

Fillmore County Board Minutes



September 13, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., September 13, 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. Wade Sluka was present for portions 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 1:38 p.m.

EMERGENCY ACTION ITEM

Capek moved and Mueller seconded motion to add emergency action item of custodial hiring to the agenda. 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.

MINUTES

Chairman, Cerny approved the minutes from the August 23, 2016 meeting as presented.

FEE REPORTS

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

County Clerk: \$5,687.07 (State \$1,923.30 & County \$3,763.77)
Clerk of the District Court: \$565.55
County Sheriff: \$1,456.34

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.

CLINIC RECORDS STORAGE

Chairman Cerny informed the Fillmore County Medical Clinic that the storage rent would be \$300.00 a month. Still waiting to hear back from the Clinic.

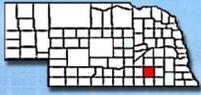
VEHICLE REPAIRS

Sheriff Burgess submitted the following bids to repair the engine in the 2011 deputy's car:

B & J Automotive – Short Block \$4,413.79 and Long Block \$5,014.79
Ekeler Repair Automotive & Farm Repair - \$5,511.48
Jim's Repair – Short Block \$3,717.96 and Long Block \$4,258.00

After discussion, Johnson moved and Mueller seconded the motion to award the bid to Jim's Repair and to replace engine with a long block for \$4,258.00. 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.

EAST BUILDING/OLD HOSPITAL UPDATE

After removal of old hospital, there will be additional brick that will need to be purchased to complete the exterior of the east office building where the hospital was connected.

DRIVEWAY PERMITS

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

Frances Fessler – install a new 40 ft. driveway on the east side of the SE ¼, Section 21-7-4, Bennett Township;
Sylvia Murphy – move an existing driveway south on the east side of the NE ¼, Section 4-8-1, Exeter Township;
Robert Shumaker Trust – extend an existing driveway to 40 ft. on the east side of the NE ¼, Section 19-6-3, Stanton Township; and
Viaero Wireless – install a new 40 ft. driveway in the SW ¼, Section 30-8-3, West Blue 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 PERMIT

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

Viaero Wireless – bore an electrical service in the SW ¼, Section 30, West Blue Township. The owner will cooperate fully with the officials of Fillmore County and 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: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel

Nays: None

The Chairman declared the motion carried.

OTHER ROAD ISSUES

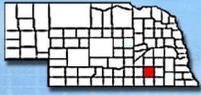
Highway Superintendent, Pat Halbur informed the Board that the Exeter North project was on hold as they found out that a U.S. Army Corps of Engineers permit is needed to start this project. She is waiting to hear back regarding putting smaller rock on Road 6 between Road V and Road W.

Bidding for a new backhoe and motor grader will be on October 25, 2016 starting at 9:45 a.m. and the rock project on Road 20 north of Highway 6 will be on November 22, 2016 at 10:00 a.m.

DITCH MOWING RESPONSIBILITY

Nebraska State Statute 39-1811 states that “it shall be the duty of the landowner to mow all weeds that can be mowed with the ordinary farm mower to the middle of all public roads and drainage ditches running along their lands at least twice each year, namely, before July 15th, for the first time and sometime in August for the second time.”

After discussion, the Board agreed that this is a very hard statute to enforce and not feasible for the County Road Department to mow all the ditches within the County.



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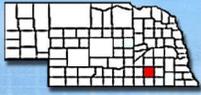
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CLAIMS

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	108.64
Howard F. Ach	Rent, Post, Sup	567.72
Andrews Electric Co., Inc.	Sup	35.16
Auto Value Parts Stores	Rep	70.28
B & J Automotive	Main	50.82
Bi-Versal Services, LLC	Ser	516.71
Black Hills Energy	Uti	75.44
Bob Barker Company, Inc.	Sup	133.85
Buffalo County Sheriff	Fees	18.50
Century Lumber Center	Sup, Rep	1,257.72
City of Geneva	Uti	790.95
Consolidated Management Company	Meals	268.44
Corner Stop	Fuel	26.74
Dell Marketing, LP	Sup	110.00
Eakes Office Solutions	Sup, Ser	644.27
Ellison Lawn and Yard Service	Ser	1,150.00
Erdkamp Motors	Rep	120.00
Fairmont Aging Services	USDA	156.80
Farm & Home Publishers, LTD	Sup	1,023.55
Fillmore County Clerk of the District Court	Fees	144.00
Fillmore County Court	Misc	120.00
Fillmore County Development Corp.	Wksh	250.00
Fillmore County Medical Center	Ser	45.07
Fillmore County Sheriff	Fees	151.70
Fillmore County Treasurer	Interest, Transfer	35,047.94
First Concord Group, Inc.	Insur	315.00
GALLS	Sup	49.99
Geneva Broadband	Uti	128.00
Geneva Home Center	Sup	127.90
Geneva Senior Center	USDA	662.90
Geneva Super Foods	Sup	3.93
Geneva Tire	Rep, Main	1,184.80
Tom Hayes	Lodging	91.76
Heartland Bank	Sup, SS	4,059.06
Frances Heinrichs	Meals, Mile	82.97
Holiday Inn Convention Center	Lodging	254.85
Hometown Leasing	Ser	1,052.60
Jerry Knoche	Mile	3.24
Kopchos Sanitation, Inc.	Uti	137.75
Stephen J. Kraviec	Ser, Post	1,739.00
Madison National Life Insurance Co.	Insur	132.50
Marshall & Swift/Boeckh, LLC	Main	349.95
Midwest Connect	Sup	270.00
MIPS, Inc.	Ser	3,237.79
Brenda Motis	Mile	83.70
Lynn Mussman	Mile	38.04
Nebraska Public Power District	Uti	1,214.90
The Nebraska Signal	Pro, Ads	1,179.84
O’Keefe Elevator Company, Inc.	Main	246.94
Pinnacle Operations Center	Ser	12.00



