Sup	339.38
Grafton Oil, Inc.	Fuel	985.49
Heath Machine Shop	Rep, Main	361.00
Kerry's Auto Repair & Service	Rep	12.00
Kopchos Sanitation, Inc.	Uti	44.50
Lichti Oil	Part, Sup, Fuel	2,159.22
Madison National Life	Insur	97.62



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Mike's Radiator & Tire	Rep	165.00
MIPS, Inc.	Ser	106.56
Nebraska Iowa Industrial Fasteners	Sup	103.54
Nebraska Bolt	Sup	225.17
Nebraska Department of Revenue	Misc	152.47
The Nebraska Signal	Ads	28.36
Nick's Farm Store	Rep, Sup	31.00
Overland Sand & Gravel	Gravel	347.28
Perennial Public Power	Uti	74.02
Power Plan	Parts	241.50
Thomas R., Timothy R, Todd E. & Jason A. Pribyl	ROW, Easement	3,814.00
R & D Parts	Parts, Sup	73.98
Ralph's Geneva Tire & Service Center	Rep	60.00
Roit Repair	Rep	67.04
Shell Fleet Plus	Fuel	2,527.66
Titan Access Account	Parts	248.38
US Bank CPS	Post	8.80
Village of Fairmont	Uti	70.20
Village of Grafton	Uti	21.07
Village of Milligan	Uti	24.74
Payroll	Salaries	37,749.97

INHERITANCE TAX FUND:

JEO Consulting Group, Inc.	Ser	2,375.00
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	Dec Taxes	15,579.52
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CLAIMS APPROVED

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

Ayes: Capek, Simacek, Noel, Cerny, and Mueller

Nays: None Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

EMPLOYEE RECOGNITION DINNER

After discussion, Simacek moved and Mueller seconded the motion to approve the employee recognition dinner to be February 5, 2011 at the Evening with Friends in Milligan. Upon roll call, the vote was as follows:

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

Nays: None

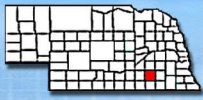
The Chairman declared the motion carried.

GRAFTON RURAL FIRE

Yates moved and Noel seconded the motion to approve the bond for Jerry L. Otte as the Treasurer for the Grafton Rural Fire Protection District beginning February 9, 2011 and ending February 9, 2012. Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the motion carried.

SICK DAY BANK COMMITTEE

After discussion, Cerny moved and Simacek seconded the motion to appoint Steve Yates, Mark Timmerman (to replace Elmer Hessheimer), and Lynn Mussman (to replace Joan Ackland) to the sick day bank committee. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COURTHOUSE BUILDING COMMITTEE

After discussion, Mueller moved and Simacek seconded the motion to appoint Steve Yates, County Sheriff, County Clerk, and County Assessor to the Courthouse Building Committee to replace retired individuals. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REGION V MENTAL HEALTH BOARD

Yates moved and Mueller seconded the motion to reappoint Jerry Galusha to the Region V Mental Health Board beginning January 1, 2011 and ending December 31, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OPENING BUDGET ACCOUNTS

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

RESOLUTION 2011-05

WHEREAS, Fillmore County, Nebraska, needs fund #2400 – Sheriff Special Law Enforcement Grant and #2506 – Emergency Management Revolving, and

WHEREAS, Fillmore County has determined there is a need to have separate funds for the above named funds,

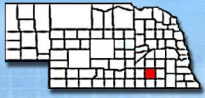
THEREFORE BE IT HEREBY RESOLVED, the Sheriff Special Law Enforcement Grant Fund #2400 and the Emergency Management Revolving Fund #2506 will be opened as of January 1, 2011. The County Treasurer is directed to deposit all money to these funds starting January 1, 2011.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ADJOURNMENT



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Agenda items "Contract with Elmer Hessheimer, Contract with City Clock, and Sick Day Bank policy" were tabled until a future Board meeting. As there was no other items to come before the Board, Yates moved and Mueller seconded the motion to adjourn until 9:00 a.m. on January 25, 2011. Upon roll call, the vote was as follows:

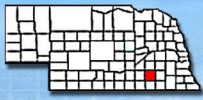
Ayes: Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



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January 25, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 25, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting. Valerie Turner, Andrew Lye, Christian Lovegrove, Tyler Daly, and Brandie Conway were present for a portion of the meeting for Odegeo.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:08 a.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the January 11, 2011 Reorganization and Board meetings.

EXTENSION UPDATE

Brandy VanDeWalle and Lyndsey Pohlmeier presented an update of what they accomplished in 2010 and upcoming events that they are working on.

DRIVEWAY PERMIT

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

Beverly Swanson and Diane Hanson – extend an existing driveway to 40' on south side of the SE ¼, Section 11-8-2, Fairmont Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONTRACT FOR ADMINISTRATIVE SERVICES

After discussion, Mueller moved and Cerny seconded the motion to approve the administrative services contract with Elmer Hessheimer beginning January 1, 2011 and ending July 31, 2011, with no more than 48 hours per month. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

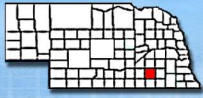
WIRING FUEL BARRELS

After discussion, the Board requested that Mark Timmerman, Highway Superintendent get bids for the rewiring of fuel barrel in each village.

CRUSHED ROCK

After discussion, Cerny moved and Noel seconded the motion to let four (4) miles of crushed rock on Road 18 from Hwy 6 to Burress. Upon roll call, the vote was as follows:

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



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The Chairman declared the motion carried.

GRAFTON PROJECT FLOODPLAIN PERMIT

After discussion, Yates moved and Simacek seconded the motion to approve the floodplain permit for the Grafton West Project STP-6-5 (113) for a box culvert replacement. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SICK DAY BANK

The Sick Day Bank committee submitted a change for the sick day bank policy. The change includes changing the number of days for catastrophic illness from fifteen (15) days to thirty (30) days and to add fifteen (15) days for non-catastrophic illness with a forty-five (45) days maximum per year.

After discussion, Cerny moved and Mueller seconded the motion to approve the recommendation from the Sick Day Bank committee and change catastrophic illness from fifteen (15) days to thirty (30) days for catastrophic illness and to add fifteen (15) days for non-catastrophic illness with forty-five (45) days maximum per year. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SOUTHEAST COMMUNITY COLLEGE

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

EMERGENCY ITEM TO AGENDA

At the request of the County Treasurer, Yates moved and Mueller seconded the motion to declare an emergency item to be added to the agenda authorizing the Treasurer to write an emergency check. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EMERGENCY CHECK

After discussion, Noel moved and Yates seconded the motion to authorize the Treasurer to write an emergency check in the amount of \$400.00 to the Sheriff's office. Upon roll call, the vote was as follows:

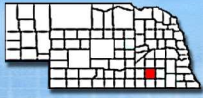
Ayes: Capek, Yates, Simacek, Noel, Cerny, Mueller, and Galusha

Nays: None

The Chairman declared the motion carried.

PETERSON SUBDIVISION

Planning & Zoning Administrator, Donna Mainwaring presented a plat for the Peterson Subdivision located in the NW ¼, Section 27-8-4, Grafton Township.



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After discussion, Cerny moved and Galusha seconded the motion to approve the plat for the Peterson Subdivision as follows: A tract of land in the NW $\frac{1}{4}$ of Section 27, Township 8 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NW corner of said NW $\frac{1}{4}$; thence N89°55'51"E, 1093.75 ft. on the north line of said NW $\frac{1}{4}$ to the point of beginning; thence continuing N89°55'51"E, 253.35 ft. on said north line; thence S00°07'46"E, 874.19 ft.; thence N89°04'09"W, 64.73 ft.; thence N12°19'06"W, 893.40 ft. to the point of beginning, containing 3.19 acres more or less, which includes 0.19 acres more or less used for County Road purposes. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

JOHNSON SUBDIVISION

Planning & Zoning Administrator, Donna Mainwaring presented a plat for the Johnson Subdivision located in the SE $\frac{1}{4}$, Section 1-5-4, Bryan Township.

After discussion, Galusha moved and Noel seconded the motion to approve the plat for the Johnson Subdivision with the approval of the Shickley Village Board as follows: A parcel of land located in the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 1, Township 5 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, being described as follows: commencing at the SW corner of the SE $\frac{1}{4}$ of said Section 1; thence S89°46'41"E (an assumed bearing) on the south line of said Section 1, a distance of 522.76 feet; thence N00°59'46"E a distance of 85.00 feet to the north right-of-way line of Highway 74, to the point of beginning; thence continuing N00°59'46"E, a distance of 515.00 feet; thence S43°59'29"E, a distance of 256.88 feet; thence S54°35'21"E, a distance 261.74 feet; thence S00°13'20"W, perpendicular to the south line of said Section 1, a distance of 180.00 feet to said north right-of-way line; thence N89°46'41"W, on said north right-of-way line, a distance of 400.00 feet to the point of beginning, containing 3.03 acres. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

E911 CONTRACT WITH GIS WORKSHOP

Emergency Manager, Donna Mainwaring presented the contract with GIS Workshop for the 911 GIS, MSAG, and Address maintenance.

After discussion Yates moved and Mueller seconded the motion to authorize Donna Mainwaring to sign the five year contract with GIS Workshop for E911 GIS, MSAG, and Address maintenance for \$3,600.00 a year. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING & ZONING WITH GIS WORKSHOP

Donna Mainwaring, Planning & Zoning Administrator presented a new website that would assist Planning & Zoning and all villages in knowing floodplain areas, zoning districts, wellhead protection areas, swine confinement locations, and the latest aerial imagery. With this contract Fillmore County would receive the Assessor's office website upgrade for free.

After discussion, Noel moved and Cerny seconded the motion to authorize Donna Mainwaring to sign a yearly contract in the amount of \$2,500.00 contract with GIS Workshop to present Fillmore County with the website for Planning & Zoning. Upon roll call, the vote was as follows:

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



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Nays: None

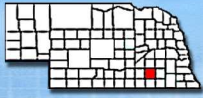
The Chairman declared the motion carried.

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.	Sup	59.90
American Society on Aging	Dues	195.00
Ameritas Life Insurance Corp.	Ret	3,342.54
Jon Anderson	Uni	35.00
Aramark Uniform Services, Inc.	Ser	849.10
Axis Capital, Inc.	Ser	249.00
Berggren Architects	Ser, Mile	932.77
Blue Cross Blue Shield of Nebraska	Insur	21,488.04
Blue Valley Community Action Partnership	Budget request	3,610.00
Mary Brinkman	Sup	26.02
William L. Burgess	Uni	35.00
Daryl L. Callenius	Uni	35.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Corner Stop	Fuel	275.16
Dell Marketing, LP	Sup	603.02
Eakes Office Plus	Sup	385.10
Merlin Ehmen	Ret	22.00
Exeter Care Center	HDM's	275.00
Exeter Senior Center	USDA	433.69
Fairmont Aging Services	USDA	2,505.01
Fillmore County Medical Center	Ser	481.00
Fillmore County Transit	Ser	45.00
Fillmore County Treasurer	Fuel, Sup	304.91
First Concord Group, Inc.	Insur	1,138.02
Gambles	Sup	133.54
Geneva Broadband, LLC	Ser	99.98
Geneva Senior Center	UDSA, Rent	4,866.04
Geneva State Bank	SS	3,572.46
Norma Gregory	Ret	25.00
Hebron Clinic	Ser	90.00
Barbara (Erdkamp) Hein	Ret	96.00
Heinisch Law Office	Ser, Sup	3,550.25
Bob Hester	Uni	35.00
Hometown Leasing	Ser	128.44
Jim's Repair	Main, Sup	639.75
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Sup	5,799.69
Lancaster County Sheriff's Dept.	Ser	25.02
Lawson Products, Inc.	Sup	390.29
Jenni Lovegrove	Ser	144.00
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Maximus	Ser	2,537.50
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	768.00
Rich Mueller / Thomas Biegert	Rent	650.00



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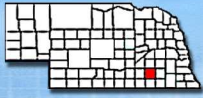


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Nebraska Association of County Officials	Sup	180.00
Nebraska Public Power District	Uti	826.60
Dawn Opfer	Sup	66.34
Vernon Pearson	Ret	48.00
Platte Valley Communications of Hastings	Rep	329.55
Steven G. Roemmich	Uni	35.00
Saline County Sheriff Office	Boarding Prisoners	3,720.00
Secretary of State / Election Division	Sup	10.00
Lee Bauer Smith	Ret	108.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Workforce Development Department of Labor	Misc	318.00
State of Nebraska Dept. of Motor Vehicles	Ser	4.00
State of Nebraska Health & Human Serv.	Dec. Patient Care	279.00
State of Nebraska Public Health Envir. Lab.	Ser	84.00
Deanna Strothkamp	Ret	72.00
Luetta Strothkamp	Ret	96.00
Mary C. Tesar	Ret	24.00
Thayer County Sheriff	Ser	35.00
US Bank CPS	Misc, Meal, Sup, Post	295.87
Bea Vavra	Ret	84.00
Carol Vejraska	Ret	23.08
Verizon Wireless	Ser	502.75
Weaver Pharmacy	Sup	313.58
Anthony Whitmore	Uni	35.00
Eric Williams	Post	52.38
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,278.26
York County Sheriff	Ser	51.50
Payroll	Salaries	49,053.65

ROAD/BRIDGE FUND:

Auto Value Parts Stores	Parts, Sup	660.81
Ameritas Life Insurance Corp.	Ret	1,784.03
Blue Cross Blue Shield of Nebraska	Insur	13,728.47
Contech Construction Products	Sup	2,708.18
Dorchester Farmers Coop	Fuel	1,362.66
Flink Snow Plows & Spreader	Parts	78.81
Gambles	Parts, Sup	17.52
Geneva State Bank	SS	1,936.89
Dale Goeking	Ret	96.00
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	114.01
Grafton Oil	Fuel	1,302.10
Ronald Isley	Ret	103.86
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	4,619.64
Nebraska Public Power District	Uti	370.52
Newman Traffic Signs	Sup	390.96
NMC Exchange, LLC	Parts, Equip	194,337.81
Office Depot Credit Plan	Sup	149.94
Perennial Public Power	Uti	127.21
Verizon Wireless	Uti	67.60
Village of Exeter	Uti	15.00
Village of Ohioa	Uti	20.00
Wick's Sterling Truck	Parts	176.35
Windstream	Uti	150.98
Donald D. Wittmack	Ret	12.00
Payroll	Salaries	26,429.95



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INHERITANCE TAX FUND:

Interactive Communication Systems	Equip	5,795.66
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911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	133.63
Platte Valley Communications of Hastings	Rep	303.00
Windstream	Uti	1,011.01

CLAIMS APPROVED

Yates moved and Simacek seconded the motion to approve the claims as presented with the exception of the claim to Berggren Architects until further explanation. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CONTRACT WITH CITY CLOCK

After discussion, Mueller moved and Cerny seconded the motion to approve and sign the contract with City Clock to replace the clock and refurbish the faces of the clock in the amount of \$13,312.00 plus a 10% allowance for any unforeseen complications. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EX-OFFICIO TO HOSPITAL BOARD

After discussion, Simacek moved and Cerny seconded the motion to appoint Merle Noel as ex-officio to the Fillmore County Hospital Board beginning January 1, 2011 and ending December 31, 2011. Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Noel

The Chairman declared the motion carried.

SIGNATURES ON CHECKS

After discussion, Cerny moved and Yates seconded the motion to put the Board Chair and Clerk's signatures on all checks printed. Upon roll call, the vote was as follows:

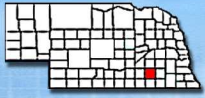
Ayes: Yates, Simacek, Noel, Cerny, Mueller, Galusha, and Capek

Nays: None

The Chairman declared the motion carried.

TOWNSHIP BONDS

Yates moved and Mueller seconded the motion to approve the following township bonds: Liberty - David L. Krupicka and John J. Becker; Bennett – Robert Fessler, Don A. Griess, and Richard Hoarty; Chelsea – Larry Nun, Jerry Engle, and Kent W. Myers; Exeter-Fairmont – Donald Bristol and Larry L. Cudaback; Franklin – Morley Most, Galen



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Dunse, and Galen Niederklein; Glengary – Marvin Nadherny, Roger Pribyl, and Henry Rohla Jr.; Madison – Douglas Hafer, Tom D. Manning, and Tom Novak; Stanton – Russ Kleinschmidt, Bridgette Flohrs, and Gary Kimbrough; and West Blue – John Lowe, Bill Softley, and Elden Luethke. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING & ZONING ADMINISTRATOR

After discussion, Mueller moved and Noel seconded the motion to pay the Planning & Zoning Administrator \$500.00 a month beginning January 24, 2011 and ending June 30, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN

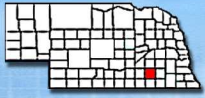
Agenda items "Update from Hospital, additional real estate, Bryant Township, and Hospital Real Estate" were tabled until a future board meeting. As there was no other business to come before the Board, Simacek moved and Mueller seconded the motion to adjourn until 9:10 a.m., February 8, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



February 8, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:17 a.m., February 8, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. Cerny was absent at 11:45 a.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 1:56 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the January 25, 2011 Board meeting.

HOSPITAL UPDATE

Paul Utemark, Fillmore County Hospital CEO presented an update regarding current and upcoming events at the hospital and an update on the new hospital status.

LAND PURCHASE

Fillmore County Hospital CEO presented a purchase agreement for additional property adjacent to the new hospital.

After discussion, Cerny moved and Mueller seconded the motion to allow the Hospital to purchase additional property located in Block five (5), James H. Bigelow's 2nd addition to the City of Geneva, except for the tracts previously conveyed. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ONE & SIX YEAR HEARING

Public hearing for the One and Six Year Plan was opened at 9:45 a.m. as advertised.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Windstream Nebraska, Inc. – bury communication line between Section 21, 22, and 28-7-3, Geneva Township. Windstream Nebraska, Inc. agrees to cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required.

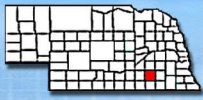
Windstream Nebraska, Inc. – bury communication line between Section 29 and 30-6-1, Glengary Township. Windstream Nebraska, Inc. agrees to cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENEVA NORTHWEST PROJECT



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Mark Timmerman, Highway Superintendent presented to the Board an estimate of \$35,000.00 to relocate a gas line in the Geneva Northwest Project.

ONE & SIX YEAR PLAN

As no one appeared to testify for or against the One & Six Year plan the Chairman declared the hearing closed at 10:15 a.m.

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

RESOLUTION 2011 - 06

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

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

It is hereby found and determined that:

- (1) The program for distribution of the Highway Allocation Funds provide additional funds to counties for road related maintenance and construction.
- (2) In order to qualify for said funds the County must, among other things, prepare an annual One (1) and Six (6) Year Program for highway improvements, conduct a local public hearing and submit the results to the Board of Public Roads Classification and Standards.
- (3) The County of Fillmore, Nebraska does hereby adopt the 2011-2012 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent.

Upon roll call, the vote was as follows:

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

Nays:

The Chairman declared the resolution adopted.

FEE REPORTS

Yates moved and Noel seconded the motion to approve the fee reports for January 2011:

County Clerk: \$3,701.59 (State \$1,366.79 & County \$3,701.59)

Clerk of the District Court: \$1,064.35

County Sheriff: \$2,010.07

Upon roll call, the vote was as follows:

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

Nays: None

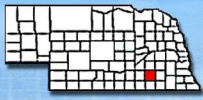
The Chairman declared the motion carried.

ALL HAZARDS MITIGATION PLAN

Donna Mainwaring, Emergency Manager presented the All Hazards Mitigation Plan to the County Board for approval. Donna informed the Board that she would also be attending each of the village meetings to get their approval.

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

RESOLUTION 2011 - 07



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February 8, 2011

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed into law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional All-Hazard Mitigation Plan was prepared by Little Blue and Lower Big Blue Natural Resource Districts with assistance from Olsson Associates of Lincoln, NE, which includes the **Fillmore County**; and

WHEREAS, the purposes of the mitigation plan are to 1) increase the vulnerability awareness of the Districts and participating jurisdictions located within the planning boundary, 2) identify the hazards that affect the District and participating jurisdictions, 3) identify projects and strategies which would lessen the affects of the identified hazards, 4) prioritize mitigation projects and strategies to reduce potential loss of life and property damage from those hazards; and

WHEREAS, the planning process afforded the local units of government and its citizens the opportunity to comment and provide input in the plan and actions recommendation in the plan;

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the **Fillmore County** in the form of this resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of the **Fillmore County** hereby adopts the Little Blue/Lower Big Blue Natural Resource District Multi-Jurisdictional All Hazard Mitigation Plan in its entirety, resolves to execute the plan as proposed and as approved by the Federal Emergency Management Agency.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

EXTENSION OFFICE

Brandy VanDeWalle and Lynn Yates, Chairman of the Extension Board requested to purchase a laptop computer and a backup server for the Extension office. Brandy informed the Board that UNL would be splitting the cost 50/50. After discussion, the Board gave Brandy the authority to purchase the laptop and backup server.

TOWER PROJECT BIDS

Bids for tower project were opened at 11:15 a.m. The following bids were received:

Bidder

Weathercraft Company of Lincoln, NE
Midland Engineering Company, Inc., South Bend, IN
Conner Roofing Co., Inc., York NE
Roof-Tech, Inc., Omaha, NE

Base Bid

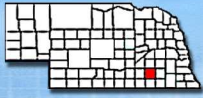
\$128,811.00
\$157,000.00
\$144,913.00
\$179,000.00

After discussion, due to unforeseen circumstances that Berggren Architects could not be present for the bid opening that copies are sent for review and discussed at the February 22nd Board meeting.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:



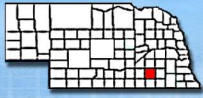
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A-1 Body & Glass	Rep	57.50
Howard F. Ach, Atty.	Rent, Post	3,261.13
All Around Lawn Care	Ser	60.00
Ameritas Life Insurance Corp.	Ret	3,229.93
Axis Capital, Inc.	Ser	249.00
Black Hills Energy	Uti	1,849.86
Bottorf & Maser, Attorney	Ser, Mile	1,036.25
Bryan LGH Medical Center	Ser	3,455.00
Bryan LGH Physician Network	Ser	336.69
Karen Chapman	Ser	90.00
City of Geneva	Uti	145.70
Constellation Energy	Uti	371.95
Des Moines Stamp	Sup	16.50
Dollar General Charged Sales	Sup	17.75
Eakes Office Plus	Sup	1,657.43
Election Systems & Software, Inc.	Sup	12,525.53
Exeter Senior Center	USDA, Misc.	78.47
Fairmont Aging Services	USDA, Misc.	54.35
First Concord Benefits Group	Ser, Insur	710.41
Galls – An Aramark Company	Sup	94.96
Gambles	Sup	38.46
Geneva Floral	Ser	11.00
Geneva Senior Center	Rent, USDA, Misc.	434.27
Geneva State Bank	SS	3,410.10
Hometown Leasing	Ser	839.19
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,242.78
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,725.17
Galen Kuska	Mile	64.00
Madison National Life	Insur	180.23
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Mailing Systems, Inc.	Sup	47.90
MIPS, Inc.	Ser, Sup	2,797.86
Brenda Motis	Mile	23.97
Nebraska Association of County Officials	Wksh	320.00
The Nebraska Signal	Pro, Ads	1,347.18
Galen Niederklein	Mile	88.00
Polk County Sheriff's Office	Ser	25.56
R & D Parts, LLC	Sup	31.27
Ralph's Geneva Tire & Service Center, Inc.	Rep, Main	253.23
Redfield & Company, Inc.	Sup	230.00
Seiler & Parker, P.C.	Ser, Mile	1,028.00
Shell Fleet Plus	Fuel	2,742.50
State of Nebraska AS Central Finance	Ser	448.00
Sullivan, Shoemaker, Witt & Burns PC, LLO	Ser	541.50
Sutton Electric, Inc.	Rep	33.15
Thayer County Court	Ser	2.00
Thayer County Treasurer	Sup	1,358.14
Total Funds by Hasler	Post	1,400.00
Trailblazer RC & D	Budget request	100.00
University of Nebraska – Lincoln	Ser	2,119.09
US Bank, CPS	Sup, Dues, Lodging	300.27
Daniel L. Werner, Atty.	Ser, Mile, Misc	1,234.71
Whelan Scherr, Glen, Goding & Mead PC	Ser, Mile	401.06
Windstream	Uti	235.47
Lynn Yates	Mile	16.00
Payroll	Salaries	49,053.65

ROAD/BRIDGE FUND:



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Action Auto Supply	Parts, Sup	256.31
Ameritas Life Insurance	Ret	1,761.61
Black Hills Energy	Uti	1,391.18
Century Lumber Center	Parts, Sup	32.66
City of Geneva	Sup, Uti	769.36
Corner Stop	Fuel	1,989.01
Del Ray	Parts	187.00
Farm Plan	Parts	1,100.52
Filter Care of Nebraska	Parts	123.10
Geneva Implement Co., Inc.	Parts	355.65
Geneva State Bank	SS	1,911.49
Geneva Welding & Supply, Inc.	Parts, Sup	2,145.89
Grafton Oil	Fuel, Sup	1,581.05
Kerry's Auto Repair & Service	Rep	24.00
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel	7,683.92
Madison National Life	Insur	102.37
Matt Friend Truck Equipment	Parts	631.75
Michl Service	Fuel	73.25
MIPS, Inc.	Ser	106.56
Momar, Inc.	Sup	449.48
Nebraska Association of Engineers & Supt.	Wksh	25.00
Nebraska Iowa Industrial Fasteners	Sup	247.99
The Nebraska Signal	Ads	84.61
Nebraska Truck & Equipment	Parts	72.42
Nicks' Farm Store	Rep	10.26
Perennial Public Power	Uti	6,943.74
Power Plan	Parts	68.21
R & D Parts, LLC	Parts, Sup	34.66
Ralph's Geneva Tire & Service Center, Inc.	Sup, Rep	953.62
Roit Repair	Rep	133.06
Shell Fleet Plus	Fuel	1,400.41
US Postal Service	Post, Sup	270.60
Village of Exeter	Uti	15.00
Village of Grafton	Uti	21.07
Payroll	Salaries	26,429.95

SHERIFF SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp.	Ret	100.10
Geneva State Bank	SS	98.80

SHERIFF GRAND FUND:

Ameritas Life Insurance Corp.	Ret	41.10
Geneva State Bank	SS	40.57

INHERITANCE TAX FUND:

Business Telecommunications Systems	Equip	6,641.00
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E911 COMMUNICATIONS FUND:

Platte Valley Communications of Hastings	Equip	3,594.00
US Bank CPS	Wksh	229.00

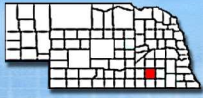
CLAIMS APPROVED

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

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

Nays: None

Abstaining due to conflict of interest: Yates



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The Chairman declared the motion carried.

SUPPORT LEGISLATIVE BILLS

After discussion, Noel moved and Galusha seconded the motion to send a letter of support for the following bills: LB 340, LB 578, and LB 629. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

PLANNING COMMISSION

After discussion, Yates moved and Simacek seconded the motion to appoint Dan Votipka to the Planning Commission to replace Lanny Ackerman beginning February 1, 2011 and ending June 30, 2013. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

WITHDRAWING PLEDGE SECURITY

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

RESOLUTION 2011 - 08

RESOLVED, that the Cornerstone Bank of Geneva, Nebraska, be allowed to withdraw the following security held by US Bank to-wit:

CUSIP #018708DY0 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

AUDIT REPORT

After discussion, Mueller moved and Yates seconded the motion to approve the audit report for fiscal year ending June 30, 2010. Upon roll call, the vote was as follows:

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

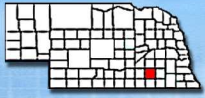
Nays: None

The Chairman declared the motion carried.

ADJOURN

Agenda item "Bryant Township" was tabled until a future board meeting. As there was no other business to come before the Board, Simacek moved and Noel seconded the motion to adjourn until 9:00 a.m., February 22, 2011. Upon roll call, the vote was as follows:

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



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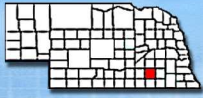
February 8, 2011

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



February 22, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 22, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Simacek, Mueller, Galusha, and Cerny. Yates was absent until 2:10 p.m. The County Clerk was present to record the minutes of the meeting. Marty Peppard and Kendra Jansky were present for portions of the Board meeting for the ODEGEO leadership program.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 3:21 p.m.

MINUTES APPROVED WITH CORRECTION

After discussion, Galusha moved and Simacek seconded the motion to add the purchase price of \$45,000.00 for the additional real estate property for the new Hospital. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

BLUE VALLEY COMMUNITY ACTION LETTER OF SUPPORT

After discussion, Mueller moved and Galusha seconded the motion to send a letter of support to our two senators regarding cutting Blue Valley's Community Action budget. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

PUBLIC HEALTH SOLUTIONS DISTRICT BOARD

After discussion, Simacek moved and Cerny seconded the motion to appoint Walter Gardner, MD to the Public Health Solutions District Board of Health. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMITS

Noel moved and Cerny seconded the motion to approve the following driveway permits:

Pamela Hromadka – install a new driveway on the east side of the SE ¼, Section 29-7-1, Liberty Township;
Jeanie Truesdale – install a new driveway on the north side of the NE ¼, Section 5-7-4, Bennett Township.

Upon roll call, the vote was as follows:

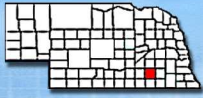
Ayes: Capek, Simacek, Noel, Cerny, Mueller, and Galusha

Nays: None

The Chairman declared the motion carried.

TRAFFIC CONTROL MAP

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



Fillmore County Board Minutes



February 22, 2011

RESOLUTION 2011 - 9

WHEREAS, the location and placement of all stop and yield signs erected prior to December 1, 1997 are hereby established and rectified as shown on the attached map entitled "Fillmore Traffic Control Map" date April 13, 2009, and signed by the Fillmore Board of Supervisors, and hereafter referred to as the "Traffic Control Map", and

WHEREAS, the signed copy of the Traffic Control Map shall be maintained in the office of the Fillmore County Highway Superintendent, and

WHEREAS, all dates and any amendments with regard to stop and yield signed detailed in the Traffic Control Map shall be promptly entered into this official Traffic Control Map, and

WHEREAS, this map shall be the final authority as to the current status of the traffic regulations, stop and yield signs, erected prior to December 1, 1997 and which detailed in the attached map, for the County road within the limits of Fillmore County and outside the limits of municipalities within Fillmore County,

WHEREAS, the aforementioned stop signs and yield signs were placed are erected in accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended.

NOW THEREFORE BE IT RESOLVED that this resolution and Traffic Control Map with regard to stop signs and yield signs erected prior to December 1, 1997 and which are detailed in the above referenced Traffic Control Map are adopted and rectified in accordance with state law based upon the sign study as prepared by the Fillmore County Highway Superintendent and in accordance with the standards set forth in the Manual for Uniform Traffic Control Devices.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

DRAINAGE ISSUES

Steve Ewalt informed the Board of a couple drainage issues between Road 12 and 13, Stanton Township. After discussion, Highway Superintendent Mark Timmerman will contact the County Attorney and Corp. of Engineers and report back to the Board at the next meeting.

CRUSHED ROCK BIDS

Bids for crushed rock were opened at 9:55 a.m. The following bids were received:

<u>Bidder</u>	<u>Fairmont Project Type 1 & 2</u>	<u>Stockpile</u>
Nebraska Salt & Grain Co., Gothenburg	No Bid	No Bid
Westover Rock and Sand, Inc., Weeping Water	#1 \$22.70 / #2 \$24.80	#1 \$24.40 / #2 \$26.50
Theobald Trucking LLC, Geneva	No Bid	#1 \$22.00 / #2 \$22.00
Gana Trucking & Excavating, Inc., Martell	#1 \$21.74 / #2 \$26.54	#1 \$21.74 / #2 \$26.54

CRUSHED ROCK LETTING

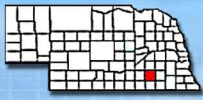
After discussion, Simacek moved and Mueller seconded the motion to accept all bids and then purchase from the lowest bidder as available. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

RETIREMENT AND WELCOME PARTY



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On March 1, 2011 there will be a retirement party for Elmer Hessheimer as well as a welcome party for Mark Timmerman at the County Shop from 1:00 to 3:00 p.m.

MGT OF AMERICA

Bret Schlyer with MGT of America presented their cost allocation and indirect cost programs to the Board. The Board will discuss this topic at a future Board meeting.

TOWER PROJECT LETTING

Jerry Berggren, with Berggren Architects presented information regarding the tower project bids that were received at the last Board meeting.

After discussion, Mueller moved and Noel seconded the motion to accept Weathercraft lowest bidder and to add alternate #1 for slate singles and alternate #2 for a copper cap totaling \$132,300.00. Upon roll call, the vote was as follows:

Ayes: Noel, Cerny, Mueller, Galusha, and Capek

Nays: Simacek

The Chairman declared the motion carried.

RURAL WIRELESS INTERNET

Greg Baltzer with Geneva Broadband spoke with the Board regarding supplying internet service to rural residents due to the fact that Mainstay Communications will no longer be supplying that service. After discussion, the Board directed Greg to keep in contact with Donna Mainwaring, Emergency Manager as things progress.

SEQUOIA CONSULTING GROUP

Wesley Ehlers with Sequoia Consulting Group presented their cost allocation and indirect cost programs to the Board. The Board will discuss this topic at a future Board meeting.

VISITOR'S COMMITTEE

Patt Lentfer, Director of Fillmore County Development Corp. informed the Board that Kevin Patel resigned from the Visitor's Committee. Patt informed the Board that Renee Kamler would be interested in serving on the committee.

After discussion, Cerny moved and Simacek seconded the motion to appoint Renee Kamler to the Visitor's Committee beginning February 2011 and ending May 31, 2013 to replace Kevin Patel. Upon roll call, the vote was as follows:

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

Nays: None

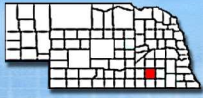
The Chairman declared the motion carried.

PLANNING AND ZONING UPDATE

Donna Mainwaring, Planning and Zoning Administrator informed the Board that the Planning Commission had a special meeting last week and that JEO Consultant Group is working on updating the zoning regulations.

EMERGENCY MANAGEMENT UPDATE

Emergency Manager, Donna Mainwaring informed the Board that she is working with the County Attorney on guidelines for anyone that will be working on the 911 tower. Donna also gave an update on the equipment that will be installed on the tower in the next few months.



Fillmore County Board Minutes



February 22, 2011

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
AMSAM	Sup	122.50
Ameritas Life Insurance Corp.	Ret	3,223.00
Jon Anderson	Uni	35.00
Aramark Uniform Services Inc.	Ser	601.18
Bear Graphics, Inc.	Sup	257.03
Blue Cross/Blue Shield of Nebraska	Insur	22,681.82
Mary Brinkman	Equip	420.92
William L. Burgess	Uni	35.00
Daryl L. Callenius	Uni	35.00
Helen Cellar	Ser	50.00
Marilyn Christiancy	Ser	25.00
City of Geneva	Rent	484.00
Computer Depot	Sup	69.99
Corner Stop	Fuel	403.97
Crossroads Awards	Sup	92.00
Dawg's Smokehouse Café	HDM's	513.00
Dell Marketing LP	Sup	305.22
Dollar General Charged Sales	Sup	12.00
Judy Dondlinger	Ser	132.00
Douglas County Sheriff	Ser	8.70
Eakes Office Plus	Sup	136.74
Merlin Ehmen	Ser	22.00
Erdkamp Motors	Ser	36.00
Evening With Friends	Misc	1,092.62
Executive Copier Systems, Inc.	Sup	48.60
Exeter Care Center	HDM's	260.00
Fillmore County Court	Misc	952.50
Fillmore County Sheriff	Ser	385.42
Fillmore County Treasurer	Fuel, Sup, Misc, Taxes	72,705.63
First Concord Benefits Group	Insur	831.23
Gambles	Sup	116.07
Geneva Broadband LLC	Ser	99.98
Geneva State Bank	SS, Ser	3,488.17
Geneva Super Foods	Sup	1,076.28
Norma Gregory	Ser	25.00
Bob Hester	Uni	35.00
Hilty's of Geneva	Sup	14.97
Holiday Inn	Lodging	779.50
JEO Consulting Group, Inc.	Ser	405.00
Steve Julich	Uni	35.00
Kalkwarf & Smith Law Offices, LLC	Ser	2,804.69
Kerry's Auto Repair & Service	Ser	411.33
Lancaster County Sheriffs Dept	Ser	19.08
Lehman Reporting Services	Ser	129.30
The Locksmith	Rep	152.50
Loup Valley Lighting Inc	Sup	234.26
Jennifer Lovegrove	Ser	159.60
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Ann H McDonald	Ser	18.00



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Rich Mueller / Thomas Biegert	Rent	650.00
Nebraska Assoc. of County Officials	Sup	16.00
Nebraska Assoc. of Emergency Managers	Dues	150.00
Nebraska Public Power District	Uti	1,093.53
Norrie Construction	Rep	187.00
Sherri Nun	Ser	100.00
Dawn Opfer	Sup	174.81
Lyndsey Pohlmeier	Mile	80.00
Steven G. Roemmich	Uni	35.00
Saline County Sheriff Office	Boarding	600.00
Secretary of State/Election Division	Sup	10.00
State of Nebraska AS Central Services	Ser	48.25
ST of NE, Health & Human Services Sys.	Misc	279.00
Sullivan, Shoemaker, Witt & Burns PC.	Ser	589.00
Telmate, LLC	Uti	20.00
US Bank CPS	Dues	50.00
USDA, APHIS	Ser	1,909.25
Verizon Wireless	Uti	498.77
Weaver Pharmacy	Sup	75.24
Anthony Whitmore	Uni	35.00
Williams Exterminating Inc.	Ser	65.00
Windstream	Uti	1,272.32
Payroll	Salaries	47,009.79

ROAD/BRIDGE FUND:

Ace Irrigation & Mfg Co.	Culverts	7,642.30
Ameritas Life Insurance Corp.	Insur	1,754.76
Auto Value Parts Stores	Sup	696.56
Blue Cross/Blue Shield of Nebraska	Insur	13,131.58
Contech Construction Products	Culverts	17,950.50
Dorchester Farmers Coop	Fuel, Sup	463.02
Flink Snow Plows & Spreader	Sup	150.58
Gambles	Sup	100.77
Geneva State Bank	SS	1,926.73
Ralph Gould	Ser	18.00
Jill's Sweet Shop	Misc	22.50
Donovan Jirkovsky	Ser	25.00
Lichti Oil	Fuel, Parts	6,035.98
Midwest Steel Fabricators	Parts	47.44
Nebraska LTAP, Univ of NE	Wksh	95.00
Nebraska Public Power District	Uti	478.26
Road Builders	Sup	516.28
Donna Saltzman	Ser	55.00
Speece Lewis Engineers	Ser	2,286.00
Verizon Wireless	Uti	67.60
Village of Fairmont	Uti	99.20
Wick's Sterling Truck	Parts	60.84
Windstream	Uti	145.69
Payroll	Salaries	25,996.28

E911 WIRELESS FUND:

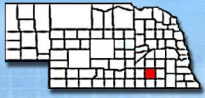
Metro Leasing Company	Lease	794.89
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HOSPITAL OPERATING

Fillmore County Hospital	Taxes	3,568.89
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E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	158.11
Windstream	Uti	1,015.65



Fillmore County Board Minutes



February 22, 2011

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

ADJOURN

Agenda items "Bryant Township and Deferred Compensation" were tabled until a future board meeting. As there was no other business to come before the Board, Mueller moved and Yates seconded the motion to adjourn until 9:15 a.m., March 8, 2011. Upon roll call, the vote was as follows:

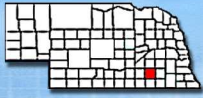
Ayes: Galusha, Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



March 8, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., March 8, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, and Cerny. Galusha was absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 1:51 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the February 22, 2011 Board meeting.

FEE REPORTS

Mueller moved and Simacek seconded the motion to approve the fee reports for the month of February 2011:

County Clerk \$4,580.77 (State \$2,007.31 & County \$2,573.46)
Clerk of the District Court \$288.66
County Sheriff \$6,567.01

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PUBLIC HEALTH SOLUTIONS

Jane Ford Witthoff, Director of Public Health Solutions requested office space in the Courthouse once a month to assist county residents. After discussion, the Board approved Public Health Solutions to use an open office in the Courthouse once a month.

DRIVEWAY PERMIT

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

Clarence A. Nun Jr. – install a new 30 foot driveway in the SW ¼, Section 16-6-2, Chelsea Township

Upon roll call, the vote was as follows:

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

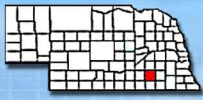
The Chairman declared the motion carried.

REWIRING FUEL BARRELS

Highway Superintendent, Mark Timmerman presented two bids for the rewiring of the fuel barrels at the County shops in the individual villages per our insurance carriers request. Bids were received from Andrews Electric for \$14,000.00 and Sutton Electric for \$6,075.00.

After discussion, Mueller moved and Noel seconded the motion to approve Sutton Electric to rewire the fuel barrels at the county shops in the individual villages and to authorize the Highway Superintendent to sign the agreement. Upon roll call, the vote was as follows:

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



Fillmore County Board Minutes



March 8, 2011

Nays: None

The Chairman declared the motion carried.

