

# Fillmore County Board Minutes



July 12, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:53 a.m., July 12, 2016, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Cerny presiding. Members present were Noel, Capek, Galusha, Mueller, Neiman, and Johnson. Galusha was absent at 1:00 p.m. The County Clerk was present to record the minutes of the meeting. Bill Burgess and Wade 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 2:44 p.m.

## MINUTES

After discussion, Mueller moved and Johnson seconded the motion to remove the wording "remove from probation" on Planning and Zoning Administrator salary increase motion. 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 June 2016:

**County Clerk \$9,978.89** (State \$5,159.15 & County \$4,819.74)

**Clerk of the District Court \$374.04**

**County Sheriff \$858.15**

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.

## DRIVEWAY PERMIT

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

Pat O'Brien – move and extend an existing driveway on the east side of the NE ¼, Section 35-7-4, Bennett Township

Upon roll call, the vote was as follows:

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

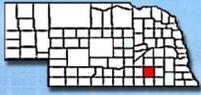
Nays: None

The Chairman declared the motion carried.

## MILLIGAN ROAD UPDATE

Alan Dondlinger, Foreman with Highway Department and Supervisor Mueller gave the Board an update regarding Road 24. Tiemann Construction has 1.8 miles left of the 4.6 miles to complete on Road 24.

## CHILD ADVOCACY CENTER



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Lynn Ayers, Executive Director presented the annual report, letter of agreement, and budget request of \$2,107.00 to the Board. Lynn also informed the Board that there is a satellite office in York, which saves law enforcement time and mileage.

After discussion, Johnson moved and Neiman seconded the motion to approve the CAC Satellite Letter of Agreement to fund the budget request of \$2,107.00 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.

## COURTHOUSE REPAIRS AND TAX CREDIT

Jerry Berggren with Berggren Architects informed the Board via conference call that the Historical Society will not allow the windows along the two stairways to be replaced under the tax credit as they want them restored. Jerry also informed the Board that the Marvin window representative will be here tomorrow to review the windows that were originally installed during renovation.

After discussion, Johnson moved and Capek seconded the motion to approve Jerry's recommendation to remove the windows along the two stairways and the replacement of the west steps from the tax credit project and start the bidding process as soon as possible on those two projects. Upon roll call, the vote was as follows:

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

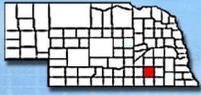
The Chairman declared the motion carried.

## 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:

Ace Agricultural Supply	Rep	157.30
Howard F. Ach	Rent, Post, Meals	659.85
Action Auto Supply	Rep	152.11
Adams County Sheriff	Ser	37.50
AlertSense, Inc.	Ser	2,776.00
James Anderst	Witness Fees	5,125.00
Applied Concepts, Inc. – Stalker Rader	Equip	995.00
B & J Automotive	Main, Rep	283.37
Bi-Versal Services, LLC	Ser	341.71
Black Hills Energy	Uti	74.90
Leslie Boswell	Mile	18.36
Buffalo County Sheriff	Ser	18.50
Capehart Sales, Inc.	Equip	899.00
Century Lumber Center	Sup	63.98
Chaney Chemical, Inc.	Sup	513.00
Jerry Chapman	Mile	38.88
City of Geneva	Uti	684.50
Consolidated Management Company	Meals	106.75
Gaylord Craddock	Mile	55.08
Dawson County Sheriff	Ser	19.71
Des Moines Stamp Mfg. Co.	Sup	19.55
Dugan Business Forms	Sup	310.00



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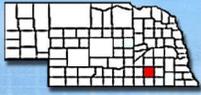


