

# Fillmore County Board Minutes



March 8, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 8, 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. Judy Glassburner, Eric Kamler, Wade Sluka, and Mona Sluka were present for a portion 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 2:17 p.m.

## MINUTES

After discussion, Johnson moved and Mueller seconded the motion to add to the minutes of the February 23, 2016 meeting that Cerny was present when the Veterans Service Board reviewed the applications for the open position as requested by the Veterans Board and that after researching the piano at the "Old Hospital" that there were two sealed bids received and it was awarded to the highest bidder Shirley Schroetlin for \$120.00. 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.

## FEE REPORTS

Noel moved and Neiman seconded the motion to approve the fee reports for the month of February 2016 as follows:

**County Clerk: \$12,828.49** (State \$8,321.49 & County \$4,507.00)  
**Clerk of the District Court \$1,162.19**  
**County Sheriff \$1,014.88**

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.

## NOXIOUS WEED SUPERINTENDENT

County Board congratulated Todd Boller, Noxious Weed Superintendent who was awarded Noxious Weed Superintendent of the year as voted on by his peers. Todd is also serving as President of the Nebraska Weed Control Association.

## EXTENSION OFFICE HEATING REPAIRS

Discussion took place regarding a more efficient way of handling emergency items such as heat, air, or water repairs. Further discussion will take place at the next Board meeting.

## DRIVEWAY PERMITS

Galusha moved and Mueller seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Jeff Kness – replace an existing driveway on the east side of the NE ¼, Section 12-8-4, Grafton Township;  
Carol Rosenquist – widen an existing driveway to 40 ft. on the east side of the SE ¼, Section 22-8-3, West Blue Township;



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Rich Norgard/Rex Buddenberg – widen an existing driveway to 40 ft. on the north side of the NW ¼, Section 27-5-3, 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.

## OCCUPY COUNTY RIGHT-OF-WAY

Neiman moved and Galusha seconded the motion to approve the following occupy county right-of-way permit as presented by the Highway Superintendent:

Perennial Public Power District – bury an underground powerline between the SW ¼, Section 29 and the SE ¼, 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.

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.

## BRIDGE PLANS BETWEEN SECTIONS 26 & 27, GENEVA TOWNSHIP

Highway Superintendent, Pat Halbur informed the Board that she would like to proceed with the plans for the replacement of the bridge located between Section 26 & 27, Geneva Township as there will be sufficient funds in the buyback program.

## OTHER ROAD DEPARTMENT DISCUSSION

Pat Halbur, Highway Superintendent informed the Board that they would be starting summer hours on March 21<sup>st</sup> and working four days a week.

Pat informed the Board that she has received copies of the insurance from all townships except Madison, Glengary, and Liberty. After discussion, the Board requested that Pat send those townships an additional letter requesting the insurance certificate or for them to sign a letter that states the Township and the Township Board will accept all responsibility if there is a lawsuit filed.

## GRAVEL BIDS

The gravel bids were opened at 9:45 a.m. as advertised. The following bids were received:

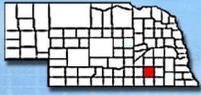
### REGULAR ROAD GRAVEL

**Beatrice Concrete Co.:** Belle Prairie \$13.95, Chelsea \$14.80, Franklin \$13.67, Glengary \$14.52, Hamilton \$14.80, Liberty \$15.37, and Stockpile \$10.65;

**Johnson Sand & Gravel:** Exeter \$16.05, Fairmont \$16.05, Liberty \$16.90, and Stockpile \$8.98.

**DPL Enterprises, Inc., DBA Nichols Construction:** Belle Prairie \$12.59, Bennett \$14.19, Bryant \$15.99, Chelsea \$12.94, Exeter \$12.38, Fairmont \$11.39, Franklin \$12.39, Geneva \$14.39, Glengary \$13.24, Grafton \$14.00, Hamilton \$13.79, Liberty \$13.09, Madison \$14.49, Momence \$15.73, Stanton \$15.19, West Blue \$12.44, and Stockpile \$10.05.