GENEVA NORTHWEST PROJECT

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

RESOLUTION 2011 - 10

WHEREAS, Bridge No. C003002330 located between Section 23/24 and 25/26, T7N – R3W, on a local road in Fillmore County, Nebraska;

WHEREAS, the bridge was programmed for replacement utilizing federal aid bridge replacement funds and the bridge was designed prior to September 2008;

WHEREAS, the Fillmore County Board directs the County Highway Superintendent to submit a request for a Relaxation of Standards to the Board of Classifications and Standards from HL-93 loading to HS-20 loading for the design of the structure.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

SUMMER HOURS FOR ROADS

After discussion, Simacek moved and Yates seconded the motion that the Road's department remain on eight (8) hour days this year. Upon roll call, the vote was as follows:

Ayes: Capek, Yates, Simacek, and Noel

Nays: Cerny and Mueller

The Chairman declared the motion carried.

REVITALIZE GENEVA PROJECT

Kyle Svec, Administrator for City of Geneva presented the estimate for pedestrian lights along G Street from 8th to 10th Street and an estimate for the bump out in front of the courthouse. At previous Board meetings there has been discussion to add some of the same lighting on the Courthouse grounds as well as a possible cost sharing of the lighting along G Street. After discussion, the Board would like Kyle to come back to the next meeting when the entire Board is present for further discussion.

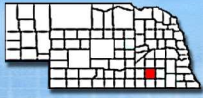
GRAVEL BIDS

Bids for gravel were opened at 1:00 p.m. The following bids were received:

REGULAR ROAD GRAVEL

Overland Sand & Gravel Co.: Belle Prairie \$13.15, Bennett \$13.15, Bryant \$15.07, Chelsea \$12.09, Exeter \$9.79, Fairmont \$10.11, Franklin \$12.19, Geneva \$12.19, Glengary \$11.71, Grafton \$12.51, Hamilton \$14.11, Liberty \$10.27, Madison \$11.71, Momence \$14.11, Stanton \$12.85, West Blue \$11.39, and Stockpile \$8.35.

Beatrice Concrete Co.: Belle Prairie \$12.15, Chelsea \$12.90, Franklin \$11.90, Glengary \$12.65, Liberty \$13.45, and Stockpile \$9.10;



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March 8, 2011

DPL Enterprises, Inc., DBA Nichols Construction: Belle Prairie \$11.35, Bennett \$11.75, Bryant \$11.90, Chelsea \$11.99, Exeter \$10.55, Fairmont \$9.97, Franklin \$11.20, Geneva \$11.75, Glengary \$11.40, Grafton \$11.40, Hamilton \$12.10, Liberty \$10.79, Madison \$10.68, Momence \$12.29, Stanton \$12.13, West Blue \$10.54, and Stockpile \$8.25.

GRAVEL LETTING

After discussion, Mueller moved and Simacek seconded the motion to accept all bids and then purchase from the lowest bidder as available. Upon roll call, the vote was as follows:

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

Nays: None

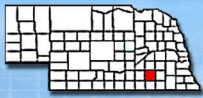
The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Howard F. Ach, Atty.	Rent, Post, Wksh	3,390.02
All Around Lawn Care	Ser	20.00
Ameritas Life Insurance Corp.	Ret	3,197.22
AMSAN	Sup	123.00
Axis Capital, Inc.	Ser	249.00
Black Hills Energy	Uti	1,560.94
Todd Boller	Post, Sup, Wksh, Meals	115.62
Bottorf & Maser, Atty.	Ser, Mile	892.50
Central Community College	Wksh	160.00
City of Geneva	Uti	155.90
Constellation Energy	Uti	268.76
Contryman Associates, P. C.	Ser	3,000.00
Dawg's Smokehouse Café	HDM's	392.00
Earls Window Service	Ser	6.00
Executive Copier Services	Ser	68.38
Exeter Care Center	HDM's	245.00
Fillmore County Clerk of the District Court	Fees	64.00
Fillmore County Treasurer	Transfer, Post, Wksh	13,613.00
First Concord Group, Inc.	Insur, Ser	2,346.51
Gambles of Geneva	Sup	17.85
Geneva State Bank	SS	3,368.04
Hometown Leasing	Ser	710.75
Kerry's Auto Repair & Service	Rep, Main	876.23
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,789.20
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,711.12
Lancaster County Sheriff's Dept.	Ser	18.54
Law Enforcement Coordination Unit	Wksh	100.00
Lichti Oil	Fuel	65.00
Jennifer Lovegrove	Ser	146.30
Madison National Life Insurance	Insur	177.14
Marriott Hotels & Resorts The Cornhusker	Lodging	230.00
McBattas Packaging & Printing	Sup	238.59
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Storage Solutions, Inc.	Equip	9,721.04
MIPS, Inc.	Ser	3,069.96
Brenda Motis	Mile	63.24



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Nance County District Court	Ser	4.00
The Nebraska Signal	Pro, Ads, Sup	1,167.57
O'Keefe Elevator Company, Inc.	Main	228.32
Lyndsey Pohlmeier	Wksh, Mile	58.56
Plains Equipment Group	Rep	65.75
Ralph's Geneva Tire & Service Center, Inc.	Rep	183.05
Shell Fleet Plus	Fuel	2,493.83
Southeast District County Officials Assoc.	Wksh	150.00
State of Nebraska Dept. of Agriculture	Wksh	90.00
Total Funds by Hasler	Post	700.00
UN-L IS-Telecommunications	Uti	13.51
Brandy VanDeWalle	Mile	28.56
Whelan, Scherr, Glen, Goding & Mead, PC	Ser	28.50
Windstream	Uti	177.91
York County Court	Ser	13.00
Payroll	Salaries	46,381.33

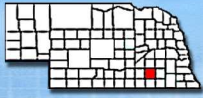
ROAD/BRIDGE FUND:

Action Auto Supply	Rep, Part, Sup	50.06
Ameritas Life Insurance Corp.	Ret	1,777.58
Andrews Electric Co., Inc.	Rep	94.05
Black Hills Energy	Uti	1,332.43
City of Geneva	Uti	66.60
Corner Stop	Fuel	1,828.35
Dell Marketing, LP	Equip	1,121.42
Farm Plan	Parts	365.64
Filter Care of Nebraska	Parts	105.30
Geneva State Bank	SS	1,952.59
Geneva Welding & Supply, Inc.	Sup	270.00
Grafton Mini Mart	Fuel	213.38
Grafton Oil, Inc.	Fuel	1,276.60
Kerry's Auto Repair & Service	Rep	24.00
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel	6,060.82
Madison National Life Insurance	Insur	92.87
Medical Enterprises	Ser	62.00
Michl Service	Fuel	200.30
Mike's Radiator & Tire	Parts, Rep	75.00
MIPS, Inc.	Ser	106.56
Moses Motor Company	Rep	109.12
Nebraska Iowa Industrial Fasteners Corp.	Sup	303.62
The Nebraska Signal	Ads, Misc.	94.67
Nebraska LTap	Wksh	125.00
Newman Traffic Signs	Sup	634.94
Notary Public Underwriters of Nebraska	Misc	87.50
Orscheln Card Services	Parts	194.99
Perennial Public Power District	Uti	256.40
R & D Parts, LLC	Sup, Parts	80.35
Ralph's Geneva Tire & Service Center, Inc.	Rep, Equip	4,516.95
Shell Fleet Plus	Fuel	204.61
US Bank CPS	Post	26.69
Village of Grafton	Uti	21.07
Deb Yates	Misc	40.00
Payroll	Salaries	26,334.50

INHERITANCE TAX FUND:

JEO Consulting Group, Inc.	Ser	850.00
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HOSPITAL OPERATING FUND:



Fillmore County Board Minutes



March 8, 2011

Fillmore County Hospital

Febr. Taxes

3,073.70

E911 COMMUNICATIONS FUND:

MIPS, Inc.

Ser

75.00

CLAIMS APPROVED

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

Ayes: Simacek, Noel, Cerny, Mueller, and Capek

Nays: None Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

BERGGREN CHECK

After discussion, Yates moved and Cerny seconded the motion to approve and mail the check to Berggren Architects that was held at the January 25, 2011 Board meeting. Upon roll call, the vote was as follows:

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

Nays: Simacek

The Chairman declared the motion carried.

SHERIFF'S OFFICE CHECK

Barbara Trapp, County Treasurer informed the Board that the emergency check authorized at the January 25, 2011 Board meeting for the Sheriff's office was cashed and the funds were returned to the Treasurer on February 24, 2011.

TOWNSHIP BOARD ISSUES

Jill Cunningham, County Attorney informed the Board of the process in which the County will assume the Township's in the County that the individuals that were elected in November 2010 have resigned their position with that board since January 2011. After further discussion, the County Attorney will do further research and bring back to the Board when and what needs to be advertised to complete this process.

ADJOURN

Agenda item "2009/2010 Audit report" was tabled until a future board meeting. As there was no other business to come before the Board, Cerny moved and Simacek seconded the motion to adjourn until 9:00 a.m., March 22, 2011. Upon roll call, the vote was as follows:

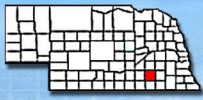
Ayes: Noel, Cerny, Mueller, Capek, Yates, and Simacek

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



March 22, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 22, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:38 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the March 8, 2011 Board meeting.

PUBLIC HEALTH SOLUTIONS

Debbie Wendelin with Public Health Solutions informed the Board that they have received a grant to assist residents with the removal of lead based paint in homes. They have sent contractors to training so that they know how to take care of the lead based paint properly. Public Health is also working with Blue Valley Community Action and Southeast Nebraska Development District.

2009/2010 AUDIT

Joleen Stroyek with Contryman Associates, PC presented the audit for fiscal year ending June 30, 2010 to the Board.

NOXIOUS WEED BOARD

Todd Boller, Noxious Weed Superintendent informed the Board that Darlene Vodicka resigned from the Noxious Weed Board and they would like to appoint Carol Hoarty to fill the vacancy.

After discussion, Noel moved and Simacek seconded the motion to appoint Carol Hoarty to the Noxious Weed Board effective immediately and ending December 31, 2015. Upon roll call, the vote was as follows:

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

Nays: Mueller

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Bill Kleinschmidt – install a new 40 foot driveway on the west side of the NW ¼, Section 1-6-4, Momence Township;

Steve Heinrichs – install a new 40 foot driveway on the south side of the E ½ of SE ¼, Section 14-6-4, Momence Township;

Swartzendruber Farms – install a new 40 foot driveway on the south side of the SE ¼, Section 22-5-3, Hamilton Township;

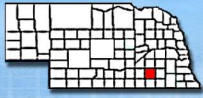
James McGowan – install two new 40 foot driveways on the north side of the NW ¼, Section 35-8-2, Fairmont Township;

Steve Mason – extend two existing driveways to 40 foot on the south and east side of the SE ¼, Section 35-8-2, Fairmont Township;

Jerry Chapman – extend two existing driveways to 40 foot on the east side of the SE ¼, Section 2-7-2, Madison Township.

Upon roll call, the vote was as follows:

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



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Nays: None

The Chairman declared the motion carried.

TRAFFIC STUDY

After discussion, Noel moved and Yates seconded the motion to instruct the Highway Superintendent to conduct a traffic study on Road U and Road 14 and to report back to the Board. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SPRAYING TOWNSHIP ROADS

After discussion, Mueller moved and Cerny seconded the motion to direct the Noxious Weed Superintendent to spray Geneva and Bryant Township roads twice a year. Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Simacek

The Chairman declared the motion carried.

GENEVA NORTHWEST PROJECT

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

RESOLUTION 2011 - 11

WHEREAS, Fillmore County is proposing a transportation project for which it would like to obtain Federal funds;

WHEREAS, Fillmore County understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, Fillmore County and Nebraska Department of Roads (NDOR) wish to enter into a Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project.

BE IT RESOLVED, by the Board of Supervisors of Fillmore County that Ray Capek Chairperson of the Board of Fillmore County is hereby authorized to sign the attached Project Program Agreement between Fillmore County and the NDOR.

Fillmore County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number 7030 (30),
NDOR Control Number 42226],
Geneva NW

Upon roll call, the vote was as follows:

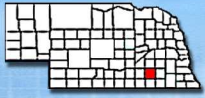
Ayes: Yates, Simacek, Noel, Cerny, Mueller, Galusha, and Capek

Nays: None

The Chairman declared the resolution adopted.

LIQUOR LICENSE HEARING

Public hearing for the Catering Liquor License was opened at 10:55 a.m.



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RURAL TRANSIT

Brenda Sherwin presented the budget for 2011-2012 for the Fillmore County Rural Transit in the amount of \$20,036.00, which will be discussed later this summer. They also presented documents for Federal and State funding.

RURAL TRANSIT FUNDING

After discussion, Mueller moved and Yates seconded the introduction of the following resolution:

RESOLUTION 2011 - 12

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, Fillmore County desires to apply for said funds to be used to provide public transportation in Fillmore County.

NOW THEREFORE, BE IT RESOLVED; that the Fillmore County Board of Supervisors hereby instructs the Fillmore County Clerk to apply for the above said funds. Said funds are to be used for Fillmore County Rural Transit Transportation operations in the Fiscal Year 2011-2012 Application for Public Transportation Assistance.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

RURAL TRANSIT CONTRACT WITH BLUE VALLEY

After discussion, Yates moved and Cerny seconded the motion to approve and sign the contract with Blue Valley Community Action, Inc. for rural transit in Fillmore County beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LIQUOR LICENSE

As no one appeared to testify for or against the Catering Liquor License the Chairman declared the hearing closed at 11:05 a.m.

Cerny moved and Galusha seconded the motion to allow Fillmore County Recreation Association DBA Hidden Hills Country Club to obtain their Class I #14224 Catering Application Liquor License. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENEVA BROADBAND

Greg Baltzer, Manager of Geneva Broadband informed the Board that he is ready to install the equipment on the 911 tower to supply internet service to rural residents. Greg requested that the Board waive the fee to have equipment on the tower for 90 days.



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After discussion, Cerny moved and Noel seconded the motion to waive the fee to have equipment on the tower for 90 days for Geneva Broadband. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LEASE AGREEMENT WITH GENEVA BROADBAND

Mueller moved and Yates seconded the motion to approve the Antenna Site Lease Agreement with Geneva Broadband beginning March 22, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING COMMISSION

After discussion, Simacek moved and Galusha seconded the motion to appoint Dan Mainwaring to the Planning Commission to replace Tom D. Manning beginning March 22, 2011 and ending June 30, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PETERS SUBDIVISION

Planning and Zoning Administrator, Donna Mainwaring submitted a plat for the Peters Subdivision, located in the NE ¼, Section 4-8-4, Grafton Township.

Cerny moved and Noel seconded the motion to approve the plat for the Peters Subdivision as follows:

A tract of land in the NE ¼ of Section 4, Township 8 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NE corner of said NE ¼; thence S00°08'56"E, 1045.00 feet on the east line of said NE ¼ to the point of beginning; thence S89°15'04"W, 386.00 feet; thence S00°08'56"E, 573.00 feet; parallel with the east line of said NE ¼; thence N89°51'04"E, 386.00 feet to the east line of said NE ¼; thence N00°08'56"W, 573.00 feet on said east line to the point of beginning, containing 5.08 acres more or less, which includes 0.43 acres more or less used for county road purposes.

Upon roll call, the vote was as follows:

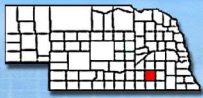
Ayes: Yates, Simacek, Noel, Cerny, Mueller, Galusha, and Capek
Nays: None

The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

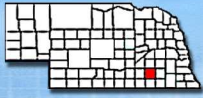


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All Around Lawn Care	Ser	50.00
Ameritas Life Insurance Corp	Ret	3,315.64
Aramark Uniform Services, Inc.	Ser	601.18
Blue Cross Blue Shield of Nebraska	Insur	22,084.93
Blue Valley Community Action Partnership	Budget request	3,610.00
Bottorf & Maser, Atty.	Ser, Mile	600.00
Mary Brinkman	Meals	7.84
Daryl L. Callenius	Meals	11.69
Central Nebraska Refrigeration, Inc.	Rep	591.00
Century Lumber Center	Sup, Rep	169.34
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Corner Stop	Fuel	315.87
Dell Marketing, LP	Sup	518.95
Judy Dondlinger	Ser	120.00
Eakes Office Plus	Sup	1,327.13
Merlin Ehmen	Ret	22.00
Exeter Senior Center	USDA, Misc.	143.72
Fairmont Aging Services	USDA, Misc.	653.89
Fillmore County Treasurer	Sup, Meals, Misc.	215.46
First Concord Group, Inc.	Insur	5,739.50
Galls – An Aramark Company	Sup	6.08
Gambles	Sup	168.64
Geneva Broadband, LLC	Uti	99.98
Geneva Senior Center	USDA, Rent, Misc	1,773.91
Geneva State Bank	SS	3,502.64
Geneva Super Foods	Sup	1,013.60
Norma Gregory	Ret	25.00
Heath, Inc.	Rep	455.51
Heinisch Law Office	Ser	313.50
Hilty's of Geneva	Sup	273.77
Hometown Leasing	Ser	128.44
Steve Julich	Post	6.66
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,817.34
Kerry's Auto Repair & Service	Main	44.35
Lancaster County Sheriff	Ser	27.24
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Donna Mainwaring	Meals	16.51
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	321.36
MIPS, Inc.	Sup, Ser	369.00
Moore Wallace DBA RR Donnelley	Sup	79.46
Rich Mueller/Thomas Biegert	Rent	650.00
Nance County District Court	Ser	1.50
Nebraska Association of County Officials	Wksh	80.00
Nebraska Public Power District	Uti	1,066.54
The Nebraska Signal	Sup	285.50
Barb Nunns	Ser	170.00
DMB's Express Police Supply	Sup	312.93
Dawn Opfer	Sup	93.62
Ralph's Geneva Tire & Service Center	Rep	23.50
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Dept. of Motor Vehicles	Ser	8.00
State of Nebraska Health & Human Service	Febr. Patient care	387.00
Ultramax	Sup	443.50
Brandy VanDeWalle	Mile, Uti	68.56
Carroll L. Verhage	Ser	61.00



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Verizon Wireless	Uti	495.90
Weaver Pharmacy	Sup	2.09
Daniel L. Werner, P.C. LLO	Ser, Mile	599.56
Anthony Whitmore	Meals, Post	12.27
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,334.65
Payroll	Salaries	48,145.51

ROAD/BRIDGE FUND:

Ace Agri Supply	Rep	36.52
Ameritas Life Insurance Corp.	Ret	1,774.78
Aurora Cooperative Elevator Co.	Sup	1,600.00
Auto Value Parts Stores	Parts, Sup	1,532.53
Blue Cross Blue Shield of Nebraska	Insur	13,131.58
Century Lumber Center	Rep, Parts, Sup	472.54
City of Geneva	Sup	103.85
Dorchester Farmers Coop	Fuel	11,306.11
Fehlhafer, Inc.	Parts	40.00
Fillmore County Hospital	Ser	52.00
Fillmore County Treasurer	Equip	170.00
Gambles	Parts, Sup	235.90
Geneva Implement Co, Inc.	Parts	1,666.72
Geneva State Bank	SS	1,949.42
Geneva Super Foods	Sup	29.85
Ralph Gould	Ret	18.00
Elmer Hessheimer	Mile, Ser	177.76
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel, Parts	7,808.76
Mels Automotive, Inc.	Parts, Rep	127.68
MIPS, Inc.	Ser	225.00
Nebraska Bolt	Sup	64.05
Nebraska Public Power District	Uti	523.31
Newman Traffic Signs	Sup	893.70
Nick's Farm Store Co.	Parts, Rep	15.72
Office Depot Credit Plan	Sup	93.96
Perennial Public Power District	Ser	7,722.74
Power Plan	Parts, Rep	1,326.14
Speece Lewis Engineers	Ser	2,278.47
Stolz's Grading	Ser	292.50
Verizon Wireless	Uti	69.60
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	132.27
Wicks Sterling Trucks	Parts	10.87
Windstream	Uti	145.55
Payroll	Salaries	26,293.12

ECONOMIC DEVELOPMENT – TOURISM FUND:

Fillmore County Development Corp.	Sup, Ser	267.34
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INHERITANCE TAX FUND:

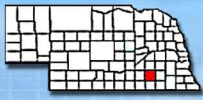
City Clock Company	Equip	11,462.00
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911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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E911 COMMUNICATIONS FUND:

Dell Marketing, LP	Equip	1,121.42
Nebraska Public Power District	Uti	165.30
Windstream	Uti	1,010.50



Fillmore County Board Minutes



March 22, 2011

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

GIS WORKSHOP

Amy Nelson, County Clerk and Election Commissioner presented a bid from GIS Workshop establishing a tab on the Assessor's website that would assist County residents in locating supervisor districts, school districts, voting districts, fire districts and other important information regarding elections. The cost to establish is \$2,500.00 with an annual maintenance fee. After discussion, the Board agreed that this would be a benefit to the residents of Fillmore County.

CULVERT PIPE BIDS

Opened culvert pipe bids at 1:10 p.m., the following bids were received:

	<u>ROUND CMP</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.33	11.05	14.65	23.05	26.96	44.12	50.95	58.25	80.80	96.80	135.50
Contech	9.48	11.26	14.98	22.98	27.41	44.67	50.82	58.21	82.36	98.23	141.76
Metal Culverts	8.29	9.84	13.17	20.35	24.27	39.89	45.44	51.80	72.89	87.02	125.58
Midwest Services	10.45	12.43	16.59	24.94	29.81	48.26	54.95	61.63	87.87	104.71	168.64

	<u>ELLIPTICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.73	11.45	15.05	23.45	27.21	45.12	52.95	59.25	82.80	98.80	139.50
Contech	9.79	11.61	15.45	23.71	28.29	46.09	52.44	59.98	84.98	101.35	146.27
Metal Culverts	8.88	10.43	14.06	21.24	25.31	41.07	46.68	53.21	74.44	88.95	129.35
Midwest Services	11.58	13.57	17.84	26.45	31.30	50.02	56.94	61.63	91.64	109.74	174.24

	<u>ROUND HELICAL (SPIRAL)</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.70	11.50	15.20	23.90	28.03	46.00	52.90	60.80	84.20	100.80	142.90
Big R Bridge	14.36	17.13	22.26	28.20	33.75	39.46	54.54	63.10	71.68	85.77	101.15
Contech	8.04	9.64	12.86	20.21	24.27	39.22	44.82	50.41	71.25	85.25	121.96
Metal Culverts	8.29	9.84	13.17	20.35	24.27	39.89	45.44	51.80	72.89	87.02	125.58
Midwest Services	9.34	11.10	14.81	22.28	26.62	43.09	49.07	55.04	78.48	93.51	No Bid

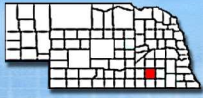
	<u>ELLIPTICAL HELICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	10.10	11.90	15.60	24.30	28.28	47.00	54.90	61.80	86.20	102.80	146.90
Big R Bridge	15.41	18.39	24.34	30.30	36.27	52.27	80.81	90.79	94.48	113.06	No Bid
Contech	8.24	9.89	13.19	20.73	24.90	40.23	45.97	51.71	73.09	87.45	125.09
Metal Culverts	8.88	10.43	14.06	21.24	25.31	41.07	46.69	53.21	74.44	88.95	129.35
Midwest Services	10.24	12.12	15.94	23.62	27.95	44.68	50.86	57.27	81.84	97.99	No Bid

CULVERT PIPE LETTING

After discussion, Simacek moved and Yates seconded the motion to accept all bids with the Highway Superintendent selecting the lowest bid depending upon availability. Upon roll call, the vote was as follows:

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

Nays: None



Fillmore County Board Minutes



March 22, 2011

The Chairman declared the motion carried.

REVITALIZE GENEVA PROJECT

Kyle Svec, Administrator for City of Geneva presented the estimate for pedestrian lights on Courthouse grounds as requested at the previous Board meeting. Kyle also requested that the Board let the City know if they would be willing to assist in any portion of the pedestrian lights between 8th and 10th Street.

After discussion, Cerny moved and Yates seconded the motion to pay \$25,000.00 toward the pedestrian lights along 8th and 10th Street on the south side of the block. Upon roll call, the vote was as follows:

Ayes: Cerny, Mueller, and Yates

Nays: Galusha, Capek, Simacek, and Noel

The Chairman declared the motion failed.

AERIAL PHOTOS

Lynn Mussman, County Assessor informed the Board that GIS Workshop would charge \$16,000.00 to take aerial photos of all rural properties.

After discussion, Mueller moved and Yates seconded the motion to approve GIS Workshop to take the rural aerial photos for the Assessor's office. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ASSESSOR UPDATES

County Assessor, Lynn Mussman informed the Board that to complete the review of the rural land would take an additional forty days of the appraiser's time. Board approved the time as it needs to be completed to stay in compliance with the State regulations.

Lynn also informed the Board that the valuation abstract is complete and the 2011 valuation will increase approximately \$162,000,000.00.

FLOODPLAIN ISSUES

Merle Noel presented a letter to the Board that he would like to send to Congressman Adrian Smith regarding his floodplain issues. After discussion, the Board requested that Merle send the letter from himself as a landowner and then the Board would send a letter addressing the issues they have.

ADJOURN

Agenda item "Uniform & Car Wash allowance and crack sealing & armor coating" was tabled until a future board meeting. As there was no other business to come before the Board, Galusha moved and Yates seconded the motion to adjourn until 9:10 a.m., April 12, 2011. Upon roll call, the vote was as follows:

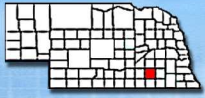
Ayes: Galusha, Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



April 12, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., April 12, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. Galusha was absent at 2:25 p.m. The County Clerk was present to record the minutes of the meeting. Shari Michl was present for the meeting for the Odegeo Leadership program.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:44 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the March 22, 2011 Board meeting.

FEE REPORTS

Mueller moved and Yates seconded the motion to approve the fee reports for the month of March 2011:

County Clerk \$12,908.00 (State \$7,983.14 & County \$4,924.86)
Clerk of the District Court \$235.90 & Tax Foreclosures \$17,725.00
County Sheriff \$6,039.57

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

City of Geneva – install a gravity sewer main and steel casing between the NW ¼ of Section 31-7-2 and the SW ¼ of Section 30-7-2, Madison Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

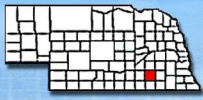
Wendell & Brent Nelson – widen three driveways to 30 ft. and 40 ft. on the north and west side of the NW ¼, Section 34-5-4, Bryant Township;

Lynn Carlson – install one new 40 ft. driveway and widen two driveways to 40 ft. on the west side of the NW ¼, Section 33-6-4, Momence Township;

Darrel Saltzman – install a new driveway on the south side of the SE ¼, Section 16-5-3, Hamilton Township;

Bill Softley – widen an existing driveway on the east side of the SE ¼, Section 11-8-3, West Blue Township;

Robert Dean Lovegrove – widen an existing driveway to 40 ft. on the south side of the NW ¼, Section 36-8-3, West Blue Township.



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Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLEAN SILT PERMITS

Mueller moved and Yates seconded the motion to approve the clean silt from the road ditch permit:

Aarik Jensen – clean silt from the road ditch on the north and east side of the NE ¼, Section 14-8-2, Fairmont Township;

Gary & Lynn Carlson – clean silt from the road ditch on the north side of the NW ¼, Section 28-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BARRICADES

After discussion, Yates moved and Cerny seconded the introduction of the following resolutions:

RESOLUTION 2011 - 13

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 provide work zone and or road closure traffic control devices for use on rural county roads to prevent or minimize vehicle crashes in the State of Nebraska,

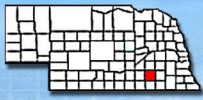
WHEREAS, the High Risk Rural Road Committee on September 14, 2010 approved a project known as HRRR-STWD (108) – Work Zone and Road Closure Traffic Devices to accomplish the following:

For the purchase and distribution, by the State of Nebraska Department of Roads, of Work Zone and Road Closure Traffic Control Devices for use by Counties on rural roads throughout the State of Nebraska.

BE IT RESOLVED, that the State of Nebraska is hereby requested to act on behalf of said County to program a project for the purchase of traffic control devices shown on Exhibit “A” (Response Form) attached,

BE IT FURTHER RESOLVED, that sufficient funds of said county are now available or will be made available and are hereby pledged to the Nebraska Department of Road in the amount and at the required time for the purpose of matching Federal funds for the contemplated construction.

The cost to said County is 10% of the work described herein which is estimated to be \$82.40 per set of single lane closure traffic control devices and \$80.40 per set of six Type III barricades and signs to fully close a road. Number of sets of each ordered is shown on Exhibit A attached to this resolution.



Fillmore County Board Minutes



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BE IT FURTHER RESOLVED, that the Chairman of the County Board is authorized to sign this resolution on behalf of said Board. In addition the Chairman and the Highway Superintendent are hereby authorized to sign the Certificate of Compliance after completion of the work.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

STOP SIGNS ON ROAD 14 & U

After discussion, Cerny moved and Mueller seconded the motion to leave the stop signs which are located on Road 14 and Road U as they are currently. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

STOP SIGNS ON ROAD 14 & U

After further discussion, Noel moved and Yates seconded the introduction of the following resolution:

RESOLUTIONS 2011 - 14

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

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

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

TYPE OF DEVICE

LOCATION

Remove STOP signs
Add SPEED sign

at the intersection of County Roads 14 and U,
at the intersection of County Roads 14 and U, on
the north side of the intersection

NOW THEREFORE BE IT RESOLVED, by the Fillmore County Board of Supervisors that this resolution is approved this 12th day of April, 2011.

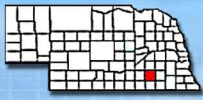
Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

ROAD ISSUES

Mark Timmerman, Highway Superintendent informed the Board that he received a bid to armor coat the Milligan south road of \$81,000.00. After discussion, the Board decided that they would take official bids in December or January to be completed spring of 2012.



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Mark also invited the Board to attend a demonstration of a pull type grader on April 18th, time and place yet to be determined.

UNIFORM AND CAR WASH ALLOWANCE FOR SHERIFF'S OFFICE

After discussion, Noel moved and Mueller seconded the motion to change the current uniform and car wash allowance for the deputies in the Sheriff's office to be included on the employee's pay check and W-2 in the amount of \$624.00 per year or \$24.00 a pay period. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

COURTHOUSE PINS

After discussion, the Board requested that another 50 courthouse pins be ordered to keep the mold in place for another three years.

SECURITY CAMERAS

After discussion, Yates moved and Noel seconded the motion to add four more cameras and move one camera for an approximate amount of \$1,298.29. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

PLEDGED SECURITIES

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

RESOLUTION 2011 - 15

RESOLVED, Cornerstone Bank of Geneva, Nebraska be permitted to replace the following securities held by Union Bank and Trust Company:

CUSIP #986356ED1 in the amount of \$50,000.00

CUSIP #986356EG4 in the amount of \$140,000.00

CUSIP #986356EJ8 in the amount of \$355,000.00

and that the following security be substituted:

CUSIP #313372BR4 in the amount of \$500,000.00

Upon roll call, the vote was as follows:

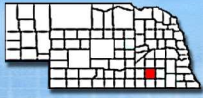
Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the resolution adopted.

EXETER/FAIRMONT TOWNSHIP BOND

Simacek moved and Mueller seconded the motion to approve the bond for Joe Dinneen representing the Exeter/Fairmont Township beginning January 17, 2011 and ending January 11, 2012. Upon the roll call, the vote was as follows:



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

The Chairman declared the motion carried.

PLANNING COMMISSION

After discussion, Cerny moved and Yates seconded the motion to appoint Robert Waltrip to the Planning Commission to replace John Griess beginning April 12, 2011 and ending June 30, 2013. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ZONING REGULATION CHANGE

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

RESOLUTION 2011 - 16

WHEREAS, the Board of Adjustment for the Village of Exeter amended the C-1 Commercial Zoning regulations (Article #5.74) for a Conditional Use Permit within the Village of Exeter limits only, and;

WHEREAS, the Board of Adjustments for the Village of Exeter will allow gunsmithing activities and gunsmithing manufacturing within the C-1 Commercial Zoning (Article #5.74) areas within the Village of Exeter limits only, and

WHEREAS, the Fillmore County Board of Supervisors has taken into consideration the amendment by the Board of Adjustment for the Village of Exeter to amend the C-1 Commercial Zoning Regulations (Article #5.74) to allow gunsmithing activities and gunsmithing manufacturing within the limits of the Village of Exeter only.

BE IT RESOLVED, the Fillmore County Board of Supervisors amends the zoning regulations and comprehensive plan regarding C-1 Commercial Zoning Regulations (Article #5.74) within the Village of Exeter limits.

NOW THEREFORE, be it resolved by the Fillmore County Board of Supervisors that this resolution is approved on the 12th day of April 2011.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

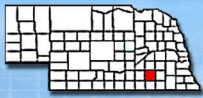
PUBLIC HEALTH SOLUTIONS

Jane Ford Witthoff, Director of Public Health Solutions presented the annual report to the Board. Jane also addressed the Board regarding the budget cuts that might be affecting the overall aspect of Public Health. She also informed the Board of all the traffic deaths there are from texting while driving and presented thumb rings that they are giving away to help prevent this.

EXTENSION OFFICE UPDATE

Brandy VanDeWalle presented an update of what the extension office has been doing and their upcoming events. Brandy also informed the Board that they will be having two interns at the Extension office beginning in May, which is being funded by University of Nebraska - Lincoln and a grant.

DIESEL FUEL BIDS



Fillmore County Board Minutes



April 12, 2011

Bids for diesel fuel were opened at 1:00 p.m. as advertised. The following bids were received:

Bidder

Grafton Oil
Dorchester Farmers Coop

Lichti Oil

D-Grade

\$3.63 per gallon for only the Grafton Shop
\$3.61 per gallon for Exeter, Fairmont, Grafton, Milligan,
Ohioa, Shickley, and Strang
\$3.628 per gallon for Exeter, Fairmont, Grafton, Milligan,
Ohioa, Shickley, and Strang

DIESEL FUEL LETTING

After discussion, Mueller moved and Yates seconded the motion to accept and award the Diesel fuel letting to Grafton Oil for Grafton's shop, Dorchester Farmers Coop for Exeter, Milligan, and Fairmont shops, and Lichti Oil for Ohioa, Shickley, and Strang shops. Upon roll call, the vote was as follows:

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

Nays: None

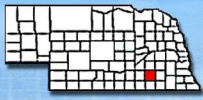
The Chairman declared the motion carried.

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	Rent, Post, Sup	3,273.51
Ameritas Life Insurance Corp.	Ret	4,587.96
Jon Anderson	Meals	8.39
Andrews Electric Co., Inc.	Rep	144.05
Apex Software	Ser	645.00
Aramark Uniform Services, Inc.	Ser	747.78
Axis Capital, Inc.	Ser	249.00
Bear Graphics, Inc.	Sup	173.09
Black Hills Energy	Uti	1,050.26
William L. Burgess	Meals	15.28
Century Lumber Center	Sup, Rep	281.83
City of Geneva	Uti	145.70
Computer Depot	Sup	42.99
Constellation Energy	Uti	161.58
Gaylord Craddock	Mile	52.02
Dawg's Smokehouse Café	HDM's	341.00
Dell Marketing, LP	Equip	487.93
Judy Dondlinger	Ser	156.00
Eakes Office Plus	Sup, Ser	1,787.39
Earls Window Service	Ser	6.00
Elite Court Reporting	Ser	135.00
Sharon Elznic	Mtgs, Mile	121.20
Brittney M. Endrihs	Ser	187.50
Executive Copier Services	Ser	64.94
Exeter Care Center	HDM's	245.00
Fillmore County Clerk	Ser	32.50
Fillmore County Clerk of District Court	Fees	67.00
Fillmore County Hospital	Ser	682.59
Fillmore County Medical Center	Ser	62.31
Fillmore County Treasurer	Taxes	57,069.65

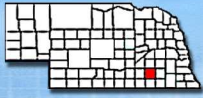


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First Concord Benefits Group, LLC	Insur, Ser	2,559.63
Geneva State Bank	Ser, SS	7,290.23
Geneva Welding & Supply, Inc.	Rental	50.00
Richard Girmus	Mtgs, Mile	72.24
John Griess	Mtgs, Mile	60.60
Matt Harre	Mtgs, Mile	93.96
Frances Heinrichs	Mile	52.02
Hillyard / Sioux Falls	Sup	38.74
Hometown Leasing	Ser	782.55
Ron Isley	Mile	24.48
Jim's Repair	Main, Rep	108.06
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,455.98
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,721.71
Lancaster Co. Sheriff	Ser	18.00
Lichti Oil	Fuel	69.50
Jennifer Lovegrove	Ser	132.00
Madison National Life	Insur	181.89
Bette Mattox Manning	Ser	156.00
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Storage Solutions, Inc.	Equip	10,919.07
MIPS, Inc.	Ser	2,741.69
Mark Morgan	Mtgs, Mile	168.12
Morley Most	Mtgs, Mile	125.28
Brenda Motis	Mile	98.43
Marvin Nadherny	Mtgs, Mile	113.04
Nebraska Association of County Officials	Mtg	10.00
Nebraska Planning & Zoning Association	Dues	40.00
The Nebraska Signal	Pro, Ads	1,157.10
Reg Noel	Mtgs, Mile	90.90
Norrie Construction	Ser	76.00
Leonard Oldehoeft	Mile	24.48
Dawn Opfer	Misc	69.56
Platte County Sheriff	Ser	77.16
Lyndsey Pohlmeier	Mile	116.28
Protex Central, Inc.	Main	281.83
Quality Inn	Lodging	119.97
R & D Auto Parts, LLC	Rep	139.62
Radiology Associates, PC	Ser	116.00
Ralph's Geneva Tire & Service Center	Main, Rep	539.94
Ramada Inn	Lodging	186.00
Redfield & Company, Inc.	Sup	93.00
Region V Systems	EPC	4,961.00
Robinson Textiles	Sup	240.90
Steven G. Roemmich	Meals	18.51
Saline County Treasurer	Budget request	6,159.78
Jim Schneider	Mile	55.08
Shell Fleet Plus	Fuel	3,183.43
State of Nebraska AS Central Finance	Ser	448.00
Rhonda Stokebrand	Mile	238.99
Allan Stuckey	Mtgs, Mile	90.90
Sutton Electric, Inc.	Rep	157.84
Total Funds by Hasler	Post	700.00
UN-L IS-Telecommunications	Uti	11.43
US Bank CPS	Sup, Meals	414.01
Brandy VanDeWalle	Mile, Meals, Uti	125.10
Dan Votipka	Mtgs, Mile	31.32
Eric Williams	Post, Meal	30.62
Windstream	Uti	1,281.02



Fillmore County Board Minutes



April 12, 2011

York County Sheriff's Dept.
Payroll

Ser
Salaries

6.50
99,159.21

ROAD/BRIDGE FUND:

Action Auto Supply	Rep	31.54
Ameritas Life Insurance Corp.	Ret	3,609.84
Auto Value Parts Stores	Parts, Rep, Sup	766.50
Black Hills Energy	Uti	916.67
Casey's General Stores	Fuel	70.12
Century Lumber Center	Sup	65.96
City of Geneva	Uti	63.40
Corner Stop	Fuel	2,900.29
Dorchester Farmers Coop	Fuel	331.65
Farm Plan	Parts	213.23
Fillmore County Hospital	Ser	26.00
Filter Care of Nebraska	Parts	288.70
Friesen Chevrolet, Inc.	Parts	12.08
Geneva Implement Co., Inc.	Parts, Rep	247.19
Geneva State Bank	SS	3,967.18
Geneva Super Foods	Sup	24.28
Geneva Welding & Supply, Inc.	Parts, Sup	976.53
Grafton Mini Mart	Fuel	51.91
Grafton Oil, Inc.	Fuel, Sup	1,855.37
Elmer Hessheimer	Mile, Misc	276.94
Kassik Milling Co., Inc.	Misc	274.84
Kerry's Auto Repair & Service	Sup, Rep	160.26
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel, Parts	5,510.71
M & B Business Machine Service	Sup	90.00
Madison National Life	Insur	95.96
M. E. Collins	Project	55,357.73
Medical Enterprises, Inc.	Ser	31.00
Michl Service	Fuel	208.02
Mike's Radiator & Tire	Rep	15.00
MIPS, Inc.	Ser	106.56
Nebraska Dept. of Roads	Project	1,493.53
Nebraska Industrial Fasteners Corp.	Sup	104.70
The Nebraska Signal	Ads	65.87
Nick's Farm Store Co.	Rep	122.99
Perennial Public Power District	Uti	221.53
Power Plan	Parts	444.40
R & D Parts, LLC	Parts, Sup	35.61
Ralph's Geneva Tire Company	Rep	145.35
Shell Fleet Plus	Fuel	684.04
Speece Lewis Engineers	Ser	6,679.77
Theobald Trucking, LLC	Gravel, Ser	4,306.06
Village of Exeter	Uti	15.00
Village of Grafton	Uti	21.07
Village of Milligan	Uti	23.01
Weaver Pharmacy	Sup	7.82
Payroll	Salaries	53,479.00

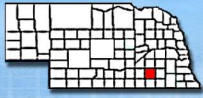
INHERITANCE TAX FUND:

Norrie Construction	Ser, Sup	2,954.76
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ETHANOL PLANT ROAD BOND FUND:

UMB Bank, NA	Principal, Interest	45,540.00
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HOSPITAL OPERATING FUND:



Fillmore County Board Minutes



April 12, 2011

Fillmore County Hospital

March Taxes

4,813.49

E911 COMMUNICATIONS FUND:

Windstream

Ser

899.52

CLAIMS APPROVED

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

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

Nays: None Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

MOWING CEMETERY BIDS

Opened mowing cemetery bids at 1:15 p.m. as advertised, the following bids were received:

<u>BIDDER</u>	<u>HORTON</u>	<u>ANTIOCH</u>	<u>FRANKLIN UNION</u>	<u>PLEASANT RIDGE</u>	<u>LUMP SUM FOR ALL</u>
Jack Yoder	\$410.00	\$150.00	\$310.00	\$520.00	\$1,390.00
Sutton Electric, Inc.	\$335.00	\$545.00	\$300.00	\$195.00	\$1,350.00
R & R Services	\$247.50	\$162.50	\$247.50	\$437.50	\$1,050.00

MOWING CEMETERY LETTING

After discussion, Yates moved and Galusha seconded the motion to accept lowest bid from R & R Services to mow all four cemeteries three times a year for a yearly fee of \$1,050.00. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLAIM FOR RALPH GRAHAM

Ralph Graham presented a claim to the Board for the 1994 pickup which was stolen by two inmates and wrecked in the amount of \$2,932.45. County Attorney, Jill Cunningham and County Sheriff, William Burgess were present for the discussion. Jill informed the Board that she had been in contact with our insurance carrier NIRMA and that they did not feel that the County should have to pay this claim due to the political subdivision tort claims act.

