

# Fillmore County Board Minutes



January 12, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., January 12, 2016, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Cerny presiding. Members present were Noel, Capek, Galusha, Mueller, Neiman, and Johnson. The County Clerk was present to record the minutes of the meeting. Leonard, Mona, and Wade Sluka were present for a portion of the meeting.

Notice of the meeting was given by posting. 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 2:58 p.m.

## MINUTES

Chairman, Cerny approved the minutes from the December 22, 2015 meeting and reorganization meeting on January 5, 2016 as presented.

## FEE REPORTS

Noel moved and Neiman seconded the motion to approve the fee reports as presented for December 2015:

**County Clerk \$8,729.49** (State \$4,707.63 & County \$4,021.86)

**Clerk of the District Court \$579.79**

**County Sheriff \$1,514.03**

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared motion carried.

## EXTENSION OFFICE UPDATE

Brandy VanDeWalle, Extension Educator introduced Rachel Olson, new 4-H Assistant to the Board. Brandy updated the Board on programs that the Extension office has going on and gave them a summary of her accomplishments which she is required to do for UNL.

## OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Darrel Mosier – install an irrigation pipe between the NE ¼, Section 16-5-3 and the SE ¼, Section 9-5-3, Hamilton 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 County Right-of-Way.

Upon roll call, the vote was as follows:

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

Nays: None

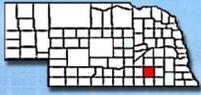
The Chairman declared the motion carried.

## CLEAN SILT PERMIT

Neiman moved and Johnson seconded the motion to approve the following clean silt permit as presented:

B & B Ag – clean silt from ditch along the south and east side of the SE ¼, Section 28-8-2, Fairmont Township and place back into field.

Upon roll call, the vote was as follows:



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Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

## **INTERLOCAL AGREEMENTS WITH TOWNSHIPS**

Highway Superintendent, Pat Halbur informed the Board that NIRMA (Counties insurance provider) requested that prior to the Counties signing an interlocal agreement with the townships that the County should have a copy of the townships liability insurance.

After discussion, Mueller moved and Neiman seconded the motion to have the Highway Superintendent send out letters to the Township boards encouraging them to carry liability insurance and to send a copy to the Highway Superintendent as requested by the Counties insurance carrier. Upon roll call, the vote was as follows:

Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

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

Pat Halbur, Highway Superintendent presented the One and Six Year Plan to the Board for review prior to the meeting.

After discussion, Noel moved and Neiman seconded the motion to authorize the Highway Superintendent to advertise for a public hearing for February 9, 2016 at 9:45 a.m. Upon roll call, the vote was as follows:

Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

## **DISCUSSION REGARDING "R" STREET**

Highway Superintendent, Pat Halbur informed the Board that the City of Geneva was in the process of annexing land north of "R" Street between Road 13 and Road 14. After discussion, the Board requested that Highway Superintendent talk to the City about them taking over the maintenance of "R" Street between Road 13 and Road 14 since they will have both sides of the road annexed into the City.

## **PERENNIAL PUBLIC POWER AGREEMENT FOR PROJECT IN HAMILTON TOWNSHIP**

After discussion, Mueller moved and Johnson seconded the motion to approve and sign the agreement with Perennial Public Power District to relocate the line and power poles for the box culvert project located between Sections 8 & 9, Hamilton Township. Upon roll call, the vote was as follows:

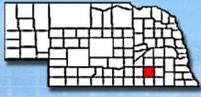
Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

## **CONTRACT WITH VAN KIRK BROS FOR PROJECT IN HAMILTON TOWNSHIP**

Neiman moved and Mueller seconded the motion to approve and sign the contract with Van Kirk Brothers, Inc. for the box culvert project located between Section 8 & 9, Hamilton Township. Upon roll call, the vote was as follows:

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



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Nays: None

The Chairman declared the motion carried.

## **OTHER ROAD DISCUSSION**

After discussion, the Board decided that at this point they will not be bidding out fuel.

Pat Halbur, Highway Superintendent informed the Board that Perennial Public Power is requesting to put a power pole in the County Right-of-Way along Section 8, West Blue Township. About ten (10) years ago the County put in a new bridge and purchased additional Right-of-Way for the project. After discussion, the Board agreed that Perennial could put the power pole in the Right-of-Way, but would still be required to have a permit approved if the project moves forward.

Keep Nebraska Beautiful informed the Highway Superintendent that starting in March 2016 they will be charging \$.25 a gallon for any oil that the County collects. The County will continue picking up used oil if requested by a Fillmore County resident.