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Eakes Office Solutions	Sup, Equip	1,668.38
Exeter Senior Center	USDA Reimbursement	43.40
Fairmont Aging Services	USDA Reimbursement	161.70
Farmer & Son Funeral Homes, Inc.	Ser	965.00
Fillmore County Clerk of the District Court	Fees	35.00
Fillmore County Sheriff	Fees	348.49
Fillmore County Treasurer	Transfer	100,000.00
First Concord Group, Inc.	Insur	305.00
Friesen Chevrolet, Inc.	Rep	738.91
Geneva Broadband	Uti	128.00
Geneva Home Center	Sup	14.83
Geneva Senior Center	USDA Reimbursement	621.60
Geneva Tire	Rep, Main	290.60
Geneva TV & Appliance, Inc.	Rep	132.35
Geneva Welding & Supply, Inc.	Rep	6.00
Halbur Electric, LLC	Rep	50.15
Heartland Bank	SS	4,297.12
Hometown Leasing	Ser	1,266.70
Steve Julich	Post	17.66
Jerry Knoche	Mile	15.12
Kopchos Sanitation, Inc.	Uti	137.75
Stephen J. Kraviec	Ser, Post	1,731.35
Madison National Life Insurance Co.	Insur	136.24
Midwest Court Reporting	Ser	108.00
MIPS, Inc.	Ser	4,276.67
Nebraska Association of County Officials	Dues	2,098.91
Nebraska Leafy Spurge Task Force	Wskh	35.00
The Nebraska Signal	Pro, Ads	912.32
NIRMA	Insur	69,043.00
Noel Lawn Care	Sup	222.00
North American Invasive Species Management Association	Wskh	295.00
Pell Reporting, Inc.	Ser, Post	453.20
Phelps County Sheriff	Ser	31.68
Platte Valley Communications of Hastings	Ser	240.50
Public Health Solutions	SKIP Flu	1,000.00
Retirement Plans Division of Ameritas	Ret	4,077.39
Saline County Sheriff	Ser	55.00
Skalka & Baack Law Firm	Ser, Mile	993.44
State of Nebraska AS Central Finance	Ser	448.00
SupplyWorks	Sup	219.49
Thayer County Treasurer	Sup	205.00
Unifirst Corporation	Ser	165.98
US Bank CPS	Post, Sup, Parking	31.25
Brandy VanDeWalle	Uti, Mile	87.26
Gary Warren	Mile	32.40
Weaver Pharmacy	Sup	27.18
Windstream	Uti	265.36
York County Sheriff	Ser	197.27
Payroll	Salaries	61,568.34

## ROAD/BRIDGE FUND:

Action Auto Supply	Part, Rep	75.24
Auto Value Parts Stores	Parts	548.90
B's Enterprises, Inc.	Equip	5,200.00
Bi-Versal Services, Inc.	Ser	1,004.14
Black Hills Energy	Uti	68.88
Century Lumber Center	Sup, Rep	59.43
Certified Truck & Trailer, Inc.	Parts	19.47



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City of Geneva	Uti	78.20
Dorchester Farmers Coop	Fuel	4,019.38
Geneva Broadband	Uti	40.00
Geneva Implement Co., Inc.	Parts, Rep	225.00
Geneva Tire	Parts, Rep	21,380.24
Geneva Welding & Supply, Inc.	Sup	439.29
GIS Workshop	Ser, Website	4,603.75
Grafton Oil, Inc.	Fuel	1,481.30
Heartland Bank	SS	2,136.38
Kaiser Auto Supply, Inc.	Parts, Sup	662.56
Kopchos Sanitation, Inc.	Uti	51.00
Lichti Oil	Fuel, Parts	2,634.17
Medical Enterprises, Inc.	Ser	67.00
MIPS, Inc.	Ser	128.31
Brian Mussman	Ser	1,650.00
Nebr Iowa Industrial Fasteners Corp.	Sup	102.31
Newman Traffic Signs	Sup	174.82
Nichols Construction	Gravel	87,373.99
NIRMA	Insur	73,267.00
Perennial Public Power District	Uti	51.12
Power Plan	Rep, Parts	253.92
Retirement Plans Division of Ameritas	Ret	1,949.34
Quill Corporation	Sup	120.44
Shell Fleet Plus	Fuel	1,305.71
Speece Lewis Engineers	Fees	4,936.76
Village of Grafton	Uti	36.52
Village of Milligan	Uti	24.00
Village of Shickley	Uti	22.22
Payroll	Salaries	28,995.07

**REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	130.78
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**SHERIFF – SPECIAL LAW ENFORCEMENT GRANTS FUND:**

Heartland Bank	SS	122.40
Retirement Plans Division of Ameritas	Ret	124.00
Payroll	Salaries	1,600.00

**INHERITANCE TAX FUND:**

Berggren Architects	Ser	4,309.84
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**911 WIRELESS FUND:**

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

Fillmore County Hospital	Taxes for June	354.67
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**911 COMMUNICATIONS CENTER FUND:**

Action Auto Supply	Main	11.54
Geneva Broadband	Uti	64.00
Police Legal Sciences	Subscription	720.00
Windstream	Uti	1,667.29

**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



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Nays: None

The Chairman declared the motion carried.

## **COLONIAL LIFE**

After discussion, Mueller moved and Neiman seconded the motion to allow Colonial Life to administrate Section 125 enrollment and to have all employees attend the meeting and review of salary and benefits. Upon roll call, the vote was as follows:

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

Nays: Johnson

The Chairman declared the motion carried.

## **AGING PARTNERS BOARD**

After discussion, Johnson moved and Mueller seconded the motion to appoint Gerry Merck to the Aging Partners Board until a Fillmore County resident can be appointed. 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.