After discussion, Mueller moved and Simacek seconded the motion to pay Ralph's Geneva Tire & Service Center, Inc. \$2,250.00 and they keep the pickup. Upon roll call, the vote was as follows:

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

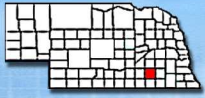
Nays: Yates and Cerny

The Chairman declared the motion carried.

FLOOD PLAIN INFORMATION

Donna Mainwaring, Flood Plain Administrator informed the Board that FEMA is starting a discovery program to allow political subdivisions to assist them in collecting data before they issue new flood plain maps. Donna will be attending several meetings and collecting data from the Road's Department, Villages, and landowners who have assisted in keeping the natural drainage areas clean. If anyone has any information they may contact Donna.

GENERAL ASSISTANCE



Fillmore County Board Minutes



April 12, 2011

After discussion, Mueller moved and Cerny seconded the motion to deny the general assistance claim #2011-01.
Upon roll call, the vote was as follows:

Ayes: Yate, Cerny, and Mueller

Nays: Capek and Simacek

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Mueller moved and Cerny seconded the motion to adjourn until 9:00 a.m., April 26, 2011. Upon roll call, the vote was as follows:

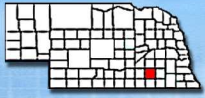
Ayes: Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



April 26, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., April 26, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting. Katie Chaney was present for a portion of the meeting for the Fillmore County Odegeo Leadership program.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:25 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the April 12, 2011 Board meeting.

PLANNING & ZONING UPDATE

Donna Mainwaring, Planning and Zoning Administrator informed the Board that JEO Consulting Group is working on updating the zoning regulations. Donna informed the Board that the Planning Commission has some general questions of what the Board wants to them to regulate. Two members of the Planning Commission will be present for discussion later today.

DRIVEWAY PERMIT

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

Wayne Matejka – install a new 40 ft. driveway on the west side of the SW ¼, Section 5-5-2, Belle Prairie Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLEAN SILT PERMIT

Mueller moved and Galusha seconded the motion to approve the following clean silt permit:

Paul O'Brien – clean silt from the road ditch on the south side of the SE ¼, Section 23-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

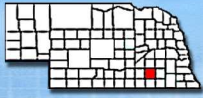
The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Danny Domeier – install electric line between the NW ¼ of Section 22 and the SE ¼ of Section 16-7-3, Geneva Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Upon roll call, the vote was as follows:



Fillmore County Board Minutes



April 26, 2011

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

The Chairman declared the motion carried.

PULL TYPE GRADERS

Mark Timmerman, Highway Superintendent and Lee Waldo with Jet Plain informed the Board that they had demonstrated a pull type grader last week.

After discussion, the Board directed Lee to work with Mark and have a lease agreement ready for discussion at the next Board meeting.

MADISON TOWNSHIP DISCUSSION

Albert Simacek informed the Board that he has had landowners request the railroad fill which was taken out of Section 2 in Madison Township to be replaced as it will cause water flow issues. In December of 2010 the Board issued a permit to Keith Burt allowing him to remove this railroad fill from the ditch. After discussion, the Board agreed to leave as is for now.

SHICKLEY FIRE DISTRICT BOND

Yates moved and Simacek seconded the motion to approve the bond for Jeffrey D. Row with the Shickley Rural Fire District beginning November 23, 2009 and ending November 23, 2013. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BLUE VALLEY COMMUNITY ACTION

Rick Nation, Director of Blue Valley Community Action presented the annual report and budget request for 2011 – 2012. The request was \$203.00 less than last year due to the decline in population in the county. Discussion regarding this budget request will be held later this summer. Lisa Epp and Heather Lytle were also present for this discussion.

AGREEMENT WITH FSA OFFICE

After discussion, Yates moved and Noel seconded the motion to authorize the Fillmore County Hospital Administrator to sign documents with the FSA office regarding the ground in Section 17, Bennett Township. Upon roll call, the vote was as follows:

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

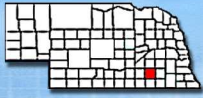
The Chairman declared the motion carried.

KEYSTONE PIPELINE

Bud Anderson with Keystone Pipeline presented an update regarding the progress of the Keystone XL Pipeline. Highway Superintendent, Mark Timmerman was also present for this discussion.

PLANNING & ZONING REGULATIONS

Donna Mainwaring, Planning & Zoning Administrator; Sharon Elznic and Morley Most, Planning Commission members were present for a discussion with the Board regarding the Planning & Zoning regulations. After a lengthy discussion of the regulations it was determined that we need to supply JEO Consulting with what we have as the most current regulations and have them update them. Once JEO has completed that process the Planning Commission will review and then present to the Board for approval.



Fillmore County Board Minutes



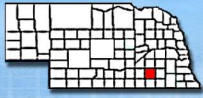
April 26, 2011

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:

Ameritas Life Insurance, Corp	Ret	3,178.99
Berggren Architects	Ser	2,725.75
Blue Cross Blue Shield of Nebraska	Insur	22,084.93
Bottorf & Maser Atty.	Ser, Mile	968.75
Business World Products	Ser	288.00
Marilyn Christianity	Ret	25.00
City of Geneva	Rent	484.00
Cornerstop	Fuel	443.57
Merlin Ehmen	Ret	22.00
Erdkamp Motors	Main	36.00
Exeter Senior Center	USDA, Misc.	116.50
Fairmont Aging Services	USDA	182.97
First Concord Benefits Group, LLC	Insur	3,822.68
Gambles	Sup, Misc.	388.55
Geneva Senior Center	Rent, USDA, Misc.	654.84
Geneva State Bank	SS	3,375.12
Geneva Super Foods	Sup	385.70
Geneva Broadband, LLC	Ser, Equip	198.98
Norma Gregory	Ret	25.00
Diane Heath	Meal	8.22
Heinisch Law Office	Ser	1,948.96
Holiday Inn	Lodging	210.00
Hometown Leasing	Ser	56.64
JEO Consulting Group, LLC	Ser	354.41
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Misc	2,780.56
Lancaster County Sheriff	Ser	23.28
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	474.40
Midwest Process Services	Ser	17.88
Rich Mueller / Thomas Biegert	Rent	650.00
Nebraska Association of Senior Centers	Dues	20.00
Nebraska Planning & Zoning Association	Wksh	160.00
Nebraska Public Power District	Uti	1,050.91
Nebraska Sheriff's Association	Wksh, Dues	560.00
Region V Systems	EPC	242.00
Saline County Sheriff	Ser	48.75
Seiler & Parker, P.C.	Ser, Mile	584.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Workforce Development		
Dept. of Labor	Misc	2,574.00
State of Nebraska Health & Human Serv.	March Patient Care	471.00
Sullivan, Shoemaker, Witt & Burns, PC, LLO	Ser	845.50
Thayer County Treasurer	Sup	601.45
US Bank, CPS	Sup, Post	1,547.30
Verizon Wireless	Uti	500.39
Weaver Pharmacy	Sup	133.11
Daniel L. Werner, PC, LLO	Ser	45.00
What's Happening	Ad	30.00



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Whelan, Scherr, Glen, Goding & Mead, PC	Ser, Mile	443.11
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	159.16
Payroll	Salaries	46,471.86

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,937.09
Blue Cross Blue Shield of Nebraska	Insur	13,131.58
Dorchester Farmers Coop	Fuel	2,054.09
Farm Plan	Parts, Rep	586.45
Gambles	Sup, Misc	94.38
Geneva State Bank	SS	2,137.05
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	145.64
Grafton Oil, Inc.	Fuel	1,589.94
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	9,345.97
Momar Inc.	Sup	194.78
Nebraska Public Power District	Uti	468.74
Newman Traffic Signs	Equip	1,273.94
Nichols Construction	Gravel	12,424.18
NMC Exchange, LLC	Rep, Equip, Main	19,858.08
Office Depot Credit Plan	Sup	100.96
Perennial Public Power	Uti	143.64
Speece Lewis Engineers	Ser	1,320.61
Topkote, Inc.	Ser, Main	4,109.21
Verizon Wireless	Uti	69.52
Village of Fairmont	Uti	53.88
Windstream	Uti	145.05
Payroll	Salaries	28,745.67

INHERITANCE TAX FUND:

Interactive Communication Systems	Equip, Ser	7,198.03
Ralph's Geneva Tire & Service Center, Inc.	Equip	2,550.00

911 WIRELESS COMMUNICATIONS FUND:

Metro Leasing Company	Ser	794.89
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COURTHOUSE BOND FUND:

UMB Bank, NA	Interest	10,395.00
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ROAD BOND FUND:

UMB Bank, NA	Interest	6,735.00
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E911 COMMUNICATIONS FUND:

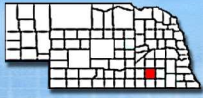
Donna Mainwaring	Post	5.46
Nebraska Public Power District	Uti	149.06
Windstream	Uti	117.84

CLAIMS APPROVED

Mueller moved and Simacek seconded the motion to approve the claims as presented with the exception of the claim from Berggren Architects for \$2,725.75. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



Fillmore County Board Minutes



April 26, 2011

BERGGREN ARCHITECT CLAIM

After discussion, Mueller moved and Yates seconded the motion to deny paying the Berggren Architect claim in the amount of \$2,725.75 due to it not being part of the contract. Upon roll call, the vote was as follows:

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

Nays: Cerny

The Chairman declared the motion carried.

EASEMENTS WITH CITY OF GENEVA

After discussion, Mueller moved and Noel seconded the motion to approve and authorize the Chairman to sign the Easement and Temporary Construction Easement with the City of Geneva for the sewer line that will supply the new Hospital and Northeast Addition located in a tract of land in the W ½ of the SE ¼, Section 31-7-2, Madison Township. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Yates moved and Simacek seconded the motion to adjourn until 9:10 a.m., May 10, 2011. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



May 10, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:13 a.m., May 10, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Vice Chairman Cerny presiding. Members present were Noel, Yates, Simacek, Mueller, and Galusha. Capek was absent. The County Clerk was present to record the minutes of the meeting. Kelly Nun was present for a portion of the meeting for Odegeo Leadership group.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:33 p.m.

MINUTES APPROVED

Vice Chairman of the Board, Cerny approved the minutes of the April 26, 2011 Board meeting.

NOXIOUS WEED UPDATE

Todd Boller, Noxious Weed Superintendent gave the Board an update of what noxious weeds he is seeing and that he has the summer crew hired.

FEE REPORTS

Noel moved and Mueller seconded the motion to approve the fee reports for the month of April, 2011:

County Clerk: \$9,715.33 (State \$5,901.17 & County \$3,814.16)

Clerk of District Court: \$216.79

County Sheriff: \$1,657.69

Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

DRIVEWAY PERMIT

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

David Stolzenburg – install a new driveway on the south side of the SE ¼, Section 11-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

PULL TYPE GRADERS

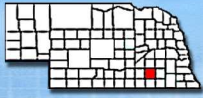
Lee Waldo with Jet Plain presented a lease agreement to the Board for a pull type grader.

After discussion, Mueller moved and Simacek seconded the motion to approve and sign the lease agreement with Jet Plain for a pull type motor grader. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.



Fillmore County Board Minutes



May 10, 2011

JOHN DEERE

Justin from Murphy Tractor presented the State bids for John Deere motor graders and loaders with John Deere. All information is located on the Nebraska Department of Roads website.

YIELD SIGN

After discussion, Noel moved and Yates seconded the introduction of the following resolution:

RESOLUTION 2011 - 17

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

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

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

TYPE OF DEVICE

LOCATION

Add YIELD sign

at the intersection of County Roads 14 and U

NOW THEREFORE BE IT RESOLVED, by the Fillmore County Board of Supervisors that this resolution is approved this 10th day of May, 2011.

Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the resolution adopted.

SUBSTITUTE PLEDGE SECURITY

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

RESOLUTION 2011 - 18

RESOLVED, that Cornerstone Bank of Geneva, Nebraska be permitted to substitute the following security held by the Federal Home Loan Bank:

Cusip #313372BR4 in the amount of \$500,000.00

and that the following security be substituted:

Cusip #313372JA3 in the amount of \$500,000.00

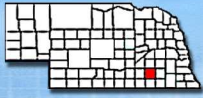
Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the resolution adopted.

ADDING PLEDGE SECURITY



Fillmore County Board Minutes



May 10, 2011

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

RESOLUTION 2011 - 19

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

Cusip #574837XF2 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the resolution adopted.

MAINSTAY TECHNOLOGIES

The Board accepted a letter from Mainstay Technologies, LLC terminating the Antenna Site Lease Agreement effective June 30, 2011.

GIS WORKSHOP

After discussion, Mueller moved and Noel seconded the motion to approve the contract with GIS Workshop for redistricting services. GIS Workshop will provide three different redistricting options to the Board to choose one in the amount of \$2,500.00. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

DEBT SUBORDINATION AGREEMENT AMENDMENT

Advanced BioEnergy submitted a Second Amendment to Debt Subordination Agreement related to the \$7,000,000 Fillmore County Subordinate Exempt Facilities Revenue Bonds, Series 2006A.

After discussion, Yates moved and Mueller seconded the motion to approve and sign the Second Amendment to Debt Subordination Agreement with ABE Fairmont, LLC (Advanced BioEnergy). Agreement ordered to be placed on file in the County Clerk's office. Upon roll call, the vote was as follows:

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

Nays: None

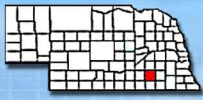
The Vice Chairman declared the motion carried.

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	Rent, Post, Misc.	3,280.39
Action Auto Supply	Main	383.95
Ameritas Life Insurance Corp.	Ret	3,201.04
Axis Capital, Inc.	Ser	249.00
B & J Automotive, LLC	Rep, Main	236.17

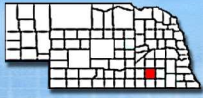


Fillmore County Board Minutes



May 10, 2011

Joseph N. Bixby, DR.	Ser	475.00
Black Hills Energy	Uti	627.84
Bottorf & Maser, Atty.	Ser, Mile	775.00
Daryl L. Callenius	Meals	62.92
Century Lumber Center	Sup	13.38
Chaney Chemical, Inc.	Sup	429.40
City of Geneva	Uti, Misc	1,704.40
Constellation Energy	Uti	91.19
Corner Stop	Fuel	368.10
Cornhusker State Industries	Sup	135.00
Jill R. Cunningham	Mile	113.22
Dawg's Smokehouse Café	HDM's	189.00
Dawson County Sheriff	Ser	25.00
Judy Dondlinger	Ser	156.00
Dugan Business Forms	Sup	149.59
Eakes Office Plus	Sup	584.64
Earls Window Service	Ser	12.00
Elite Court Reporting	Ser	290.00
Erdkamp Motors	Rep	978.04
Executive Copier Services	Ser	63.13
Exeter Care Center	HDM's	205.00
Fillmore County Clerk of District Court	Fees	131.00
Fillmore County Treasurer	Interest, Post, Wksh, Rent	1,137.87
First Concord Group, Inc.	Insur, Ser	3,524.90
Gambles	Sup	96.92
Geneva Broadband, LLC	Uti	79.98
Geneva State Bank	SS	3,403.23
Gloystein Veterinary Clinic	Ser	1,045.85
Hilty's of Geneva	Sup	51.98
Hometown Leasing	Ser	839.19
Steve Julich	Post, Misc	10.33
Kerry's Auto Repair & Service	Rep, Main	570.43
Knoche Appraisal & Consulting, LLC	Ser, Mile	932.80
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,718.28
Law Enforcement Targets, Inc.	Sup	512.90
Madison National Life	Insur	196.14
Elizabeth Mattox Manning	Ser	144.00
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Mailing Systems, Inc.	Sup	225.00
Midwest Motor Sports	Rep	190.94
Midwest Process Services	Ser	22.32
MIPS, Inc.	Ser	2,741.69
Brenda Motis	Mile	169.83
Nebraska Association of County Extension Boards	Dues	100.00
Nebraska Association of County Officials	Wksh	250.00
Nebraska Department of Revenue	Wksh	130.00
Nebraska Humane Society	Misc	205.00
The Nebraska Signal	Proc, Ads	1,013.97
Nick's Farm Store	Rep	139.95
Paper Tiger Shredding	Ser	318.15
Lyndsey Pohlmeier	Mile	42.84
Protective Products Enterprises	Sup	1,170.22
Ralph's Geneva Tire & Service Center	Rep, Main	542.41
Ramada Inn	Lodging	138.00
Region V Services	Budget request	2,952.25
Seiler & Parker, PC	Ser, Mile, Post	365.89
Service Press Henderson News	Sup	166.50



Fillmore County Board Minutes



May 10, 2011

Seward County Independent	Ad	31.20
Shell Fleet Plus	Fuel	3,390.43
State of Nebraska AS Central Finance	Ser	448.00
Sutton Electric, Inc.	Rep	656.59
Thomson West	Sup	165.00
Total Funds by Hasler	Post	700.00
University of Nebraska - Lincoln	Misc	4,250.53
UN-L IS-Telecommunications	Uti	10.28
US Bank CPS	Sup, Meals, Fuel	178.32
Brandy VanDeWalle	Uti, Mile, Meals	116.54
Carroll L. Verhage	Ser	95.00
Daniel L. Werner, PC, LLO	Ser, Mile	220.60
Windstream	Uti	234.97
York County Sheriff	Ser	18.50
Payroll	Salaries	46,839.73

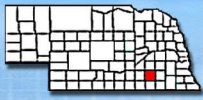
ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Sup	217.22
Ameritas Life Insurance Corp.	Ret	1,782.35
Auto Value Parts Stores	Parts, Sup	331.14
Black Hills Energy	Uti	461.08
Casey's General Store	Fuel	3,448.47
Century Lumber Center	Rep, Parts, Sup	113.25
City of Geneva	Uti	63.40
Corner Stop	Fuel	68.51
Dorchester Farmers Coop	Fuel	2,267.08
Filter Care of Nebraska	Parts	20.75
Gana Trucking & Excavating	Rock	60,114.53
Geneva Implement Co., Inc.	Parts	70.79
Geneva State Bank	SS	1,958.01
Geneva Welding & Supply, Inc.	Sup	268.17
Grafton Oil, Inc.	Fuel	1,756.92
Graham Tire Company	Tires	264.66
Elmer Hessheimer	Ser, Mile	295.07
Kerry's Auto Repair & Service	Rep	12.00
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel, Parts	2,222.83
Madison National Life	Insur	95.25
Matt Friend Truck Equipment, Inc.	Parts	98.00
Michl Service	Fuel	85.00
Midwest Unlimited	Misc	292.42
MIPS, Inc.	Ser, Sup	137.84
Nebr Iowa Industrial Fasteners Corp.	Sup	199.76
Nichols Construction	Gravel	28,772.43
Perennial Public Power District	Uti	59.17
Plains Equipment Group	Parts	15.24
Power Plan	Parts	253.17
R & D Parts, LLC	Parts	94.63
Ralph's Geneva Tire Company	Tires, Rep	940.86
Shell Fleet Plus	Fuel	799.59
Superior Lamp, Inc.	Sup	463.80
Sutton Lumber Co.	Sup	1,680.00
Village of Grafton	Uti	21.07
Payroll	Salaries	26,405.19

INHERITANCE TAX FUND:

JEO Consulting Group, Inc.	Ser	1,555.00
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CLAIMS APPROVED



Fillmore County Board Minutes



May 10, 2011

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

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

The Vice Chairman declared the motion carried.

REGION V SYSTEMS

C. J. Johnson, Regional Administrator with Region V Systems presented the annual report and budget request. Budget request for 2011 – 2012 is \$8,560.00 for mental health and \$1,540.00 for substance abuse, which will be discussed later this summer.

REGION V SERVICES

Dave Merrill, Executive Director, Region V Services presented the annual report and budget request. Budget request for 2011 – 2012 is \$10,484.20, which will be discussed later this summer.

FLOODPLAIN PERMIT

Yates moved and Galusha seconded the motion to approve the floodplain permit located between Sections 2 and 3, Grafton Township for project #C003010920. Work includes replacement of a 30' concrete arch bridge with a triple 10' x 12' x 42' concrete box culvert, roadway grading, culvert replacement, erosion control and seeding. Upon roll call, the vote was as follows:

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

The Vice Chairman declared the motion carried.

SURPLUS

After discussion, Noel moved and Yates seconded the motion to declare the International 1566 tractor surplus. Upon roll call, the vote was as follows:

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

The Vice Chairman declared the motion carried.

JAIL INSPECTION

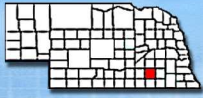
The Board completed the jail inspection and everything looked good. The shower in the east cell will be getting repaired per the Sheriff's office.

BLUE CROSS BLUE SHIELD

Tara Stevenson with Blue Cross Blue Shield presented the changes and new rates that will take place July 1, 2011 with the county's health insurance. The changes are due to the Health Care Reform Act and employees will now be able to cover their dependent's until they are twenty-six years old, the lifetime maximum limits have been removed, no pre-existing conditions for children under nineteen years of age, and preventative care services will be covered at 100%.

TOWER/CLOCK PROJECT

Wim Kersten with Berggren Architects informed the Board that they are approximately 35% complete with the shingle replacement. The clock hands have not been started, but City Clock has the controller in place for the mechanics of the clock.



Fillmore County Board Minutes



May 10, 2011

ZONING REGULATIONS

Donna Mainwaring, Planning and Zoning Administrator and Sharon Elznic, Planning Commission member requested that the Board give them direction on what regulations they wanted in the new regulations and what needs to be removed. After discussion, the Board would like the Planning Commission to review the new set of regulations that JEO prepares for them and then allow the County Board to review.

LAW ENFORCEMENT AGREEMENT WITH CITY

County Sheriff, Bill Burgess informed the Board that the agreement for law enforcement with the City of Geneva is up for renewal September 30, 2011. After discussion, the Board directed Sheriff Burgess to address the City Council for a 5% increase for a two year agreement.

CATERING LIQUOR LICENSE

Sherry Jantzi, owner of Overtime Bar & Grill and Seth Peterson submitted an application for a catering liquor license for June 18, 2011 at 1309 Road 6, Grafton.

After discussion, Yates moved and Simacek seconded the motion to approve the application from Overtime Bar & Grill for a catering liquor license at 1309 Road 6, Grafton, Nebraska. Upon roll call, the vote was as follows:

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

The Vice Chairman declared the motion carried.

EMERGENCY MANAGEMENT UPDATE

Donna Mainwaring, Emergency Manager informed the Board that she is waiting for an insurance certificate from Paraclete who will be installing new equipment on the tower. Donna also requested to have Platte Valley Communications be present during the installation and inspect the work for approximately \$1,000.00.

After discussion, the Board requested that Platte Valley be present during the installation and to inspect the work to ensure that the grounding is completed properly.

ADJOURN

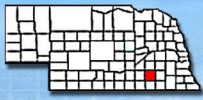
As there was no other business to come before the Board, Yates moved and Noel seconded the motion to adjourn until 9:00 a.m., May 24, 2011. Upon roll call, the vote was as follows:

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

The Vice Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



May 24, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., May 24, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Galusha, and Cerny. Mueller was absent. The County Clerk was present to record the minutes of the meeting. Norman Marks was present for a portion of the meeting for Odegeo Leadership group.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 12:06 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the May 10, 2011 Board meeting.

FSA AGREEMENT

After discussion, Simacek moved and Noel seconded the motion to authorize the Chairman of the Board to sign the agreement and paperwork for the FSA office each year for the ground located in Section 17, Bennett Township. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

RELEASING PLEDGE SECURITY

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

RESOLUTION 2011 - 20

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

Cusip #234219JL8 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

CONTRACT WITH AGING PARTNERS

After discussion, Simacek moved and Yates seconded the motion to approve and sign the contract with Aging Partners for Care Management services beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

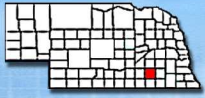
Ayes: Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

PUBLIC HEALTH BUDGET REQUEST

Public Health Solutions submitted a letter of request for \$1,000.00 to assist with the cost of flu shots in the school system as their funding has been cut for this program. The Board will discuss during the budget process this summer.



Fillmore County Board Minutes



May 24, 2011

DRIVEWAY PERMIT

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

Marie Rosenquist – widen an existing driveway to 40' on the west side of the NW ¼, Section 28-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CEMETERY MOWING CONTRACT

Yates moved and Simacek seconded the motion to approve the Cemetery Mowing contract with R & R Services beginning May 1, 2011 and ending November 1, 2011. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

MOTOR GRADERS

Justin from Murphy Tractor presented two proposals from the State bid for John Deere motor graders to the Board.

After discussion, Cerny moved and Galusha seconded the motion to purchase a 2011 John Deere 770GP and lease a 2011 John Deere 770GP motor grader for \$199,010.00 and \$204,918.00 out of 2011/2012 budget year. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DEFERRED COMPENSATION

Chad Christensen, Investment Representative with Nationwide Investment Advisors, LLC presented their 457 Deferred Compensation plan to the Board.

After discussion, Yates moved and Noel seconded the motion to approve Nationwide Investment Advisors, LLC as the counties deferred compensation plan and authorize the County Clerk to sign the paperwork as needed. Upon roll call, the vote was as follows:

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

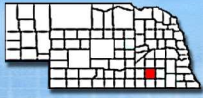
Nays: None

The Chairman declared the motion carried.

YOUNG LEADERS

Christin Lovegrove, Stacy Hafer, and Amber Taylor with Fillmore County Young Leaders presented their annual report and budget request of \$2,000.00 for fiscal year 2011/2012. Budget request will be discussed later this summer.

SALARY COMMITTEE



Fillmore County Board Minutes



May 24, 2011

Raymond Capek, Chairman of the Board appointed Larry Cerny, Albert Simacek, and Merle Noel to the 2011/2012 Salary committee.

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:

Ameritas Life Insurance Corp.	Ret	3,153.13
Aramark Uniform Services, Inc.	Ser	663.34
Blue Cross Blue Shield of Nebraska	Insur	22,084.93
Marilyn Christianity	Ret	25.00
City of Geneva	Rent	484.00
CIMA	Insur	466.78
Dell Marketing, LP	Equip	1,097.27
Dugan Business Forms	Sup	767.08
Eakes Office Plus	Sup	162.12
Merlin Ehmen	Ret	22.00
Erdkamp Motors	Main	36.00
Fairmont Aging Services	Misc	24.00
Fillmore County Court	Fees	542.25
Fillmore County Transit	Mile	30.00
Fillmore County Treasurer	Transfer, Equip	518,843.23
First Concord Benefits Group, LLC	Insur, Ser	2,856.14
Gambles	Sup	217.26
Geneva Broadband	Uti	39.99
Geneva Senior Center	Rent, Misc	287.00
Geneva State Bank	Ser, SS	3,414.62
Geneva Super Foods	Sup	157.65
GIS Workshop	Ser	2,500.00
Norma Gregory	Ret	25.00
Heinisch Law Office	Ser	1,142.50
Hillyard/Sioux Falls	Sup	129.24
JEO Consulting Group, Inc.	Ser	705.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,774.37
Lancaster County Sheriff's Department	Ser	18.54
Jennifer Lovegrove	Ser	120.00
Ann H. McDonald	Ret	18.00
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
MIPS, Inc.	Ser	735.70
Rich Mueller/Thomas Biegert	Rent	650.00
Murphy Plumbing & Heating, Inc.	Sup	264.00
Joseph H. Murray	Ser, Post, Mile	522.12
Nebraska Association of County Officials	Wksh	60.00
Nebraska Clerk of the District Court Assn.	Wksh, Dues	100.00
Nebraska Public Power District	Uti	913.47
Nebraska Supreme Court Publications	Sup	192.00
Robert Huff Designs	Equip	300.00
Service Press	Sup	521.75
State of Nebraska Health & Human Service	April Patient	648.00
State of Nebraska AS Central Services	Ser	48.25
Sullivan, Shoemaker, Witt & Burns PC LLO	Ser	28.50
Symbol Arts	Misc	427.50
Text & Data Technologies Inc.	Sup, Ser	1,000.00



Fillmore County Board Minutes



May 24, 2011

Thayer County Sheriff's Office	Ser	27.72
Total Funds by Hasler	Post	700.00
Ultramax	Sup	519.00
University of NE – Lincoln SE Research	Equip, Ser	1,253.96
US Bank CPS	Meal, Fuel, Misc	155.03
USDA, APHIS	Ser	1,909.25
Verizon Wireless	Ser	507.21
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,246.65
York County Sheriff	Boarding Prisoner	65.00
Payroll	Salaries	46,138.61

ROAD/BRIDGE FUND:

Ace Agri Supply	Rep	42.57
Ameritas Life Insurance Corp.	Ret	1,790.98
Blue Cross Blue Shield of Nebraska	Insur	13,131.58
Dorchester Farmers Coop	Fuel, Tires	6,521.42
Gambles	Sup	131.82
Geneva State Bank	SS	1,967.40
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	170.73
Jet Plain	Equip	3,200.00
Donovan Jirkovsky	Ret	25.00
M. E. Collins	Ser	36,516.11
Nebraska Public Power District	Uti	312.65
NMC Exchange, LLC	Parts	502.45
Overhead Door Co. of Hastings	Rep	179.48
Perennial Public Power District	Uti	100.20
Reinhart & Elaine Ackerman	Fencing	800.00
Speece Lewis Engineers	Ser	2,625.75
Verizon Wireless	Uti	69.52
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	28.10
Village of Ohioa	Uti	20.00
Windstream	Uti	143.40
Payroll	Salaries	26,532.97

911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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COURTHOUSE BOND FUND:

UMB Bank, NA	Fee	143.69
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ROAD BOND FUND:

UMB Bank, NA	Fee	143.69
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	April Taxes	27,564.74
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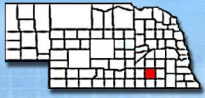
E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	130.66
Windstream	Uti	1,016.06

CLAIMS APPROVED

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

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



Fillmore County Board Minutes



May 24, 2011

Nays: None

The Chairman declared the motion carried.

ZONING CONTRACT

Donna Mainwaring, Planning & Zoning Administrator informed the Board that she was still reviewing the contract from JEO for the zoning regulations.

ADJOURN

Agenda items "Aramark Uniform Services contract and JEO contract" were tabled until the next Board meeting. As there was no other business to come before the Board, Simacek moved and Yates seconded the motion to adjourn until 9:00 a.m., June 14, 2011. Upon roll call, the vote was as follows:

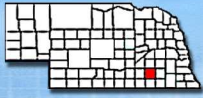
Ayes: Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



June 14, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:12 a.m., June 14, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 4:19 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the May 24, 2011 Board meeting.

FEE REPORTS

Mueller moved and Cerny seconded the motion to approve the fee reports for May 2011:

County Clerk \$9,479.83 (State \$5,624.66 & County \$3,855.17)

Clerk of the District Court \$402.66

Sheriff \$1,459.77

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

HOPE CRISIS CENTER

Carmen Hinman, Director of Hope Crisis Center presented the annual report and budget request of \$2,272.00, which will be discussed later this summer.

NMC SALESMAN

Adam Greenquist, NMC Salesman introduced himself as the new salesman and Kenny Sims as the Regional Salesmanager.

DRIVEWAY PERMITS

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

Bruce Houchin – extend existing driveway on the south side of the SW ¼, Section 14-5-2, Belle Prairie Township;

Galen Domling – install a new 40' driveway on the east side of the NE ¼, Section 27-7-2, Madison Township;

Jeff Whitley – extend existing driveway on the south side of the SE ¼, Section 22-5-1, Franklin Township;

Donna Kleinschmidt – install a new 40' driveway on the east side of the SE ¼, Section 26-8-4, Grafton Township.

Upon roll call, the vote was as follows:

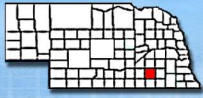
Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

WEST BLUE TOWNSHIP

After discussion, Mueller moved and Galusha seconded the motion to approve the interlocal agreement with West Blue Township to maintain the township roads beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote



Fillmore County Board Minutes



June 14, 2011

was as follows:

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

The Chairman declared the motion carried.

FRANKLIN TOWNSHIP

Yates moved and Cerny seconded the motion to approve the interlocal agreement with Franklin Township to maintain the township roads beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EQUIPMENT RENTAL AGREEMENT

After discussion, Yates moved and Noel seconded the motion to approve the equipment rental agreement with Brian (BJ) Mussman as the contractor for the Franklin Township roads when the Highway Superintendent calls beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

USED TRACTOR

After discussion, Cerny moved and Noel seconded the motion to purchase a used 1974 John Deere 4630 tractor for \$13,800.00. Upon roll call, the vote was as follows:

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

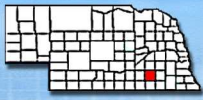
The Chairman declared the motion carried.

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:

Ace Ag Supply	Equip, Sup	277.29
Howard F. Ach	Mile, Meals, Rent, Post	3,500.29
Action Auto Supply	Rep, Main	41.60
Ameritas Life Insurance Corp.	Ret	3,137.17
Jon Anderson	Meals, Post	15.71
Axis Capital, Inc.	Ser	249.00
B & J Automotive, LLC	Rep, Main	1,185.22
Joseph N. Bixby DR	Ser	902.50
Black Hills Energy	Uti	229.45
Todd Boller	Post	18.48
Lucille Capek	Mile	117.00
Century Lumber Center	Rep	22.16
Chaney Chemical, Inc.	Sup	15,010.10



Fillmore County Board Minutes



June 14, 2011

City of Geneva	Uti	253.00
Consolidated Management Company	Meals	61.00
Constellation Energy	Uti	14.49
Corner Stop	Fuel	424.95
Crossroads Awards	Sup	12.00
Dawg's Smokehouse Café	HDM's	168.00
Dell Marketing, LP	Sup	74.39
Judy Dondlinger	Ser	108.00
Eakes Office Plus	Sup	1,193.12
Earls Window Service	Ser	6.00
Alan Emshoff	Mile	97.92
Executive Copier Services	Sup	34.50
Exeter Care Center	HDM's	200.00
Exeter Senior Center	USDA, Misc	428.18
Fairmont Aging Services	USDA, Misc	1,901.05
Fillmore County Clerk of the District Court	Fees	64.00
Fillmore County Development Corp.	Budget request	20,000.00
Fillmore County Hospital	Ser	25.00
Fillmore County Treasurer	Post, Taxes	258,050.57
First Concord Group, Inc.	Ser, Insur	1,833.98
Gage County Clerk	Probation budget	3,154.50
Gambles of Geneva	Sup	12.98
Geneva Broadband, LLC	Ser	79.98
Geneva Milling Co., Inc.	Equip	286.50
Geneva Senior Center	USDA, Rent, Misc.	3,056.14
Geneva State Bank	SS	3,401.03
GIS Workshop	Ser, Main	12,000.00
Grafton Mini Mart	Fuel	105.00
Hilty's of Geneva	Sup	243.90
Deborah Hoarty	Mile	64.26
Hometown Leasing	Ser	839.19
Howard Johnson	Mile	88.74
Dennis Kimbrough	Mile	24.48
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,739.91
Lichti Oil	Fuel, Sup	85.70
Jennifer Lovegrove	Ser	108.00
Madison National Life	Insur	185.69
MailFinance	Ser	248.20
Bette Mattox Manning	Ser	132.00
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Motorsports, LLC	Rep	325.50
MIPS, Inc.	Sup, Ser	2,764.44
Brenda Motis	Mile	92.72
Nebraska Advance Sheets	Sup	210.00
Nebraska Fire Sprinkler Corp.	Main	442.00
The Nebraska Signal	Pro, Sup, Ads	747.68
Nick's Farm Store	Rep	124.96
O'Keefe Elevator Company, Inc.	Main	237.45
Omaha World Herald	Misc	213.20
OMB Police Supply	Sup	338.97
Platte Valley Communications of Hastings	Equip, Sup	4,115.60
Bill Pohlmeier	Mile	28.56
Lydney Pohlmeier	Mile	46.92
R & D Parts, LLC	Rep	51.83
Ralph's Geneva Tire & Service Center	Equip, Rep, Main	738.93
Region V Systems	EPC	1,815.00
Stephanie Rodriquez	Mile, Meals	169.94
Ron's Tavern	HDM's	5.00



Fillmore County Board Minutes

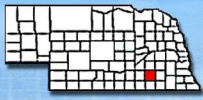


June 14, 2011

Secretary of State – Election Division	Wksh	30.00
Shell Fleet Plus	Fuel	3,961.43
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Health & Human Service	May Patient Care	429.00
Stop Tech	Equip	1,432.50
Thayer County Sheriff's Office	Ser	19.00
Total Funds by Hasler	Post	700.00
Ultramax	Sup	320.00
UNL Extension – Richardson County	Lodging	43.49
UN-L IS-Telecommunications	Uti	19.71
US Bank CPS	Meals, Post, Sup	254.62
Brandy VanDeWalle	Wksh, Uti, Mile, Meals	173.32
Warne Chemical & Equipment Co.	Sup	155.10
Weathercraft Company of Lincoln	Tower & Clock	88,965.00
Weaver Pharmacy	Sup	15.57
Anthony Whitmore	Meals	46.00
Windstream	Uti	1,218.75
Payroll	Salaries	46,810.92

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Rep	20.64
All Roads Barricade, Inc.	Sup	132.40
Ameritas Life Insurance Corp.	Ret	1,746.99
Auto Value Parts Stores	Parts, Sup	165.64
Black Hills Energy	Uti	177.48
BS Enterprises, Inc.	Equip	9,252.50
Casey's General Stores	Fuel	3,973.06
Century Lumber Center	Parts, Rep	269.04
City of Geneva	Uti	63.40
Dorchester Farmers Coop	Fuel	6,251.63
Farm Plan	Parts	526.43
Fastenal Company	Sup	139.68
Fillmore County Hospital	Ser	78.00
Filter Care of Nebraska	Parts	30.20
Geneva State Bank	SS	1,917.54
Geneva Super Foods	Sup	18.44
Geneva Welding & Supply, Inc.	Parts, Sup	555.43
Grafton Oil, Inc.	Fuel, Sup	4,755.58
Elmer Hessheimer	Mile, Ser	218.54
Dennis Johnson	Sup	107.51
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel, Parts	5,975.04
Madison National Life	Insur	89.07
Medical Enterprises, Inc.	Ser	93.00
Mike's Radiator & Tire	Rep	12.50
MIPS, Inc.	Ser	106.56
Nebraska Bolt	Sup	156.24
Nebr Iowa Industrial Fasteners Corp.	Sup	153.17
Nebraska Truck & Equipment	Parts	120.07
Nichols Construction	Gravel	66,482.54
Orscheln	Parts	429.98
Overland	Gravel	910.08
Perennial Public Power District	Uti	47.48
Power Plan	Parts	100.17
R & D Parts, LLC	Parts	28.15
Ralph's Geneva Tire & Service Center, Inc.	Rep	278.30
Shell Fleet Plus	Fuel	588.11
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	41.60



Fillmore County Board Minutes



June 14, 2011

Village of Grafton
Payroll

Uti
Salaries

21.07
25,881.22

SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp
Fillmore County Treasurer
Geneva State Bank
Payroll

Ret
Equip
SS
Salaries

111.69
3,790.00
110.23
1,441.04

INHERITANCE TAX FUND:

Andrews Electric Co., Inc.
Fillmore County Veteran's Relief Fund
Interactive Communications Systems
JEO Consulting Group, Inc.

Equip, Ser
Misc
Equip
Ser

3,360.05
1,000.00
770.60
1,350.00

HOSPITAL OPERATING FUND:

Fillmore County Hospital

May taxes

12,515.24

E911 COMMUNICATIONS FUND:

Dell Marketing, LP
US Bank CPS
Windstream

Sup
Wksh
Uti

102.68
229.00
1,011.44

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

SALARY COMMITTEE RECOMMENDATION

Larry Cerny, Chairman of the Salary committee informed the Board that the Salary committee is recommending a thirty (\$.30) cent an hour increase for hourly employees (except seasonal employees) with an additional 1% of the departments gross salary minus the department heads salary at the discretion of the department head.