## **DISCUSSION REGARDING VETERANS SERVICE OFFICER OPEN POSITION**

Matt Starkey, Nebraska State Department of Veterans' Affairs, Service Office Manager; Nick Wollenburg, York Veterans Service Officer; Dale Stengel, Randy Capek, Tim Wilbeck, and Harold Long all members of the Fillmore County Veterans Service Board were present for discussion.

Matt informed the Board the State has been working with Nick Wollenburg on ensuring that the Veterans of Fillmore County are getting taken care of during this time period when there isn't a Veterans Service Officer in Fillmore County. There are approximately 218 Veterans in Fillmore County receiving benefits. The Veterans Service Board will be advertising for the position and then bring their recommendation to the County Board.

## **DISCUSSION WITH BERGGREN ARCHITECTS REGARDING REPAIRS**

The Board informed Jerry Berggren, with Berggren Architects that they would like him to start the process for engineering the replacement of the west steps this spring and remove the cave in the process. After discussion, Jerry will have estimates for the next Board meeting.

## **OLD HOSPITAL DISCUSSION**

Erica Siebert with the Hastings Tribune, Mona Sluka, Judy Glassburner, Kim Slezak, Lorelei Edwards, Larry Nun, Leonard Sluka, Wade Sluka, Larry Smith, Karla Jacobson, P.R. Farmer, Linda Heinisch, Brandon Reinsch, Shirley Steinacher, Sarah Reinsch, Bill Burgess, Jim Matejka, Sally Miller, Hugh Wilkins, and Frank Heinisch were present for discussion.

Supervisor Johnson handed out a document that contained minutes from previous Board meetings when the old hospital was discussed and a list of questions from the "Friends of the Old Hospital" regarding the old hospital. There were several in attendance that asked questions and that added to the discussion.

After discussion, Johnson moved to have the County get a survey to determine what is to be sold and then proceed with advertising to auction the old hospital according to Nebraska State Statutes by April 15, 2016.

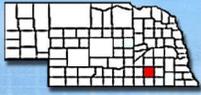
Motion failed due to lack of a second.

Neiman moved and Mueller seconded to have the County get a survey to determine what is to be sold and then proceed with advertising to auction according to Nebraska State Statutes and to take bids to demolish the old hospital at the April 12, 2016 Board meeting. Upon roll call, the vote was as follows:

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

Nays: Johnson

The Chairman declared the motion carried.



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## DISCUSSION REGARDING OLD HOSPITAL

Kim Slezak asked the Board to sell the range hood in the kitchen of the old hospital to the Milligan Methodist Church.

After discussion, Johnson moved and Neiman seconded the motion to sell the range hood from the kitchen to the Milligan Methodist Church for \$100.00. Upon roll call, the vote was as follows:

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

Nays: None

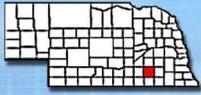
The Chairman declared the motion carried.

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

### GENERAL FUND:

|  |                |           |
|--|----------------|-----------|
| Howard F. Ach                            | Rent, Post     | 570.19    |
| Action Auto Supply                       | Sup            | 81.84     |
| Andrews Electric Co., Inc.               | Equip          | 113.00    |
| Bi-Versal Pest Control                   | Ser            | 175.00    |
| Joseph N. Bixby DR                       | Ser            | 494.45    |
| Black Hills Energy                       | Uti            | 950.06    |
| Blue Valley Community Action Partnership | Budget request | 4,115.75  |
| Leslie Boswell                           | Mile           | 39.10     |
| Botdorf & Maser Attorneys at Law         | Ser, Mile      | 697.75    |
| Lucille Capek                            | Mile           | 179.40    |
| Century Lumber Center                    | Sup            | 62.50     |
| Jerry Chapman                            | Mile           | 41.40     |
| Gaylord Craddock                         | Mile           | 58.65     |
| City of Geneva                           | Uti            | 304.05    |
| Eakes Office Solutions                   | Sup            | 1,035.05  |
| Sharon Elznic                            | Mtgs, Mile     | 31.10     |
| Alan Emshoff                             | Mile           | 128.80    |
| Exeter Senior Center                     | USDA, Misc     | 486.60    |
| Fairfield Inn                            | Lodging        | 2,898.55  |
| Fairmont Aging Services                  | USDA, Misc.    | 2,052.60  |
| Fillmore County Development Corp.        | Budget request | 10,000.00 |
| Fillmore County Treasurer                | Transfer       | 15,000.00 |
| Fire Guard, Inc.                         | Sup            | 36.75     |
| First Concord Benefits Group, LLC        | Insur, Ser     | 606.63    |
| Geneva Broadband                         | Uti            | 128.00    |
| Geneva Home Center                       | Sup            | 270.61    |
| Geneva Senior Center                     | USDA, Misc.    | 2,889.50  |
| Geneva Super Foods                       | Sup            | 1,006.17  |
| Geneva Tire                              | Rep, Main      | 225.84    |
| Richard Girmus                           | Mtgs, Mile     | 65.70     |
| Matt Hafer                               | Mtgs, Mile     | 72.60     |
| Matt Harre                               | Mtgs, Mile     | 66.80     |
| Heartland Bank                           | SS             | 9,244.13  |
| Frances Heinrichs                        | Mile, Meals    | 70.66     |
| Deb Hoarty                               | Mile           | 96.60     |
| Hometown Leasing                         | Ser            | 1,052.60  |
| Jim’s Repair                             | Rep, Main      | 309.48    |
| Steve Julich                             | Post           | 9.19      |