## **AGING COMMISSION BOARD**

Mueller moved and Johnson seconded the motion to appoint Debbie Bullock to the Aging Commission for a three year term beginning July 1, 2016 and ending June 30, 2019. 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.

## **RELEASING PLEDGE SECURITIES**

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

### **RESOLUTION 2016 - 11**

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

CUSIP #183524AL1 in the amount of \$430,000.00  
CUSIP #271182BW6 in the amount of \$355,000.00  
CUSIP #305288BY7 in the amount of \$250,000.00  
CUSIP #577489GW1 in the amount of \$305,000.00

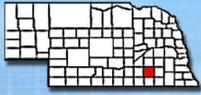
Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **VETERANS SERVICE OFFICE/POSITION**



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Mueller and Neiman informed the Board that they had a meeting with Nick Wollenburg, York Veterans Service Officer and a member of his Veteran's Board to discuss the possibility of doing an interlocal agreement with York County for the Veterans Service Officer.

Johnson informed the Board that she was in favor of having a full time Veteran's Service Office for Fillmore County and thinks that there is a need for that.

Nick presented a revised budget for the office and an interlocal agreement for review if the Board elected to enter into an agreement with York County. Nick also informed the Board that the VA offers free transportation from the York Petro three times a day (7:30 a.m., 10:30 a.m. and 11:30 a.m.) to all the VA hospitals.

Harold Long reminded the Board that several years ago they had a part time Veterans Service Officer and after six months it was moved into a full time position.

Sherri Nun, Harold Long, Randy Capek, Dale Stengel, and Abbi Gurley were present for all of the Veterans Service items.

## **VETERANS SERVICE BOARD**

Supervisor Johnson read a statement regarding the actions of the Veterans Service Board and the Veterans Service Officer over the last eight (8) months. After reading the statement, Johnson moved to have the remaining Veterans Service Board, Dale Stengel, Harold Long, and Randy Capek, removed from the Board.

Motion died due to the lack of a second.

## **VETERANS SERVICE OFFICE/POSITION**

After discussion, Mueller moved and Neiman seconded the motion to enter into an interlocal agreement with York County and to hire an administrative assistant at 32 hours per week for the Veterans Service Office. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **VETERANS SERVICE BOARD**

Neiman moved and Capek seconded the motion to appoint Steve Ozenbaugh to replace Richard Kleinschmidt beginning July 1, 2016 and ending June 30, 2021. 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.

## **BRYANT AND GENEVA TOWNSHIP DISCUSSION**

With the passing of Nebraska State Statute 23-2.100 the County Board shall levy a tax upon the taxable property located within the boundaries of the township to pay for construction and maintenance of township roads.

Sherri and Heather with Manning and Associates presented information to the Board regarding preparing the budgets for these two townships. After discussion, the Board will be entering into Interlocal Agreements with Bryant and Geneva Township to perform the road maintenance. Further discussion at the next Board meeting.

## **TAX SALE RESOLUTION**

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



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At the request of the County Treasurer, Johnson moved and Noel seconded the introduction of the following resolution:

## **RESOLUTION 2016 – 12**

**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:

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

The Chairman declared the resolution adopted.

## **SEMI-ANNUAL STATEMENT**

Barbara Trapp, County Treasurer presented the Semi-Annual Statement to the Board for review and questions.

## **BUDGET REVIEWS**

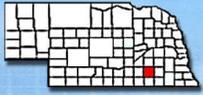
The Board reviewed the following budgets with the officials: County Sheriff, Jail, Special Law Enforcement Grant – Bill Burgess, Senior Services – Brenda Motis, Extension Office – Brandy VanDeWalle, Clerk of the District Court, and District Judge – Peggy Birky. They also reviewed the following: County Medical Relief & Assistance, Institutions, Miscellaneous, Economic Development – Tourism, ROD Preservation & Modernization, Friends of the Courthouse, DEQ Grant – Tire Cleanup, Inheritance Tax, Courthouse Bond, Road Bond, Ethanol Plant Road Bond, and Ag Society Building.

Brandy VanDeWalle introduced Melissa Nordboe an intern for the summer from UNL. Melissa will be graduating in August. Peggy Birky informed the Board that the Court Administrator's office will be conducting a study of the court offices with a \$50,000.00 grant.

## **EAST OFFICE BUILDING UPDATE**

Chairman Cerny informed the Board that the wallpaper in the reception area of the East Office Building is coming off and requested approval to get a bid to have the wallpaper removed and painted. After discussion, the Board authorized Cerny to get a bid. Cerny also presented a bid from Randy Capek to install windows to enclose the new conference room at the East Building in the amount of \$2,000.00.

## **ADJOURN**



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As there was no other business to come before the Board, Capek moved and Noel seconded the motion to adjourn until 9:00 a.m., July 26, 2016. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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Attest

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Chairman