After discussion Yates moved and Mueller seconded the motion to approve the recommendation of the salary committee of a thirty (\$.30) cent an hour increase for hourly employees (except seasonal employees) with an additional 1% of the departments gross salary minus the department heads salary at the discretion of the department head to take effect June 26th. Upon roll call, the vote was as follows:

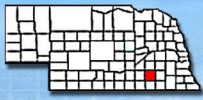
Ayes: Cerny, Mueller, Galusha, Capek, Yates, Simacek, and Noel
Nays: None

The Chairman declared the motion carried.

CASA

Cathy Wismer, Director of Court Appointed Special Advocates (CASA) presented the annual report and budget request of \$8,000.00, which will be discussed later this summer. Advisory Council Board members Jeanette Stengel, Marilyn Christiancy, and Frank Heinisch were present.

BUDGET CONTRACT



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After discussion, Simacek moved and Mueller seconded the motion to approve and sign the contract with Contryman Associates for fiscal year 2011/2012 budget assistance for \$5,500.00 to \$7,700.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RURAL TRANSIT CONTRACT

After discussion, Yates moved and Galusha seconded the motion to approve and sign the contract with The State of Nebraska for funding the of Rural Transit program. This contract states that the Federal funding is \$42,651.00, State funding \$20,036.00 and County match is \$20,036.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CHILD SUPPORT CONTRACT

After discussion, Cerny moved and Noel seconded the motion to approve and sign the child support contract with Stephen J. Kraviec beginning July 1, 2011 and ending June 30, 2012 for \$20,095.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VISITOR'S COMMITTEE

Mueller moved and Yates seconded the motion to reappoint Elmer Hessheimer, Cindy Bohlken, and Mina Nutter for a four year term beginning June 1, 2011 and ending May 31, 2015. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BUDGET REQUESTS

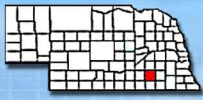
The Board received a budget request from District #1 Probation in the amount of \$3,016.60 and a request from Southeast Nebraska Development District for \$7,303.00 for fiscal year 2011/2012. Both budget requests will be discussed further later this summer.

REFINANCING BONDS FOR ETHANOL PLANT ROAD

Brad Slaughter with Ameritas Investment Corp. and Cody Wickham with D. A. Davidson & Co. presented what each company can offer the County in refinancing the bonds for the Ethanol Plant Road. Ameritas offered a bond with all inclusive cost at 1.9721215% for a savings of \$15,466.67 and D. A. Davidson offered a bond with all inclusive cost to 1.163759% for a savings of \$16,443.73 when paid off in May 2016.

After discussion, Mueller moved and Noel seconded the motion to authorize D.A. Davidson & Co. to refinance the bonds for the Ethanol Plant Road. Upon roll call, the vote was as follows:

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



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The Chairman declared the motion carried.

EMERGENCY MANAGEMENT UPDATES

Donna Mainwaring, Emergency Manager informed the Board that almost all radios and pagers in the county will need to be replaced for the narrow band requirements which must be completed by August 2012. Donna is also looking informed the Board that she has been requested to look into reverse 911 for the entire County. "Code Red" a company that specializes in emergency communications networks offers a high speed notification solution for a yearly cost of \$8,660.00.

Donna also informed the Board that the Noxious Weed Department would like to purchase two mobile radios and three portable radios in the amount of \$1,870.00 for their vehicles. The Board authorized Donna to purchase these five radios.

REVERSE 911

After discussion, Mueller moved and Yates seconded the motion to purchase the Reverse 911 system with Code Red an Emergency Communications Network for \$8,660.00 a year for a three year contract. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

FAIRMONT SUBSTATION SUBDIVISION

Donna Mainwaring, Planning & Zoning Administrator presented the Fairmont Substation Subdivision located in the NE ¼, Section 31-8-2, Fairmont Township.

After discussion, Simacek moved and Yates seconded the motion to approve the Fairmont Substation Subdivision which described as a tract of land in the NW ¼ of the NE ¼ of Section 31, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NW corner of the said NE ¼; thence N89°47'16"E, 461.00 ft. on the north line of said NE ¼ to the point of beginning; thence continuing N89°47'16"E, 135.00 ft. on said north line; thence S00°12'44"E, 121.00 ft; thence S89°47'16"W, 135.00 ft.; thence N00°12'44"W, 121.00 ft. to the point of beginning, containing 0.38 acres more or less, which includes 0.10 acres more or less used for County road purposes.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

PLANNING COMMISSION MEMBERS

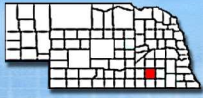
Mueller moved and Noel seconded the motion to reappoint Mark Morgan, Morley Most, Dan Mainwaring, and Sharon Elznic for a three year term beginning July 1, 2011 and ending June 30, 2014. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ZONING REGULATIONS CONTRACT



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After discussion, Noel moved and Yates seconded the motion to approve and sign the contract with JEO Consulting for updating the zoning regulations in the amount of \$6,500.00. Upon roll call, the vote was as follows:

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

Nays: Cerny

The Chairman declared the motion carried.

LAW ENFORCEMENT FOR CITY OF GENEVA

After discussion, Simacek moved and Cerny seconded the motion to approve a 3% increase each year for a two year contract with the City of Geneva for Law Enforcement beginning October 1, 2011 for \$135,506.76 and beginning October 1, 2012 for \$139,572.00 and authorize the Chairman to sign when interlocal agreement is complete. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EXECUTIVE SESSION

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

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

Nays: None

The Chairman declared the motion carried and requested that the Emergency Manager and County Clerk remain. Executive session began at 2:56 p.m.

RETURN TO REGULAR SESSION

Mueller moved and Yates seconded the motion to return to open session at 3:07 p.m. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SENIOR SERVICES SALARY

After discussion, Mueller moved and Cerny seconded the motion to increase the Senior Services Director's salary \$.30 an hour with 1% of the salary for a total of \$.44 an hour. Upon roll call, the vote was as follows:

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

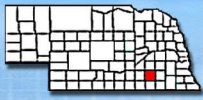
Nays: None

The Chairman declared the motion carried.

VETERAN'S SERVICE SALARY

After discussion, Galusha moved and Simacek seconded the motion to increase the Veteran's Service Officer's salary \$.30 an hour with 1% of the salary for a total of \$.46 an hour. Upon roll call, the vote was as follows:

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



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Nays: None

The Chairman declared the motion carried.

NOXIOUS WEED SUPERINTENDENT SALARY

After discussion, Simacek moved and Yates seconded the motion to increase the Noxious Weed Superintendent's salary \$.30 an hour with 1% of the salary for a total of \$.45 an hour. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

HIGHWAY SUPERINTENDENT SALARY

After discussion, Cerny moved and Noel seconded the motion to increase the Highway Superintendent's salary \$.30 an hour. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, and Cerny

Nays: Yates, Simacek, Noel, and Mueller

The Chairman declared the motion failed.

HIGHWAY SUPERINTENDENT SALARY

After further discussion, Mueller moved and Yates seconded the motion to have no change in the Highway Superintendent's salary until he receives either the Class A license or Responsible Charge (RC) license. Upon roll call, the vote was as follows:

Ayes: Yates, Noel, Cerny, and Mueller

Nays: Capek, Simacek, and Galusha

The Chairman declared the motion carried.

EMERGENCY MANAGER AND PLANNING & ZONING ADMINISTRATOR SALARY

After discussion, Noel moved and Yates seconded the motion to increase the Emergency Manager's salary \$.30 an hour and 1% of the salary for a total of \$.46 an hour and to increase the Planning & Zoning Administrator's salary a \$100.00 a month. Upon roll call, the vote was as follows:

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

Nays: Simacek

The Chairman declared the motion carried.

CUSTODIAN/GROUNDSKEEPER SALARY

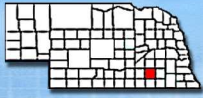
After discussion, Yates moved and Cerny seconded the motion to increase the Custodian/Groundskeeper's salary \$.30 an hour and 1% of the salary for a total of \$.42 an hour. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DEPUTY EMERGENCY MANAGER SALARY



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

Ayes: Noel, Cerny, Mueller, Galusha, and Yates

Nays: Capek and Simacek

The Chairman declared the motion carried.

ADJOURN

Agenda items "Used Motor Grader, CISDA budget request, and Aramark Uniform Service contract" were tabled until the next Board meeting. As there was no other business to come before the Board, Simacek moved and Cerny seconded the motion to adjourn until 9:10 a.m., June 28, 2011. Upon roll call, the vote was as follows:

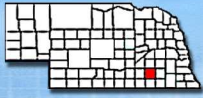
Ayes: Cerny, Mueller, Galusha, Capek, Yates, Simacek, and Noel

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



June 28, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:25 a.m., June 28, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 3:47 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the June 14, 2011 Board meeting.

SENIOR SERVICES UPDATE

Brenda Motis, Senior Services Director updated the Board on their accomplishments this year.

AGING PARTNERS

June Pederson and Denise Boyd with Aging Partners presented the annual report and budget request of \$12,500.00 for fiscal year 2011/2012, which will be discussed later this summer.

DRIVEWAY PERMIT

Simacek moved and Mueller seconded the motion to approve the following driveway permit:

Rich Kassik – install a new 40' driveway on the north of the NE ¼, Section 22-6-1, Glengary Township

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DECLARE MOTOR GRADERS SURPLUS

After discussion, Yates moved and Noel seconded the motion to declare a 1996 John Deere 770BH motor grader and a 1998 Cat 140H motor grader surplus. Upon roll call, the vote was as follows:

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

Nays: None

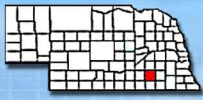
The Chairman declared the motion carried.

RC FOR PROJECT 7030(32)

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

RESOLUTION 2011 – 24

WHEREAS, Fillmore County has a full-time public employee on staff, or has obtained the services of a full-time public employee (an interlocal cooperation agreement, if applicable, is attached) who is fully qualified and has the time and interest in serving as a "Responsible Charge" (RC) for this project. The designated RC will be in day-to-day responsible charge of all aspects of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for the project to remain eligible for federal-aid transportation project funding; and



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WHEREAS, the RC will ensure that, at a minimum, (1) the project receives independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion.

For purposes of this resolution, the following definitions will apply:

Fully qualified means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on the list of entities determined by the NDOR, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

Responsible charge means the public employee who is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner's interests in the delegated technical tasks.

Be It Resolved: by the Board of Supervisors of Fillmore County that:

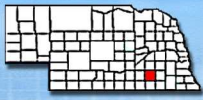
Mark Timmerman, Fillmore County Highway Superintendent is hereby designated as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project:

NDOR Project Number BRO-7030(32),

NDOR Control Number 42435, Geneva West.

Fillmore County assures and agrees that:

- 1) It has authorized and fully empowered the RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 2) The RC is a full-time public employee.
- 3) The RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 6) It will provide necessary office space, materials and administrative support for the RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for federal funding.
- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.



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- 9) It will take all necessary actions and make its best good faith efforts to ensure that the RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

Fillmore County understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb. Rev. Stat. § 81-3445);
- f) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;
- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- j) Ensure that proper construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

AGREEMENT WITH STATE FOR SURVEYING

After discussion, Yates moved and Mueller seconded the motion to approve the agreement with the State of Nebraska for surveying Highway 41 from Reference Post 25+39 to Highway Reference Post 36+89, under Project No. RD-41-5(1005) to reimburse for surveying costs for this project. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EXTENSION OFFICE UPDATE



Fillmore County Board Minutes



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Brandy VanDeWalle introduced Molly Traush and Kale Mages as the interns for the Extension office. Brandy, Molly and Kale each gave a brief update of the projects that they have been working on this summer.

USDA BUDGET REQUEST

Spencer Nelson, with USDA, APHIS Wildlife Services presented the annual report and budget request of \$7,637.00, which will be discussed later this summer.

FCDC REQUEST

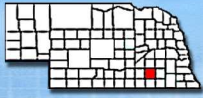
Patt Lentfer, Director of the Fillmore County Development Corp. along with board members Gary Dick, Mel Taylor, Pat Hilty, Megan Williams, and Carol Vejraska were present for annual report and budget request of \$40,000.00 for fiscal year 2011/2012, which will be discussed later this summer.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Ameritas Life Insurance Corp.	Ret	3,450.93
Aramark Uniform Services, Inc.	Ser	663.34
Peggy Birky	Meals	19.50
Blue Valley Community Action Partnership	Budget request	3,610.00
Dell Marketing, LP	Equip	1,262.25
Eakes Office Plus	Equip	3,874.99
Sharon Elznic	Mtgs, Mile	90.90
Exeter Senior Center	USDA	99.18
Fairmont Aging Services	USDA	358.53
Fillmore County Rural Transit	Ser	30.00
Fillmore County Treasurer	Post, Sup	338.00
First Concord Benefits Group	Insur, Ser	1,271.59
Gambles	Sup	69.41
Geneva Senior Center	USDA, Misc.	1,198.72
Geneva State Bank	SS	3,962.25
Geneva Super Foods	Sup	124.47
Richard Girmus	Mtgs, Mile	36.12
Matt Harre	Mtgs, Mile	31.32
Heinisch Law Office	Ser, Misc	1,412.50
Midtown Holiday Inn	Lodging	75.00
Husker Auto Group	Equip	17,173.00
Jim's Repair	Rep, Main	134.26
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Misc	3,339.52
Kerry's Auto Repair & Service	Rep	15.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	4,295.16
Lancaster County Sheriff	Mile	37.08
Law Enforcement Targets	Sup	94.38
Madison National Life	Insur	8.01
Dan Mainwaring	Mtgs, Mile	57.24
Mid-American Research Chemical	Sup	1,010.78
Midwest Card & ID Solutions	Equip	3,691.00
Midwest Engines	Rep, Equip	2,324.89
Y. Scott Moore, MD	Ser	1,395.00
Mark Morgan	Mtgs, Mile	81.72
Morley Most	Mtgs, Mile	93.96
Naomi Mussman	Mile	102.00



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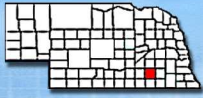


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Marvin Nadherny	Mtgs, Mile	56.52
Nebraska Association of County Officials	Wksh	90.00
Nebraska County Attorney's Association	Wksh, Dues	857.00
Nebraska Public Power District	Uti	1,441.48
Amy Nelson	Mile	69.36
Reg Noel	Mtgs, Mile	30.30
Platte River Inn	Lodging	179.98
Platte Valley Communications of Hastings	Rep, Equip	1,949.50
Postmaster	Post	690.00
Proforma	Sup	162.84
Region V Systems	EPC	242.00
Saline County Treasurer	Mile	81.60
Service Press	Sup	215.00
Sioux Sales Company	Sup	76.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Crime Commission	Sup	7.50
State of Nebraska Public Health Envir. Lab.	Ser	84.00
Eric Stehlik	Mile	34.68
Rhonda Stokebrand	Mile	303.12
Allan Stuckey	Mtgs, Mile	60.60
Sullivan, Shoemaker, Witt & Bruns, PC	Ser	199.50
Swartzendruber Floor Covering, LLC	Ser	2,011.85
Total Funds by Hasler	Post	700.00
Barbara Trapp	Mile, Meal	19.64
Turning Technologies	Equip	1,679.70
US Bank CPS	Post, Sup, Meals, Equip	1,540.35
University of Nebraska – Lincoln	Sup	124.18
Verizon Wireless	Uti	1,202.67
Dan Votipka	Mtgs, Mile	31.32
Robert Waltrip	Mtgs, Mile	30.30
Williams Exterminating, Inc.	Ser	110.00
Penny Williams	Mile	80.89
Windstream	Uti	151.83
Wingate by Wyndham	Lodging	583.60
Payroll	Salaries	54,147.27

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,725.91
Applied Controls	Parts	96.03
C & C Extinguisher Service	Sup	7.50
Dorchester Farmers Coop	Fuel	1,805.00
Erdkamp Motors	Parts, Rep	205.93
Gambles	Sup	264.65
Geneva State Bank	SS	1,904.43
Grafton Mini Mart	Fuel	114.01
Grafton Oil, Inc.	Fuel	1,651.65
John Deer Financial	Parts, Rep	126.36
Kerry's Auto Repair & Service	Rep	24.00
Lichti Oil	Fuel	1,804.20
Medical Enterprises, Inc.	Ser	31.00
Momar Incorporated	Sup	177.17
Nebraska Public Power District	Uti	289.54
Newman Traffic Signs	Sup, Equip	1,399.41
NMC Exchange, LLC	Parts, Rep, Main	5,917.91
Perennial Public Power District	Uti	68.04
Plains Equipment Group	Equip	12,850.00
Postmaster	Post	110.00
R & R Services	Ser	350.00
Donna Saltzman	Ser	35.00



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Speece Lewis Engineers	Ser	452.00
Verizon Wireless	Uti	69.52
Windstream	Uti	143.36
Payroll	Salaries	25,709.63

ECONOMIC DEVELOPMENT – TOURISM FUND:

Fillmore County Development Corp.	Mile, Sup, Ser	314.69
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SHERIFF-SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp.	Ret	116.17
Geneva State Bank	SS	114.67
Payroll	Salaries	1,498.90

INHERITANCE TAX FUND:

Fillmore County Treasurer	Transfer	200,000.00
Pedersen Restoration, Inc.	Ser	625.00

E911 WIRELESS COMMUNICATIONS FUND:

Metro Leasing Company	Equip	794.89
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ETHANOL PLANT ROAD BOND FUND:

UMB Bank, NA	Ser	287.38
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E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	136.40
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CLAIMS APPROVED

Mueller 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, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

SOUTHEAST NEBRASKA DRUG COURT

Sarah Rinne and Kelly Vyhnaelek with Southeast Nebraska Drug Court presented an annual report and budget request of \$2,520.95 for fiscal year 2011/2012. Sarah also requested that we approve the interlocal agreement beginning July 1, 2011 and ending June 30, 2012.

After discussion, Noel moved and Yates seconded the motion to approve the interlocal agreement with Southeast Nebraska Drug Court not to exceed \$2,520.95 beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

Nays: None

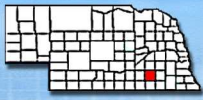
The Chairman declared the motion carried.

RECALLING GENERAL OBLIGATION HIGHWAY ALLOCATION 2006 BONDS

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

RESOLUTION 2011 – 25

A RESOLUTION OF THE BOARD OF SUPERVISORS OF FILLMORE COUNTY, NEBRASKA CALLING FOR THE EARLY REDEMPTION OF TWO HUNDRED TWENTY THOUSAND DOLLARS (\$220,000) IN AGGREGATE



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PRINCIPAL AMOUNT OF ITS GENERAL OBLIGATION HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2006.

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

Section 1. Fillmore County, Nebraska (the “County”) has previously issued its General Obligation Highway Allocation Fund Pledge Bonds, Series 2006, dated May 23, 2006, in the original aggregate principal amount of \$400,000 (the “Series 2006 Bonds”), of which \$220,000 in aggregate principal amount are presently outstanding. The Series 2006 Bonds were authorized by a resolution (the “Series 2006 Resolution”) duly passed and adopted by the County's Board of Supervisors (the “Board”) and were issued for the purpose of paying the costs of constructing certain highways and roads and other related improvements within the County.

Section 2. As set forth in the Series 2006 Resolution, the Series 2006 Bonds maturing on or after May 1, 2012 are subject to redemption at any time on or after May 1, 2011, as a whole or in part from time to time at the principal amount thereof, at a redemption price equal to the principal amount of the Series 2006 Bonds called for redemption, plus accrued interest on such principal amount being redeemed to the date fixed for redemption.

Section 3. The following Series 2006 Bonds are hereby called for redemption and payment on August 2, 2011 (the “Redemption Date”), at a redemption price equal to the principal amount of the Series 2006 Bonds so called for redemption, plus accrued interest on such principal amount being redeemed to the Redemption Date, all in accordance with redemption provisions set forth in the Series 2006 Resolution, after which date interest on such bonds shall cease:

Maturity Date (May 1)	Principal Amount	Interest Rate
2012	\$40,000	4.10%
2013	40,000	4.20
2014	45,000	4.30
2015	45,000	4.40
2016	50,000	4.45

Said Series 2006 Bonds so called for redemption are hereinafter referred to as the “Refunded Bonds.”

Section 4. The principal of and the interest on the Refunded Bonds shall be paid upon presentation and surrender thereof at the office of UMB Bank, N.A. in Kansas City, Missouri, as paying agent and registrar for the Refunded Bonds (the “Refunded Bonds Registrar”).

Section 5. As soon as practicable, but not later than 35 days prior to the Redemption Date, the County Clerk is hereby directed to file a true copy of this Resolution with the Refunded Bonds Registrar. The Refunded Bonds Registrar is hereby instructed to mail notice to each registered owner of the Refunded Bonds not less than 30 days prior to the date fixed for redemption, all in accordance with the Series 2006 Resolution.

Upon roll call, the vote was as follows:

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

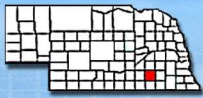
The Chairman declared the resolution adopted.

AUTHORIZE ISSUANCE OF 2011 GENERAL OBLIGATION HIGHWAY ALLOCATION REFUNDING BONDS

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

RESOLUTION 2011 – 26

A RESOLUTION OF THE BOARD OF SUPERVISORS (THE “BOARD”) OF FILLMORE COUNTY, NEBRASKA (THE “COUNTY”) AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2011, IN THE AGGREGATE PRINCIPAL AMOUNT OF



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TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$225,000); PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE COUNTY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME IF NECESSARY; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER THEREOF; DESIGNATING THE BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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

Section 1. The Board of Supervisors (the “**Board**”) of Fillmore County, Nebraska (the “**County**”), hereby find and determine that:

(a) Pursuant to Section 66-4,101, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”), the County may issue its bonds for the purpose of funding the costs of constructing certain highways, roads and other appurtenant related improvements within the County and may pledge to the repayment of such bonds (i) amounts received from the Nebraska Highway Allocation Fund and (ii) its full faith and credit and general taxing power.

(b) The County has previously issued pursuant to the Act its General Obligation Highway Allocation Fund Pledge Bonds, Series 2006, dated May 23, 2006, in the original aggregate principal amount of \$400,000 (the “**Series 2006 Bonds**”), of which \$220,000 in aggregate principal amount are presently outstanding. The Series 2006 Bonds were authorized by a resolution (the “**Series 2006 Resolution**”) duly passed and adopted by the Board and were issued for the purpose of paying the costs of constructing certain highways, roads and other appurtenant related improvements within the County.

(c) Since the issuance of the Series 2006 Bonds, the rates of interest available in the markets have declined such that the County can effect a savings in interest costs by providing for payment in all or part of the Series 2006 Bonds through the issuance of its general obligation refunding bonds pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, as amended.

(d) As set forth in the Series 2006 Resolution, the Series 2006 Bonds maturing on or after May 1, 2012 are subject to redemption at any time on or after May 1, 2011, as a whole or in part from time to time at the principal amount thereof, at a redemption price equal to the principal amount of the Series 2006 Bonds called for redemption, plus accrued interest on such principal amount being redeemed to the date fixed for redemption.

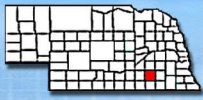
(e) By resolution of the Board adopted on June 28, 2011, the County has duly called for redemption the following Series 2006 Bonds, all in accordance with redemption provisions set for in the Series 2006 Resolution, after which date interest on such bonds shall cease:

Maturity Date (May 1)	Principal Amount	Interest Rate
2012	\$40,000	4.10%
2013	40,000	4.20
2014	45,000	4.30
2015	45,000	4.40
2016	50,000	4.45

Said Series 2006 Bonds so called for redemption are hereinafter referred to as the “**Refunded Bonds**.”

(f) The County has on hand \$1,891.28, which represents funds on deposit with the County to pay for the principal and interest on the Refunded Bonds in addition to the funds which are to be deposited in accordance with Section 8 of this Resolution.

(g) To provide funds for the redemption of the Refunded Bonds, it is necessary and advisable that the County issue its highway allocation pledge fund bonds which will be payable from (i) amounts received from the Nebraska Highway Allocation Fund and (ii) a tax to be levied against the taxable property of the County.



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(h) All conditions, acts, and things required by law to exist or to be done precedent to the issuance of refunding bonds pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, as amended, do exist and have been done as required by law.

Section 2. (a) There shall be and are hereby ordered issued the negotiable general obligation refunding bonds of the County in the aggregate principal amount of Two Hundred Twenty-Five Thousand Dollars (\$225,000), designated as "Highway Allocation Fund Pledge Bonds, Series 2011" (the "**Series 2011 Bonds**"). The Series 2011 Bonds shall be issued only as fully registered bonds, without coupons, on the books of the Registrar and Paying Agent designated in Section 4 hereof (the "**Registrar**") in the denomination of \$5,000 or any whole multiple thereof not exceeding the principal amount due on a given date of maturity, and shall be numbered consecutively from one upward in order of issuance. The Date of Original Issue of the Bonds shall be the date of delivery, and the Bonds shall mature and bear interest, calculated on the basis of a 360-day year consisting of twelve 30-day months, as follows:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
May 1, 2012	\$45,000	0.50%
May 1, 2013	40,000	0.70
May 1, 2014	45,000	1.00
May 1, 2015	45,000	1.25
May 1, 2016	50,000	1.40

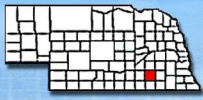
(b) The Series 2011 Bonds shall not be subject to redemption prior to maturity.

(c) Interest on the Series 2011 Bonds at the respective rates for each maturity shall be payable semiannually on May 1 and November 1 of each year, beginning November 1, 2011, until maturity or earlier redemption (each of said dates an "**Interest Payment Date**") from the Date of Original Issue or the most recent Interest Payment Date, whichever is later, by check or draft mailed by the Registrar or its successor on such Interest Payment Date to the registered owner of each Series 2011 Bond at such registered owner's address as it appears on the Bond Register maintained by the Registrar or its successor as of the fifteenth day (whether or not a business day) of the month immediately preceding such Interest Payment Date (the "**Record Date**") subject to the provisions of the following paragraph. The principal of the Series 2011 Bonds and the interest due at maturity or upon redemption prior to maturity is payable in lawful money of the United States of America to the registered owners thereof upon presentation and surrender of such Series 2011 Bonds to the Registrar at its principal trust office.

If any payments of interest due on the Series 2011 Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Series 2011 Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Registrar whenever monies for the purpose of paying such defaulted interest becomes available.

If the date for payment of the principal of or the interest on the Series 2011 Bonds shall be a Saturday, Sunday, legal holiday or day on which banking institutions in the city in which the principal corporate trust office of the Registrar is located are authorized by law or executive order to close, the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal payment date.

(d) The Series 2011 Bonds shall be executed on behalf of the County by the manual or facsimile signatures of the Chairperson of the Board and the County Clerk or such other persons authorized to sign on their behalf. In case any officer whose signature or a facsimile of whose signature shall appear on the Series 2011 Bonds shall cease to be such officer before the delivery of any Series 2011 Bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. Notwithstanding such execution, no Series 2011 Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution (the "**Resolution**") unless and until a certificate of authentication on such Series 2011 Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Series 2011 Bonds need not be signed by the same



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representative. The executed certificate of authentication on each Series 2011 Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

(e) If any Series 2011 Bond is mutilated, lost, stolen or destroyed, the County shall execute a new Series 2011 Bond of like date, maturity and denomination to that mutilated, lost, stolen, or destroyed, provided that, in the case of any mutilated Series 2011 Bond, such mutilated Series 2011 Bond shall first be surrendered to the Registrar and, in the case of any lost, stolen, or destroyed Series 2011 Bonds, there first shall be furnished to the Registrar evidence of such loss, theft, or destruction satisfactory to the Registrar, together with an indemnity satisfactory to it. If such Series 2011 Bond shall have matured, instead of issuing a duplicate Series 2011 Bond, the County may pay the same without surrender thereof upon the performance of such requirements as it deems fit for its protection, including a lost instrument bond. The County and the Registrar may charge the owner of such Series 2011 Bond with their reasonable fees and expenses for such service.

Section 3. The Series 2011 Bonds shall be issued initially as “book-entry-only” bonds under the services of The Depository Trust Company (the “**Depository**”), with one typewritten bond per maturity being issued to the Depository. In such connection the officers of the County are authorized to execute and deliver a Letter of Representations (the “**Letter of Representations**”) in the form required by the Depository, for and on behalf of the County, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Series 2011 Bonds. If the Series 2011 Bonds are issued as “book-entry-only” bonds, the following provisions shall apply:

(a) The County and the Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a “**Bond Participant**”) or to any person who is an actual purchaser of a Bond from a Bond Participant while the Series 2011 Bonds are in book-entry form (each, a “**Beneficial Owner**”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Series 2011 Bonds,

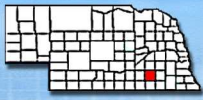
(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Series 2011 Bonds, including any notice of redemption, if any, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Series 2011 Bonds. The Registrar shall make payments with respect to the Series 2011 Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Series 2011 Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (v) below.

(b) Upon receipt by the Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Registrar to do so, the Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (A) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Series 2011 Bonds or (B) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Series 2011 Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Series 2011 Bonds be delivered to the ultimate beneficial owners of the Series 2011 Bonds and so notifies the Registrar in writing, the Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Series 2011 Bonds. In such event, the Registrar shall issue, transfer and exchange bond certificates representing the Series 2011 Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Series 2011



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Bond and all notices with respect to such Series 2011 Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Series 2011 Bonds may be transferred on the books of registration maintained by the Registrar, and the Series 2011 Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (1) the resignation of the Depository from its functions as depository or (2) termination of the use of the Depository pursuant to this Section and the terms of the Bond Registrar and Paying Agent's Agreement.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Resolution, the books and records of the Registrar shall govern and establish the principal amount of such Series 2011 Bonds as is then outstanding and all of the Series 2011 Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates, duly executed by manual or facsimile signatures of the President and Secretary, for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. If such supply of certificates shall be insufficient to meet the requirements of the Registrar for issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting President and Secretary.

Section 4. (a) Cornerstone Bank in York, Nebraska, shall serve as the initial Bond Registrar and Paying Agent (the "**Registrar**") for the Series 2011 Bonds. The County reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

(b) The Registrar shall keep and maintain for the County books for the registration and transfer of the Series 2011 Bonds at its office in Kansas City, Missouri. The names and registered addresses of the registered owner or owners of the Series 2011 Bonds shall at all times be recorded in such books. Any Series 2011 Bond may be transferred pursuant to its provisions at the office of the Registrar by surrender of such Series 2011 Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Registrar on behalf of the County will deliver at such office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Series 2011 Bond of the same interest rate, aggregate principal amount and maturity, bearing numbers not contemporaneously then outstanding. To the extent of the denominations authorized for the Series 2011 Bonds by this Resolution, one Series 2011 Bond may be transferred for several such Series 2011 Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such Series 2011 Bonds may be transferred for one or several such Series 2011 Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Series 2011 Bond, the surrendered Series 2011 Bond shall be canceled and destroyed. The Registrar may impose a charge sufficient to defray all costs and expenses incident to registrations of transfer and exchanges. In each case the Registrar shall require the payment by the owner requesting exchange or transfer of any tax or other governmental charge required to be paid with respect to such exchange or transfer. Series 2011 Bonds issued upon transfer or exchange of Series 2011 Bonds shall be dated as of the date six months preceding the Interest Payment Date next following the date of registration thereof in the office of the Registrar, unless such date of registration shall be an Interest Payment Date, in which case they shall be dated as of such date of registration; provided, however, that if, as shown by the records of the Registrar, interest on the Series 2011 Bonds shall be in default, the Series 2011 Bonds issued in lieu of Series 2011 Bonds surrendered for transfer or exchange may be dated as of the date to which interest has been paid in full on the Series 2011 Bonds surrendered; and provided further, that if the date of registration shall be prior to the first Interest Payment Date, the Series 2011 Bonds shall be dated as of their Date of Original Issue. All Series 2011 Bonds issued upon transfer of the Series 2011 Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Series 2011 Bonds surrendered and shall be entitled to all the benefits and protection of this Resolution to the same extent as the Series 2011 Bonds upon transfer of which they were delivered. The County and the Registrar shall not be



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required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Series 2011 Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

(c) The Registrar shall also be responsible for making the payments of principal and interest as the same fall due upon the Series 2011 Bonds from funds provided by the County for such purposes. Payments of interest due upon the Series 2011 Bonds prior to maturity or redemption shall be made by the Registrar by mailing a check in the amount due for such interest on each Interest Payment Date to the registered owner of each Series 2011 Bond to such owner's registered address as shown on the books of registration as required to be maintained under this Section 4. On or before each principal or interest due date, without further order of the Board, the Treasurer shall transmit or cause to be transmitted money sufficient for payment of all principal and interest then due. Payments of principal due at maturity or at any date fixed for redemption prior to maturity, together with any accrued interest then due, shall be made by the Registrar upon presentation and surrender of such Series 2011 Bond. The County and the Registrar may treat the registered owner of any Series 2011 Bonds as the absolute owner of such Series 2011 Bond for purposes of making payments thereon and for all other purposes. All payments on account of interest or principal made to the registered owner of any Series 2011 Bond shall be valid and effectual and shall be a discharge of the County and the Registrar in respect of the liability upon the Series 2011 Bonds or claims for interest to the extent of the amount or amounts so paid.

Section 5. The Series 2011 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF FILLMORE

HIGHWAY ALLOCATION FUND PLEDGE BOND
SERIES 2011

No. R-

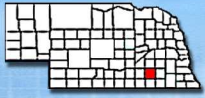
	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
Interest Rate			
%	May 1, 2016	August 2, 2011	

Registered Owner: Cede & Co.

Principal Amount: Two Hundred and Twenty-Five Thousand Dollars and no/100

KNOW ALL PERSONS BY THESE PRESENTS: That Fillmore County, Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable on May 1 and November 1 of each year, commencing November 1, 2011, until maturity or earlier redemption (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

The principal hereof, together with unpaid accrued interest due at maturity or upon earlier redemption, is payable upon presentation and surrender of this bond at the office of Cornerstone Bank as Paying Agent and Registrar, in York, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, as of the fifteenth day (whether or not a business day) of the month immediately preceding an Interest Payment Date (the "Record Date"), to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of said County are hereby irrevocably pledged.



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This bond is one of an issue of fully registered bonds of the total principal amount of Two Hundred Twenty-Five Thousand Dollars (\$225,000), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the County to redeem and prepay certain outstanding bonds of the County originally issued to pay the costs of constructing highways, roads and other related and appurtenant improvements in said County in strict compliance with Section 66-4,101, Reissue Revised Statutes of Nebraska, as amended (the "Act"). The issuance of this bond has been duly authorized pursuant to Section 10-142 and a resolution of the County's Board of Supervisors (the "Resolution") legally passed, approved and published, all in strict conformity with the laws of the State of Nebraska, including the Act.

The bonds of this issue are not subject to redemption prior to maturity.

This bond is transferable by the registered owner or such owner's attorney duly authorizing in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said issue of bonds, subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

For the prompt payment of the principal and interest on this bond and the other bonds of the same issue, the County has pledged funds received and to be received from the Highway Allocation Fund of the State of Nebraska with receipts from such fund to be allocated by the County to payment of such principal and interest as the same fall due. In addition, the County hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property in the County at such rate or rates, within applicable statutory and constitutional limitations, as will provide funds which together with receipts from the Highway Allocation Fund and any other money made available and used for such purpose, will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due.

In the Resolution the County has designated this bond as a "qualified tax-exempt obligation" as described in Section 265(b)(3)(B)(i) of the Internal Revenue Code of 1986, as amended (the "Code").

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due



Fillmore County Board Minutes



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form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Board of Supervisors of Fillmore County, Nebraska, have caused this bond to be executed on behalf of the County with the manual or facsimile signatures of the Chairperson of the Board of Supervisors and the County Clerk and by causing the official seal of the County to be impressed or imprinted hereon, all as of the date of original issue specified above.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

EVALUATIONS

The Board performed evaluations on the Noxious Weed Superintendent, Emergency Manager / Planning & Zoning Administrator, Veteran's Service Officer, Senior Services Director, Custodian, and Highway Superintendent.

KIMBROUGH #1 SUBDIVISION

Donna Mainwaring, Planning & Zoning Administrator submitted the plat for the Kimbrough #1 Subdivision located in the SE ¼, Section 23-6-3, Stanton Township.

After discussion, Mueller moved and Galusha seconded the motion to approve the Kimbrough #1 Subdivision which described as a tract of land in the southeast quarter of Section 23, Township 6 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, more particularly described as follows: beginning at the southeast corner of said Section 23; thence N89°56'49"W (an assumed bearing) on the south line of said Section 23, a distance of 375.00 feet; thence N00°00'00"E parallel with the east line of said Section 23, a distance of 342.00 feet; thence S89°56'49"E, a distance of 375.00 feet to said east line; thence S00°00'00"E, a distance of 375.00 feet to the point of beginning, containing 3.23 acres, of which 0.54 acres contained in the south and east 33.00 feet thereof is presently being used as a public road.

Upon roll call, the vote was as follows:

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

Nays: None

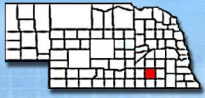
The Chairman declared the motion carried.

KIMBROUGH #2 SUBDIVISION

Donna Mainwaring, Planning & Zoning Administrator submitted the plat for the Kimbrough #2 Subdivision located in the SE ¼, Section 23-6-3, Stanton Township.

After discussion, Yates moved and Mueller seconded the motion to approve the Kimbrough #1 Subdivision which described as a parcel of land in the southeast quarter of Section 23, Township 6 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, being described as follows: commencing at the east quarter corner of said Section 23; thence S00°00'00"E (assumed bearing) on the east line of said Section 23; a distance of 1579.11 feet to the point of beginning; thence continuing S00°00'00"E on said east line, a distance of 413.00 feet; thence N90°00'00"W, perpendicular to said section line, a distance of 283.00 feet; thence N19°33'50"W, a distance of 438.30 feet; thence N90°00'00"E, perpendicular to said section line, a distance of 429.77 feet to the point of beginning, containing 3.38 acres, including .31 acres occupied as County Road Right of Way.

Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

KENNEL'S SUBDIVISION

Donna Mainwaring, Planning & Zoning Administrator submitted the plat for the Kennel's Subdivision located in the SW $\frac{1}{4}$, Section 34-5-4, Bryant Township.

After discussion, Noel moved and Yates seconded the motion to approve the Kennel's Subdivision which described as a tract of land located in the SW $\frac{1}{4}$ of Section 34-T5N-R4 West of the 6th P.M., Fillmore County, Nebraska; A.K.A. Kennel's Subdivision; more particularly described as follows and assuming the west line of said SW $\frac{1}{4}$ bears S00°00'00"W. Commencing at the W $\frac{1}{4}$ corner of said Section 34; thence S00°00'00"W 730.00 feet on the Section line to a point; thence N89°36'14"E 215.59 feet to a point; thence N25°28'40"E 147.55 feet to a point; thence N43°23'07"E 294.35 feet to a point; thence N53°45'03"E 240.39 feet to a point; thence N35°44'35"E 295.22 feet a point on the $\frac{1}{4}$ Section line; thence S89°58'32"W 847.55 feet on the $\frac{1}{4}$ Section line to a point of beginning. Said tract containing 8.70 plus or minus acres; subject to County Road R.O.W. and any easement of record.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TAX SALE RESOLUTION

County Treasurer, Barbara Trapp presented to the Board a listing of delinquent and unsold parcels.

At the request of the County Treasurer, Simacek moved and Mueller seconded the introduction of the following resolution:

RESOLUTION 2011 - 27

WHEREAS, the County Treasurer of Fillmore County has reported in writing to the County Board setting out a complete list of all parcels of real estate in the county on which taxes are delinquent and which were not sold for want of bidders at the last annual tax sale held in Fillmore County and said real estate taxes have been delinquent for a period of three or more years.

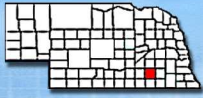
WHEREAS, The County Board has examined the same and while it may direct the issuance of tax sale certificates to the county upon any parcel of real estate upon which there are any delinquent taxes, it shall, as to all parcels of real estate upon which taxes are delinquent for three or more years, either enter an order directing the foreclosure of the lien of such taxes or shall enter an order for the County Treasurer to issue tax sale certificates to the county covering the delinquent taxes upon such parcels for real estate, to be foreclosed in the manner provided in Section 77-1901 to 77-1918, Nebraska Revised Statutes.

WHEREAS, more than two consecutive years have elapsed upon real estate which has been offered for sale and not sold for want of bidders; and

WHEREAS, more than three years will have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tract has expired;

BE IT NOW RESOLVED that the County Board shall direct the County Attorney to commence foreclosure on such liens or certificates on all real estate which has heretofore been advertised and offered for sale and remains unsold for want of bidders and certificates of tax sale issued thereupon.

Upon roll call, the vote was as follows:



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

The Chairman declared the resolution adopted.

EMERGENCY PROTECTIVE CUSTODY AGREEMENT

After discussion, Mueller moved and Yates seconded the motion to approve and sign the agreement with Region V Systems for Emergency Protective Custody (EPC) service beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SURPLUS ITEMS

Yates moved and Noel seconded the motion to declare old computers, monitors, and printers surplus. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MILEAGE RATE

Cerny moved and Mueller seconded the motion to approve the mileage rate of \$.55.5 and for the Sheriff to serve papers at \$.58.5 effective July 1, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HIGHWAY SUPERINTENDENT SALARY

After discussion, Mueller moved and Yates seconded the motion to increase the Highway Superintendent's salary \$2,500.00 per year as he has received his Class A and RC License. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN

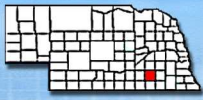
Agenda items "Financing Motor Graders, Aramark Uniform Contract" were tabled until the next Board meeting. As there was no other business to come before the Board, Galusha moved and Yates seconded the motion to adjourn until 9:10 a.m., July 12, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



July 12, 2011

The Fillmore County Board of Supervisors convened in open and public session at 10:20 a.m., July 12, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 1:28 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the June 28, 2011 Board meeting.