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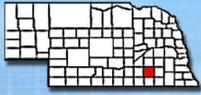


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|   |                       |            |
|---|-----------------------|------------|
| Dean Kassik                               | Mtgs, Mile            | 32.25      |
| Dennis Kimbrough                          | Mile                  | 32.20      |
| Jerry Knoche                              | Mile                  | 46.00      |
| Kopchos                                   | Uti                   | 137.75     |
| Stephen J. Kraviec                        | Ser, Post             | 1,729.61   |
| Microfilm Imaging Systems, Inc.           | Ser                   | 75.00      |
| Mid-States Organized Crime Information Ct | Dues                  | 100.00     |
| MIPS, Inc.                                | Ser, Sup              | 3,787.65   |
| Nebraska Association of County Treasurers | Dues                  | 75.00      |
| Nebraska Department of Revenue            | Sales Tax             | 61.42      |
| Nebraska Public Power District            | Uti                   | 936.50     |
| Nebraska Sheriff's Association            | Dues                  | 120.00     |
| The Nebraska Signal                       | Pro, Ads              | 926.84     |
| Nebraska Weed Control Association         | Wksh                  | 120.00     |
| Nick's Farm Store                         | Sup                   | 2.80       |
| Reg Noel                                  | Mtgs, Mile            | 64.50      |
| Patrice's Specialties, LLC                | Rep                   | 90.00      |
| R & R Services                            | Ser                   | 175.00     |
| Region V Services                         | Budget request        | 2,621.00   |
| Retirement Plans Division of Ameritas     | Ret                   | 8,502.37   |
| Dan Risseuw                               | Mtgs, Mile            | 57.60      |
| Secretary of State – Elections Division   | Sup                   | 10.00      |
| Shell Fleet Plus                          | Fuel                  | 1,528.48   |
| Skalka & Baack Law Firm                   | Ser, Mile             | 2,079.17   |
| State of Nebraska AS Central Finance      | Ser                   | 448.00     |
| State of Nebraska Dept. Correctional Svcs | Boarding Prisoners    | 8,345.17   |
| State of Nebraska Health & Human Serv.    | December patient care | 186.00     |
| Allan Stuckey                             | Mtgs, Mile            | 32.25      |
| Sullivan Shoemaker, PC, LLO               | Ser, Mile             | 404.50     |
| Thayer County Treasurer                   | Sup                   | 485.68     |
| Total Funds by Hasler                     | Post                  | 700.00     |
| Unifirst Corp.                            | Ser                   | 151.81     |
| US Bank CPS                               | Post, Sup             | 141.48     |
| Richard Walter                            | Mile                  | 138.00     |
| Gary Warren                               | Mile                  | 34.50      |
| Windstream                                | Uti                   | 1,288.39   |
| Woodward's Disposal Service, Inc.         | Misc                  | 25.00      |
| Payroll                                   | Salaries              | 128,329.21 |

## **ROAD/BRIDGE FUND:**

|  |            |           |
|--|------------|-----------|
| Action Auto Supply                     | Parts      | 15.73     |
| Black Hills Energy                     | Uti        | 584.74    |
| Century Lumber Center                  | Sup        | 77.13     |
| City of Geneva                         | Uti        | 64.80     |
| Dorchester Farmers Coop                | Fuel       | 3,531.58  |
| Fairfield Inn & Suites by Marriott     | Lodging    | 199.90    |
| Geneva Broadband, LLC                  | Uti        | 40.00     |
| Geneva Home Center                     | Parts, Sup | 41.21     |
| Geneva Implement Co., Inc.             | Parts      | 12,199.21 |
| Geneva Super Foods                     | Sup        | 11.27     |
| Geneva Tire                            | Rep, Sup   | 5,310.41  |
| Geneva Welding & Supply, Inc.          | Parts, Sup | 345.84    |
| Grafton Mini-Mart                      | Fuel       | 99.01     |
| Grafton Oil, Inc.                      | Fuel       | 687.83    |
| Heartland Bank                         | SS         | 4,137.98  |
| John Deere Financial                   | Parts      | 73.70     |
| Kaiser Auto Supply, LLC                | Parts, Sup | 267.80    |
| Kelch Plumbing Heating & Refrig., Inc. | Rep        | 125.00    |
| Kopchos Sanitation, Inc.               | Uti        | 51.00     |



