

Fillmore County Board Minutes



June 28, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., June 28, 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 was 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 2:42 p.m.

MINUTES

After discussion, Johnson moved and Neiman seconded the motion to add more discussion regarding the Milligan Road rock project (Road 24) in adding that Neiman, Mueller, and Pat Halbur, Highway Superintendent were to meet with the owner of R. L. Tiemann Construction and an engineer from Speece Lewis on Friday, June 17th to discuss the delay and issues with this project. 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.

USDA WILDLIFE ANNUAL REPORT

Jared Fullerton, Wildlife Specialist with the United States Department of Agriculture gave an annual report and budget request for fiscal year 2016/2017 of \$8,266.63.

After discussion, Mueller moved and Johnson seconded the motion to approve the Wildlife Services contract beginning July 1, 2016 and ending June 30, 2017 for \$8,266.63. 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 SELF-INSURING EMPLOYEE MEDICAL

Supervisor Johnson informed the Board that at the Region V meeting that they are going to go to self-insuring their employee medical plan and wanted to know if the Board would like more information regarding this. After discussion, they agreed to review more information, but didn't think that the County had enough employees to be cost effective.

EMERGENCY PROTECTIVE CUSTODY SERVICES

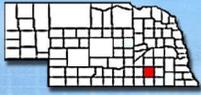
After review by the County Attorney, Johnson moved and Neiman seconded the motion to approve the contract for Emergency Protective Custody Services beginning July 1, 2016 to June 30, 2017 at \$191.00 per individual for each day. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

TOWNSHIP INSURANCE

Supervisor Johnson researched the request at the Township public hearing of the county buying the township insurance with NIRMA. Larry Pelan with NIRMA informed her that they had discussed this with their eleven (11) member board and it was voted down due to no control over the townships. Chairman Cerny is on the NIRMA board and will request it to be discussed at their next meeting.



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Supervisor Johnson also checked into how the other counties handle their contact person with NIRMA and 70% of them are the County Clerk, 30% are other offices and only 5 to 6 counties have the Road Department as the contact person.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT WITH PERENNIAL PUBLIC POWER DISTRICT

Randy Martin, Manager of Operations and Brandon with Perennial Public Power District informed the Board that they are working on a project along Road H in Bennett Township and have a landowner that is unwilling to have utility poles on their property. They are requesting the County to allow them an Occupy County ROW for this half a mile stretch.

After discussion, Mueller moved and Johnson seconded the motion to allow the Occupy County ROW in the NE ¼, Section 8, Bennett Township. Upon roll call, the vote was as follows:

Ayes: Cerny, Johnson, and Mueller

Nays: Capek, Galusha, Neiman, and Noel

The Chairman declared the motion failed.

DRIVEWAY PERMIT

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

Everett Votipka – remove an existing driveway and place a new driveway closer to the corner on the south side of the SE ¼, Section 10-6-2, Chelsea 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.

CLEAN SILT PERMIT

Neiman moved and Galusha seconded the motion to approve the following clean silt permit as presented by the Highway Superintendent:

Clarence Nun – clean silt from the road ditch and place back in field along the east side of the NE ¼, Section 8-6-2, Chelsea 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.

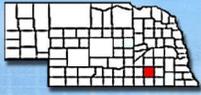
SURPLUS AND SELL EQUIPMENT

After discussion, Noel moved and Mueller seconded the motion to declare the 1999 John Deere Motor Grader, a 10,000 gallon fuel tank, and a 1984 Ford dump truck surplus and to list and sell them with AuctionTime. 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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MILLIGAN ROAD UPDATE

Highway Superintendent, Pat Halbur, and Supervisors Mueller and Neiman gave the Board an update regarding Road 24. They had a meeting on June 17th with Eric Tiemann with R.L. Tiemann Construction, engineer and on site foreman from Speece Lewis regarding the delays and completion of the rock project. It was decided to change the amount of rock being put on the road from 400 tons to 1,100 tons due to the base of the previous rock not being there. Tiemann promised that they would complete a half mile a day to get this complete.

After a lengthy discussion, the Board requested that Eric Tiemann, Chris Lewis and Don Robb with Speece Lewis Engineers attend the July 12th Board meeting for further discussion.