## GRAVEL LETTING



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Mueller moved and Noel seconded the motion to accept all gravel bids and to purchase from the lowest bidder and as available. 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.

## GENERATOR AT OLD HOSPITAL

Highway Superintendent, Pat Halbur informed the Board that she received a quote from Casper's Construction for a 10 by 20 building for the generator in the amount of \$25,000.00 and the electrical work needed to hook up the generator would be approximately \$2,000.00, and the gas meter would need to be exchanged at no cost. Chairman Cerny informed the Board that Geneva Welding could move the generator from the old hospital to the road department for approximately \$700.00 to \$1,000.00.

After discussion Neiman moved and Capek seconded the motion to have Geneva Welding move the 85 KW generator from the old hospital to the road department. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## KENNEL SUBDIVISION

Planning & Zoning Administrator, Jennifer Slezak submitted the Kennel Subdivision located in the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 21-5-3, Hamilton Township.

After discussion Noel moved and Capek seconded the motion to approve the Kennel Subdivision with a waiver of less than three (3) acres. The legal description is a tract of land in the SW  $\frac{1}{4}$  NW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 21, Township 5 North, Range 3 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, being more particularly described as follows: beginning at the SW corner of the NW  $\frac{1}{4}$ ; thence N 00'09'27" E, 120.00 ft. on the west line of said NW  $\frac{1}{4}$ ; thence N 89'54'47" E, 580.00 ft.; thence S 00'09'27" W, 120.00 ft. to the south line of said SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; thence N 89'54'47" E, 75.46 ft. on said south line; thence S 00'16'05" W, 664.12 ft. on the west line of a tract of land surveyed by E. Schultz June 17, 1976; thence S 89'45'35" W, 656.02 ft. on the south line of said previously surveyed tract to the west line of said SW  $\frac{1}{4}$ ; thence N 00'18'55" E, 665.92 ft. to the point of beginning, containing 11.61 acres more or less, which includes 0.60 acres more or less for County Road purposes.

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.

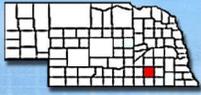
## GREEN PRODUCTS COMPANY

Cerny informed the Board that Patt Lentfer, Director of Fillmore County Development Corp. told him that Green Products Company has put a hold on building on their property by the Fairmont Airbase. Green Products have been hauling the corn cobs to their plant in Iowa.

## ROLLING ON WITH 10/11 – OUR TOWN GENEVA

KOLN/KGIN sent an e-mail asking the Board if they would like to continue with advertising after the "Our Town Geneva" special. After discussion, the Board agreed they will not continue advertising at this time.

## ON CALL POSITION



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After discussion, Johnson moved and Neiman seconded the motion to hire Kim Dunker as the “on call” person for Fillmore County. 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.

## **VETERANS SERVICE COMMITTEE**

Johnson read a statement about observations made during the Veterans Service Officer interviews and requested that all items in this matter be tabled. County Attorney Jill Cunningham and Deputy County Attorney Howard Ach both agreed that all items regarding this needed to be tabled for two to four weeks until further investigation could be conducted. Nick Wollenburg, York Veterans Service Officer, Tyler Peters, Dale Stengel, Randy Capek, Heather Miller, Harold Long, Tom Ortgies, Sherri Nun, Frank Schropfer, and Alyssa Ledon were present for discussion.

After discussion, Johnson moved and Mueller seconded the motion to put all items pertaining to the Veteran Service Officer position and the Veterans Service Board appointments be tabled until the County Attorney has time to review all aspects. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **VETERANS SERVICES PROVIDED BY YORK COUNTY**

Nick Wollenburg, York County Veterans Service Officer has been assisting Fillmore County Veterans with any needs since January. Nick submitted a bill to the Board in the amount of \$715.50 for his hours worked during this time, which will be submitted to claims at the March 22, 2016 Board meeting.