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|                                       |            |           |
|---------------------------------------|------------|-----------|
| MIPS, Inc.                            | Ser        | 128.31    |
| Nebraska Department of Revenue        | Sales tax  | 201.75    |
| The Nebraska Signal                   | Ads        | 114.00    |
| Nichols Construction                  | Gravel     | 2,443.67  |
| Nick's Farm Store Co.                 | Parts, Rep | 69.22     |
| Perennial Public Power District       | Uti        | 246.77    |
| Power Plan                            | Parts, Rep | 975.65    |
| Printing MD                           | Sup        | 648.30    |
| Quill Corp.                           | Sup        | 89.97     |
| Retirement Plans Division of Ameritas | Ret        | 3,760.05  |
| Shell Fleet Plus                      | Fuel       | 721.62    |
| US Bank CPS                           | Post       | 5.34      |
| Village of Grafton                    | Uti        | 36.50     |
| Village of Milligan                   | Uti        | 24.42     |
| Village of Shickley                   | Uti        | 53.83     |
| Payroll                               | Salaries   | 55,930.74 |

### **REGISTER OF DEEDS PRESERVATION FUND:**

|            |     |        |
|------------|-----|--------|
| MIPS, Inc. | Ser | 135.64 |
|------------|-----|--------|

### **SHERIFF – SPECIAL LAW ENFORCEMENT GRANTS FUND:**

|                                       |          |          |
|---------------------------------------|----------|----------|
| Heartland Bank                        | SS       | 511.26   |
| Retirement Plans Division of Ameritas | Ret      | 517.94   |
| Payroll                               | Salaries | 6,683.04 |

### **FRIENDS OF THE COURTHOUSE FUND:**

|                    |            |          |
|--------------------|------------|----------|
| Diode Technologies | Ser, Equip | 2,869.32 |
| US Bank CPS        | Equip      | 974.64   |

### **INHERITANCE TAX FUND:**

|               |     |          |
|---------------|-----|----------|
| Pieper's Inc. | Ser | 3,010.12 |
|---------------|-----|----------|

### **911 WIRELESS FUND:**

|                   |     |        |
|-------------------|-----|--------|
| Kansas State Bank | Ser | 559.00 |
|-------------------|-----|--------|

### **HOSPITAL OPERATING FUND:**

|                          |            |           |
|--------------------------|------------|-----------|
| Fillmore County Hospital | Dec. Taxes | 19,191.72 |
|--------------------------|------------|-----------|

### **911 COMMUNICATIONS CENTER FUND:**

|                       |     |          |
|-----------------------|-----|----------|
| Geneva Broadband, LLC | Uti | 64.00    |
| Windstream            | Uti | 1,090.91 |

### **CLAIMS APPROVED**

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

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

Nays: None

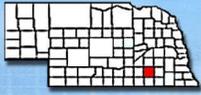
The Chairman declared the motion carried.

### **2016 MILEAGE RATE**

Neiman moved and Mueller seconded the motion to adopt the 2016 IRS mileage rate of \$.54 per mile and \$.57 per mile for the Sheriff's office to serve papers effective January 1, 2016. Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the motion carried.

## **WITHDRAWING PLEDGE SECURITY**

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

### **RESOLUTION 2016 - 04**

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

CUSIP #079212E69 in the amount of \$140,000.00  
CUSIP #30529PAB9 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the resolution adopted.

## **DISCUSSION REGARDING "OUR TOWN"**

KOLN/KGIN will be here this week to video the County's segment for the "Our Town". Will be featuring the Courthouse and East Building.

## **COURTHOUSE SMELL**

After discussion, will put sand or gravel to absorb the remaining water in cave and then put concrete slurry to assist with getting rid of the smell.

## **ADJOURN**

"Sick Leave policy" will be discussed at a future Board meeting. As there was no other business to come before the Board, Mueller moved and Noel seconded the motion to adjourn until 9:00 a.m., January 26, 2016. Upon roll call, the vote was as follows:

Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

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Attest

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Chairman