ACCESS NEBRASKA

Jennifer Slezak informed the Board that Access Nebraska hasn't taken a lot of her time. She has assisted one person with the entire process.

CARPET AND FURNITURE AT EAST OFFICE BUILDING

Jennifer Slezak presented a bid from All Makes Office Equipment for furniture for \$3,558.23 and a bid from Eakes Office Equipment for \$4,673.34 and carpet bids of Swartzendruber Construction for \$8,661.96 and Geneva Home Center of \$8,832.00.

After review of both bids, Mueller moved and Johnson seconded the motion to hire Swartzendruber Construction to install new carpet in the reception area and purchase a new desk from All Makes Office Equipment. 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.

CARE MANAGEMENT CONTRACT

Brenda Motis, Senior Services Director presented the Care Management Contract with the City of Lincoln/Aging Partners.

After discussion, Johnson moved and Neiman seconded the motion to approve the contract with the City of Lincoln/Aging Partners beginning July 1, 2016 and ending June 30, 2017. 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.

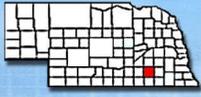
SUBGRANT AGREEMENT FOR CHILD SUPPORT WITH CLERK OF THE DISTRICT COURT

After discussion, Capek moved and Mueller seconded the motion to approve the subgrant agreement for child support enforcement services with Department of Health & Human Services and the Clerk of the District Court beginning October 1, 2016 and ending September 30, 2017. 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.

SUBGRANT AGREEMENT FOR CHILD SUPPORT WITH COUNTY ATTORNEY



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After discussion, Neiman moved and Mueller seconded the motion to approve the subgrant agreement for child support enforcement services with Department of Health & Human Services and the County Attorney beginning October 1, 2016 and ending September 30, 2017. 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.

DRUG COURT INTERLOCAL AGREEMENT

Amanda VanAsperen with the Southeast Nebraska Adult Drug Court presented the annual report and 2016/2017 budget request of \$2,904.31 to the Board. Amanda informed the Board that last year Fillmore County had three active participants, and currently has four with a fifth starting in July.

After discussion, Johnson moved and Neiman seconded the motion to approve the Interlocal Agreement for the Southeast Nebraska Adult Drug Court beginning July 1, 2016 and ending June 30, 2017 with Fillmore, Gage, Jefferson, Saline, and Thayer counties. 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 BOARD

Frank Schropfer informed the Board that Legion and VFW members would like to see the entire Veterans Board replaced. Geneva and Ohioa have the largest members and they currently do not have someone representing their area.

Dale Stengel provided the Board with three names from Shickley and Exeter for appointments. Sherri Nun also provided a list of names from Ohioa, Geneva, Fairmont, and Milligan area.

After discussion, Johnson moved and Neiman seconded the motion to appoint Ralph Jansen to replace Tim Willbeck beginning July 1, 2016 and ending June 30, 2021 and to hold off on the other appointment until representatives from Ohioa were offered the appointment. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

VETERANS SERVICE UPDATE

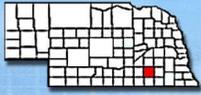
Veterans Service Officer, Matt Taylor informed the Board that he had been to a couple training sessions and went to the State Veterans Service office in Lincoln for a day. He has also helped several individuals within his office.

CLOSED SESSION

Capek moved and Neiman 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 closed session personnel as authorized by Statute to be discussed in closed session. 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 and requested that Veterans Service Officer, Dale Stengel and County Clerk remain. Executive session began at 11:36 a.m.



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RETURN TO REGULAR SESSION

Noel moved and Johnson seconded the motion to return to open session at 12:11 p.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.

VETERANS SERVICE OFFICER

Matt Taylor, Veterans Service Officer presented the Board with a written resignation effective July 22, 2016.

After discussion, Noel moved and Johnson seconded the motion to accept the resignation of Matt Taylor effective July 22, 2016. Upon roll call, the vote was as follows:

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

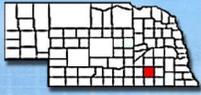
The Chairman declared the motion carried.