BIG IRON AUCTION COMPANY

Kurt Kircher, District Manager and Roy Vap, Territory Manager with Big Iron Auction Company gave a presentation as to what their company could do for Fillmore County.

DRIVEWAY PERMITS

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

Carol Sieber – widen existing driveway in the NW ¼, Section 24-7-3, Geneva Township;
Dan Aspegren – widen existing driveway on the south side of the SW ¼, Section 18-7-2, Madison Township;
Thomas D. Manning – install a new driveway on the west side of the NW ¼, Section 24-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLOSED ROAD BETWEEN ROAD U AND 13

Highway Superintendent, Mark Timmerman presented a copy of Resolution 2001-09 which was adopted after a public hearing on January 23, 2001. Included in the resolution were two tracts of land that have not been converted back to the landowners after closing portions of roads. The Board directed that a copy of the resolution be given to the County Assessor and County Clerk to change the records to reflect the resolution.

PUBLIC HEALTH SOLUTIONS

Jane Ford Witthoff, Director of Public Health Solutions informed the Board of their priority issues within our districts. Public Health will be getting out brochures to the County Clerks regarding West Nile Virus and Specific Needs Awareness Planning program.

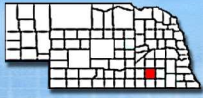
FEE REPORTS

Simacek moved and Yates seconded the motion to approve the following fee reports for June 2011:

County Clerk: \$4,417.16 (State \$1,608.30 & County \$2,808.86)
Clerk of the District Court: \$268.36
Sheriff: \$3,511.68

Upon roll call, the vote was as follows:

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



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July 12, 2011

The Chairman declared the motion carried.

GENERAL ASSISTANCE #2011-02

After discussion, Mueller moved and Yates seconded the motion to deny the general assistance application #2011-02 due to discrepancy in statements. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WEATHERCRAFT CHANGE ORDER #1

After discussion, Yates moved and Cerny seconded the motion to approve and sign change order #1 with Weathercraft Company of Lincoln for the amount of \$14,018.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ARAMARK CONTRACT

After discussion, Mueller moved and Noel seconded the motion to approve and sign a five (5) year contract for Aramark's services. Upon roll call, the vote was as follows:

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

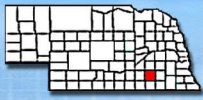
The Chairman declared the motion carried.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Howard F. Ach	Rent, Post, Uti	3,260.03
Action Auto Supply	Sup	21.22
Ameritas Life Insurance Corp.	Ret	3,174.22
AmSan	Sup	129.20
Jon Anderson	Post	7.20
Andrews Electric Co., Inc.	Rep	90.15
Auto Value Parts Stores	Sup	11.69
Axis Capital, Inc.	Ser	249.00
Black Hills Energy	Uti	59.85
Todd Boller	Post	11.18
CDW Government, Inc.	Sup	95.84
Century Lumber Center	Rep	45.97
Chaney Chemical, Inc.	Sup	448.40
Marilyn Christiancy	Ret	25.00
City Clock Co.	Equip	1,588.00
City of Geneva	Uti, Rent	829.70
Constellation Energy	Uti	2.76
Gaylord Craddock	Mile	69.36

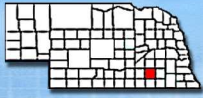


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Dawg's Smokehouse Café	HDM's	220.50
Eakes Office Plus	Sup	1,370.98
Earls Window Service	Ser	6.00
Merlin Ehmen	Ret	22.00
Executive Copier Service	Ser	76.09
Exeter Care Center	HDM's	280.00
Fillmore County Clerk of District Court	Fees	102.00
Fillmore County Hospital	Ser	70.00
Fillmore County Sheriff	Fees	842.94
First Concord Group, Inc.	Ser	240.00
Gambles of Geneva	Sup	66.73
Geneva State Bank	SS	3,484.20
Norma Gregory	Ret	25.00
Dean N. Hansen	Ser	332.50
Heath, Inc.	Rep	50.00
Frances Heinrichs	Mile	69.36
Robert Hester	Post	7.20
Hometown Leasing	Ser	839.19
Ron Isley	Mile	36.72
Knoche Appraisal & Consulting, LLC	Ser, Mile	1,916.40
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,717.62
Lancaster County Sheriff	Ser	19.08
Madison National Life	Insur	185.69
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	75.00
MIPS, Inc.	Ser	3,039.74
Mobile Binders	Rep	164.62
Brenda Motis	Mile	106.98
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Association of County Officials	Dues	1,407.37
Nebraska Association of Senior Centers	Wksh	100.00
The Nebraska Signal	Pro, Ads, Sup	861.15
NIRMA	Insur	60,065.00
O'Keefe Elevator Company, Inc.	Rep	552.00
Leonard Oldehoeft	Mile	36.72
Ralph's Geneva Tire & Service Center	Rep, Main	353.66
Steven G. Roemmich	Meals	27.13
Saline County Sheriff	Ser	48.75
Secretary of State – Notary Division	Misc	60.00
Seiler & Parker, P.C.	Ser	364.50
Service Press	Sup	280.00
Shell Fleet Plus	Fuel	5,348.57
Southeast Nebraska Development District	Ser, Misc	7,586.82
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Crime Commission	Sup	15.00
Tincher Ford Mercury, Inc.	Equip	22,889.00
Thomas Creative Apparel, Inc.	Equip	399.00
UN-L IS-Telecommunications	Uti	34.03
US Bank CPS	Meals, Mile, Lodging	187.12
Brandy VanDeWalle	Uti, Mile	44.99
Walter Insurance	Insur	80.00
Warne Chemical & Equipment Co.	Rep	350.25
Weathercraft Company of Lincoln	Ser, Rep	42,721.20
Weaver Pharmacy	Sup	32.30
Whelan, Scherr, Glen, Goding & Mead PC	Ser	166.25
Anthony Whitmore	Meals, Post	44.62
Eric Williams	Post, Fuel	25.59
Windstream	Uti	177.73



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July 12, 2011

Payroll

Salaries

47,898.18

ROAD/BRIDGE FUND:

Action Auto Supply	Parts	24.98
Ameritas Life Insurance Corp.	Ret	1,711.65
Auto Value Parts Stores	Parts, Sup	167.45
Black Hills Energy	Fuel	76.33
Casey's General Stores	Fuel	2,861.00
Century Lumber Center	Parts, Sup	120.27
City of Geneva	Uti	57.00
Dorchester Farmers Coop	Fuel	6,135.62
Friesen Chevrolet, Inc.	Parts	43.97
Geneva Implement Co., Inc.	Parts	73.76
Geneva State Bank	SS	1,877.49
Geneva Welding & Supply, Inc.	Sup	136.19
Ralph Gould	Ret	18.00
Grafton Oil, Inc.	Fuel, Sup	1,847.89
Donovan Jirkovsky	Ret	25.00
Kopchos Sanitation, Inc.	Uti	44.50
Lichti Oil	Fuel, Sup	6,383.17
Madison National Life	Insur	95.25
Midwest Unlimited	Sup	285.43
MIPS, Inc.	Ser	115.77
The Nebraska Signal	Ads	43.80
Nichols Construction	Gravel	21,529.91
Nick's Farm Store Co.	Sup	19.28
NIRMA	Insur	68,204.00
Perennial Public Power District	Uti	45.22
Platte Valley Communications, Inc.	Equip	982.12
Power Plan	Parts	1,320.18
Ralph's Geneva Tire & Service Center, Inc.	Rep	181.34
Shell Fleet Plus	Fuel	1,364.55
Speece Lewis Engineers	Ser	1,850.00
Sutton Electric, Inc.	Ser	6,075.00
Village of Grafton	Uti	21.07
Village of Milligan	Uti	22.50
Payroll	Salaries	25,357.68

ECONOMIC DEVELOPMENT TOURISM FUND:

Don's Signs	Sup	204.12
Nebraska Travel Association	Dues	150.00

INHERITANCE TAX FUND:

JEO Consulting Group, Inc.	Ser	595.00
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	June Taxes	875.69
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E911 COMMUNICATIONS FUND:

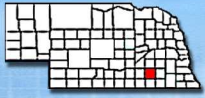
Platte Valley Communications of Hastings	Rep	68.75
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CLAIMS APPROVED

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

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

Nays: None Abstaining due to conflict of interest: Yates



Fillmore County Board Minutes



July 12, 2011

The Chairman declared the motion carried.

ADJOURN

Agenda items "USDA Wildlife Contract and NIRMA Insurance" were tabled until the next Board meeting. As there was no other business to come before the Board, Simacek moved and Noel seconded the motion to adjourn until 9:00 a.m., July 26, 2011. Upon roll call, the vote was as follows:

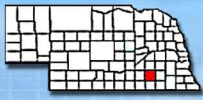
Ayes: Simacek, Noel, Cerny, Mueller, Galusha, Capek, and Yates

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



July 26, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 26, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. Yates was absent at 2:35 p.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:50 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the July 12, 2011 Board meeting.

CHANGE ORDER #4 WITH WEATHERCRAFT

After discussion, Yates moved and Mueller seconded the motion to approve change order #4 with Weathercraft Company of Lincoln for sealing a water leak around the tower in the amount of \$524.00. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SUBSTANTIAL COMPLETION CERTIFICATE

After discussion, Yates moved and Simacek seconded the motion to approve and sign the Certificate of Substantial Completion with Weathercraft Company of Lincoln. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

UPDATE FROM CONGRESSMAN'S OFFICE

Jessica Whalen, Community Liaison with Congressman Adrian Smith presented an update to the Board. Jessica also allowed the Board to ask questions or concerns that she would pass on to the Congressman.

DRIVEWAY PERMIT

Mueller moved and Noel seconded the motion to approve the following driveway permit:

Dennis Kimbrough – install a new 40' driveway on the south side of the SE ¼, Section 23-6-3, Stanton Township.

Upon roll call, the vote was as follows:

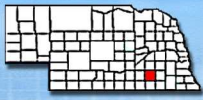
Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

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



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Windstream – replace communications between Sections 29 and 28-7-4, Bennett Township. Windstream will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Windstream – install communications between Sections 16 and 17-5-1, Franklin Township. Windstream will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

FEDERAL FUNDS PURCHASE PROGRAM AGREEMENT

After discussion, Noel moved and Mueller seconded the introduction of the following resolution:

RESOLUTION 2011 - 28

WHEREAS, each year the federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects; and,

WHEREAS, certain federal-aid STP and HBP funds have historically been made available to the LPA by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and,

WHEREAS, LPA and the NDOR wish to enter into an Agreement to provide for the purchase, at a discount, certain federal-aid dollars currently made available to the LPA.

WHEREAS, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by the LPA.

WHEREAS, the Board/Council has reviewed the Agreement and has determined that it is in its best interest to enter into the Agreement in the attached form.

BE IT RESOLVED, by the Board/Council of Fillmore County that: Raymond J. Capek is hereby authorized to sign the attached Federal Funds Purchase Program Agreement between Fillmore County and the NDOR.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

BELLY DUMP GRAVEL TRAILER

Mark Timmerman, Highway Superintendent informed the Board that Thayer County would like to rent our belly dump gravel trailer. After discussion, the Board agreed to allow Thayer County to rent the trailer.

MILLIGAN BLACKTOP

Highway Superintendent, Mark Timmerman informed the Board that Werner Trucking Company had damaged the blacktop that goes south of Milligan. Mark has spoken with Werner's and they have agreed to repair the damage at their cost.



Fillmore County Board Minutes



July 26, 2011

HOSPITAL PROPERTY COMMITTEE

After discussion, Chairman Capek appointed Larry Cerny, Robert Mueller, Merle Noel, and Steve Yates as an alternate to the Hospital Property Committee. Paul Utemark will add members to this committee from the Hospital Board.

FISH & WILDLIFE DISTRIBUTION

After discussion with County Treasurer, Barbara Trapp, Yates moved and Simacek seconded the motion to distribute the Fish & Wildlife funds of \$11,957.00 up as follows: 40% to the Road Department, 10% to the Schools, and 50% between the Townships that have Fish & Wildlife property in their Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried

APPOINT BUDGET MAKING AUTHORITY

Mueller moved and Cerny 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 December 8, 2009. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DISTRICT COURT BAILIFF BUDGET REQUEST

District Judge, Johnson submitted a budget request of \$6,608.45 for fiscal year 2011/2012. Request will be discussed further during the budget process.

2011/2012 BUDGET DISCUSSION

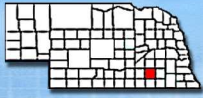
Joleen Stroyek with Contryman Associates presented three different options to the Board for discussion regarding the 2011/2012 budget. After lots of discussion, the Board will request each office to reduce their budgets by 2% and discuss at the August 9th Board meeting. Joleen also informed the Board that we need to comply with GASB 54 for the audit ending June 30, 2011.

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 Ag Supply	Sup	19.00
Ameritas Life Insurance Corp.	Ret	3,325.38
Aramark Uniform Services, Inc.	Ser	864.56
Janet Bartak	Mile	72.15
Blue Cross Blue Shield of Nebraska	Insur	23,630.79
Bottorf & Maser Atty.	Ser, Mile	582.50
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Corner Stop	Fuel	198.85
Des Moines Stamp Manufacturing Co.	Sup	182.15
Dollar General	Sup	262.40
Merlin Ehmen	Ret	22.00



Fillmore County Board Minutes

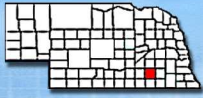


July 26, 2011

Erdkamp Motors	Main	36.00
Farm & Home Publishers, Ltd	Misc	812.50
Farmer & Son Funeral Home, Inc.	Ser	3,545.00
Fillmore County Treasurer	June Taxes, Misc, Fee	14,078.07
First Concord Group, Inc.	Insur	2,500.15
Gambles of Geneva	Sup	43.15
Geneva Broadband, LLC	Ser	119.97
Geneva Senior Center	Rent, Misc	1,535.00
Geneva State Bank	SS	3,672.30
Geneva Super Foods	Sup	279.02
Norma Gregory	Ret	25.00
Iowa Prison Industries	Sup	119.68
Kalkwarf & Smith Law Offices, LLC	Ser, Post	2,794.31
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Bette Mattox Manning	Ser	144.00
Ann H. McDonald	Ret	18.00
MIPS, Inc.	Sup	26.88
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Public Power District	Uti	2,652.71
Nichols Collision Center	Rep	312.00
Lyndsey Pohlmeier	Wksh	225.00
Region V Services	Budget request	2,621.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Dept. of Labor	Ser	100.00
State of Nebraska Health & Human Service	June Patient Care	222.00
State of Nebraska Public Health Env. Lab.	Ser	84.00
Molly Trausch	Mile	77.70
US Bank CPS	Meal, Fuel	77.84
USDA, APHIS	Ser	1,909.25
Verizon Wireless	Uti	621.02
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,328.02
Young Leaders of Fillmore County	Dues	35.00
Payroll	Salaries	50,440.13

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,775.86
Blue Cross Blue Shield of Nebraska	Insur	14,050.74
Contech Construction Products, Inc.	Culverts	8,833.52
Dorchester Farmers Coop	Fuel	2,277.91
Gambles of Geneva	Sup	108.26
Geneva State Bank	SS	1,976.59
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	34.01
Grafton Oil, Inc.	Fuel	1,499.19
Donovan Jirkovsky	Ret	25.00
John Deere Financial	Parts	144.65
Lichti Oil	Fuel	2,105.33
Brian Mussman	Ser	1,147.50
Nebraska Department of Roads	Ser	2,464.03
Nebraska Public Power District	Uti	413.95
Office Depot Credit Plan	Sup	120.95
Perennial Public Power District	Uti	68.32
Speece Lewis Engineers	Ser	3,299.31
US Bank CPS	Ads	103.35
Verizon Wireless	Uti	69.56
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	18.16



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Village of Ohio	Uti	20.00
Windstream	Uti	143.91
Payroll	Salaries	26,672.78

INHERITANCE TAX FUND:

Murphy Tractor & Equipment Co.	Equip	403,928.00
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911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	218.93
Windstream	Uti	1,025.35

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Cerny moved and Noel seconded the motion to adjourn until 9:10 a.m., August 9, 2011. Upon roll call, the vote was as follows:

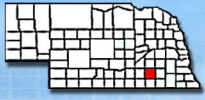
Ayes: Cerny, Mueller, Galusha, Capek, Simacek, and Noel

Nays: None Absent: Yates

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



August 9, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:21 a.m., August 9, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:15 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the July 26, 2011 Board meeting.

USDA WILDLIFE

Spencer Nelson, Wildlife Specialist and Chad Richardson, District Supervisor with USDA Wildlife Services were present to answer questions that the Board had regarding what benefits Fillmore County residents get for the funds requested. Audrey Nichols submitted a letter of support for the USDA Wildlife services to continue.

COOPERATIVE SERVICE AGREEMENT WITH USDA

After discussion, Yates moved and Cerny seconded the motion to approve and sign the Cooperative Service Agreement with USDA Wildlife Services beginning July 1, 2011 and ending June 30, 2016. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

WORK & FINANCIAL PLAN WITH USDA

After further discussion, Cerny moved and Mueller seconded the motion to approve and sign the Work and Financial Plan with USDA Wildlife beginning July 1, 2011 and ending June 30, 2012 with a budget request of \$7,637.00. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SELLING MOTOR GRADER

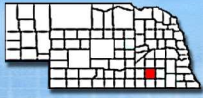
Highway Superintendent, Mark Timmerman informed the Board that he had an offer of \$76,000.00 for the 1998 Cat Motor Grader.

After discussion, Mueller moved and Noel seconded the motion to authorized Highway Superintendent to accept the offer of \$76,000.00 for the 1998 Cat Motor Grader. Upon roll call, the vote was follows:

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

The Chairman declared the motion carried.

PIVOTS WATERING ROADWAY



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After discussion with Highway Superintendent and County Sheriff, Cerny moved and Noel seconded the motion to authorize the County Sheriff to give one warning and then issue a citation to the landowner for a pivot watering the roadway, per Nebraska State Statute 39-301 and 39-302. Upon roll call, the vote was as follows:

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

Nays: Capek

The Chairman declared the motion carried.

OTHER ROAD ISSUES

The Board and Highway Superintendent, Mark Timmerman discussed allowing road employees to haul gravel to receive more gravel before fall, after discussion the Board agreed to allow employees to haul gravel. Mark also informed the Board that he has made a few changes to the Pipeline Haul Road agreement and the County Attorney is reviewing that policy. Mark will perform a sign study regarding Road 6 & Road Y for the next meeting.

FEE REPORTS

Simacek moved and Yates seconded the motion to accept the fee reports for July 2011:

County Clerk: \$12,824.82 (State \$7,579.47 & County \$5,245.35)

Clerk of District Court: \$285.90

Sheriff: \$5,020.62

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLOSING GENEVA & BRYANT TOWNSHIP BOARDS

The public hearing to close Geneva Township and Bryant Township boards was opened at 1:00 p.m. as advertised.

CASEY'S LIQUOR LICENSE

After discussion, Simacek moved and Mueller seconded the motion to approve the addition/reconstruction to premise for the Casey's liquor license at 1302 Road F, Fairmont. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLOSING BUDGET ACCOUNTS

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

RESOLUTION 2011 - 29

WHEREAS, Fillmore County, Nebraska, has a Law Enforcement Grant Fund #2502,

WHEREAS, Fillmore County has determined there is no longer a need to have separate funds for the above named funds,

THEREFORE BE IT HEREBY RESOLVED, the Law Enforcement Grant fund will be closed as of August 15, 2011. The County Treasurer is directed to transfer all money remaining in aforementioned funds on August 15, 2011 to



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August 9, 2011

the Fillmore County General Fund. The County Treasurer is further directed to automatically transfer any future collections for the aforementioned funds directly to the General fund.

Upon roll call, the vote was as follows:

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

Nays: None

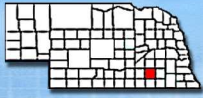
The Chairman declared the resolution adopted.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Ace Ag Supply	Sup	139.83
Howard F. Ach	Rent, Post	3,269.67
Action Auto Supply	Sup	6.49
Ameritas Life Insurance Corp.	Ret	3,231.55
Auto Value Parts Stores	Sup	39.47
Axis Capital, Inc.	Ser	249.00
Bear Graphics, Inc.	Sup	596.02
Black Hills Energy	Uti	59.05
Blue Cross Blue Shield of Nebraska	Insur	23,630.79
Central Nebraska Refrigeration, Inc.	Rep	1,588.92
Century Lumber Center	Sup	59.01
Chaney Chemical, Inc.	Sup	49.85
City of Geneva	Uti	500.50
Consolidated Management Company	Meals	89.00
Constellation Energy	Uti	2.76
Dawg's Smokehouse Café	HDM's	199.50
Eakes Office Plus	Sup	761.10
Earls Window Service	Ser	6.00
Farmer & Son Funeral Home, Inc.	Ser	1,485.00
Fillmore County Clerk of District Court	Fees	174.00
Fillmore County Treasurer	July Taxes, Ser	18,570.94
First Concord Group, Inc.	Insur, Ser	1,725.49
Gambles of Geneva	Sup	20.92
Geneva Senior Center	Rent, Misc	277.94
Geneva State Bank	Ser, SS	3,544.78
Geneva Super Foods	Sup	187.18
Geneva Welding & Supply, Inc.	Equip	356.72
Grafton Mini Mart	Fuel	12.26
Hall County Sheriff	Ser	27.36
Hometown Leasing	Ser	711.05
Husker Auto Group	Equip	11,500.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	4,228.26
Kopchos Sanitation, Inc.	Ser	78.50
Stephen J. Kraviec	Ser, Post	1,691.62
Lancaster County Sheriff	Ser	21.51
Lichti Oil	Fuel	275.83
Madison National Life	Insur	185.69
Donna Mainwaring	Meals	12.60
Microfilm Imaging Systems, Inc.	Ser	75.00
MIPS, Inc.	Ser	2,754.04
Brenda Motis	Mile	112.11



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Nebraska Association of County Assessors	Wksh	150.00
Nebraska Floodplain & Stormwater Managers Association	Wksh	125.00
The Nebraska Signal	Pro, Ads	950.02
Ralphs Geneva Tire & Service Center	Rep, Main	822.97
Seward County Sheriff	Boarding prisoner	325.00
Shell Fleet Plus	Fuel	4,408.73
Sheridan County Sheriff's Office	Ser	35.00
State of Nebraska AS Central Finance	Ser	448.00
Total Funds by Hasler	Post	700.00
Molly Trausch	Mile	29.97
US Bank CPS	Meals, Lodging, Wksh, Fuel	1,067.03
Weathercraft Co. of Lincoln	Ser	15,155.80
Windstream	Ser	180.37
Payroll	Salaries	47,829.05

ROAD/BRIDGE FUND:

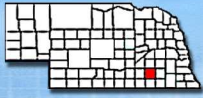
Action Auto Supply	Sup	45.49
Ameritas Life Insurance Corp.	Ret	2,287.86
Auto Value Parts Stores	Parts, Sup	490.51
Black Hills Energy	Uti	69.20
Blue Cross Blue Shield of Nebraska	Insur	13,412.07
Casey's General Store	Fuel	333.78
Century Lumber Center	Sup	150.29
City of Geneva	Uti	60.20
Dorchester Farmers Coop	Fuel, Rep	8,107.74
Filter Care of Nebraska	Parts	28.20
Geneva Implement Co., Inc.	Parts	103.29
Geneva State Bank	SS	2,529.01
Geneva Welding & Supply, Inc.	Sup, Parts	882.23
Grafton Oil, Inc.	Fuel, Sup	1,526.64
Kerry's Auto Repair & Service	Main	50.00
Kopchos Sanitation, Inc.	Ser	44.50
Lichti Oil	Fuel, Parts	13,113.65
Madison National Life	Insur	95.25
Medical Enterprises, Inc.	Ser	31.00
MIPS, Inc.	Ser	115.77
Nebraska Iowa Industrial Fasteners Corp.	Sup	200.17
The Nebraska Signal	Ads	29.20
Nichols Construction	Gravel	27,979.84
Nick's Farm Store Co.	Parts	179.37
Omaha Truck Center, Inc.	Parts	480.06
Overland Sand & Gravel	Gravel	4,520.34
Perennial Public Power District	Uti	45.85
Power Plan	Parts, Rep	11,106.89
R & D Parts, LLC	Parts, Sup	111.40
Ralphs Geneva Tire Company	Rep, Parts	639.00
Riot Repair	Equip	710.02
Shell Fleet Plus	Fuel	2,082.59
Superior Lamp, Inc.	Sup	69.48
Village of Grafton	Uti	23.63
Payroll	Salaries	33,893.89

ECONOMIC DEVELOPMENT – TOURISM FUND:

Service Press	Sup	650.00
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EMERGENCY MANAGEMENT GRANT FUND:

US Bank CPS	Lodging	359.34
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INHERITANCE TAX FUND:

Andrews Electric Co., Inc.	Rep, Sup	4,208.95
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ETHANOL PLANT BOND FUND:

Cornerstone Bank	Fee	350.00
Fillmore County Treasurer	Interest	1,891.28
Geneva State Bank	Fee	16.00

HOSPITAL OPERATING FUND:

Fillmore County Hospital	July taxes	898.74
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E911 COMMUNICATIONS FUND:

Andrews Electric Co., Inc.	Main	663.73
Eakes Office Plus	Sup	248.00
Lichti Oil	Fuel	93.51

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

CLOSING TOWNSHIP BOARDS

The Chairman closed the public hearing regarding closing Geneva Township and Bryant Township Boards at 1:23 p.m., as no one appeared to testify for or against. Per Nebraska State Statute there is nothing more the Board can do until June 30, 2012 regarding this matter.

BUDGET DISCUSSION

Discussed budget for 2011/2012 with Joleen from Contryman Associations via a conference call. After discussion, Joleen informed the Board that she would review the budget again with the questions raised. The Board will discuss at the next Board meeting.

EXECUTIVE SESSION

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

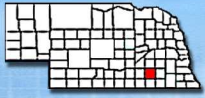
Ayes: Capek, Yates, Simacek, Noel, Cerny, Mueller, and Galusha
Nays: None

The Chairman declared the motion carried and requested that the County Clerk remain. Executive session began at 1:53 p.m.

RETURN TO REGULAR SESSION

Yates moved and Simacek seconded the motion to return to open session at 2:12 p.m. Upon roll call, the vote was as follows:

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



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August 9, 2011

The Chairman declared the motion carried.

ADJOURN

Agenda item "Redistricting Supervisor's" will be discussed at a future Board meeting. As there was no other business to come before the Board, Simacek moved and Noel seconded the motion to adjourn until 9:20 a.m., August 23, 2011. Upon roll call, the vote was as follows:

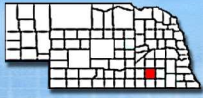
Ayes: Simacek, Noel, Cerny, Mueller, Galusha, Capek, and Yates

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



August 23, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:20 a.m., August 23, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:36 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the August 9, 2011 Board meeting.

EMERGENCY ACTION ITEM

After discussion, Yates moved and Galusha seconded the motion to add Moment of Remembrance regarding September 11, 2001 to the August 23, 2011 Board of Supervisors agenda. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

MOMENT OF REMEMBRANCE

Mueller moved and Cerny seconded the motion to issue a proclamation recognizing the Moment of Remembrance regarding September 11, 2001. This includes having fire stations, police, churches and any other organization ringing their sirens or bells on September 11th at 12:00 p.m. for one full minute. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

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

Windstream – bury communications between Sections 23 and 22-7-1, Liberty Township. Windstream will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMIT

Mueller moved and Noel seconded the motion to approve the following driveway permit:

Norma Lang – widen existing driveway to 40 ft. on the south side of the SE ¼, Section 22-7-3, Geneva Township.

Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

STOP SIGN STUDY

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

RESOLUTION 2011 – 34

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

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

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

TYPE OF DEVICE

LOCATION

Add STOP sign

at the intersection of County Road 6 and Y on the SW
Corner of intersection

Upon roll call, the vote was as follows:

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

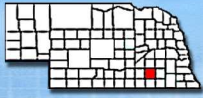
The Chairman declared the resolution adopted.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Ameritas Life Insurance Corp.	Ret	3,225.02
Jon Anderson	Meals	6.86
Applied Concepts, Inc. – Stalker Radar	Sup	185.00
Aramark Uniform Services, Inc.	Ser	663.34
Blue Cross Blue Shield of Nebraska	Insur	23,630.79
Mary Brinkman	Sup	21.49
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Consolidated Management Company	Meals	28.00
Corner Stop	Fuel	399.16
Merlin Ehmen	Ret	22.00
Emergency Communications Network, Inc.	Ser	6,785.00
Erdkamp Motors	Rep	78.64
Executive Copier Services	Ser	108.34
Exeter Care Center	HDM's	560.00
Exeter Senior Center	Misc	92.00
Fairmont Aging Services	Misc	4.00
Fillmore County Development Corp.	HOME program	28,940.00
Gambles	Sup, Misc	64.95



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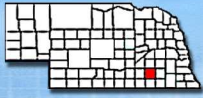


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Geneva Broadband, LLC	Ser	95.96
Geneva State Bank	SS	3,445.18
GIS Workshop	Ser	2,500.00
Norma Gregory	Ret	25.00
Heinisch Law Office	Ser	2,100.50
Hilty's of Geneva	Sup	204.70
Jim's Repair	Rep, Main	152.83
Kalkwarf & Smith Law Offices, LLC	Ser, Wksh, Post	4,845.78
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Bette Mattox Manning	Ser	144.00
Ann H. McDonald	Ret	18.00
Midwest Engines	Rep, Main, Equip	2,083.44
Midwest Storage Solutions, Inc.	Equip	105.54
Moore Wallace DBA RR Donnelley	Sup	108.50
Rich Mueller / Thomas Biegert	Rent	650.00
Nebraska Notary Association	Sup	137.50
Nebraska Public Power District	Uti	2,810.28
Platte Valley Communications of Hastings	Equip	4,070.95
Lyndsey Pohlmeier	Mile	34.41
Postmaster	Rent	46.00
Proforma	Sup	382.08
Service Press	Sup	471.20
Southeast Nebraska Development District	HOME program	4,763.93
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Health & Human Service	July patient care	186.00
Total Funds by Hasler	Post	700.00
US Bank CPS	Sup, Post	219.80
Brandy VanDeWalle	Uti, Mile	39.98
Verizon Wireless	Uti, Equip	842.31
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,212.64
Payroll	Salaries	47,829.05

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,814.13
BS Enterprises, Inc.	Equip	1,060.00
Blue Cross Blue Shield of Nebraska	Insur	14,050.74
Contech Construction Products, Inc.	Equip	11,901.86
Dorchester Farmers Coop	Fuel	4,072.08
Fillmore County Hospital	Ser	35.00
Gambles	Sup	129.21
Geneva State Bank	SS	1,992.11
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	176.72
Grafton Oil, Inc.	Fuel	1,600.83
Jill's Sweet Shop	Misc	30.00
Donovan Jirkovsky	Ret	25.00
John Deere Financial	Parts, Rep	633.51
Lichti Oil	Fuel	3,797.43
Nebraska Public Power District	Uti	442.68
NMC Exchange, LLC	Parts, Equip, Main	2,912.21
Road Builders	Parts	67.58
Speece Lewis Engineers	Ser	785.12
Verizon Wireless	Uti	69.56
Village of Exeter	Uti	15.00
Windstream	Uti	145.49
Payroll	Salaries	33,893.89



Fillmore County Board Minutes



August 23, 2011

911 WIRELESS COMMUNICATIONS FUND:

Metro Leasing Company	Ser	794.89
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E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	198.96
Windstream	Uti	1,019.74

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, Yates, Simacek, Noel, Cerny, Mueller, and Galusha

Nays: None

The Chairman declared the motion carried.

SUBGRANT AGREEMENT WITH HEALTH & HUMAN SERVICES FOR CHILD SUPPORT

After discussion, Mueller moved and Cerny seconded the motion to approve and sign the Subgrant Agreement with Health and Human Services for Child Support Enforcement Title IV-D State Program beginning October 1, 2011 and ending September 30, 2012. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

INVENTORIES

Cerny moved and Noel seconded the motion to approve the inventories from all offices for fiscal year 2010 – 2011. Upon roll call, the vote was as follows:

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

Nays: None Absent: Yates

The Chairman declared the motion carried.

SKIP-FLU PROGRAM

After discussion, Mueller moved and Yates seconded the motion to approve giving \$1,000.00 to Public Health Solutions for the 2011 School Kids Immunization Program – Flu (SKIP-Flu) and directed the Count Clerk to send a notice to the schools to let them know. Upon roll call, the vote was as follows:

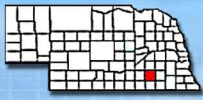
Ayes: Noel, Cerny, Mueller, Galusha, Capek, Yates, and Simacek

Nays: None

The Chairman declared the motion carried.

CONSERVATION EASEMENT

John Cunningham, Attorney for Ducks Unlimited, Steve Donovan and Tim Horst with Ducks Unlimited presented an example of a Conservation Easement that they would like the Board to approve for land located in the S ½ of the SW ¼, Section 36-8-2, Fairmont Township. They also presented this Conservation Easement to the Planning Commission at their August 22nd meeting. The Planning Commission passed a motion to not give the County Board a recommendation regarding this issue. They wanted more time to research and discuss.



Fillmore County Board Minutes



August 23, 2011

After further discussion, Noel moved and Simacek seconded the motion to send the Conservation Easement back to the Planning Commission and have them give a recommendation at a future meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HOSPITAL UPDATE

Paul Utemark, Fillmore County Hospital CEO presented the Hospital's actual revenue and expense figures for fiscal year 2010 – 2011 as well as the budget for fiscal year 2011 – 2012. Paul also gave an update on the replacement hospital and that they are still looking to move in March of 2012.

Jenni Hoarty was also present and informed the Board of the number of people attending the fitness center on a yearly basis. Jenni has had a lot of members ask if the fitness center would remain when the hospital moved to the new facility. Kyle Svec, City of Geneva Administrator was also present for this discussion.

FILLMORE COUNTY DEVELOPMENT CORP.

Alan Emshoff, Gary Dick, Dick Schoenholz, and Carol Vejraska with the Fillmore County Development Corp. (FCDC) were present for the discussion regarding the need to keep funding FCDC and what benefits they bring to all of Fillmore County. Kyle Svec, City of Geneva Administrator was also present for the discussion.

EXECUTIVE SESSION

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

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

The Chairman declared the motion carried and requested that the Clerk of the District Court and the County Clerk remain. Executive session began at 2:32 p.m.

RETURN TO REGULAR SESSION

Yates moved and Noel seconded the motion to return to open session at 2:35 p.m. Upon roll call, the vote was as follows:

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

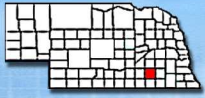
The Chairman declared the motion carried.

ADJOURN

Agenda items "Redistricting Supervisor's and 2011/2012 Budgets" will be discussed at a future Board meeting. As there was no other business to come before the Board, Simacek moved and Mueller seconded the motion to adjourn until 9:25 a.m., September 13, 2011. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



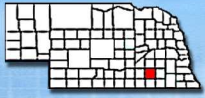
Fillmore County Board Minutes



August 23, 2011

Attest

Chairman



Fillmore County Board Minutes



September 13, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:35 a.m., September 13, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. Galusha was absent at 1:25 p.m. and Mueller at 2:20 p.m. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:48 p.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the August 23, 2011 Board meeting.

DRIVEWAY PERMITS

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

Richard A. & Helen Smith Trust – install a new 40' driveway on the east side of the NE ¼, Section 34-8-4, Grafton Township;

Arnold Nadherny Trust – extend an existing driveway on the west side of the NW ¼, Section 13-6-2, Chelsea Township;

Arnold Nadherny – extend an existing driveway on the east side of the SE ¼, Section 34-6-1, Glengary Township; and

Pat O'Brien – install a new 40' driveway on the east side of the NE ¼, Section 35-7-4, Bennett Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMIT

Simacek moved and Yates seconded the motion to approve the following permit:

Kent Theobald – install a new 60' driveway on the east side of the SE ¼, Section 5-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

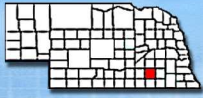
BIG IRON AUCTION

Roy Vap with Big Iron Auction requested that the Board allow them to sell the two motor graders at their October 24, 2011 sale.

After discussion, Mueller moved and Yates seconded the motion to allow Big Iron Auction to sell the two motor graders (a John Deere and a Cat) for 8% commission with free advertising including photos. Upon roll call, the vote was as follows:

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

Nays: None



Fillmore County Board Minutes



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The Chairman declared the motion carried.

STENGEL DAMAGE CLAIM

At the request of the Board, Chris Stengel was present to discuss damage to some irrigation pipe that is located in the County Right-Of-Way on Road 3 between Road N and Road P. Stengel's submitted a bill to the Highway Superintendent in August in the amount of \$1,899.37 to replace the irrigation pipe that was damaged.

After discussion, Mueller moved and Noel seconded the motion to submit the bill from Stengel's to the Counties insurance company (NIRMA) and then submit a claim for deductible and anything that the insurance company will not cover. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CRUSHED ROCK BIDS

Bids for crushed rock were opened at 10:08 a.m. as advertised. The following bids were received (Project #1 580 tons and Project #2 1170 tons):

<u>Bidder</u>	<u>Type 1</u>	<u>Type 2</u>
Nebraska Salt & Grain Co., Gothenburg, NE	No Bid	No Bid - Project #1 & 2
Westover Rock & Sand, Inc., Weeping Water, NE	\$21.80	\$25.00 - Project #1 & 2
Gana Trucking & Excavating, Inc., Martell, NE	\$21.78	\$25.09 - Project #1 & 2

CRUSHED ROCK LETTING

After discussion, Yates moved and Noel seconded the motion to accept both crushed rock bids. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ROCK ROAD 24

After further discussion, Mueller moved and Simacek seconded the motion to imbed crushed rock on Road 24, between Highway 6 and Road G. Upon roll call, the vote was as follows:

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

Nays: None

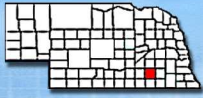
The Chairman declared the motion carried.

BOX CULVERT PROJECT

Highway Superintendent, Mark Timmerman informed the Board that the contractor would be ready to start the box culvert project located between Sections 21, 22, 27 and 28, Geneva Township the beginning of October. After discussion, the Board approved the project to begin in October.

COUNTY BURIAL POLICY

P. R. Farmer and Shaun Farmer with Farmer & Son Funeral Home were present for discussion regarding the current County Burial Policy with Farmer & Son Funeral home for \$1,485.00 since January 1, 2009.



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After discussion, Cerny moved and Mueller seconded the motion to change the County Burial Policy to offer cremation only for \$1,575.00 plus any transportation with Farmer & Son Funeral Home. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SAFETY COMMITTEE UPDATE

Bob Mueller gave an update from the safety committee that they are recommending that all employees get First Aid/AED training. Donna Mainwaring, Emergency Manager will be setting up class times.

Steve Yates and Bob Mueller also addressed the west entrance to the Courthouse as there are no hand rails and the first step is very narrow. After discussion, the Board will temporarily close the west entrance from the outside. There will still be access to exit the west entrance if there is a fire or emergency.

FEE REPORTS

Noel moved and Cerny seconded the motion to approve the August 2011 fee reports:

County Clerk \$4,628.14 (State \$1,886.55 & County \$2,741.59)
Clerk of the District Court: \$454.13
County Sheriff: \$3,499.97

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VALUE OF THE HOSPITAL

Larry Cerny, Bob Mueller, and Merle Noel along with the committee appointed by the Hospital administrator had a meeting with NPPD to assist them in determining what the going rate per square foot would be to list the current hospital. Larry informed the Board that there are 53,289 square feet in the current hospital and that the committee is suggesting an asking price of \$2,986,000.00 for the property. Patt Lentfer was present for this discussion.

After discussion, the Board approved setting the value of the current hospital at \$2,986,000.00 and requested that this be listed on the Fillmore County Development Corporation's website.

REPLACING PLEDGE SECURITIES

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

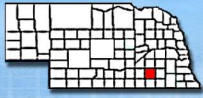
RESOLUTION 2011 – 36

RESOLVED, that Cornerstone Bank of Geneva, Nebraska be permitted to substitute the following security held by Wells Fargo Bank, Trustee:

Cusip #986369AN6 in the amount of \$50,000.00
Cusip #986369AP1 in the amount of \$50,000.00

and that the following security be substituted:

Cusip #661666CM7 in the amount of \$100,000.00



Fillmore County Board Minutes



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Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

SECURITY CAMERAS

After discussion, Cerny moved and Galusha seconded the motion to approve the purchase of security cameras for the Road Department in the amount of \$3,882.80 from Diode Technologies. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONSERVATION EASEMENTS

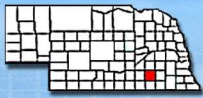
Ivan Fintel, Clay County Board of Supervisors Chairman and Josh Anderson a resident of Clay County discussed what has happened in Clay County with Conservation Easements. Ivan explained that Clay County has about 10,000 acres with conservation easements on them. This is effecting the land valuation in the County as it is being classified as grass land instead of farm ground. Clay County is working on policies to place in their comprehensive plan to assist them with this problem. Josh explained that it is not only the effect to the County valuation, but it also plays a huge part in the economic value being spread out within the County. They also informed the Board that they are working with Senator Carlson on LB 529 which was held in committee last legislative session.