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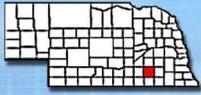


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Printing & Copying Services	Sup	130.02
Region V Systems	Ser	955.00
Retirement Plans Division of Ameritas	Ret	3,940.88
Secretary of State – Election Division	Sup	10.00
Secretary of State – Notary Division	Misc	60.00
Shell Fleet Plus	Fuel	1,937.23
Skalka & Baack Law Firm	Ser	1,021.94
Sleuth	Main	4,565.00
Stanley Tatro Enterprises, Inc.	Misc	48,800.00
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
Rhonda Stokebrand	Mile	19.87
Sullivan Family Dentistry	Ser	292.00
Supply Works	Sup	280.55
Thayer County Sheriff	Ser	32.82
Thayer County Sheriff	Sup	205.00
Ultra Max	Sup	125.00
Unifirst Corp.	Ser	210.24
US Bank CPS	Post, Main, Lodging, Sup	463.68
Brandy VanDeWalle	Lodging, Meals, Mile, Uti	456.43
Weaver Pharmacy	Sup	122.63
Windstream	Uti	1,299.68
Woodward’s Disposal Service, Inc.	Ser	75.00
York County Sheriff	Ser	52.00
York News Times	Ads	77.70
Payroll	Salaries	57,930.80

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Sup	25.28
Auto Value Parts Stores	Parts, Sup	112.59
B’s Enterprises, Inc.	Equip	2,650.00
Bi-Versal Services, LLC	Ser	1,004.15
Black Hills Energy	Uti	68.93
The Boulder Company	Sup	127.50
Casey’s General Stores	Fuel	1,045.73
Century Lumber Center	Sup	190.78
City of Geneva	Uti	64.80
Corner Stop	Fuel	94.64
Dorchester Farmers Coop	Fuel	5,387.13
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Sup	95.86
Geneva Implement Co., Inc.	Parts	38.00
Geneva Tire	Rep, Main	736.93
Geneva Welding & Supply, Inc.	Rep, Sup	582.82
Grafton Oil, Inc.	Fuel	1,540.01
Heath, Inc.	Rep	60.00
Heartland Bank	SS	2,072.05
John Deere Financial	Parts, Rep	128.98
Kaiser Auto Supply, Inc.	Parts, Sup, Rep	336.17
Kopchos Sanitation, Inc.	Uti	51.00
Lichti Oil	Fuel, Parts	6,457.55
Midwest Steel Fabricators, Inc.	Sup	26.88
MIPS, Inc.	Ser	128.31
Brian Mussman	Main	1,430.00
The Nebraska Signal	Ads	149.19
Nichols Construction	Gravel	75,278.20
Nick’s Farm Store Co.	Rep	16.50
NMC Exchange, LLC	Parts, Rep, Ser	9,133.31
Overhead Door Co. of Hastings	Rep	243.90



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Perennial Public Power District	Uti	126.05
Retirement Plans Division of Ameritas	Ret	1,892.82
Shell Fleet Plus	Fuel	825.48
US Bank CPS	Parts, Sup	379.94
Village of Grafton	Uti	36.52
Village of Shickley	Uti	22.11
Payroll	Salaries	28,144.71

REGISTER OF DEEDS PRESERVATION FUND:

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

Heartland Bank	SS	255.81
Retirement Plans Division of Ameritas	Ret	259.16
Payroll	Salaries	3,343.95

DEQ GRANTS – TIRE CLEANUP FUND:

Champlin Tire Recycling, Inc.	Ser	15,045.98
The Nebraska Signal	Ads	149.00

INHERITANCE TAX FUND:

Fillmore County Treasurer	Transfer	12,007.30
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911 WIRELESS FUND:

Kansas State Bank	Ser	559.00
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	August taxes	22,363.98
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911 COMMUNICATIONS CENTER FUND:

Geneva Broadband, LLC	Uti	64.00
Nebraska APCO – NENA	Wksh	357.00
York Heating & Air Conditioning, Inc.	Rep	248.25
Windstream	Uti	1,163.02

CLAIMS APPROVED

Neiman 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.

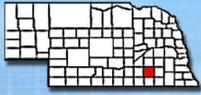
CUSTODIAL HIRING

Clarence Shiley submitted his resignation effective September 12, 2016 to the County Clerk.