## **CONTRACT WITH BERGGREN ARCHITECTS FOR REPAIRS**

Jerry Berggren, with Berggren Architects informed the Board of the changes he made to the contract as per the County Attorney’s requests.

After discussion, Johnson moved and Mueller seconded the motion to approve and sign the contract with Berggren Architects as corrected by the County Attorney. Upon roll call, the vote was as follows:

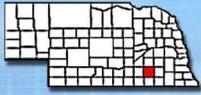
Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel  
Nays: None

The Chairman declared the motion carried.

## **DISCUSSIONS REGARDING TAX CREDIT**

Douglas Ewald, State and Local Tax Managing Director with KPMG, LLP gave a presentation to the Board regarding the Nebraska Job Creation and Mainstreet Revitalization Act. The act encourages the rehabilitation, preservation, and restoration of historic buildings within the state. The Nebraska Historical Society allocates up to \$15 million of tax credits per calendar year. Tax credits are available for twenty percent of eligible expenses, up to a maximum of one million dollars per application. After discussion, the Board directed Jerry Berggren to come up with cost estimates for several repairs and maintenance issues that are needed on the Courthouse. At that time the Board will determine which items they would like completed and then have Doug complete the application to the State Historic Preservation office.

## **APPLICATION FOR THE NEBRASKA AFFORDABLE HOUSING PROGRAM**



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Judi Meyer, Program Manager with Southeast Nebraska Development District and Patt Lentfer, Director of Fillmore County Development Corp. were present to discuss applying for the 2016 Home Opportunity Program (HOP) for Fillmore County.

After discussion, Mueller moved and Johnson seconded the motion to approve the application with Nebraska Affordable Housing Program. 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.

## INTERLOCAL AGREEMENT FOR HOP DOWNPAYMENT ASSISTANCE

After discussion, Mueller moved and Noel seconded the motion to approve the Interlocal Agreement for the HOP program for downpayment assistance with the Fillmore County Development Corp., Village of Exeter, Village of Fairmont, City of Geneva, Village of Grafton, Village of Milligan, Village of Ohioa, Village of Shickley, Village of Strang, and the County. 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.

## AGREEMENT FOR FILLMORE COUNTY DEVELOPMENT CORP AS SUB-RECIPIENT

After discussion, Mueller moved and Neiman seconded the motion to approve the agreement between the County and the Fillmore County Development Corp. as the sub-recipient of the Nebraska Affordable Housing Trust Funds. Upon roll call, the vote was as follows:

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

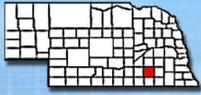
The Chairman declared the motion carried.

## 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	631.02
Bob Barker Co., Inc.	Sup	187.41
Ruth (Peg) Becker	Ser	144.00
Black Hills Energy	Uti	2,099.58
Children’s Specialty Physicians	Ser	500.00
City of Geneva	Uti	265.65
Jill R. Cunningham	Mile	38.88
Dell Marketing, LP	Sup	239.98
Douglas County Sheriff	Ser, Mile	7.14
Farmer & Son Funeral Homes, Inc.	Ser	1,750.00
Fillmore County Clerk of the District Court	Ser	35.00
Fillmore County Clerk	Fee	22.00
Fillmore County Development Corp.	Wksh	5.00
First Concord Group, Inc.	Insur	6,203.49
Geneva Broadband	Ser	40.00
Geneva Floral	Ser	14.75



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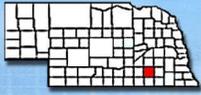