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	Rent, Post	\$ 3,266.85
Ameritas Life Insurance Corp.	Ret	6,502.90
Applied Concepts, Inc.	Sup	83.00
Aramark Uniform Services, Inc.	Ser	740.05
Auto Value Parts Stores	Sup	2.49
Axis Capital, Inc.	Ser	249.00
Black Hills Energy	Uti	58.04
Bottorf & Maser, Atty.	Ser, Mile	587.50
C & C Extinguisher Service	Rep	47.25
Century Lumber Center	Sup	23.66
Chaney Chemical, Inc.	Sup	973.14
City of Geneva	Uti	479.80
Constellation Energy	Uti	2.07
Cottonwood Title Company	Ser	300.00
Dawg's Smokehouse Café	HDM's	231.00
Dell Marketing, LP	Sup	110.99
Eakes Office Plus	Sup, Ser	1,141.68
Earls Window Service	Ser	6.00
Exeter Care Center	HDM's	405.00
Fillmore County Clerk	Ser	15.50
Fillmore County District Court	Fees	305.00
Fillmore County Treasurer	Ser, Title	60.00
First Concord Benefits Group, LLC	Insur, Ser	1,883.57
Geneva Senior Center	Rent	35.00



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Geneva State Bank	Sup, SS	6,968.37
Geneva Welding & Supply, Inc.	Rep, Sup	1,629.46
Hometown Leasing	Ser	711.05
Kerry's Auto Repair & Service	Main	45.95
Knoche Appraisal & Consulting, LLC	Ser, Mile	3,814.89
Kopchos Sanitation, Inc.	Ser	81.50
Stephen J. Kraviec	Ser, Post	1,694.26
Lynn Peavey Company	Sup	32.45
Madison National Life	Insur	185.69
Microfilm Imaging Systems, Inc.	Ser	75.00
Mid-America Regional Council	Wksh	25.00
Midwest Court Reporting, Inc.	Ser	75.00
MIPS, Inc.	Ser	2,868.54
Brenda Motis	Mile	133.76
Joseph H. Murray	Ser	2,213.05
Nebraska Association of County Officials	Wksh	45.00
The Nebraska Signal	Pro, Ads	764.21
O'Keefe Elevator Company, Inc.	Main	237.45
Lyndsey Pohlmeier	Mile	104.34
Ralph's Geneva Tire & Service Center	Rep, Main	351.33
Southeast District County Officials Assoc.	Wksh	175.00
Saline County Sheriff	Ser	60.00
Secretary of State – Election Division	Sup	10.00
Shell Fleet Plus	Fuel	3,608.48
Sirchie Finger Print Lab.	Sup	65.57
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Public Health Envir.	Ser	84.00
US Bank CPS	Meals, Fuel, Lodging	1,617.05
USI Education & Government Sales	Sup	423.89
Brandy VanDeWalle	Lodging, Wksh, Uti, Meals	545.74
Warren Memorial Hospital	Ser	25.00
Watchguard Video	Equip	10,040.00
Weaver Pharmacy	Sup	113.50
West Brothers, Inc.	Sup	18.09
Windstream	Uti	179.45
Payroll	Salaries	47,829.05

ROAD/BRIDGE FUND:

Action Auto Supply	Sup, Rep, Misc	159.76
All Roads Barricade, Inc.	Sup	135.02
Ameritas Life Insurance Corp.	Ret	3,617.61
Auto Value Parts Stores	Parts, Sup, Main	714.18
Barco Municipal Products, Inc.	Sup	432.75
Black Hills Energy	Uti	67.81
Casey's General Store	Fuel	76.30
Century Lumber Center	Parts, Misc. Sup	506.78
City of Geneva	Uti	60.20
Corner Stop	Fuel	92.51
Dorchester Farmers Coop	Fuel	4,600.32
Fillmore County Hospital	Ser	35.00
Filter Care of Nebraska	Parts	41.05
Friesen Chevrolet, Inc.	Parts	54.39
Geneva State Bank	SS	3,971.76
Geneva Super Foods	Sup	38.92
Geneva Welding & Supply, Inc.	Parts, Equip, Sup	800.89
Grafton Oil, Inc.	Fuel	3,742.53
Elmer Hessheimer	Ser	73.74
Kopchos Sanitation, Inc.	Ser	45.00
Lichti Oil	Fuel, Parts	4,981.92



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Madison National Life	Insur	93.82
Mike's Radiator & Tire	Rep	15.00
MIPS, Inc.	Ser	115.77
Brian Mussman	Ser	1,062.50
Nebraska Bolt	Sup	52.68
Nebraska Iowa Industrial Fasteners Corp.	Sup	150.03
The Nebraska Signal	Ads	16.76
Newman Traffic Signs	Sup	308.59
Nichols Construction	Gravel	44,520.25
Overland	Gravel	7,387.92
Perennial Public Power District	Uti	112.00
Power Plan	Parts	11.53
R & D Parts, LLC	Parts, Sup	46.97
Ralph's Geneva Tire & Service Center	Rep, Main	775.66
Southeast District County Officials Assoc.	Wksh	25.00
Shell Fleet Plus	Fuel	3,711.70
Shickley Lumber Company	Sup	6.99
Titan Access Account	Parts	17.85
US Bank CPS	Ads	124.04
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	31.34
Village of Grafton	Uti	23.63
Yant Equipment, Inc.	Rep	409.00
Payroll	Salaries	33,893.89

SHERIFF-SPECIAL LAW ENFOR. GRANT FUND:

Ameritas Life Insurance Corp.	Ret	224.73
Geneva State Bank	SS	221.81

INHERITANCE TAX FUND:

Jeff's Tree Service	Ser	3,000.00
JEO Consulting Group, Inc.	Ser	1,275.00

HOSPITAL OPERATING FUND:

Fillmore County Hospital	Aug. Taxes	23,894.13
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E911 COMMUNICATIONS FUND:

Andrews Electric Co., Inc.	Ser, Rep	134.55
Motorola Solutions, Inc.	Equip	2,532.00
US Bank CPS	Wksh	229.00

CLAIMS APPROVED

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

Ayes: Simacek, Noel, Cerny, and Capek

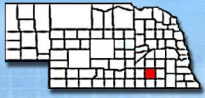
Nays: None Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

REPLAT OF PART OF BLOCK 3, FILLMORE ADDITION, FAIRMONT

Planning and Zoning administrator, Donna Mainwaring submitted the replat of part of Block 3, Fillmore Addition, Village of Fairmont to the Board.

After discussion, Simacek moved and Cerny seconded the motion to approve the replat of part of Block 3, Fillmore Addition, Village of Fairmont, more particularly described as follows: beginning at the NE corner of said Block 3, thence S00°0'10"E, 263.85 ft. on the east line of said block to the SE corner of said block; thence S89°51'33"W, 249.88 ft.



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September 13, 2011

on the south line of said block; thence N00°01'31"W, 263.34 ft. to the north line of said block; thence N89°44'23"E, 249.37 ft. to the point of beginning containing 1.51 acres. Upon roll call, the vote was as follows:

Ayes: Noel, Cerny, Capek, Yates, and Simacek

Nays: None

The Chairman declared the motion carried.

NIRMA MAGAZINE

Larry Cerny informed the Board that our insurance carrier NIRMA would like to feature Fillmore County in their next magazine. After discussion, the Board agreed that they would authorize this and Larry will notify NIRMA to schedule a time.

ADJOURN

Agenda item "Silent Auction items for NACO Annual Conference" will be discussed at a future Board meeting. As there was no other business to come before the Board, Noel moved and Simacek seconded the motion to adjourn until 9:00 a.m., September 27, 2011. Upon roll call, the vote was as follows:

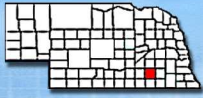
Ayes: Cerny, Capek, Yates, Simacek, and Noel

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



September 27, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:06 a.m., September 27, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 2:48 p.m.

MINUTES APPROVED

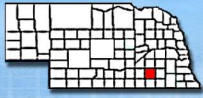
Chairman of the Board, Capek approved the minutes of the September 13, 2011 Board meeting.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Howard F. Ach	Wksh	350.00
Ameritas Life Insurance Corp.	Ret	3,388.44
Amsan	Sup	244.22
Black Hills Energy	Uti	39.59
Blue Cross Blue Shield of Nebraska	Insur	21,076.11
Blue Valley Community Action Partnership	Budget request	3,759.00
Randall Capek	Mile	15.54
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Clay County Sheriff's Dept.	Ser	34.63
Computer Depot	Sup	44.97
Contryman Associates, PC	Ser	15,000.00
Corner Stop	Fuel	245.40
Cornhusker State Industries	Sup	225.00
Jill Cunningham	Sup	21.72
Dell Marketing, LP	Equip, Sup	2,078.92
Douglas County Sheriff	Ser	7.17
Eakes Office Plus	Sup	93.13
Merlin Ehmen	Ret	22.00
Environmental Systems Research Inst.	Ser	400.00
Erdkamp Motors	Main	36.00
Executive Copier Services	Ser	37.69
Exeter Senior Center	USDA, Misc.	119.78
Fairmont Aging Services	USDA	403.56
Farmer & Son Funeral Home, Inc.	Ser	1,660.00
Fillmore County Hospital	Ser	35.00
Galls – An Aramark Company	Sup	66.97
Gambles	Sup, Misc	306.53
Geneva Broadband	Ser	217.95
Geneva Senior Center	USDA, Misc	1,145.81
Geneva State Bank	SS	3,592.52
Geneva Super Foods	Sup	22.10
Norma Gregory	Ret	25.00
Guth Laboratories, Inc.	Sup	33.94
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Hotel	3,452.10
Richard Kleinschmidt	Mile	8.88
Lancaster County Sheriff	Ser	14.93



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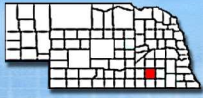


September 27, 2011

Harold Long	Mile	10.55
Lynn Peavey Company	Sup	23.29
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Elizabeth Mattox Manning	Ser	132.00
Ann H. McDonald	Ret	18.00
MIPS, Inc.	Ser	288.85
Rich Mueller / Thomas Biegert	Rent	650.00
Nebraska Association of Professional Veterans Advocates	Dues	100.00
Nebraska Dept. of Revenue	Wksh	370.00
Nebraska Public Power District	Uti	2,868.56
Norrie Construction	Rep	1,161.03
Dawn Opfer	Sup	99.76
Ralph's Geneva Tire & Service Center, Inc.	Main	53.60
Region V Systems	Budget request, EPC	10,342.00
REP Co. Marketing, Inc.	Sup	40.00
Robinson Textiles	Sup	185.46
Saline County Sheriff Office	Boarding Prisoners	3,240.00
Service Press	Sup	280.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Dept. of Motor Vehicles	Sup	4.00
US Bank CPS	Post, Meals, Fuel, Sup, Hotel	1,434.07
Total Funds by Hasler	Post	700.00
USDA, APHIS	Budget request	1,909.25
Verizon Wireless	Uti	543.65
Daniel L. Werner	Ser	625.98
Tim Wilbeck	Mile	17.76
Eric Williams	Post	9.90
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,384.66
Payroll	Salaries	49,387.87

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,815.70
Blue Cross Blue Shield of Nebraska	Insur	14,050.74
Diode Technologies	Equip	1,941.40
Dorchester Farmers Coop	Fuel	2,068.53
Fehlhafer, Inc.	Parts	31.00
Gambles	Sup	55.78
Geneva State Bank	SS	1,993.50
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	86.46
Grafton Oil, Inc.	Fuel	1,353.99
Jet Plain	Equip	3,200.00
Donovan Jirkovsky	Ret	25.00
John Deere Financial	Parts	92.96
Kerry's Auto Repair & Service	Rep	30.00
Lichti Oil	Fuel	3,881.60
Nebraska Public Power District	Uti	486.73
Newman Traffic Signs	Sup	818.78
NMC Exchange, LLC	Parts	1,374.90
Office Depot Card Plan	Sup	117.95
Perennial Public Power District	Uti	69.70
R & R Services	Ser	350.00
Roit Repair	Rep	99.39
US Bank CPS	Post	12.96
Verizon Wireless	Uti	69.56
Village of Fairmont	Uti	43.91



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Windstream	Uti	144.70
Zep Manufacturing Company	Sup	133.25
Payroll	Salaries	26,898.91

ECONOMIC DEVELOPMENT – TOURISM FUND:

Fillmore County Development Corp.	Ser, Sup	262.09
Mary Johnson	Mile	99.45

SHERIFF – SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp.	Ret	6.75
Geneva State Bank	SS	6.66
Payroll	Salaries	87.07

INHERITANCE TAX FUND:

Fillmore County Veteran's Relief Fund	Misc	3,000.00
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911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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ETHANOL PLANT BOND FUND:

UMB Bank NA	Ser	49.49
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E911 COMMUNICATIONS FUND:

Nebraska Public Power District	Uti	237.69
Windstream	Uti	1,017.81

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

HOSPITAL DISCUSSION

Larry Cerny informed the Board that there are individuals that rent space in the current hospital and the fitness center that have requested to know what will happen to their space when the replacement hospital is complete. After discussion, the Board will look into the possibility of setting up leases with the individuals.

ROAD 6 AND ROAD Y

Steve Heinrichs was present to discuss the road changes at the intersection of Road 6 and Road Y on the County Line. After discussion, the Board will look at this over lunch with the Highway Superintendent.

ROAD 10 AND ROAD K

Darrell Hughes and Don Miller were present to discuss the box culvert project which is to start this week on Road 10 and Road K. Highway Superintendent, Mark Timmerman suggested that they place gravel on County Road 9 between Road J and Road K to have another road to travel. After discussion, the Board directed Mark to place the gravel on Road 9 as soon as possible.

OCCUPY COUNTY RIGHT-OF-WAY

After discussion, Mueller moved and Yates seconded the motion to approve the Occupy County Right-of-way permits:



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Thomas Songster – install electric line between the N ½ SE ¼, Section 8-7-1 and the N ½ SW ¼, Section 9-7-1, Liberty Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Howard Reinsch – install electric line on the north side of the NE ¼, Section 4-6-2, Chelsea Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Randy Kleinschmidt – install electric line between the NW ¼, Section 1-6-4 and the NE ¼, Section 2-6-4, Momence Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

STENGEL DAMAGE CLAIM

After further research of the claim submitted by Stengel's, the Board is requesting that Chris Stengel come back to the next Board meeting to have further discussion.

JET PLAIN AGREEMENT

After discussion, Simacek moved and Noel seconded the motion to approve the agreement with Jet Plain for the pull type grader in the amount of \$3,200.00 a year and void the previous contract signed on May 10, 2011. Upon roll call, the vote was as follows:

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

Nays: Galusha

The Chairman declared the motion carried.

ANNUAL REPORT

Mueller moved and Cerny seconded the motion to approve the annual report for the County Road Department for the State. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EXECUTIVE SESSION

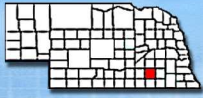
Cerny moved and Yates seconded the motion that the Fillmore County Board of Supervisors hold an executive session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and consider in executive session personnel items authorized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

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

Nays: Galusha

The Chairman declared the motion carried and requested that the Highway Superintendent remain. Executive session began at 10:29 a.m.

RETURN TO REGULAR SESSION



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Cerny moved and Noel seconded the motion to return to open session at 10:58 a.m. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

2008 BONDS

Cody Wickham, with D.A. Davidson & Co. and Tyler Williams, with Edward Jones informed the Board that the rates for the 2008 bonds have dropped to an average of 1.025218% and that the County could call them early with an approximate savings of \$20,000.00. After discussion, Cody will provide paperwork for the next Board meeting.

PUBLIC HEARING FOR CONSERVATION EASEMENT

The public hearing regarding the proposed conservation easement in the S ½ of the SW ¼, Section 36-8-2, Fairmont Township was opened at 1:00 p.m. as advertised. This was a joint hearing with the Fillmore County Planning Commission and the following were also in attendance: Mel Motis; John Burt; Janet Eggers; Steve Moran; Rex W. Brown; Chad Nabity; John Cunningham, Attorney for Wetlands America Trust; Steve Donovan, Ducks Unlimited; Tim Horst, Ducks Unlimited Land Manager; Craig Ultra, Todd Boller, Fillmore County Noxious Weed Superintendent; Tom Novak; Brad White; Tracy Calhoun, TransCanada Pipeline; Ron Comes, Attorney for TransCanada Pipeline; Jill Cunningham, Fillmore County Attorney; Howard Ach, Fillmore County Deputy County Attorney; Doug Hafer; Lynn Mussman, Fillmore County Assessor; Josh Anderson; Keith Burt; Marjorie Burt; Jerry Schmidt; Mark Timmerman, Fillmore County Highway Superintendent; and Jerry Chapman. Planning Commission members were Sharon Elznic, Morley Most, Robert Waltrip, Dan Mainwaring, Reg Noel, Marvin Nadherny, Alan Stuckey, and Donna Mainwaring, Fillmore County Planning & Zoning Administrator. After discussion, Chairman Capek closed that hearing at 2:32 p.m. The Board will proceed after they receive the recommendation from the Planning Commission and review the facts.

ADJOURN

As there was no other business to come before the Board, Cerny moved and Galusha seconded the motion to adjourn until 9:15 a.m., October 11, 2011. Upon roll call, the vote was as follows:

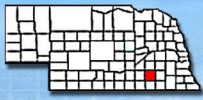
Ayes: Noel, Cerny, Mueller, Galusha, Capek, Yates, and Simacek

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



October 11, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:17 a.m., October 11, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting. Norman Marks was present for a portion of the meeting for Odegeo Leadership group.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:27 a.m.

MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the September 27, 2011 Board meeting.

SURPLUS ITEM

Todd Boller, Noxious Weed Superintendent informed the Board that he has a 1940's seed cleaner that he would like to surplus.

After discussion, Cerny moved and Mueller seconded the motion to approve the 1940's seed cleaner as surplus. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Dean Due – install a natural gas line under Road 20 between the NE ¼ of Section 6-8-1 and the W ½ of the NW ¼, Section 6-8-1, Exeter Township. The owner will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

HAUL ROUTE AGREEMENT WITH KEYSTONE PIPELINE

Tracy Calhoun, Jeff Rauh, and Ron Comes with TransCanada Keystone Pipeline presented the haul route agreement for Fillmore County.

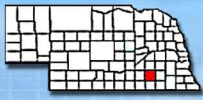
After discussion, Yates moved and Mueller seconded the motion to approve the haul route agreement with TransCanada Keystone Pipeline, L.P. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

STENGEL CLAIM



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After last meeting, the Board requested that Chris Stengel come back for discussion. After further discussion, the Board declared that the motion made at the September 13th Board meeting would stand and the County would submit the claim from Stengel's to the insurance carrier.

ZONING CHANGE

Donna Mainwaring, Planning & Zoning Administrator informed the Board that there is a need to change the zoning from Residential to Industrial on County property in Milligan.

After discussion, Yates moved and Noel seconded the motion to approve the zoning change from residential to industrial on West 100 feet of Lot 1, Block 1, Bors 1st Addition, Milligan, Nebraska. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

E911 & 911 WIRELESS FUNDS

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

RESOLUTION 2011 – 38

WHEREAS, the Fillmore County Board of Supervisors approved to establish a separate fund entitled "911 Wireless Service Fund";

WHEREAS, the telephone service costs for E911 (Wireless) were paid in full out of the E911 Communications Fund for fiscal year 2010 – 2011;

WHEREAS, there remains a sum of \$4,559.74 in the Fillmore County 911 Wireless Fund (#2913) for 2010 – 2011 funding year that can be used for the E911 Telephone service costs for that fiscal year to 911 Communications Fund (#5907);

WHEREAS, the 911 recording equipment costs for E911 (Wireless) were paid in full out of the 911 Wireless Fund for fiscal year 2010 – 2011;

WHEREAS, there remains a sum of \$3,934.71 in the Fillmore County E911 Communications Fund (#5907) for 2010 – 2011 funding year for the 55% of the 911 recording equipment charges for that fiscal year to E911 Wireless Fund (#2913).

BE THEREFORE, be it resolved by the Fillmore County Board of Supervisors that \$4,559.74 be transferred from 911 Wireless Fund (#2913) to E911 Communications Fund (#5907) and that \$3,934.71 be transferred from E911 Communications Fund (#5907) to 911 Wireless Fund (#2913).

Upon roll call, the vote was as follows:

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

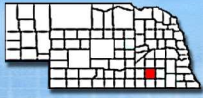
Nays: None

The Chairman declared the resolution adopted.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:



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Howard F. Ach	Rent, Post	3,262.28
Action Auto Supply	Rep	62.40
American Legion Emblem Sales	Sup	419.25
Ameritas Life Insurance Corp.	Ret	3,276.43
Jon Anderson	Post	7.20
Axis Capital, Inc.	Ser	249.00
Black Hills Energy	Uti	18.80
Todd Boller	Post	8.80
Central Community College-Campus	Wksh	115.00
Century Lumber Center	Sup	1.23
Chaney Chemical, Inc.	Sup	1,425.15
City of Geneva	Uti	409.10
Constellation Energy	Uti	3.45
Contryman Associates, PC	Ser	3,500.00
Corner Stop	Fuel	49.72
Gaylord Craddock	Mile	56.61
Dawg's Café	HDM's	199.50
Dollar General Charged Sales	Sup	12.00
Eakes Office Plus	Sup, Ser	1,894.24
Earls Window Service	Ser	6.00
Sharon Elznic	Mtgs, Mile	91.62
Exeter Care Center	HDM's	260.00
Exeter Senior Center	USDA	338.76
Fairmont Aging Services	USDA	1,919.86
Farm & Home Publishers, LTD	Misc	11.00
Fillmore County Clerk	Ser	10.50
Fillmore County Clerk of District Court	Fees	64.00
Fillmore County Development Corp.	Budget request, HOME	24,160.91
First Concord Benefits Group, LLC	Ser, Insur	786.92
Geneva Senior Center	Rent, USDA	2,884.24
Geneva State Bank	SS	3,508.75
Geneva Super Foods	Sup	134.24
Geneva Welding & Supply, Inc.	Sup, Equip	320.10
Richard Girmus	Mtgs, Mile	54.99
GT Distributers	Sup	46.95
Matt Harre	Mtgs, Mile	65.52
Head Start – CASA	Budget request	8,000.00
Frances Heinrichs	Mile	56.61
Hilty's of Geneva	Sup	195.20
Hometown Leasing	Ser	711.05
Ron Isley	Mile	28.86
Steve Julich	Post, Sup	12.76
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,823.15
Knock-Out Specialties, Inc.	Sup	328.24
Kopchos Sanitation, Inc.	Ser	81.50
Lichti Oil	Fuel	63.01
Madison National Life	Insur	171.44
Dan Mainwaring	Mtgs, Mile	58.32
Microfilm Imaging Systems, Inc.	Ser	75.00
Mid-American Research Chemical	Sup	395.84
Midwest Court Reporting, Inc.	Ser	256.50
MIPS, Inc.	Ser	2,756.04
Mark Morgan	Mtgs, Mile	74.97
Morley Most	Mtgs, Mile	98.28
Brenda Motis	Mile	62.50
Marvin Nadherny	Mtgs, Mile	117.72
National Association of Counties	Dues	400.00
Nebraska Notary Association	Misc	100.23
The Nebraska Signal	Pro, notices	730.45



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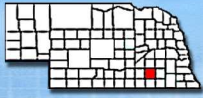


October 11, 2011

Reg Noel	Mtgs, Mile	94.95
O'Keefe Elevator Company, Inc.	Main, Rep	300.00
Leonard Oldehoeft	Mile	28.86
Platte Valley Communications	Equip, Ser	9,856.00
Platte Valley Communications of Hastings	Sup	184.20
Lyndsey Pohlmeier	Mile	134.31
Public Health Solutions	Ser	1,000.00
Ralphs Geneva Tire & Service Center, Inc.	Rep, Main	754.25
Rodeway Inn	Lodging	55.00
Saline County Clerk	Budget request	2,520.95
Saline County Sheriff Office	Boarding Prisoners	1,500.00
Shell Fleet Plus	Fuel	4,085.31
Sheridan Count Sheriff's Office	Ser	35.00
State of Nebraska AS Central Finance	Ser	448.00
Rhonda Stokebrand	Mile	208.40
Allan Stuckey	Mtgs, Mile	63.30
TAP Publishing	Ser	528.73
Ultramax	Sup	896.00
UN-L IS-Telecommunications	Uti	8.69
US Bank, CPS	Equip, Travel, Fuel, Lodging	788.40
Wallingford Sign Co., Inc.	Equip	525.00
Robert Waltrip	Mtgs, Mile	94.95
Anthony Whitmore	Post	10.02
Windstream	Uti	179.45
Payroll	Salaries	48,293.06

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Sup	368.22
Ameritas Life Insurance Corp.	Ret	1,843.10
Auto Value Parts Stores	Parts, Sup	469.27
Black Hills Energy	Uti	71.78
Casey's General Store	Fuel	79.01
Century Lumber Center	Parts, Sup	162.58
City of Geneva	Uti	60.20
Dorchester Farmers Coop	Fuel, Rep	6,573.05
Filter Care of Nebraska	Parts	41.05
Friesen Chevrolet, Inc.	Parts	43.97
Geneva State Bank	SS	2,024.56
Geneva Welding & Supply, Inc.	Equip, Parts, Sup	9,038.40
Grafton Oil, Inc.	Fuel, Sup	3,697.78
Graham Tire Company	Tires	264.66
Jet Plain	Equip	3,200.00
Kopchos Sanitation, Inc.	Ser	45.00
Lawson Products, Inc.	Sup	302.88
Lichti Oil	Fuel, Parts	8,738.45
Madison National Life	Insur	94.77
Medical Enterprises, Inc.	Ser	93.00
Midwest Service & Sales	Sup	825.00
Midwest Steel Fabricators, Inc.	Rep	82.38
MIPS, Inc.	Ser	115.77
Nebraska Iowa Industrial Fasteners Corp.	Sup	238.14
The Nebraska Signal	Sup	715.00
Newman Traffic Signs	Signs	555.00
Nichols Construction	Gravel	83,190.35
Perennial Public Power District	Uti	46.12
Platte Valley Communications, Inc.	Sup, Ser	51.32
Power Plan	Parts	418.83
R & D Parts, LLC	Parts, Sup	172.86
Ralphs Geneva Tire & Service Center, Inc.	Rep	521.68



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Shell Fleet Plus	Fuel	3,224.77
US Bank CPS	Post	9.20
Village of Exeter	Uti	15.00
Village of Grafton	Uti	23.63
Village of Milligan	Uti	25.35
Payroll	Salaries	27,304.86

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

CALLING REDEMPTION SERIES 2008 BONDS

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

RESOLUTION 2011 - 39

A RESOLUTION OF THE BOARD OF SUPERVISORS OF FILLMORE COUNTY, NEBRASKA CALLING FOR THE EARLY REDEMPTION OF FIVE HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$525,000) IN AGGREGATE PRINCIPAL AMOUNT OF ITS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008.

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

Section 1. Fillmore County, Nebraska (the "**County**") has previously issued its General Obligation Refunding Bonds, Series 2008, dated April 25, 2008, in the original aggregate principal amount of \$1,455,000 (the "**Series 2008 Bonds**"), of which \$1,000,000 in aggregate principal amount are presently outstanding. The Series 2008 Bonds were authorized by a resolution (the "**Series 2008 Resolution**") duly passed and adopted by the County's Board of Supervisors (the "**Board**").

Section 2. As set forth in the Series 2008 Resolution, the Series 2008 Bonds maturing on or after November 15, 2013 are subject to redemption at any time on or after April 25, 2013, as a whole or in part from time to time at the principal amount thereof, at a redemption price equal to the principal amount of the Series 2008 Bonds called for redemption, plus accrued interest on such principal amount being redeemed to the date fixed for redemption.

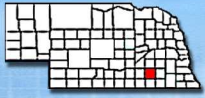
Section 3. The following Series 2008 Bonds are hereby called for redemption and payment on the date to be determined pursuant to Section 5 of this resolution (as described herein, the "**Redemption Date**"), all in accordance with redemption provisions set forth in the Series 2008 Resolution, after which date interest on such bonds shall cease:

<u>Maturity Date</u> <u>(November 15)</u>	<u>Principal</u> <u>Amount</u>	<u>Interest Rate</u>
2014	\$165,000	3.45%
2015	175,000	3.65
2016	95,000	3.80
2017	90,000	4.00

Said Series 2008 Bonds so called for redemption are hereinafter referred to as the "**Refunded Bonds**." The Series 2008 Bonds maturing on November 15 in the years 2011, 2012 and 2013 shall be paid at the respective maturities thereof.

Section 4. The principal of and the interest on the Refunded Bonds shall be paid upon presentation and surrender thereof at the office of UMB Bank, N.A. in Kansas City, Missouri, as paying agent and registrar for the Refunded Bonds (the "**Refunded Bonds Registrar**").

Section 5. The Chairman or the Vice Chairman of the Board or the County Clerk or any officer of the Board or the County is hereby authorized and directed to determine the Redemption Date, on which date the Refunded Bonds shall be redeemed at the redemption price set forth in Section 2 hereof.



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Section 6. As soon as practicable, but not later than 35 days prior to the Redemption Date, the County Clerk is hereby directed to file a true copy of this Resolution with the Refunded Bonds Registrar. The Refunded Bonds Registrar is hereby instructed to mail notice to each registered owner of the Refunded Bonds not less than 30 days prior to the date fixed for redemption, all in accordance with the Series 2008 Resolution.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

AUTHORIZE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS SERIES 2011

After discussion, Simacek moved and Noel seconded the introduction of the following resolution with a minimum savings requirement of \$18,000.00 or more based on the amount of debt outstanding and the repayment period:

RESOLUTION 2011 – 40

A RESOLUTION OF THE BOARD OF SUPERVISORS (THE “BOARD”) OF FILLMORE COUNTY, NEBRASKA (THE “COUNTY”) AUTHORIZING THE ISSUANCE BY THE COUNTY OF ITS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2011, IN ONE OR MORE SERIES AND IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED FIVE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$565,000); PRESCRIBING THE FORM OF SAID BONDS; AUTHORIZING CERTAIN OFFICIALS TO DETERMINE THE TERMS AND PROVISIONS OF THE BONDS, TO ENTER INTO A CONTRACT ON BEHALF OF THE COUNTY FOR THE SALE OF THE BONDS AND TO DESIGNATE A REGISTRAR AND PAYING AGENT WITH RESPECT TO THE BONDS, ALL AS PROVIDED AND SUBJECT TO THE PARAMETERS SET FORTH HEREIN; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE COUNTY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER THEREOF; DESIGNATING THE BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS; AND AUTHORIZING CERTAIN ACTIONS AND DOCUMENTS AND PRESCRIBING OTHER MATTERS RELATING THERETO.

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

Section 1. The Board of Supervisors (the “**Board**”) of Fillmore County, Nebraska (the “**County**”), hereby find and determine that:

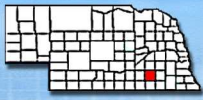
(a) The County has previously issued its General Obligation Refunding Bonds, Series 2008, dated April 25, 2008, in the original aggregate principal amount of \$1,455,000 (the “**Series 2008 Bonds**”), of which \$1,000,000 in aggregate principal amount is presently outstanding. The Series 2008 Bonds were authorized by a resolution (the “**Series 2008 Resolution**”) duly passed and adopted by the County’s Board of Supervisors (the “**Board**”).

(b) The Series 2008 Bonds were issued for the purposes of refunding (i) all of the outstanding principal amount (\$790,000) of the County’s General Obligation Refunding Bonds, Series 2001, dated July 15, 2001 (the “**Series 2001 Bonds**”) and (ii) all of the outstanding principal amount (\$605,000) of the County’s Highway Allocation Fund Pledge Bonds, Series 2002, dated May 15, 2002 (the “**Series 2002 Bonds**”).

(c) The Series 2001 Bonds were issued for the purpose of refunding all of the outstanding principal amount (\$1,125,000) of the County’s General Obligation Bonds, Series 1997, dated May 15, 1997 (the “**Series 1997 Bonds**”). The Series 1997 Bonds were issued pursuant to Section 23-120, Reissued Revised Statutes of Nebraska, as amended, and were authorized by the required majority of the qualified voters of the County at a special election held on April 8, 1997 for the purpose of paying the costs of renovating and improving the County’s existing courthouse and providing equipment and furnishings for such courthouse.

(d) The Series 2002 Bonds were issued pursuant to Section 66-4,101, Reissue Revised Statutes of Nebraska, as amended, for the purpose of funding the costs of improving certain roads and other appurtenant related improvements within the County.

(e) The principal of and the interest on the Series 2008 Bonds allocable and apportioned to refunding the Series 2001 Bonds is payable from a levy of taxes on all of the taxable property in the County unlimited as to rate or



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October 11, 2011

amount and not subject to any statutory or constitutional limitations. The principal of and the interest on the Series 2008 Bonds allocable and apportioned to refunding the Series 2002 Bonds is payable from (i) a pledge of amounts received by the County from the Highway Allocation Fund of the State of Nebraska and (ii) levy of taxes on all of the taxable property in the County, subject to statutory and constitutional limitations.

(f) Since the issuance of the Series 2008 Bonds, the rates of interest available in the markets have declined such that the County can effect a savings in interest costs by providing for payment in all or part of the Series 2008 Bonds through the issuance of its general obligation refunding bonds pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, as amended.

(g) As set forth in the Series 2008 Resolution, the Series 2008 Bonds maturing on or after November 15, 2013 are subject to redemption at any time on or after April 25, 2013, as a whole or in part from time to time at the principal amount thereof, at a redemption price equal to the principal amount of the Series 2008 Bonds called for redemption, plus accrued interest on such principal amount being redeemed to the date fixed for redemption.

(h) By resolution of the Board adopted on October 11, 2011, the County has duly called for redemption the following Series 2008 Bonds, all in accordance with redemption provisions set for in the Series 2008 Resolution, after which date interest on such bonds shall cease:

<u>Maturity Date</u> <u>(November 15)</u>	<u>Principal</u> <u>Amount</u>	<u>Interest Rate</u>
2014	\$165,000	3.45%
2015	175,000	3.65
2016	95,000	3.80
2017	90,000	4.00

Said Series 2008 Bonds so called for redemption are hereinafter referred to as the **"Refunded Bonds."** The Series 2008 Bonds maturing on November 15 in the years 2011, 2012 and 2013 shall be paid at the respective maturities thereof.

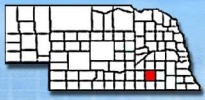
(i) The County has on hand no debt service or other sinking fund monies for the payment of principal and interest on the Refunded Bonds other than monies, if any, which are to be deposited in accordance with Section 8 of this Resolution.

(j) To provide funds for the redemption of the Refunded Bonds, it is necessary and advisable that the County issue its general obligation refunding, of which approximately \$322,050 in aggregate principal amount (the **"Courthouse Bonds"**) will be payable from a levy of taxes on all of the taxable property in the County unlimited as to rate or amount and not subject to any statutory or constitutional limitations and \$242,950 in aggregate principal amount (the **"Highway Bonds"**) will be payable from (i) a pledge of amounts received by the County from the Highway Allocation Fund of the State of Nebraska and (ii) levy of taxes on all of the taxable property in the County, subject to statutory and constitutional limitations.

(k) All conditions, acts, and things required by law to exist or to be done precedent to the issuance of refunding bonds pursuant to Section 10-142, Reissue Revised Statutes of Nebraska, as amended, do exist and have been done as required by law.

Section 2. (a) To provide funds for the redemption and prepayment of the Refunded Bonds, there shall be and there is hereby authorized to be issued interest bearing general obligation bonds of the County to be known as "General Obligation Refunding Bonds, Series 2011" (the **"Series 2011 Bonds"**) in an aggregate principal amount not to exceed Five Hundred Sixty-Five Thousand Dollars (\$565,000). The Series 2011 Bonds shall be issued only as fully registered bonds, without coupons, on the books of the Registrar and Paying Agent designated in Section 4 hereof (the **"Registrar"**) in the denomination of \$5,000 or any whole multiple thereof not exceeding the principal amount due on a given date of maturity, and shall be numbered consecutively from one upward in order of issuance. Unless otherwise determined by the Chairman of the Board or the County Clerk (or anyone authorized to act on their behalf), the Series 2011 Bonds shall mature and bear interest calculated on the basis of a 360-day year consisting of twelve 30-day months.

The Chairman of the Board or the County Clerk (or anyone authorized to act on their behalf) is each individually authorized and directed, in the exercise of his or her independent judgment and absolute discretion, to hereafter, from time to time, specify, set, designate, determine, establish and appoint, as the case may be, and in each case in accordance with and subject to the provisions of this Resolution, (a) the Date of Original Issue, (b) the number of series to be issued, (c) the aggregate principal amount of Series 2011 Bonds to be issued, not exceeding aggregate principal amount set forth in this Section 2, (d) the dates on which a principal maturity of the Series 2011 Bonds shall occur and the



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principal amount of the Series 2011 Bonds to mature on such dates, (e) the date of final maturity of the Series 2011 Bonds, which shall in no event be later than November 15, 2017, (f) the date or dates upon which the Series 2011 Bonds shall be sold, (g) the rate or rates of interest to be carried by each maturity of the Series 2011 Bonds, such that the average coupon rate of the Series 2011 Bonds shall not exceed 3.50%, (h) the method by which such rate or rates of interest shall be calculated and the Interest Payment Dates for the Series 2011 Bonds, (i) the redemption dates and prices and all terms relating thereto, if any, (j) all of the other terms of the Series 2011 Bonds not otherwise determined or fixed by the provisions of this Resolution, (k) the form, content, terms and provisions of any bond purchase agreement entered into by the County with the Purchaser set forth in Section 7 hereof, in connection with the sale of the Series 2011 Bonds, (l) the purchase price for the Series 2011 Bonds, which shall not be less than 98.5% of the aggregate principal amount thereof, (m) the form and contents of any preliminary and final official statement or other offering materials of the County utilized in connection with any offering or sale of the Series 2011 Bonds to the public, and (n) the form, content, terms, and provisions of any closing and other documentation executed and delivered by the County in connection with the authorization, issuance, sale and delivery of the Series 2011 Bonds.

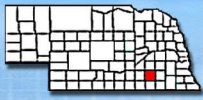
(b) Redemption Provisions.

(i) Unless otherwise determined by the Chairman of the Board or the County Clerk (or anyone authorized to act on their behalf), the Series 2011 Bonds maturing on or after on the date five years from their Date of Original Issue shall be subject to redemption at the option of the County on the date five years from their Date of Original Issue and any date thereafter, as a whole or in part, from time to time in such principal amounts and from such maturity or maturities as the County, in its sole and absolute discretion, shall determine, at a redemption price equal to the principal amount thereof, together with the interest accrued thereon to the date fixed for redemption, with no premium.

(ii) The Chairman of the Board or the County Clerk (or anyone authorized to act on their behalf) may designate in a certificate certain Series 2011 Bonds as "**Term Bonds**", portions of which are to be redeemed on the dates (each such date being herein referred to as a "**Sinking Fund Payment Date**") and in the amounts (hereinafter referred to as a "**Mandatory Sinking Fund Payment**") set forth in such certificate. The Registrar shall select and call for redemption, in accordance with this subsection (b), from the Term Bonds the amounts specified by the Chairman of the Board or the County Clerk in the certificate, and the Term Bonds selected by the Registrar shall become due and payable on such date. If Term Bonds are redeemed at the option of the County pursuant to Section 2(b)(i), the Term Bonds so optionally redeemed may, at the option of the County, be applied as a credit against any subsequent Mandatory Sinking Fund Payment with respect to Term Bonds otherwise to be redeemed thereby, such credit to be equal to the principal amount of such Term Bonds redeemed pursuant to Section 2(b)(i), provided that the County shall have delivered to the Registrar not less than 45 days prior to such Sinking Fund Payment Date a certificate stating its election to apply such Term Bonds as such a credit. In such case, the Registrar shall reduce the amount of Term Bonds to be redeemed on the Sinking Fund Payment Date specified in such certificate by the principal amount of Term Bonds so redeemed pursuant to Section 2(b)(i). Any credit given to Mandatory Sinking Fund Payments pursuant to Section 2(b)(i) shall not affect any subsequent Mandatory Sinking Fund Payments, which shall remain payable as otherwise provided in this subsection, unless and until another credit is given in accordance with the provisions hereof.

(iii) Series 2011 Bonds subject to redemption shall be redeemed in denominations of \$5,000. If any Bond is in a denomination in excess of \$5,000, portions of the principal amount thereof in installments of \$5,000 or any whole multiple thereof may be redeemed, and if less than all of the principal amount thereof is to be redeemed, in such case upon the surrender of such Series 2011 Bonds there shall be issued to the registered owner thereof without charge therefor, for the then unredeemed balance of the principal amount thereof, Series 2011 Bonds of like series, maturity and interest rates in any of the authorized denominations provided by this Resolution. If less than all of the Series 2011 Bonds of any maturity are to be called for redemption, the particular Bonds of such maturity to be redeemed shall be selected by lot.