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:

Bear Graphics, Inc.	Sup	514.80
Bi-Versal Services, Inc.	Ser	175.00
Blue Valley Community Action Partnership	Budget request	4,115.75
Bottorf & Maser, Attorneys at Law	Ser, Mile	959.75
Capital Business Systems, Inc.	Ser	140.86
Central Nebraska Refrigeration	Rep, Ser	616.98
Marilyn Christiancy	Ret	25.00
Dell Marketing, LP	Sup	299.88
Eakes Office Solutions	Sup, Equip	978.94
Larry Eichelberger	Sup	42.90
Fillmore County Clerk of District Court	Fees	35.00
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Section 125	Misc	3,000.00
Fillmore County Treasurer	Transfer	365,000.00
First Concord Benefits Group, LLC	Insur, Ser	2,667.08
Geneva Home Center	Sup	458.16
Geneva Tire	Rep	25.50
Norma Gregory	Ret	25.00
Heartland Bank	SS	4,307.85
Frances Heinrichs	Mile, Meal	113.32
Hampton Inn	Lodging	178.00
Jury	Salaries	1,178.28
Kalkwarf & Smith Law Offices, LLC	Ser, Uti, Post, Sup	3,006.84
Rich Kleinschmidt	Mile	8.64
Sara Jo Kunert	Sup	80.12
Law Enforcement Coordination Unit	Wksh	130.00
Harold Long	Mile	8.64
M & D Verhage and Sons, Inc.	Ser	859.00



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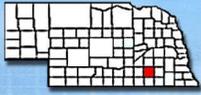


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Madison National Life Insurance Co.	Insur	4.54
MailFinance	Ser	302.24
Matthew Bender & Co., Inc.	Sup	231.10
Mid-American Research Chemical	Sup	681.57
MIPS, Inc.	Equip, Ser	11,056.02
Melissa Nordboe	Mile	9.07
Rachel Olson	Equip, Mile	89.06
Platte Valley Communications of Hastings	Rep	445.25
Precision Signs & Graphics	Sup	100.00
Printelect dba Owen G. Dunn Co.	Equip	266.36
Region V Systems	Ser	1,146.00
Retirement Plans Division of Ameritas	Ret	4,053.79
Alexis Schmidt	Mile	9.07
Shell Fleet Plus	Fuel	2,734.82
Sleuth	Software	6,660.00
Rhonda Stokebrand	Mile	237.85
Sullivan Shoemaker, P.C., L.L.O	Ser	44.28
Sunflower Marketing	Sup	504.25
Total Funds by Hasler	Post	700.00
United States Treasury	Insur	132.37
University of Nebraska - Lincoln	4-H salary	2,127.77
US Bank, CPS	Sup, Lodging, Meals, & Mile	622.27
Verizon Wireless	Uti	723.40
VFW Post #7102	Meals	67.28
Tim Wilbeck	Mile	16.20
Windstream	Uti	1,028.79
Payroll	Salaries	61,218.95

ROAD/BRIDGE FUND:

B's Enterprises, Inc.	Equip	2,650.00
Rex Bahe	Ret	25.00
Certified Truck & Trailer, Inc.	Parts, Rep	1,221.47
Chaney Chemical, Inc.	Sup	179.40
Diode Technologies	Rep	244.00
Dorchester Farmers Coop	Fuel	2,747.76
Fillmore County Treasurer	Misc	20.00
Geneva Engineering, Inc.	Box culverts	46,435.29
Geneva Home Center	Rep, Sup	229.15
Geneva Super Foods	Sup	27.90
Grafton Mini Mart	Fuel	49.30
Grafton Oil, Inc.	Fuel	1,464.04
Halbur Electric, LLC	Rep	369.82
Heartland Bank	SS	2,138.53
Hotel Grand Conference Center	Lodging	189.90
John Deere Financial	Parts, Rep	323.43
Kaiser Auto Supply, LLC	Sup	336.54
Lichti Oil	Fuel	977.52
Nebraska Public Power District	Uti	247.02
Nichols Construction	Gravel	54,902.07
Nunns Trucking	Ser	1,589.10
Perennial Public Power District	Uti	12.37
R. L. Tiemann Construction	Ser, Rock project	98,239.65
RDO Truck Centers	Equip	147,315.74
Retirement Plans Division of Ameritas	Ret	1,949.34
Donna Saltzman	Ser	75.00
Speece Lewis Engineers	Fees, Ser	9,018.98
VanKirk Bros. Contracting	Ser, project	8,910.00
Verizon Wireless	Uti	89.23
Payroll	Salaries	28,988.14