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Geneva Tire	Main	271.28
Heartland Bank	SS	4,685.99
Hillyard/Sioux Falls	Sup, Equip	392.48
Hometown Leasing	Ser	1,052.60
Kopchos Sanitation, Inc.	Uti	137.75
Madison National Life Insurance Co.	Insur	125.56
Malwarebytes	Ser	1,395.45
Microfilm Imaging Systems, Inc.	Ser	75.00
Midwest Connect	Rep	35.00
Midwest Court Reporting	Ser	146.25
MIPS, Inc.	Equip, Ser	5,027.64
Brenda Motis	Mile	149.58
Lynn Mussman	Fuel	24.78
National Sheriff's Association	Dues	58.00
Nebraska Clerks of the District Court Assoc.	Wksh	35.00
Nebraska Law Enforcement Training Center	Wksh	425.00
The Nebraska Signal	Ads, Proc	941.12
Nebraska Weed Control Association	Wksh	120.00
NWCA Region 4	Dues	15.00
O'Keefe Elevator Company, Inc.	Main	246.94
Retirement Plans Division of Ameritas	Ret	4,342.20
Saline County Clerk	Adult Drug Court	1,000.00
Saline County Sheriff	Ser	55.00
Secretary of State Elections Division	Sup	10.00
Service Press	Sup	1,500.00
Shell Fleet Plus	Fuel	1,076.50
Skalka & Baack Law Firm	Ser, Mile	725.26
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Dept. of Labor – Boiler	Ser	18.00
Sullivan Family Dentistry	Ser	106.00
Sullivan Shoemaker, PC, LLO	Ser, Mile	64.00
SupplyWorks	Sup	160.39
Thayer County Treasurer	Subscription	272.50
Unifirst Corp.	Ser	186.91
US Bank Corp.	Sup, Equip, Mile, Lodging	373.50
Windstream	Uti	273.23
York Jewelry, Inc.	Ser	5.00
Payroll	Salaries	65,223.10

## ROAD/BRIDGE FUND:

B's Enterprises, Inc.	Equip	5,200.00
Black Hills Energy	Uti	709.94
City of Geneva	Uti	71.50
Dorchester Farmers Coop	Fuel	2,330.19
Geneva Tire	Rep, Equip	2,874.32
Geneva Welding & Supply, Inc.	Parts, Rep	3,107.43
Grafton Oil, Inc.	Fuel	567.00
Heartland Bank	SS	2,043.82
John Deere Financial	Parts, Rep	2,209.57
Kaiser Auto Supply, LLC	Parts, Sup, Main	471.39
Lichti Oil	Fuel	1,310.86
Metalworks & More	Parts	700.00
MIPS, Inc.	Ser	256.62
The Nebraska Signal	Ads	24.58
Perennial Public Power District	Uti	290.62
Power Plan	Parts, Ser	1,012.02
Retirement Plans Division of Ameritas	Ret	1,865.27
Shell Fleet Plus	Fuel	671.89
Village of Shickley	Uti	57.15



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Payroll	Salaries	27,746.77
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**REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	135.64
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**SHERIFF – SPECIAL LAW ENFORCEMENT GRANTS FUND:**

Heartland Bank	SS	124.31
Retirement Plans Division of Ameritas	Ret	125.94
Payroll	Salaries	1,625.00

**INHERITANCE TAX FUND:**

Woods & Aitken, LLP	Ser	985.00
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**911 WIRELESS FUND:**

Kansas State Bank	Ser	559.00
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**HOSPITAL OPERATING FUND:**

Fillmore County Hospital	Febr. Taxes	11,338.25
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**911 COMMUNICATIONS CENTER FUND:**

Windstream	Uti	963.24
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**CLAIMS APPROVED**

Neiman moved and Johnson 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.

**ADVERTISING FOR SALE/DEMO OF OLD HOSPITAL**

After discussion, the Board requested changes to the ads that the County Clerk prepared for the sale and demo of the old hospital that will be sent to the newspaper for advertising for three weeks.

**SURPLUS OF OLD HOSPITAL**

After discussion, Mueller moved and Capek seconded the motion to declare the property surplus located at Lot 1 of Block 3, Bigelow's 3<sup>rd</sup> Addition, which is a portion of the old hospital. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

**ADJOURN**

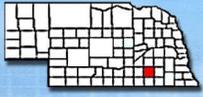
As there was no other business to come before the Board, Neiman moved and Mueller seconded the motion to adjourn until 9:10 a.m., March 22, 2016. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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Attest

\_\_\_\_\_  
Chairman



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