(iv) Notice of redemption of Series 2011 Bonds stating their designation, date, maturity, principal amounts and the redemption date shall be given by the Registrar by mailing such notice by first-class mail, postage prepaid, not less than 30 days prior to the date fixed for redemption (or such shorter period as may be acceptable to the then registered owner of the Series 2011 Bonds) to the registered owners at their most recent addresses appearing upon the books of the Registrar. Failure to give notice to any particular registered owner or any defect in the notice given to such owner shall not affect the validity of the proceedings calling the Series 2011 Bonds or the redemption of any Series 2011 Bonds for which proper notice has been given. Notice of redemption



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need not be given to the holder of any Series 2011 Bonds, whether registered or not, who has waived notice of redemption. Notice of redemption having been given as provided above or notice of redemption having been waived by the owners of Bonds called for redemption who have not been given such notice as provided above, the Series 2011 Bonds so called for redemption shall become due and payable on the designated redemption date. The County shall give written notice to the Registrar of its election to redeem Bonds at least 45 days prior to the said redemption date, or such shorter period as shall be acceptable to the Registrar. If on or before the said redemption date funds sufficient to pay the Series 2011 Bonds so called for redemption at the applicable redemption price and accrued interest to said date have been deposited or caused to have been deposited by the County with the Registrar for the purposes of such payment and notice of redemption thereof has been given or waived as hereinbefore provided, then from and after the date fixed for redemption interest on such Series 2011 Bonds so called shall cease to accrue and become payable. If such funds shall not have been so deposited with the Registrar as aforesaid no later than the date fixed for redemption, such call for redemption shall be revoked and the Series 2011 Bonds so called for redemption shall continue to be outstanding the same as though they had not been so called; such Series 2011 Bonds shall continue to bear interest until paid at such rate as they would have borne had they not been called for redemption and shall continue to be protected by this resolution and entitled to the benefits and security hereof.

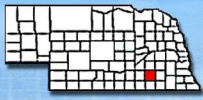
(c) Interest on the Series 2011 Bonds at the respective rates per annum for each maturity is payable semiannually on the dates (each of said dates an **"Interest Payment Date"**) determined by the Chairman of the Board or the County Clerk (or anyone authorized to act on their behalf), from the Date of Original Issue or the most recent Interest Payment Date, whichever is later, until maturity or earlier redemption by check or draft mailed by the Registrar or its successor on such Interest Payment Date to the registered owner of each Series 2011 Bond at such registered owner's address as it appears on the Bond Register maintained by the Registrar or its successor at the close of business on the last business day of the month preceding any month in which an Interest Payment Date occurs (the **"Record Date"**) subject to the provisions of the following paragraph. The principal of the Series 2011 Bonds and the interest due at maturity or upon redemption prior to maturity is payable in lawful money of the United States of America to the registered owners thereof upon presentation and surrender of such Series 2011 Bonds to the Registrar at its principal trust office.

If any payments of interest due on the Series 2011 Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Series 2011 Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Registrar whenever monies for the purpose of paying such defaulted interest becomes available.

If the date for payment of the principal of or the interest on the Series 2011 Bonds shall be a Saturday, Sunday, legal holiday or day on which banking institutions in the city in which the principal corporate trust office of the Registrar is located are authorized by law or executive order to close, the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal payment date.

(d) The Series 2011 Bonds shall be executed on behalf of the County by the manual or facsimile signatures of the Chairman of the Board and the County Clerk [or such other persons authorized to sign on their behalf](#). In case any officer whose signature or a facsimile of whose signature shall appear on the Series 2011 Bonds shall cease to be such officer before the delivery of any Series 2011 Bonds, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he had remained in office until delivery. Notwithstanding such execution, no Series 2011 Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this Resolution unless and until a certificate of authentication on such Series 2011 Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Series 2011 Bonds need not be signed by the same representative. The executed certificate of authentication on each Series 2011 Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution.

(e) If any Series 2011 Bond is mutilated, lost, stolen or destroyed, the County shall execute a new Series 2011 Bond of like date, maturity and denomination to that mutilated, lost, stolen, or destroyed, provided that, in the case of any mutilated Series 2011 Bond, such mutilated Series 2011 Bond shall first be surrendered to the Registrar and, in the case of any lost, stolen, or destroyed Series 2011 Bonds, there first shall be furnished to the Registrar evidence of such loss, theft, or destruction satisfactory to the Registrar, together with an indemnity satisfactory to it. If such Series 2011 Bond shall have matured, instead of issuing a duplicate Series 2011 Bond, the County may pay the same without surrender thereof upon the performance of such requirements as it deems fit for its protection, including a lost instrument bond. The County and the Registrar may charge the owner of such Series 2011 Bond with their reasonable fees and expenses for such service.



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Section 3. The Series 2011 Bonds shall be issued initially as “book-entry-only” bonds under the services of The Depository Trust Company (the “**Depository**”), with one typewritten bond per maturity being issued to the Depository. In such connection the officers of the County are authorized to execute and deliver a Letter of Representations (the “**Letter of Representations**”) in the form required by the Depository, for and on behalf of the County, which shall thereafter govern matters with respect to registration, transfer, payment and redemption of the Series 2011 Bonds. If the Series 2011 Bonds are issued as “book-entry-only” bonds, the following provisions shall apply:

(a) The County and the Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a “**Bond Participant**”) or to any person who is an actual purchaser of a Bond from a Bond Participant while the Series 2011 Bonds are in book-entry form (each, a “**Beneficial Owner**”) with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Series 2011 Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Series 2011 Bonds, including any notice of redemption, if any, or

(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Series 2011 Bonds. The Registrar shall make payments with respect to the Series 2011 Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Series 2011 Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (v) below.

(b) Upon receipt by the Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Registrar to do so, the Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (A) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Series 2011 Bonds or (B) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Series 2011 Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Series 2011 Bonds be delivered to the ultimate beneficial owners of the Series 2011 Bonds and so notifies the Registrar in writing, the Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Series 2011 Bonds. In such event, the Registrar shall issue, transfer and exchange bond certificates representing the Series 2011 Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

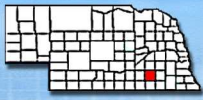
(d) Notwithstanding any other provision of this Resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Series 2011 Bond and all notices with respect to such Series 2011 Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Series 2011 Bonds may be transferred on the books of registration maintained by the Registrar, and the Series 2011 Bonds may be delivered in physical form to the following:

(i) any successor securities depository or its nominee;

(ii) any person, upon (1) the resignation of the Depository from its functions as depository or (2) termination of the use of the Depository pursuant to this Section and the terms of the Bond Registrar and Paying Agent's Agreement.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed Bond has been replaced in accordance with the provisions of this Resolution, the books and records of the Registrar



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shall govern and establish the principal amount of such Series 2011 Bonds as is then outstanding and all of the Series 2011 Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates, duly executed by manual or facsimile signatures of the President and Secretary, for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. If such supply of certificates shall be insufficient to meet the requirements of the Registrar for issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting President and Secretary.

Section 4. (a) Unless otherwise determined by the Chairman of the Board or the County Clerk (or such others authorized to act on their behalf), UMB Bank, N.A. in Kansas City, Missouri, shall serve as the initial Bond Registrar and Paying Agent (the "**Registrar**") for the Series 2011 Bonds. The Registrar shall serve in such capacities hereunder and under the terms of an agreement entitled "**Registrar and Paying Agent Agreement**" between the County and the Registrar, the form of which is hereby approved. The Chairman, the Vice Chair, the County Clerk, the County Treasurer or any other officer of the Board or the County is hereby authorized to execute said agreement in substantially the form presented but with such changes as he or she shall deem appropriate or necessary. The County reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar.

(b) The Registrar shall keep and maintain for the County books for the registration and transfer of the Series 2011 Bonds at its corporate trust office, the location of which having been disclosed to the County from time to time. The names and registered addresses of the registered owner or owners of the Series 2011 Bonds shall at all times be recorded in such books. Any Series 2011 Bond may be transferred pursuant to its provisions at the office of the Registrar by surrender of such Series 2011 Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner in person or by such owner's duly authorized agent, and thereupon the Registrar on behalf of the County will deliver at such office (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of the transferee owner or owners, a new Series 2011 Bond of the same interest rate, aggregate principal amount and maturity, bearing numbers not contemporaneously then outstanding. To the extent of the denominations authorized for the Series 2011 Bonds by this Resolution, one Series 2011 Bond may be transferred for several such Series 2011 Bonds of the same interest rate and maturity and for a like aggregate principal amount, and several such Series 2011 Bonds may be transferred for one or several such Series 2011 Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Series 2011 Bond, the surrendered Series 2011 Bond shall be canceled and destroyed. The Registrar may impose a charge sufficient to defray all costs and expenses incident to registrations of transfer and exchanges. In each case the Registrar shall require the payment by the owner requesting exchange or transfer of any tax or other governmental charge required to be paid with respect to such exchange or transfer. Series 2011 Bonds issued upon transfer or exchange of Series 2011 Bonds shall be dated as of the date six months preceding the Interest Payment Date next following the date of registration thereof in the office of the Registrar, unless such date of registration shall be an Interest Payment Date, in which case they shall be dated as of such date of registration; provided, however, that if, as shown by the records of the Registrar, interest on the Series 2011 Bonds shall be in default, the Series 2011 Bonds issued in lieu of Series 2011 Bonds surrendered for transfer or exchange may be dated as of the date to which interest has been paid in full on the Series 2011 Bonds surrendered; and provided further, that if the date of registration shall be prior to the first Interest Payment Date, the Series 2011 Bonds shall be dated as of their Date of Original Issue. All Series 2011 Bonds issued upon transfer of the Series 2011 Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Series 2011 Bonds surrendered and shall be entitled to all the benefits and protection of this Resolution to the same extent as the Series 2011 Bonds upon transfer of which they were delivered. The County and the Registrar shall not be required to transfer any Bond during any period from any Record Date until its immediately following Interest Payment Date or to transfer any Series 2011 Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

(c) The Registrar shall also be responsible for making the payments of principal and interest as the same fall due upon the Series 2011 Bonds from funds provided by the County for such purposes. Payments of interest due upon the Series 2011 Bonds prior to maturity or redemption shall be made by the Registrar by mailing a check in the amount due for such interest on each Interest Payment Date to the registered owner of each Series 2011 Bond to such owner's registered address as shown on the books of registration as required to be maintained under this Section 4. On or before each principal or interest due date, without further order of the Board, the Treasurer shall transmit or cause to be transmitted money sufficient for payment of all principal and interest then due. Payments of principal due at maturity or at any date



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fixed for redemption prior to maturity, together with any accrued interest then due, shall be made by the Registrar upon presentation and surrender of such Series 2011 Bond. The County and the Registrar may treat the registered owner of any Series 2011 Bonds as the absolute owner of such Series 2011 Bond for purposes of making payments thereon and for all other purposes. All payments on account of interest or principal made to the registered owner of any Series 2011 Bond shall be valid and effectual and shall be a discharge of the County and the Registrar in respect of the liability upon the Series 2011 Bonds or claims for interest to the extent of the amount or amounts so paid.

Section 5. The Series 2011 Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NEBRASKA
COUNTY OF FILLMORE

GENERAL OBLIGATION REFUNDING BOND

SERIES 2011

No. R-

Interest Rate	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
%	November 15, ____	_____, 2011	

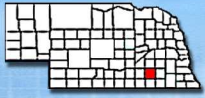
Registered Owner: Cede & Co.

Principal Amount: _____ Thousand Dollars and no/100

KNOW ALL PERSONS BY THESE PRESENTS: That Fillmore County, Nebraska (the "County"), hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or the most recent Interest Payment Date, whichever is later, at the rate per annum specified above, payable on May 15 and November 15 of each year, commencing May 15, 2012, until maturity or earlier redemption (each an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months.

The principal hereof, together with unpaid accrued interest due at maturity or upon earlier redemption, is payable upon presentation and surrender of this bond at the office of UMB Bank, N.A. as Paying Agent and Registrar, in Kansas City, Missouri. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest Payment Date by a check or draft mailed on such Interest Payment Date by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, as of the last business day of the month preceding any month in which an Interest Payment Date occurs (the "Record Date"), to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the Record Date such interest was payable and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available. For the prompt payment of this bond, both principal and interest, as the same become due, the full faith, credit and resources of said County are hereby irrevocably pledged.

This bond is one of an issue of fully registered bonds of the total principal amount of Five Hundred Sixty-Five Thousand Dollars (\$565,000), of even date and like tenor herewith, except as to date of maturity and rate of interest and denomination, which were issued by the County to redeem and prepay certain outstanding bonds of the County originally issued (a) pursuant to Section 23-120, Reissue Revised Statutes of Nebraska, as amended, to pay the costs of renovating, improving, equipping and furnishing the County's existing courthouse and (b) pursuant to Section 66-4,101, Reissue Revised Statutes of Nebraska, the costs of improving roads and other related and appurtenant improvements in said County. Proceeds of the Bonds in the principal amount of \$_____ (the "Courthouse Bonds") are allocable and apportioned to refunding certain bonds which were payable from a levy of taxes on all of the taxable property in the County unlimited as to rate or amount. Proceeds of the Bonds in the principal amount of \$_____ (the "Highway Bonds") are allocable and apportioned to refunding certain bonds which were payable from (i) a pledge of amounts received by the County from the Highway Allocation Fund of the State of Nebraska and (ii) levy of taxes on all of the taxable property in the County, subject to State constitutional limitations. The issuance of this bond has been duly authorized pursuant to Section 10-142 and a



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resolution of the County's Board of Supervisors (the "Resolution") legally passed, approved and published, all in strict conformity with the laws of the State of Nebraska, including the Act.

Bonds of this issue are subject to call for redemption through application of mandatory sinking fund payments, with said Bonds to be called by lot in the amount and on the dates as set out below at par plus accrued interest to the date of such call, as follows:

\$ _____ Principal Amount Maturing _____, 20____
\$ _____ to be Called _____, 20____
\$ _____ to be Called _____, 20____
\$ _____ Payable _____, 20____

Bonds maturing on or after _____, 2016, are subject to redemption at the option of the County at any time on or after _____, 2016 as a whole or in part from time to time in such principal amounts and from such maturity or maturities as the County, in its sole discretion may determine, at the redemption price, of the principal amount thereof, together with the interest accrued on such principal amount to the date fixed for redemption. If less than all of the Bonds of a maturity are to be called for redemption, the particular Bonds of such maturity to be redeemed shall be selected by lot.

The Bonds shall be redeemed in whole multiples of \$5,000, and if any Bond be in a denomination in excess of \$5,000, portions of the principal amount thereof in installments of \$5,000 or any whole multiples thereof may be redeemed. If less than all of the principal amount thereof is to be redeemed, in such case upon the surrender of such Bond there shall be issued to the registered owner thereof without charge therefor, for the then unredeemed balance of the principal amount thereof, registered Bonds of like series, maturity and interest rates in any of the authorized denominations provided by the Resolution. Notice of redemption of this Bond shall be given to the Registered Owner hereof by first-class mail, postage prepaid, not less than thirty (30) days prior to the date fixed for redemption (or such shorter period as may be acceptable to the then registered owner of the Bonds), all as more particularly set forth in the Resolution. Notice of redemption having been given as provided in the Resolution, or notice of redemption having been waived, and funds for the payment thereof having been deposited with the Paying Agent and Registrar, this Bond shall cease to bear interest from and after the date fixed for redemption.

This bond is transferable by the registered owner or such owner's attorney duly authorizing in writing at the office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same aggregate principal amount, interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said issue of bonds, subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment due hereunder and for all purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such date shall have the same force and effect as if made on the nominal date of payment.

For the prompt payment of the principal and interest on this bond and the other bonds of the same issue, the County (i) with respect to the Courthouse Bonds, shall cause to be made annually a special levy of taxes on all the taxable property within the County, in addition to all other taxes, unlimited as to rate or amount, sufficient to pay the interest on and the principal of the Courthouse Bonds as and when such interest and principal become due and (ii) with respect to the Highway Bonds, (a) has pledged funds received and to be received from the Highway Allocation Fund of the State of Nebraska with receipts from such fund to be allocated by the County to payment of such principal and interest as the same fall due and (b) a special levy of taxes on all the taxable property within the County, in addition to all other taxes, sufficient in rate and amount, subject to statutory and constitutional limitations, to pay the interest on and the principal of the Highway Bonds as and when such interest and principal become due.

In the Resolution the County has designated this bond as a "qualified tax-exempt obligation" as described in Section 265(b)(3)(B)(i) of the Internal Revenue Code of 1986, as amended (the "Code").



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AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREFOR IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

IN WITNESS WHEREOF, the Board of Supervisors of Fillmore County, Nebraska, have caused this bond to be executed on behalf of the County with the manual or facsimile signatures of the Chairman of the Board of Supervisors and the County Clerk and by causing the official seal of the County to be impressed or imprinted hereon, all as of the date of original issue specified above.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

FEE REPORTS

Cerny moved and Mueller seconded the motion to approve the fee reports for the month of September, 2011:

County Clerk: \$3,848.73 (State \$1,328.29 & County \$2,520.44)

Clerk of District Court: \$632.51

County Sheriff: \$1,456.64

Upon roll call, the vote was as follows:

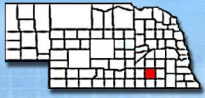
Ayes: Noel, Cerny, Mueller, Galusha, Capek, Yates, and Simacek

Nays: None

The Chairman declared the motion carried.

ADJOURN

Agenda item "Redistricting Maps" were tabled until the next Board meeting. As there was no other business to come before the Board, Simacek moved and Yates seconded the motion to adjourn until 9:10 a.m., October 25, 2011. Upon roll call, the vote was as follows:



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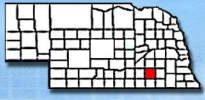
October 11, 2011

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

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



October 25, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., October 25, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Vice Chairman Cerny presiding. Members present were Yates, Simacek, Mueller, and Galusha. Capek and Noel were absent. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:43 a.m.

MINUTES APPROVED WITH CORRECTION

Mueller moved and Simacek seconded the motion to approve the minutes from the October 11th Board meeting with the correction of removing that Norman Marks was present for the meeting. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

BERGGREN ARCHITECTS BILLING

After discussion, Yates moved and Mueller seconded the motion to approve the final payment to Berggren Architects for the clock tower project of \$5,500.00 instead of \$7,263.26 as presented in billings. Upon roll call, the vote was as follows:

Ayes: Yates, Cerny, Mueller, and Galusha

Nays: Simacek

The Vice Chairman declared the motion carried.

RECOMMITMENT TO NIRMA

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

RESOLUTION 2011 - 41

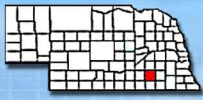
WHEREAS, Fillmore County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb. Rev. Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. §13-801 et seq.); and

WHEREAS, Counties and other Public Agencies as defined in Neb. Rev. Stat. §44-4303 are allowed to participate in said cooperative undertakings; and

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverage's to the County in a cost effective way which meet and exceed that provided by standard insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits, claims and litigation management, and coverage's tailored to address loss exposures counties and other related public entities face not economically available from other sources; and



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WHEREAS, these coverage's and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2012, and

NOW, THEREFORE, BE IT RESOLVED that the Fillmore County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2012 through June 30, 2015; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the resolution adopted.

AREA WIDE COUNCIL FOR AGING PARTNERS

Mueller moved and Galusha seconded the motion to appoint Ernest Pence to the Area Wide Council for Aging Partners for a three year period beginning October 1, 2011 and ending June 30, 2014. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Frances Fessler – install a new 40' driveway on the east side of the NE ¼, Section 21-7-4, Bennett Township;
Burt Land – install a new 40' driveway on the east side of the NE ¼, Section 13-7-4, Bennett Township;
Burt Land – install a new 40' driveway on the west side of the NW ¼, Section 18-7-3, Geneva Township.

Upon roll call, the vote was as follows:

Ayes: Cerny, Mueller, Galusha, and Simacek

Nays: None Abstain: Yates

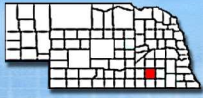
The Vice Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

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

Perennial Public Power District – install an electric line in the west ditch of 6th Street in the SE ¼, Section 30-8-2, Fairmont Township. Perennial Public Power District will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.

Perennial Public Power District – install an electric line under Road F from the NE ¼ of Section 31 to the SE ¼ of Section 30-8-2, Fairmont Township. Perennial Public Power District will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required on the Fillmore County right-of-way.



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Upon roll call, the vote was as follows:

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

The Vice Chairman declared the motion carried.

CLEAN SILT PERMIT

Yates moved and Mueller seconded the motion to approve the clean silt permit:

Dan Stengel Trust – clean silt permit from the road ditch on the west side of the NW ¼, Section 21-6-4, Momence Township.

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

The Vice Chairman declared the motion carried.

ROAD F BY FAIRMONT

Albert J. Radke requested that the Board asphalt County Road F and the road going north from Road F into Fairmont. Mr. Radke informed the Board that there is a lot of traffic on this road and it is listed in the one & six year plan. After the discussion, the Board will keep this in mind, but at this point it is not feasible for the County.

NUSTAR & ROAD 13

Larry Loseke and Tracy Wallick with NuStar Energy were present to discuss the issue that has been occurring with semi-trucks parking on Road 13 north of Geneva waiting to enter the NuStar plant. After discussion, there were several ideas for NuStar to take back to their management team. NuStar will keep in contact with the County and Highway Superintendent Mark Timmerman on what they will be willing to do. Dick Schoenholz was also present for this discussion.

ROAD ISSUES

Other road issues were that the fuel tank at the Shickley County shop is over 20 years old and leaking. Mark is looking into the cost of replacing this tank with a couple vendors. Mark also made the Board aware of a culvert that is blocked on Road S between Road 5 & Road 6.

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	Wksh	99.00
Adams County Sheriff	Ser	18.00
Ameritas Life Insurance Corp.	Ret	3,247.72
Aramark Uniform Services, Inc.	Ser	540.36
Bear Graphics, Inc.	Sup	173.79
Joseph N. Bixby	Ser	712.50
Blue Cross Blue Shield of Nebraska	Insur	22,992.12
Blue Valley Community Action	Budget request	3,924.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Judy Dondlinger	Ser	108.00
Dugan Business Forms	Sup	181.26



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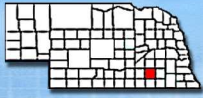


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Merlin Ehmen	Ret	22.00
Erdkamp Motors	Rep, Main	1,189.10
Executive Copier Systems, Inc.	Ser	57.89
Fillmore County Court	Fees	1,038.00
Fillmore County Hospital	Ser	35.00
Fillmore County Treasurer	Interest	30.46
First Concord Benefits Group, LLC	Insur, Ser	1,108.57
Galls	Sup	120.93
Geneva Broadband, LLC	Ser	87.97
Geneva State Bank	Ser, SS	3,506.83
Norma Gregory	Ret	25.00
Holiday Inn	Lodging	175.90
Hope Crisis Center	Budget request	2,272.00
JEO Consulting Group, Inc.	Ser	2,897.50
Jim's Repair	Rep	64.40
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Lodging	4,398.61
Kerry's Auto Repair & Service	Main	52.95
Stephen J. Kraviec	Ser, Post	1,722.25
Lincoln Journal Star	Ad	44.57
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Maximus, Inc.	Ser	2,250.00
McBattas Packaging & Printing	Sup	87.31
Ann H. McDonald	Ret	18.00
Motorola Solutions, Inc.	Equip, Ser	340.00
Rich Mueller/Thomas Biegert	Rent	650.00
Nebraska Public Power District	Uti	1,867.10
Platte Valley Communications	Equip, Ser	2,473.90
Police Officers Association	Sup	57.00
Pottawattamie County Sheriff's Office	Ser	21.00
Region V Services	Budget request	2,621.00
Region V Systems	EPC charges	1,694.00
Saline County Treasurer	Bailiff budget request	6,608.45
Service Press	Sup	423.00
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Dept. of Labor	Misc	1,283.00
State of Nebraska Dept. of Motor Vehicles	Ser	4.00
State of Nebraska Public Health Envir. Lab.	Ser	84.00
Total Funds by Hasler	Post	700.00
University of Nebraska Medical Center	Ser	990.00
US Bank, CPS	Meals, Sup, Post	150.84
Brandy VanDeWalle	Lodging, Mile Meals, Uti	312.31
Carroll L. Verhage, MD	Ser	125.00
Verizon Wireless	Uti	538.08
Weaver Pharmacy	Sup	32.16
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,245.69
York County Sheriff	Ser	18.50
Payroll	Salaries	47,417.66

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,691.70
Rex Bahe	Ret	25.00
Blue Cross Blue Shield of Nebraska	Insur	12,773.40
Dorchester Farmers Coop	Fuel	1,325.20
Erdkamp Motors	Rep	115.14
Fillmore County Hospital	Ser	135.00
Geneva Broadband, LLC	Ser	39.99
Geneva State Bank	SS	1,854.56



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Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	88.94
Grafton Oil, Inc.	Fuel	2,163.48
Graham Tire Company	Tire, Rep	264.66
Holiday Inn	Lodging	87.95
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel	2,096.62
M.E. Collins	Box Culvert	114,819.75
Nebraska Bolt	Sup	111.34
Nebraska Public Power District	Uti	378.08
NMC, Exchange, LLC	Parts	3,005.89
Perennial Public Power District	Uti	68.13
Road Builders	Parts	421.74
Roit Repair	Rep	31.05
Speece Lewis Engineers	Ser	1,116.34
Verizon Wireless	Uti	69.64
Village of Fairmont	Uti	23.57
Village of Shickley	Uti	386.52
Windstream	Uti	148.35
Payroll	Salaries	25,061.78

INHERITANCE TAX FUND:

All Around Lawn & Landscaping	Sup	205.00
Plains Tree Farm, Inc.	Trees	2,300.00

911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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ETHANOL ROAD BOND FUND:

Cornerstone Bank	Interest, Ser	798.22
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E911 COMMUNICATIONS FUND:

Geneva Broadband, LLC	Ser	63.98
Nebraska Public Power District	Uti	188.22
Windstream	Uti	1,029.01

CLAIMS APPROVED

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

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

Nays: None

The Vice Chairman declared the motion carried.

MAXIMUS COST ALLOCATION PLAN

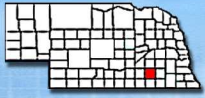
After discussion, Mueller moved and Simacek seconded the motion to approve the Maximus Cost Allocation Plan to receive funds per the contract. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

REDISTRICTING



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After discussion, Mueller moved and Galusha seconded the motion to approve proposal #3 to redistrict the County after the 2010 Census. Upon roll call, the vote was as follows:

Ayes: Simacek, Mueller, and Galusha

Nays: Cerny and Yates

The Vice Chairman declared the motion carried.

PUBLIC HEALTH SOLUTIONS

Jane Ford Witthoff, with Public Health Solutions presented the annual report for fiscal year 2010/2011. Jane also updated the Board on the new things Public Health will be doing.

PUBLIC HEARING FOR LIVESTOCK OPERATION

Public hearing for a conditional use permit for a proposed development of a livestock animal feeding operation located in the SE ¼, Section 13-7-2, Madison Township was opened at 11:00 a.m. as advertised.

Paul Kuska requested that if there is an overflow the overage go west and remains on the property. Patt Lentfer with the Fillmore County Development Corp. was present for this discussion.

The Vice Chairman closed the public hearing at 11:11 a.m. as there were no additional comments.

CONDITIONAL USE PERMIT FOR LIVESTOCK OPERATION

After discussion, Mueller moved and Yates seconded the motion to approve the conditional use permit for James Zeleny Livestock operation with a condition that the owner put up a small berm around the facility to keep an overflow on the property and going west. Upon roll call, the vote was as follows:

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

Nays: None

The Vice Chairman declared the motion carried.

RED CLOUD GRAIN HEARING

Public hearing for a conditional use permit for a proposed development of a 2.0 million bushel grain facility and loop track located in the N ½ of Section 26-8-3, West Blue Township was opened at 11:15 a.m. as advertised.

Bob Fifield, CEO of Cooperative Producers, Inc. (CPI) and Dan Olson, Chief Operating Officer with CPI presented documentation to the Board regarding the proposed layout and location of the facility. Patt Lentfer with the Fillmore County Development Corp. was present for this discussion.

As no one appeared to testify for or against the proposed development, the hearing was closed at 11:30 a.m.

CONDITIONAL USE PERMIT FOR RED CLOUD GRAIN

Galusha moved and Mueller seconded the motion to approve the conditional use permit for Red Cloud Grain. Upon roll call, the vote was as follows:

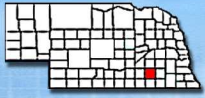
Ayes: Cerny, Mueller, Galusha, Yates, and Simacek

Nays: None

The Vice Chairman declared the motion carried.

DUCK'S UNLIMITED CONSERVATION EASEMENT

Duck's Unlimited submitted a memorandum of understanding (MOU) to the Board regarding the White property. After discussion, the Board directed that the MOU be mailed out to all landowners within a mile jurisdiction of this property



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located in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, Section 36-8-2, Fairmont Township. Further discussion regarding this conservation easement will be held at 11:00 a.m. on November 8, 2011 during the regular Board meeting.

ADJOURN

Agenda item "Conservation Easement" was tabled until the next Board meeting. As there was no other business to come before the Board, Simacek moved and Yates seconded the motion to adjourn until 9:10 a.m., November 8, 2011. Upon roll call, the vote was as follows:

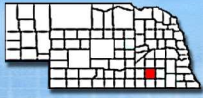
Ayes: Mueller, Galusha, Yates, Simacek, and Cerny

Nays: None

The Vice Chairman declared the motion carried.

Attest

Vice Chairman



Fillmore County Board Minutes



November 8, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:09 a.m., November 8, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 1:50 p.m.

MINUTES APPROVED

Chairman of the Board, Capek declared the minutes of the October 25, 2011 Board meeting approved as presented.

FEE REPORTS

Mueller moved and Simacek seconded the motion to approve the fee reports for the month of October 2011:

County Clerk: \$11,577.18 (State \$7,110.45 & County \$4,466.73)
Clerk of District Court: \$989.77
County Sheriff: \$1,545.40

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SOUTHEAST COMMUNITY COLLEGE

Jack Huck, President of Southeast Community College presented the annual report for fiscal year 2010.

DRIVEWAY PERMITS

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

K & K Myers – move existing driveway west approx. 300 ft. on the north side of the NE ¼, Section 14-5-2, Belle Prairie Township;
Bernard Miller – extend existing driveway to 40 ft. in the SE ¼, Section 27-8-1, Exeter Township;
Dan Aspegren – install a new 40 ft. driveway on the south side of the SW ¼, Section 21-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ROAD ISSUES

Highway Superintendent, Mark Timmerman informed the Board that he had received one estimate of \$6,730.00 to allow a turnaround for trucks on the north side of 13th Street for the NuStar trucks. Tony Wurtz was present to inform the Board that Donna Sorenson (owner of the Hilltop Café) is willing to discuss options with NuStar to allow for truck parking in her lot. After discussion, the Board directed the Highway Superintendent to notify NuStar of the estimate and that Donna would be willing to discuss and let NuStar make their decision as they would be paying for this.



Fillmore County Board Minutes



November 8, 2011

Mark informed the Board that he had gotten a couple of estimates for replacing the fuel tank in Shickley. After discussion, the Board directed Mark to contact the Fire Marshall to see exactly what we need to have when replacing the fuel tank.

Mark informed the Board that the two motor graders that we had listed with Stock Auction sold on October 26th. The Cat motor grader brought \$61,750.00 and the John Deere brought \$33,500.00.

After discussion regarding tree trimming and roadside mowing, the Board directed the Highway Superintendent to insert a notice to be sent out in all tax statements.

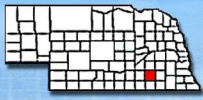
Dennis Kimbrough, Fillmore County Hospital Board member requested that assistance of the Road department in removing trees on the property that the County owns across the road from the new hospital. After discussion, the Board agreed to allow the Road dept. to assist in removing the trees on this property.

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	13.00
Ameritas Life Insurance Corp.	Ret	3,224.31
Andrews Electric Co., Inc.	Rep	83.50
Axis Capital, Inc.	Ser	249.00
Berggren Architects	Ser	2,774.25
Black Hills Energy	Uti	58.14
Mary Brinkman	Sup	39.97
Century Lumber Center	Sup	35.51
City of Geneva	Uti	425.00
Constellation Energy	Uti	2.76
Corner Stop	Fuel	236.08
Dawg's Smokehouse Café	HDM's	199.50
Dugan Business Forms	Sup	325.50
Earls Window Service	Ser	6.00
Executive Copier Systems, Inc.	Ser	70.76
Fillmore County Clerk of District Court	Fees	137.00
Fillmore County Development Corp.	HOME project	7,000.00
Fillmore County Sheriff	Fees	901.32
First Concord Group, Inc.	Insur	228.00
Gage County Clerk	Probation request	2,820.80
Gamble's	Sup	211.61
Geneva State Bank	SS	3,396.16
Geneva Super Foods	Sup	206.42
Geneva Welding & Supply, Inc.	Sup	101.60
Grafton Mini Mart	Fuel	110.92
Hilty's of Geneva	Sup	156.80
Hometown Leasing	Ser	582.61
Kalkwarf & Smith Law Offices	Ser	420.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	3,473.58
Kopchos Sanitation, Inc.	Ser	81.50
Stephen J. Kraviec	Ser, Post	1,700.56
Lynn Peavey Company	Sup	47.88
Madison National Life	Insur	180.94
Elizabeth Mattox Manning	Ser	264.00
Mail Finance	Ser	95.83
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Motorsports, LLC	Main	101.02



Fillmore County Board Minutes

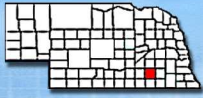


November 8, 2011

MIPS, Inc.	Ser	2,756.04
Brenda Motis	Mile	73.83
Naomi Mussman	Meals	30.53
Nebraska County Court Association	Dues	25.00
The Nebraska Signal	Pro, Ads, Subscription	748.75
Norrie Construction	Rep	117.40
Platte Valley Communications	Rep, Main	622.23
Lyndsey Pohlmeier	Mile, Meals, Lodging	497.98
Protex Central, Inc.	Ser	110.00
R & D Parts, LLC	Sup	54.73
Ralph's Geneva Tire & Service Center	Rep, Main	616.33
Saline County Sheriff	Ser	49.00
Seiler & Parker PC	Ser, Post	192.64
Service Press	Sup	257.75
Shell Fleet Plus	Fuel	3,815.56
Southeast Nebraska Development District	Ser, HOME project	15,460.78
State of Nebraska AS Central Finance	Ser	448.00
Rhonda Stokebrand	Mile	63.55
UN-L IS-Telecommunications	Ser	7.13
US Bank, CPS	Meals, Post, Fuel, Lodging, Sup	644.46
Brandy VanDeWalle	Lodging, Uti, Mile	151.68
Windstream	Uti	179.87
Payroll	Salaries	47,417.66

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Rep, Sup	91.75
Ameritas Life Insurance Corp.	Ret	1,695.86
Andrews Electric Co., Inc.	Sup	48.95
Auto Value Parts Stores	Parts, Sup	337.54
Black Hills Energy	Uti	67.58
B's Enterprises, Inc.	Parts	5,988.00
Century Lumber Center	Sup	107.34
City of Geneva	Uti	60.20
Corner Stop	Fuel	2,898.03
Dorchester Farmers Coop	Fuel	1,474.08
Filter Care of Nebraska	Parts	160.00
Gambles	Sup, Misc	68.37
Geneva Implement Co., Inc.	Parts	18.68
Geneva State Bank	SS	1,859.27
Geneva Super Foods	Sup	42.72
Geneva Welding & Supply, Inc.	Sup, Parts	446.28
Grafton Oil, Inc.	Fuel	522.72
John Deere Financial	Parts, Sup	123.53
Kerry's Auto Repair & Service	Rep	63.00
Kopchos Sanitation, Inc.	Ser	45.00
Lichti Oil	Fuel	3,863.09
Madison National Life	Insur	94.77
MIPS, Inc.	Ser	115.77
Nebraska Iowa Industrial Fasteners Corp.	Sup	104.35
Nichols Construction	Gravel	77,857.84
Perennial Public Power District	Uti	45.41
Platte Valley Communications, Inc.	Parts	59.32
Power Plan	Parts, Rep	1,214.45
R & D Parts, LLC	Sup	538.96
Ralph's Geneva Tire Company	Rep, Sup	1,022.86
Shell Fleet Plus	Fuel	2,165.53
US Bank CPS	Post	36.44
Village of Exeter	Uti	15.00
Village of Grafton	Uti	23.63



Fillmore County Board Minutes



November 8, 2011

Westover Rock & Sand, Inc.
Payroll

Crushed Rock
Salaries

39,884.84
25,061.78

INHERITANCE TAX FUND:

Fillmore County Treasurer
Plains Tree Farm, Inc.

Loan
Trees

7,500.00
1,145.00

COURTHOUSE BOND FUND:

UMB Bank, NA

Principal & Interest

90,395.00

ROAD BOND FUND:

UMB Bank, NA

Principal & Interest

81,735.00

E911 COMMUNICATIONS FUND:

APCO International
Platte Valley Communications

Dues
Ser

184.00
207.50

CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

RESCIND REDISTRICTING MAPS

After discussion, Mueller moved and Yates seconded the motion to rescind the motion made at the October 25, 2011 Board meeting regarding establishing the restricting maps for the Board as all members of the Board were not present. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REDISTRICTING MAPS

Mueller moved and Galusha seconded the motion to approve proposal #3 to redistrict the County Board lines after the 2010 census. Upon roll call, the vote was as follows:

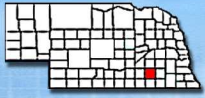
Ayes: Mueller, Galusha, Capek, Yates, Simacek, and Noel
Nays: Cerny

The Chairman declared the motion carried.

CONSERVATION EASEMENT DISCUSSION

Chairman of the Board, Raymond Capek opened up the floor for discussion regarding the proposed conservation easement located in the S ½ of the SW ¼, Section 36-8-2, Fairmont Township. The following were present for discussion: Jerry Chapman; Tim Horst, Ducks Unlimited Land Manager; Mel Taylor; Morley Most, Planning Commission member; Sharon Elznic, Planning Commission member; Donna Mainwaring, Planning & Zoning Administrator; Jerry Knoche, Appraiser for Fillmore County; Lynn Mussman, Assessor; Brad White; Mike Chaney; John K. Burt; and Steve Donovan, Ducks Unlimited. After a lengthy discussion, the Chairman announced that the Board would be taking action on November 22, 2011 at 11:00 a.m.

HEALTH CARE CHALLENGES



Fillmore County Board Minutes



November 8, 2011

Merle Noel informed the Board that he attended a meeting along with Hospital Board members regarding the challenges that could be coming in health care. John Roberts gave a presentation regarding current health care and what will happen in the future. At this point, the future changes are unknown. If the future changes that are proposed at this time are put into effect they are going to be extreme and expensive.

ADJOURN

Agenda items "filing ditch along Road F between Hwy. 81 & Road 14, snow removal policy, and employee handbook" were tabled until the next Board meeting. As there was no other business to come before the Board, Cerny moved and Simacek seconded the motion to adjourn until 9:00 a.m., November 22, 2011. Upon roll call, the vote was as follows:

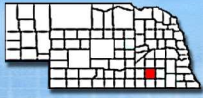
Ayes: Galusha, Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



November 22, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., November 22, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 10:55 a.m.

MINUTES APPROVED

Chairman of the Board, Capek declared the minutes of the November 8, 2011 Board meeting approved as presented.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Academic Booster Club	Misc	30.00
Howard F. Ach	Rent, Post	3,265.50
Ameritas Life Insurance Corp.	Ret	3,297.79
Applied Concepts, Inc.	Equip	995.00
Aramark Uniform Services, Inc.	Ser	532.19
Bottorf & Maser, Atty	Ser, Mile	892.50
Custom Cage	Equip	645.00
Dell Marketing, LP	Sup	221.98
Des Moines Stamp Manufacturing Co.	Sup	16.50
Judy Dondlinger	Ser	156.00
Eakes Office Plus	Sup	1,507.43
Erdkamp Motors	Main	36.00
Exeter Care Center	HDM's	283.50
Exeter Senior Center	Misc	300.00
Fairmont Aging Services	Misc	1,750.00
Fillmore County Hospital	Ser	105.00
Fillmore County Transit	Ser	45.00
First Concord Benefits Group, LLC	Insur	454.96
Galls	Sup	108.97
Geneva Broadband	Ser	127.96
Geneva Senior Center	Misc	2,375.00
Geneva State Bank	SS	3,471.48
Jennifer Hoarty	Ser	192.00
Holiday Inn Express & Suites	Lodging	239.85
Holiday Inn Express Hotel & Suites	Lodging	77.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Wksh	3,164.15
Knock-Out Specialties, Inc.	Sup	227.37
Lancaster County Sheriff	Ser	8.34
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Midwest Court Reporting, Inc.	Ser	191.25
Midwest Mailing Systems, Inc.	Sup	243.95
Midwest Radar & Equipment, Inc.	Equip	240.00
Nebraska Public Power District	Uti	1,000.27
OMB's Express Police Supply	Sup	150.09
Region V Systems	EPS	1,089.00



Fillmore County Board Minutes



November 22, 2011

State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Dept. of Corrections	Equip	1,250.00
State of Nebraska Public Health Envir. Lab.	Ser	223.48
Total Funds by Hasler	Post	700.00
Verizon Wireless	Uti	477.87
What's Happening	Ads	15.00
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,214.96
York County Sheriff	Ser	18.50
Payroll	Salaries	48,063.05

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,689.25
Diode Technologies	Equip	1,938.27
Dorchester Farmers Coop	Fuel	4,421.55
Geneva Broadband, LLC	Ser	39.99
Geneva State Bank	SS	1,851.79
Grafton Oil, Inc.	Fuel	1,414.46
Jill's Sweet Shop	Misc	34.50
Kelch Plumbing Heating & Refrig., Inc.	Rep	474.23
Lichti Oil	Fuel, Parts	1,883.07
M & B Business Machine Service	Rep	387.00
M. E. Collins	Ser	29,801.79
Nebraska Public Power District	Uti	238.34
NIRMA	Wksh	50.00
NMC Exchange, LLC	Parts	562.62
Office Depot Credit Plan	Sup	121.93
Speece Lewis Engineers	Ser	6,831.32
Verizon Wireless	Uti	69.64
Village of Fairmont	Uti	25.85
Weaver Repair, Inc.	Parts	1,051.68
Windstream	Uti	102.20
Payroll	Salaries	25,025.62

INHERITANCE TAX FUND:

All Around Lawn & Landscaping	Trees	140.00
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911 WIRELESS SERVICES FUND:

Metro Leasing Company	Ser	794.89
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	October Taxes	376.94
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E911 COMMUNICATIONS FUND:

APCO International, Inc.	Wksh	229.00
Geneva Broadband, LLC	Ser	63.98
Nebraska Public Power District	Uti	154.05
Windstream	Uti	1,028.79

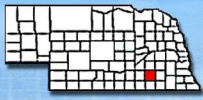
CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.