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SHERIFF – SPECIAL LAW ENFORCEMENT GRANTS FUND:

Heartland Bank	SS	130.36
Retirement Plans Division of Ameritas	Ret	132.06
Verizon Wireless	Uti	63.86
Payroll	Salaries	1,704.06

INHERITANCE TAX FUND:

Berggren Architects	Ser	7,714.44
Fillmore County Treasurer	Transfers	220,000.00

911 WIRELESS FUND:

Fillmore County Treasurer	Transfers	37,313.53
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COURTHOUSE BOND FUND:

Fillmore County Treasurer	Loan repayment	12,000.00
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AG SOCIETY BOND FUND:

Chase NYC Bank	Ser	16.00
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911 COMMUNICATIONS CENTER FUND:

Fillmore County Treasurer	Transfer	4,346.44
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CLAIMS APPROVED

Johnson moved and Mueller seconded the motion to approve the claims as presented and to hold the check to R.L. Tiemann Construction until further board action. 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.

HOSPITAL BOARD APPOINTMENTS

Chairman Cerny presented the two Hospital Board appointments from the CEO of the Hospital as Alan Emshoff to be reappointed and Alan Jefferson to be appointed to replace Dennis Kimbrough who didn't want to be reappointed.

Mueller moved and Capek seconded the motion to appoint Alan Emshoff and Alan Jefferson to the Hospital Board beginning July 1, 2016 and ending June 30, 2022. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

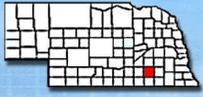
KPMG, LLP CONTRACT

After further review, Johnson moved and Neiman seconded the motion to approve the contract with KPMG, LLP to provide tax consulting services with the Nebraska Historic Preservation Credits associated with the Nebraska Job Creation and Mainstreet Revitalization Act. 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.

SALARY COMMITTEE RECOMMENDATION



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Bob Mueller, Chairman of the Salary committee informed the Board that the Salary committee is recommending a three (3%) percent per department annual salary at the discretion of the department head for hourly employees (except seasonal employees) based on performance.

After discussion, Noel moved and Neiman seconded the motion to approve a three (3%) percent per department annual salary at the discretion of the department head for hourly employees (except seasonal employees) based on performance starting on July 3rd. 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.

SENIOR SERVICES SALARY

After discussion, Mueller moved and Johnson seconded the motion to increase the Senior Services Director's salary 3% to \$17.25 an hour. 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.

EMERGENCY MANAGER SALARY

After discussion, Johnson moved and Mueller seconded the motion to increase the Emergency Manager's salary 3% to \$16.92 an hour. 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.

DEPUTY EMERGENCY MANAGER SALARY

After discussion, Noel moved and Capek seconded the motion to leave the Deputy Emergency Manager salary as is. 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.

CUSTODIAN / GROUNDSKEEPER'S SALARY

After discussion, Noel moved and Johnson seconded the motion to increase both Custodian / Groundskeeper's salaries by a \$1.00 an hour. 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.

PLANNING AND ZONING ADMINISTRATOR SALARY

After discussion, Neiman moved and Johnson seconded the motion to raise the Planning and Zoning Administrator's salary 3% to \$14.74 an hour and to remove from probation. 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.

NOXIOUS WEED SUPERINTENDENT SALARY

After discussion, Mueller moved and Capek seconded the motion to increase the Noxious Weed Superintendent's salary 3% to \$18.30 an hour. 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.

HIGHWAY SUPERINTENDENT SALARY

After discussion, Mueller moved and Noel seconded the motion to raise the Highway Superintendent's salary 3% to \$50,830.50 a year. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Neiman moved and Johnson seconded the motion to adjourn until 9:15 a.m., July 12, 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.

Attest

Chairman