Fillmore County Board Minutes



November 22, 2011

RURAL APPREHENSION PROGRAM

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

RESOLUTION 2011 - 42

WHEREAS, law enforcement agencies with the following counties: Fillmore, Hamilton, Jefferson, Merrick, Polk, Saunders, Seward, Thayer, Webster, Nuckolls, Saline, 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 RAP 22 #11-DA-309); 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 organizations that will accord best with geographic, economic, population, and other factors; 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 County of Fillmore authorizes William L. Burgess to enter the County of Fillmore 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 as 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 County of Fillmore for the 2011-2012 grant period (RAP 22) will be \$0.00.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

DRIVEWAY PERMITS

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

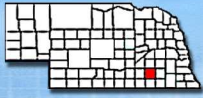
Bob Fessler – remove existing and install a new 40' driveway to the south of the existing driveway on the west side of the NW ¼, Section 28-7-4, Bennett Township;

Marglad Farms – remove existing and install a new 40' driveway to the west of the existing driveway on the north side of the NW ¼, Section 36-6-2, Chelsea Township;

Dick Hoarty – remove existing and install a new 40' driveway to the north of the existing driveway on west side of the NW ¼, Section 24-8-4, Grafton Township;

Larry Roush Trust – remove existing and install a new 30' driveway to the west of existing driveway on the north side of the NE ¼, Section 18-5-4, Bryant Township;

Larry Roush Trust – install two new 40' driveways on the east side of the SE ¼, Section 7-5-4, Bryant Township;
Roger Kimbrough – install a new 40' driveway on the east side of the NE ¼, Section 26-6-3, Stanton Township.



Fillmore County Board Minutes



November 22, 2011

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLEAN SILT PERMIT

Noel moved and Mueller seconded the motion to approve the following clean silt permit:

Tom Lovegrove – clean silt from the west and south side of the SW $\frac{1}{4}$, Section 15-6-2, Chelsea Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

VILLAGE OF FAIRMONT DITCH FILLING

Butch Long, Maintenance personal with the Village of Fairmont informed the Board that he would like to fill the ditch along Road F between Highway 81 and Road 14.

After discussion, Noel moved and Galusha seconded the motion to approve the Village of Fairmont along Road F between Highway 81 and Road 14 to put allowable fill with at least a foot and a half of dirt on the top with the Road's Superintendent's approval. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SILT CLEANING PERMITS

After discussion, Simacek moved and Cerny seconded the motion to approve the following silt cleaning permits:

Larry Roush Trust – clean silt on the north and east side of the NE $\frac{1}{4}$, Section 18-5-4, Bryant Township;

Larry Roush Trust – clean silt on the east side of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 7-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

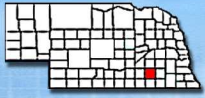
ADJOURN

Agenda items "Gergen Subdivision, Employee handbook, Shickley fuel tank, and 13th Street parking" were tabled until the next Board meeting. As there was no other business to come before the Board, Cerny moved and Mueller seconded the motion to adjourn until 9:10 a.m., December 13, 2011. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.



Fillmore County Board Minutes



November 22, 2011

Attest

Chairman



Fillmore County Board Minutes



December 13, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:04 a.m., December 13, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:51 a.m.

MINUTES APPROVED

Chairman of the Board, Capek declared the minutes of the November 22, 2011 Board meeting approved as presented.

FEE REPORTS

Simacek moved and Yates seconded the motion to approve the fee reports for November 2011:

County Clerk \$23,237.63 (State \$15,865.95 & County \$7,371.68)
Clerk of the District Court: \$736.20
County Sheriff: \$1,973.52

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

Howard F. Ach	Rent, Post	3,262.14
Action Auto Supply	Main	33.10
Adams County Sheriff	Ser	37.00
Aging Partners	Budget Request	12,500.00
Ace Agricultural Supply	Rep	170.20
American Jail Association	Dues	48.00
Ameritas Life Insurance Corp.	Ret	3,355.22
Aramark Uniform Services, Inc.	Ser	440.19
Axis Capital, Inc.	Ser	249.00
Joseph N. Bixby DR	Ser	199.50
Black Hills Energy	Uti	504.63
Blue Cross Blue Shield of Nebraska	Insur	23,630.79
Bottorf & Maser Attorney	Ser, Mile	761.25
Buzz's Alignment	Main	65.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Uti, Rent	810.26
Computer Depot	Sup	260.96
Constellation Energy	Uti	36.57
Dawg's Smokehouse Café	HDM's	168.00
Des Moines Stamp Manufacturing Co.	Sup	29.70
Diebold Incorporated	Main	198.00



Fillmore County Board Minutes



December 13, 2011		
Judy Dondlinger	Ser	108.00
Eakes Office Plus	Sup	835.81
Earls Window Service	Ser	12.00
Merlin Ehmen	Ret	22.00
Richard Ellison	Mile	76.04
Exeter Care Center	HDM's	330.75
Fillmore County Clerk of the District Court	Fees	139.00
Fillmore County Development Corp.	Budget Request & HOME	23,706.97
Fillmore County Treasurer	Misc	615.16
First Concord Group, Inc.	Insur	1,012.48
Gambles	Sup	305.80
Geneva State Bank	Ser, SS	3,617.32
Super Foods	Sup	245.61
Geneva Welding & Supply, Inc.	Rep	392.00
GIS Workshop	Ser	2,500.00
Norma Gregory	Ret	25.00
Dean N. Hansen	Ser, Mile	237.50
Hilty's	Sup	51.48
Jennifer Hoarty	Ser	120.00
Hometown Leasing	Ser	582.61
Jeff Jensen	Wksh	315.42
JEO Consulting Group, Inc.	Ser	2,960.00
Knoche Appraisal & Consulting, LLC	Ser, Mile	2,517.36
Kopchos Sanitation, Inc.	Ser	81.50
Ted Koperski	Ser, Mile	233.25
Stephen J. Kraviec	Ser, Post	1,708.99
Lancaster County Sheriff's Dept.	Ser	19.17
Lichti Oil	Sup	26.33
The Locksmith	Rep	117.50
Madison National Life	Insur	180.94
MailFinance	Ser	248.20
Ann H. McDonald	Ret	18.00
Microfilm Imaging Systems, Inc.	Ser	75.00
Mid-American Research Chemical	Sup	823.80
MIPS, Inc.	Ser, Sup	2,852.54
Moore Wallace dba RR Donnelley	Sup	54.33
Brenda Motis	Mile	153.18
Rich Mueller / Thomas Biegert	Rent	650.00
Nebraska Association of County Officials	Wksh	1,575.00
The Nebraska Signal	Pro, Ads	711.33
Nebraska Weed Control Association	Dues	200.00
Amy Nelson	Mile	77.00
O'Keefe Elevator Company, Inc.	Main	237.45
Platte Valley Communications of Hastings	Rep	506.50
Lyndsey Pohlmeier	Lodging, Wksh	205.98
Ralph's Geneva Tire & Service Center	Rep, Main	393.38
Southeast District Assessor Association	Dues	25.00
Secretary of State Rules & Regulations	Ser	20.00
Seiler & Parker, P.C.	Ser	578.00
Service Press	Sup	382.00
Shell Fleet Plus	Fuel	3,356.99
Southeast Nebraska Development District	Ser for HOME	3,697.85
State of Nebraska AS Central Finance	Ser	448.00
University of Nebraska Lincoln	Ser	2,593.75
UN-L IS-Telecommunications	Uti	5.55
Total Funds by Hasler	Post	1,700.00
US Bank CPS	Meals, Post, Sup	555.36
Eric Williams	Post	13.80
Windstream	Uti	1,475.52

Geneva



Fillmore County Board Minutes



December 13, 2011

York County Sheriff
Payroll

Ser
Salaries

19.50
49,128.70

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Sup	55.97
Ameritas Life Insurance Corp.	Ret	1,688.23
Auto Value Parts Stores	Parts, Sup, Rep	374.35
Rex Bahe	Ret	25.00
Black Hills Energy	Uti	330.61
Blue Cross Blue Shield of Nebraska	Insur	13,412.07
Casey's General Stores	Fuel	84.91
Century Lumber Center	Rep, Sup	117.25
City of Geneva	Uti	57.00
Corner Stop	Fuel	2,984.04
Dorchester Farmers Coop	Fuel, Parts, Rep	25,663.11
Gambles	Sup	75.80
Gana Trucking & Excavating	Rock	32,106.99
Geneva Implement Co., Inc.	Parts	20.67
Geneva State Bank	SS	1,850.63
Geneva Welding & Supply, Inc.	Parts, Rep	1,313.39
Ralph Gould	Ret	18.00
Grafton Mini-Mart	Fuel	57.30
Grafton Oil, Inc.	Main	1,067.48
Donovan Jirkovsky	Ret	25.00
John Deere Financial	Sup	20.16
Kopchos Sanitation, Inc.	Ser	45.00
Lichti Oil	Fuel, Parts	3,127.33
Madison National Life	Insur	94.77
Metal Works & More	Rep	43.82
MIPS, Inc.	Ser	115.77
Moses Motor Company	Parts	14.00
Nebraska Association of County Officials	Wksh	120.00
The Nebraska Signal	Ads	206.09
Newman Traffic Signs	Sup	1,720.19
Nichols Construction	Gravel	36,507.87
Nick's Farm Store Co.	Sup, Rep	109.96
Overland	Gravel	5,089.53
Perennial Public Power District	Uti	122.32
R & D Parts, LLC	Sup	13.17
Ralph's Geneva Tire & Service Center	Rep	321.59
Shell Fleet Plus	Fuel	615.07
Shickley Lumber Company	Sup	33.88
Speece Lewis Engineers	Ser	915.07
Village of Exeter	Uti	15.00
Village of Grafton	Uti	23.63
Village of Ohioa	Uti	20.00
Payroll	Salaries	25,010.48

SHERIFF – SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp.	Ret	84.21
Geneva State Bank	SS	83.13
Payroll	Salaries	1,086.60

HOSPITAL OPERATING FUND:

Fillmore County Hospital	November Taxes	371.99
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E911 COMMUNICATIONS FUND:

Andrews Electric Co., Inc.	Main	120.00
Gambles	Sup	11.92



Fillmore County Board Minutes



Lichti Oil
Windstream

Fuel
Uti

December 13, 2011
57.69
1,041.81

CLAIMS APPROVED

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

Ayes: Noel, Cerny, Mueller, Galusha, and Capek

Nays: None

Abstaining: Simacek

Abstaining due to conflict of interest: Yates

The Chairman declared the motion carried.

BOARD MEMBERS COPIES

After discussion, Mueller moved and Simacek seconded the motion that Board members will pay for all copies unless the entire Board makes the request for the copies. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMIT

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

CPI – Lansing, LLC – install a 100 foot driveway on the west side of the NE ¼, Section 26-8-3, West Blue Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMITS

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

Janice McMinn & Loren Stevens – extend an existing driveway to 40 ft. on the east side of the SE ¼, Section 2-8-3, West Blue;

L & K Land – install a new driveway and extend an existing driveway to 40 ft. on the west side of the SW ¼, Section 18-7-1, Liberty Township;

Linda Rebrovic – extend an existing driveway to 40 ft. on the west side of the NW ¼, Section 30-7-3, Geneva Township;

Candice Feldt – extend an existing driveway to 40 ft. on the south side of the SW ¼, Section 9-6-3, Stanton Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DRIVEWAY PERMIT



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After discussion, Noel moved and Cerny seconded the motion to approve the following driveway permit:

Waldean Biegert Trust – extend existing driveway to 80 ft. on the east side of the SE ¼, Section 13-5-4, Bryant Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

After discussion, Galusha moved and Yates seconded the motion to approve the occupy right-of-way permit:

Perennial Public Power District – bury underground cable between the S ½ of the SE ¼, Section 23 and the N ½ of the NE ¼, Section 26-8-3, West Blue Township. Perennial Public Power District will cooperate fully with the officials of Fillmore County and will keep them fully and immediately informed of all construction or maintenance work required of the County right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ROAD ISSUES

Marvin Nadherny informed the Board that the road conditions in his area are unacceptable. There is way too much crown in the roads and too much gravel. Board directed Highway Superintendent to work on this area.

After discussion regarding accepting bids for diesel fuel, the Board decided that when needed the road dept. will call around and get the best price.

Security cameras at the Road Dept. will be changed to record only when there is movement instead of twenty-four hours a day.

Albert Simacek informed the Board that there were drainage concerns on private property on Road G between Road 18 & 19. After discussion, the concerned landowners would need to come to the Board or send a letter of concern.

BIDS FOR CULVERT REPLACEMENT PROJECTS

Bids for the culvert replacement projects were opened at 9:45 a.m. as advertised. Two sites are located in Section 4-6-1, Glengary and Sections 27 & 34-5-1, Franklin, and the three sites are Section 6-5-3, Hamilton, south end of Section 16 & 17-5-2, Belle Prairie, and north end of Section 16 & 17-5-2, Belle Prairie. The following bids were received:

<u>Bidder:</u>	<u>TOTAL BID 3 SITES:</u>	<u>TOTAL BID 2 SITES:</u>
Midwest Underground, Inc., Lincoln, NE	\$ 75,579.00	\$96,976.00
Geneva Engineering, Geneva, NE	\$ 47,604.48	\$44,337.80
K2 Construction, Lincoln, NE	\$105,094.71	\$88,817.90
Van Kirk Bros. Construction, Sutton, NE	\$ 70,523.00	\$79,188.00

LETTING FOR CULVERT REPLACEMENT PROJECTS

Larry Lewis, Speece Lewis Engineers and Highway Superintendent Mark Timmerman reviewed all the bids to ensure that all calculations are correct. Larry and Mark recommended that the Board accept the low bid from Geneva Engineering with the two minor changes in calculations.



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After discussion, Yates moved and Noel seconded the motion accept the low bid from Geneva Engineering for a total on the three sites of \$47,477.48 and the total on the two sites of \$44,336.80. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

BULK OIL RACKS

Jim Bauman, Grafton Oil, Inc. informed the Board that the bulk oil racks that are located in the County Shop are owned by Grafton Oil, Inc. With Board's decision to purchase bulk oil for all motor graders from either Cat or John Deere we are not purchasing as much oil from Grafton Oil. Jim asked the Board to either purchase the bulk oil racks or return them. After discussion, the Highway Superintendent will review the inventory of the racks and will report back to the Board at the next meeting.

CRIME COMMISSION COALITION

Carissa Uhrmacher, with the Crime Commission Coalition gave the Board an update regarding Fillmore County residents participating in the diversion program.

After discussion, Yates moved and Cerny seconded the motion to approve the Memorandum of Understanding with the Crime Commission for fiscal year 2012-2013. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

LAND SURVEYING AGREEMENT WITH STATE OF NEBRASKA

After discussion, Simacek moved and Mueller seconded the motion to approve the agreement with the State of Nebraska to have Highway 6 between Fairmont and Grafton surveyed for resurfacing. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CONSERVATION EASEMENT AND MOU

Brad White, Landowner; John Cunningham, Steve Donovan, and Tim Hurst with Duck's Unlimited presented the Conservation Easement and a Memorandum of Understanding to the Board to approve.

After discussion, Simacek moved and Mueller seconded the motion to approve the Conservation Easement and Memorandum of Understanding with Brad White in the S ½ SW ¼, Section 36-8-2, Fairmont Township. Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, Yates, and Simacek

Nays: Capek and Noel Abstaining: Cerny

The Chairman declared the motion carried.

SNOW REMOVAL POLICY

After discussion, Noel moved and Yates seconded the introduction of the following resolution:



Fillmore County Board Minutes



December 13, 2011

RESOLUTION 2011 – 43

Snow Removal Program and Policy

SECTION 1, INTRODUCTION:

The Roads Department of Fillmore County is responsible for providing snow removal for 834 miles of county roads. The Roads Department does not guarantee that county roads will be free of snow and ice after plowing. Bare, dry roads should not be expected and will not be provided. The Roads Department attempts to maintain adequate traction for vehicles properly equipped for winter driving conditions.

Planning for a winter storm is difficult. The differences in rate of snowfall, moisture, content, temperature, time of day and wind velocity make each storm unique.

However, it is the intent of this program to establish general policies and procedures to make travel within the County as safe as possible. Safety is the primary concern and all persons involved with this plan shall consider Safety first in their operating procedures.

The Fillmore County Highway Superintendent is responsible to format and implement this Snow Removal Program and Policy with the input and approval of the Fillmore County Board of Supervisors.

SECTION 2, PREPARATION:

2.1 - The Fillmore County Highway Superintendent will evaluate the Roads Department's efforts from the previous winter. Any adjustments necessary to improve the overall Snow Removal Program and Policy will be made.

2.2 - Fall preparation shall include review of the equipment required to perform snow removal operations. This equipment shall be maintained in top operating condition while it is being used in other operations during the Spring, Summer and Fall months.

2.3 - Fall preparation shall also include a meeting of all Fillmore County Roads Department Employees. This meeting shall be used to review equipment operations, safety issues, equipment maintenance, review the efforts from the previous winter and to review all Priority Snow Routes.

SECTION 3, CLASSIFICATION OF COUNTY ROADS:

3.1 - PRIORITY ONE.

The County Roads designated PRIORITY ONE includes all SCHOOL BUS ROUTES within the County as established by the School Districts and with the input of the County Board of Supervisors.

3.2 - PRIORITY TWO.

The County Roads designated as PRIORITY TWO includes all MAIL ROUTES within the County as established by the area Postmasters and with the input of the County Board of Supervisors.

3.3 - PRIORITY THREE.

The County Roads designated as PRIORITY THREE includes OTHER ROADS that have an occupied residence within the mile or a portion of a mile without School Bus Service and Mail Delivery Service. These miles are established by the County Highway Superintendent and with the input of the County Board of Supervisors.

3.4 - PRIORITY FOUR.

The County Roads designated as PRIORITY FOUR includes all OTHER ROADS that have no occupied residence within the mile. These miles are established by the County Highway Superintendent and with the input of the County Board of Supervisors.

SECTION 4. LEVEL OF SERVICE:

4.1 - PRIORITY ONE COUNTY ROADS.



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Plowing should begin on PRIORITY ONE County Roads when the accumulation of snow on the roadway exceeds two (2) inches. The roadway accumulation is generally independent of the total accumulation of snow in the area. PRIORITY ONE County Roads should be plowed road edge to road edge before plowing proceeds to any other areas.

4.2 - PRIORITY TWO COUNTY ROADS.

Plowing of PRIORITY TWO County Roads should begin immediately after the completion of PRIORITY ONE County Roads. In some cases, PRIORITY TWO County Roads are also PRIORITY ONE County Roads and they will have already been plowed.

4.3 - PRIORITY THREE COUNTY ROADS.

Plowing operations should begin on these County Roads after the completion of plowing operations on all PRIORITY ONE and PRIORITY TWO County Roads. If snow continues, plowing operations may have to be redirected to PRIORITY ONE and PRIORITY TWO County Roads before the completion of plowing operations on PRIORITY THREE County Roads.

4.4 - PRIORITY FOUR COUNTY ROADS.

The County Roads Department will generally not plow these County Roads unless there is an emergency declared by an adjacent landowner. The Highway Superintendent will determine if the emergency warrants plowing the requested County Road.

SECTION 5. SNOW REMOVAL PERSONNEL:

5.1 - Snow removal operations will be conducted on a 24-hour basis, seven days a week as needed. Equipment operators and supervisors should also be ready to commence snow removal operations at any time it is determined that operations must begin. The Fillmore County Highway Superintendent shall decide when to call snow removal personnel to work and how long they shall work.

5.2 - Primary responsibility for snow removal planning, operation direction and snow fighting decision-making will be that of the Fillmore County Highway Superintendent with the assistance of the Fillmore County Roads Foreman. There will always be one (1) person at a time in charge of operations and that person will have all authority and responsibility to conduct snow-plowing operations as outlined in this policy.

5.3 - If the decision to commence snow removal operations is made during the normal work day, operators and supervisors shall be prepared to cease the activities they are engaged in and begin snow removal preparations and operations.

5.4 - If the conditions become such that snow removal must begin after normal working hours, the Sheriffs Department will notify the Highway Superintendent or the Roads Foreman who will then notify the necessary number of operators to man the operation.

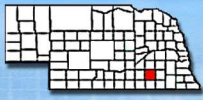
5.5 - Rest periods and/or meal breaks shall be coordinated by the supervisor until all PRIORITY ONE County Roads have been plowed. Employees will normally be limited to a maximum of 12 hours of continuous snow plowing. This is in consideration of the safety of the operator, the public and liability exposure to the County. Employees may be requested to work longer than 12 hours during a SNOW EMERGENCY.

5.6 - Cooperation and communication between the Sheriff's Department and the Fillmore County Roads Department is critical during a winter storm. There will be close contact between the two departments during plowing operations. The Sheriff's Department shall keep the Roads Department informed as to county road conditions and be on the alert for trouble spots including icy roads and bridges and reduced visibility at intersections.

SECTION 6. SNOW PLOWING OPERATIONS:

6.1 - There are several factors to consider when deciding whether snow-plowing operations should commence. The general rule to be used however, is when accumulations have reached two (2) inches on the road surface itself and snow is falling or forecast predict additional snowfall, operations should commence.

6.2 - Every County Road in the County will be assigned a plowing priority classification. In any given area, PRIORITY ONE County Roads will be plowed before PRIORITY TWO or THREE County Roads are started. If operations have begun on PRIORITY TWO or THREE County Roads and it continues to snow with sufficient additional accumulation to



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require re-plowing, then PRIORITY ONE County Roads will be re-plowed before resuming plowing operations on PRIORITY TWO or THREE County. An attempt will be made to plow PRIORITY TWO County Roads in conjunction with PRIORITY ONE County Road, however, if this cannot be accomplished, PRIORITY TWO County Roads will take precedence over PRIORITY THREE County Roads.

6.3 - All supervisors and equipment operators are expected to know the areas they are assigned to plow.

6.4 - Equipment operators are responsible for their equipment and shall inspect this equipment prior to beginning plowing operations to insure it is in proper working order. All malfunctions must be reported to the mechanic. When a vehicle is out of service the supervisor may make vehicle reassignments in order to plow other areas.

6.5 - Fueling of equipment will occur at the end of each shift to prepare for the next shift's operation. In the event fueling becomes necessary before the end of the shift, such fueling will be staggered to avoid unnecessary congestion at the fuel pumps.

6.6 - Equipment operators shall obey ALL traffic laws during snow plowing operations.

6.7 - If an employee for the Fillmore County Roads Department comes upon an abandon vehicle during snow plowing operations, they shall contact the Highway Superintendent or the Roads Foreman. The Highway Superintendent and/or the Roads Foreman with the assistance of the Sheriff's Office will try to locate the owner of such abandoned vehicle to get it moved. If an emergency exist, the Highway Superintendent may instruct the employee to remove the vehicle by using the best method available.

6.8 - If an employee comes upon a stuck vehicle with occupants and the employee is asked to assist to remove the stuck vehicle, the employee shall contact the Highway Superintendent and/or the Roads Foreman for instructions. The Highway Superintendent and/or the Roads Foreman shall instruct the employee as to what procedure they may take to remove the stuck vehicle. No County Employee shall hook a chain or tow strap/cable to a vehicle without the authorization of the Highway Superintendent and/or the Roads Foreman unless it is a life-threatening situation. The employee shall have the occupant of the stuck vehicle sign a waiver before hooking and towing begin.

6.9 - Operators who are involved in an accident are required to report the accident immediately to their supervisor and the Sheriff's Department. Operators must also complete an accident report and submit it to their supervisor before the end of their shift.

6.10 - Operators are required to submit time card reports at the end of each week. Items to be included in these reports are:

- * date, time and duration of shift
- * routes plowed on map on back of time card report
- * breakdowns
- * any deviations from the assigned route
- * reason for the deviation
- * other applicable comments

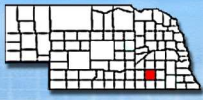
SECTION 7. ADJACENT DRIVEWAYS:

The cleaning of adjacent driveways to County Roads is the responsibility of the adjacent property owner. When plowing snow, several passes are sometimes necessary before a County Road is clear. Every effort is made to prevent plowing snow into driveways; however, the Roads Department will not clean driveways adjacent to County Roads. Cleaning driveways that are plowed in by the Roads Department plows is the responsibility of the adjacent property owner. It is generally best to open driveways AFTER the snowplows have completed their operations.

SECTION 8. SNOW REMOVAL PROGRAM AND SNOW ROUTE MAPS:

A copy of this Snow Removal Program and Policy and Maps indicating all PRIORITY ONE, PRIORITY TWO, PRIORITY THREE, and PRIORITY FOUR County Roads will be kept at the Fillmore County Roads Department, County Courthouse, and Sheriff's Departments.

SECTION 9. CITIZEN COOPERATION:



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9.1 - In order to achieve the best possible result and in the most efficient manner from the Fillmore County Roads Department's snow removal operations, all citizens of Fillmore County are requested to cooperate fully with the Roads Department. During SNOW EMERGENCIES and winter storm conditions, all residents are asked to remove their parked vehicles from all County Roads if possible. This will allow snow plows an opportunity to clear the County Roads quicker and with fewer passes, saving both time and money.

9.2 - Operating a snowplow can be a frustrating and scary task. When ice creates treacherous driving conditions and high winds blow snow into the driver's view, the snowplows require tremendous skill and courage to operate.

These conditions or motorists driving too quickly can force the snowplow from the road. Motorists driving too fast for conditions can lose control, compromising the driver's safety. This is tragic not only to the driver but to those on the route who's road plowing must be delayed. Motorists should always allow plenty of space near the snowplows and avoid passing whenever possible.

9.3 - As outlined under SECTION 6. SNOW PLOWING OPERATIONS, 6.7, if a Fillmore County Employee while they are plowing snow comes upon an abandon vehicle that is blocking a county road and must be moved, all attempts will be made to locate the owner to get vehicle removed. If the owner cannot be located and the vehicle must be removed, steps will be taken to move the vehicle. Fillmore County or the employees of Fillmore County cannot be held liable for damages caused by removing the abandoned vehicle.

9.3 - As outlined under SECTION 6. SNOW PLOWING OPERATIONS, 6.8, if a Fillmore County Employee while they are plowing snow comes upon a stuck vehicle with occupants that is blocking a county road and is asked to assist the owner in removing the stuck vehicle and is instructed by the Highway Superintendent and/or the Roads Foreman to assist, the owner of the stuck vehicle shall make the hookup of the chain or tow strap/cable to their vehicle. Fillmore County or the employees of Fillmore County cannot be held liable for damages caused by assisting a stuck vehicle.

SECTION 10. DEPARTURE FROM POLICY:

Fillmore County acknowledges the policies as set forth in this program are of a general nature and recognizes conditions may be so unusual or unexpected that a departure from this general program may need to be authorized. When conditions warrant, the Fillmore County Highway Superintendent, after consulting with the Fillmore County Sheriff may order a departure from these general policies when conditions are such that the departure from this policy is necessary and warranted for the health, safety and welfare of the citizens of Fillmore County. The Fillmore County Highway Superintendent or his designee is authorized to publicly announce that non-emergency travel is not recommended when conditions warrant such a warning.

SECTION 11. MISCELLANEOUS PROVISIONS:

This policy is not, nor is it intended to encompass all details of Fillmore County's snow removal and control operations.

SECTION 12. POLICY PRIORITY:

To the extent that any previous rule, regulation, policy or past practice, written or unwritten is in conflict with the provisions of this policy, such is hereby withdrawn and voided and all personnel shall conduct themselves in conformity with this policy.

SECTION 13. EMERGENCY CONTACTS:

- * Fillmore County Roads Department 759-3611
- * Fillmore County Highway Superintendent 759-2454 or 366-4493
- * Fillmore County Roads Foreman 759-3785 or 366-6465
- * Sheriff's Department 759-4441

Upon roll call, the vote was as follows:

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



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December 13, 2011

The Chairman declared the resolution adopted.

EMPLOYEE HANDBOOK

After discussion, Mueller moved and Noel seconded the motion to adopt the Employee Handbook as presented at the December 13, 2011 meeting. All employees will be given a new handbook by the end of January, 2012. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ADJOURN

Agenda items "Shickley fuel tank and Bulk oil racks" were tabled until the next Board meeting. As there was no other business to come before the Board, Yates moved and Cerny seconded the motion to adjourn until 9:00 a.m., December 27, 2011. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

Attest

Chairman



Fillmore County Board Minutes



December 27, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., December 27, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. The County Clerk was present to record the minutes of the meeting.

Notice of the meeting was given by publication. A copy of the publication is on file in the County Clerk's office. All proceedings hereinafter shown were taken while the convened meeting was open to the public. Agenda was approved as presented. The Chairman noted that the public meeting guidelines are posted as required by law and available for public distribution if requested. The meeting adjourned at 11:43 a.m.

MINUTES APPROVED

Chairman of the Board, Capek declared the minutes of the December 13, 2011 Board meeting approved as presented.

2012 AG LAND VALUES

County Assessor, Lynn Mussman and Appraiser Jerry Knoche informed the Board that with the current agricultural land sales in order to keep our values in regulation with the Department of Revenue that irrigated land values will go up around \$600.00 an acre and around \$500.00 an acre for dry land.

GENEVA RURAL FIRE DISTRICT

After discussion, Yates moved and Simacek seconded the motion to approve the bond for James White, Secretary/Treasurer for the Geneva Rural Fire Protection District beginning November 1, 2011 and ending November 1, 2012. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DRIVEWAY PERMIT

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

Tim Alfs – install a new 40 ft. driveway on the south side of the SW ¼, Section 18-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OLD BUILDINGS AT COUNTY SHOP

After discussion, Mueller moved and Noel seconded the motion to tear down the old buildings on the west side of the County shop. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BETTGER SUBDIVISION

Donna Mainwaring, Planning & Zoning Administrator submitted a plat for the Bettger Subdivision located in the NW ¼, Section 21-8-2, Fairmont Township.



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Simacek moved and Mueller seconded the motion to approve the Bettger Subdivision as follows: a tract of land in the NW ¼ of Section 21, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the northwest corner of said NW ¼; thence S 00°02'08"E, 841.40 ft. on the west line of said NW ¼ to the point of beginning, thence N89°57'52"E, 382.16 ft.; thence S00°02'08"E, 474.57 ft.; thence S89°57'52"W, 382.16 ft. to the west line of said NW ¼; thence N00°02'08"W, 474.57 ft. on said west line to the point of beginning, containing 4.16 acres more or less, which includes 0.36 acres more or less for County Road purposes.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

GERGEN SUBDIVISION

Planning & Zoning Administrator, Donna Mainwaring submitted a plat for the Gergen Subdivision located in the SW ¼, Section 20-6-2, Chelsea Township.

Cerny moved and Simacek seconded the motion to approve the Gergen Subdivision as follows: a parcel of land composed of a portion of the southwest quarter of Section 20, Township 8 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska, and more particularly described as follows: commencing at the southwest corner of said southwest quarter; thence, north, along the west line of said southwest quarter, on an assumed bearing of north 00 degrees 03 minutes 06 seconds east, a distance of 925.56 feet to the point of beginning; thence, continuing, north 00 degrees 03 minutes 06 seconds east, along said west line, a distance of 511.46 feet to a point; thence north 88 degrees 58 minutes 53 seconds east a distance of 606.18 feet to a point; thence south 78 degrees 56 minutes 26 seconds east a distance of 75.31 feet to a point; thence south 00 degrees 03 minutes 06 seconds west, along a line that is 680.00 feet east of and parallel with the west line of said southwest quarter, a distance of 343.33 feet to a point; thence south 69 degrees 04 minutes 16 seconds west a distance of 132.80 feet to a point; thence south 00 degrees 03 minutes 06 seconds west, along a line that is 556.00 feet east of and parallel with the west line of said southwest quarter, a distance of 93.56 feet to a point; thence north 89 degrees 28 minutes 17 seconds west, along a line that is 1,698.70 feet south of and parallel with the north line of said southwest quarter, a distance of 238.81 feet to a point; thence south 69 degrees 04 minutes 16 seconds west a distance of 78.13 feet to a point; thence north 89 degrees 28 minutes 17 seconds west, along a line that is 1,728.28 feet south of and parallel with the north line of said southwest quarter, a distance of 244.26 feet to the point of beginning. Said tract contains a calculated area of 327,425.32 square feet, or 7.52 acres, more or less.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SUPPORT AG

After discussion, Mueller moved and Noel seconded the introduction of the following resolution:

RESOLUTION 2011 – 44

WHEREAS, the agriculture industry is our states largest industry providing 1 of every 3 jobs in our state and,

Nebraska's cash receipts from farm marketing's contributed over \$15 billion to the Nebraska economy in 2009 and 5 percent of the United States total,

Nebraska ranks first in the nation in red meat production in 2010, second in the nation with all cattle on feed, third in the nation for total cows and calves, Nebraska ranks fourth nationally in table egg layers.



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WHEREAS, the Fillmore County Board of Supervisors recognizes the importance of our agriculture heritage and supports the rights of farmers/ranchers to raise livestock in accordance with commonly accepted agricultural practices.

The Fillmore County Board of Supervisors pledge our support to the livestock and agricultural industry and oppose any and all actions by organizations that would work to eliminate livestock for food production, harming our economy and way of life.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

CLAIMS

The claims were presented for payment. The following abbreviations describe the expenditures: Equip – equipment, HDM's – home delivered meals, Insur – insurance, Main – maintenance, Mtgs – meetings, Mile – mileage, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

All Around Lawn Care	Ser	60.00
Ameritas Life Insurance Corp.	Ret	3,564.53
Jon Anderson	Meals, Post	13.93
Andrews Electric Co., Inc.	Rep	166.22
Black Hills Energy	Uti	1,145.98
Blue Cross Blue Shield of Nebraska	Insur	22,992.12
Blue Valley Community Action Partnership	Budget request	3,759.00
Mary Brinkman	Post	11.15
C & C Fire Extinguisher Service	Equip	199.75
Lucille Capek	Mile	173.16
Central Nebraska Refrigeration	Rep	1,278.38
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Clay County Sheriff	Ser	67.39
Corner Stop	Fuel	324.70
Dell Marketing, LP	Equip	1,209.77
Eakes Office Plus	Ser	128.14
Merlin Ehmen	Ret	22.00
Sharon Elznic	Mtgs, Mile	91.62
Alan Emshoff	Mile	142.08
Erdkamp Motors	Main	37.82
Executive Copier Systems, Inc.	Sup	63.44
Exeter Senior Center	USDA	59.28
Fairmont Aging Services	USDA	205.20
Fillmore County Hospital	Ser	105.00
First Concord Group, Inc.	Insur	275.07
Geneva Broadband, LLC	Uti	87.97
Geneva Floral	Sup	50.00
Geneva Senior Center	Rent, USDA, Sup	646.57
Geneva State Bank	SS	3,767.82
Geneva Tire Pros	Rep	17.50
Richard Girmus	Mtg, Mile	18.33
GIS Workshop	Sup	80.00
Norma Gregory	Ret	25.00
Matt Harre	Mtgs, Mile	98.28
Deborah Hoarty	Mile	114.89
Jennifer Hoarty	Ser	96.00



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Holiday Inn Kearney	Lodging	2,428.65
Jim's Repair	Rep, Main	207.76
Howard Johnson	Mile	116.55
Steve Julich	Post	14.06
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,772.23
Dennis Kimbrough	Mile	64.38
Lawson Products	Sup	256.99
Lynn Peavey Company	Sup	47.88
Madison National Life	Insur	8.01
Dan Mainwaring	Mtgs, Mile	38.88
Elizabeth M. Manning	Ser	144.00
Ann H. McDonald	Ret	18.00
MIPS, Inc.	Sup, Ser	363.85
Mark Morgan	Mtg, Mile	24.99
Morley Most	Mtgs, Mile	65.52
Rich Mueller / Thomas Biegert	Rent	650.00
Marvin Nadherny	Mtgs, Mile	88.29
Nebraska Department of Revenue	Sales tax	13.72
Nebraska Public Power District	Uti	965.07
The Nebraska Signal	Subscription	30.50
Amy Nelson	Mile	129.25
Reg Noel	Mtgs, Mile	63.30
Region V Systems	EPC	242.00
Sleuth Software	Main	5,443.75
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska Public Health Envir. Lab.	Ser	168.00
Allan Stuckey	Mtgs, Mile	94.95
Telemate, LLC	Sup	30.00
Brandy VanDeWalle	Wksh, Uti, Mile	46.20
Verizon Wireless	Uti	493.73
Robert Waltrip	Mtgs, Mile	63.30
Anthony Whitmore	Post	26.30
Eric Williams	Post	44.00
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	159.76
York County Sheriff	Ser, Mile	20.50
Payroll	Salaries	51,940.59

ROAD/BRIDGE FUND:

Ameritas Life Insurance Corp.	Ret	1,695.95
Aurora Cooperative Elevator Co.	Tires	4,200.00
Rex Bahe	Ret	25.00
Baum Hydraulics Co.	Parts	28.10
Blue Cross Blue Shield of Nebraska	Insur	13,412.07
The Boulder Company	Sup	145.61
C & C Extinguisher Service	Equip	99.85
Fillmore County Shop – Petty Cash	Post, Sup	34.85
Geneva Broadband, LLC	Uti	39.99
Geneva State Bank	SS	1,859.42
Ralph Gould	Ret	18.00
Grafton Mini Mart	Fuel	179.57
Donovan Jirkovsky	Ret	25.00
John Deere Financial	Parts, Rep, Main	1,295.23
Lichti Oil	Fuel	1,618.68
Mike Radiator & Tire	Rep	15.00
Nebraska Public Power District	Uti	296.44
Newman Traffic Signs	Equip	612.92
NMC Exchange, LLC	Parts, Main	1,714.64
Perennial Public Power District	Uti	84.97



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Speece Lewis Engineers	Ser	2,736.41
US Bank CPS	Post	5.20
US Postal Service – Stamp Fulfillment	Post, Sup	272.00
Verizon Wireless	Uti	69.64
Village of Fairmont	Uti	52.48
Weaver Repair, Inc.	Parts, Rep	6,816.35
Windstream	Uti	103.26
Payroll	Salaries	25,125.16

ECONOMIC DEVELOPMENT – TOURISM FUND:

Discover Geneva – Patriotism	Sup	250.00
Enterprise Publishing Company	Ad	535.00
Fillmore County Development Corp.	Post, Sup, Ser, Mile	333.61
PC Nuts	Ser	35.00
SE Nebraska Tourism Council	Dues	100.00

SHERIFF – SPECIAL LAW ENFORCEMENT GRANT FUND:

Ameritas Life Insurance Corp.	Ret	84.59
Geneva State Bank	SS	83.49
Payroll	Salaries	1,091.58

INHERITANCE TAX FUND:

Fillmore County Treasurer	Transfer	200,000.00
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911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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E911 COMMUNICATIONS FUND:

Geneva Broadband, LLC	Uti	63.98
Nebraska Public Power District	Uti	174.74

CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

OLD HOSPITAL DISCUSSION

Patt Lentfer, Director Fillmore County Development Corp., Kyle Svec, Administrator for City of Geneva, Paul Utemark, CEO, and Jeanne Ackland, CFO with the Fillmore County Hospital were present for discussion regarding the “old” hospital.

Patt informed the Board that the hospital is currently listed for sale on two websites and that she has made a few contacts with other cities/counties to see how they have successfully sold older buildings. Jeanne presented the Board with a listing of what the utilities have been for the hospital over the last year. After discussion, the Board requested that the sale price be removed from the websites and that Patt try to find a firm that would list the property with no upfront costs. There will be further discussion and updates given at future Board meetings regarding the “old” and “new” hospital.

ADJOURN SINE DIE

Agenda items “Replacing bridge on Road S and MOU with State of Nebraska” were tabled until the next Board meeting. As there was no other business to come before the Board, Mueller moved and Cerny seconded the motion to adjourn sine die until 9:00 a.m., January 10, 2012. Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

Attest

Chairman