After discussion, the Board requested the County Clerk to put an ad in the Nebraska Signal for three weeks to hire a full time custodian and then to seek an outside firm or individual to clean the hallways and restrooms until a custodian can be hired.

PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR TRAILBLAZER PIPELINE

Chairman, Cerny opened the public hearing at 10:45 a.m. for a conditional use permit for Trailblazer Pipeline, LLC to put in an industrial pipeline with a starting point at the far NW corner of the NW ¼ of Section 17, Belle Prairie Township (0.5 miles north of Highway 81 and Road V) traveling north along Road 14 with an end point of the NW portion of the NW ¼, Section 8, Chelsea Township (Intersection of Highway 41 and Road 14) as the remaining is within the City of Geneva



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jurisdiction. Janet & Raymond Lentfer, Brian Nedrow, Wade Sluka, Julie Nichols, Shawn Bates with Trailblazer Pipeline, and Bill Sheehan with Trailblazer Pipeline were present for discussion.

After discussion, Mueller moved and Noel seconded the motion to close the public hearing at 11:02 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.

CONDITIONAL USE PERMIT FOR TRAILBLAZER PIPELINE

Noel moved and Neiman seconded the motion to accept the recommendation from the Planning Commission and approve the Conditional Use Permit for an industrial pipeline for Trailblazer Pipeline, LLC starting at the far NW corner of the NW ¼ of Section 17, Belle Prairie Township (0.5 miles north of Highway 81 and Road V) traveling north along Road 14 with an end point of the NW portion of the NW ¼, Section 8, Chelsea Township (Intersection of Highway 41 and Road 14) as the remaining is within the City of Geneva jurisdiction. 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 WITH APPLICANT FROM THE VETERANS SERVICE ADMINISTRATIVE ASSISTANT POSITION

Abby Gurley requested time to discuss the recent events of the application process for the Veterans Service Administrative Assistant position in which she was an applicant and interviewed by the Veterans Service Board. Abby read a prepared statement and then had several questions for the Board regarding their decision to hire from within. Several Board members explained that the three candidates were very closely scored and that the decision came down to a cost savings of \$30,225.44 per year and knowing that Jennifer Slezak would do a great job assisting the veterans. Kimberly Gurley, Nick Wollenburg, Jennifer Slezak, Harold Long, and Jenna Rezabek were present for the discussion.

Nick Wollenburg informed the Board that they would be having meetings within each community within the next several months to introduce himself, Jennifer Slezak, and Rachael Crowdell to the Veterans as well as answering any questions.

BRYANT TOWNSHIP BUDGET HEARING

Opened public hearing at 11:25 a.m. for the Bryant Township budget hearing. Sherri Pospisil with Manning & Associates, PC presented the budget to the Board and answered any questions. As there was no one in attendance to testify for or against the budget.

Neiman moved and Johnson seconded the motion to close the public hearing regarding Bryant Township 2016/2017 Budget at 11:31 a.m. Upon roll call, the vote was as follows:

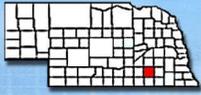
Ayes: Capek, Cerny, Galusha, Johnson, Mueller, Neiman, and Noel
Nays: None

The Chairman declared the motion carried.

BRYANT TOWNSHIP 2016/2017 BUDGET

Johnson moved and Neiman seconded the motion to approve the 2016/2017 Bryant Township budget as advertised and presented. 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.

ADDITIONAL RESTRICTED FUNDS FOR BRYANT TOWNSHIP

Capek moved and Mueller seconded the motion to approve the increase in the 2016/2017 restricted funds limit by an additional one percent (1%) for Bryant 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.

AUDIT WAIVER FOR BRYANT TOWNSHIP

Johnson moved and Mueller seconded the motion to request an audit waiver for the 2015/2016 fiscal year for Bryant 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.

GENEVA TOWNSHIP BUDGET HEARING

Opened public hearing at 11:37 a.m. for the Geneva Township budget hearing. Sherri Pospisil with Manning & Associates, PC presented the budget to the Board and answered any questions. As there was no one in attendance to testify for or against the budget.

Neiman moved and Galusha seconded the motion to close the public hearing regarding Geneva Township 2016/2017 Budget at 11:40 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.

GENEVA TOWNSHIP 2016/2017 BUDGET

Noel moved and Johnson seconded the motion to approve the 2016/2017 Geneva Township budget as advertised and 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.

ADDITIONAL RESTRICTED FUNDS FOR GENEVA TOWNSHIP

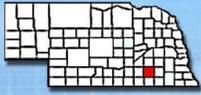
Galusha moved and Capek seconded the motion to approve the increase in the 2016/2017 restricted funds limit by an additional one percent (1%) for Geneva Township. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

AUDIT WAIVER FOR GENEVA TOWNSHIP



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Johnson moved and Noel seconded the motion to request an audit waiver for the 2015/2016 fiscal year for Geneva 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.

COUNTY BUDGET HEARING

The hearing on the county's budget for 2016/2017 was opened at 11:45 a.m. as advertised.

SPECIAL HEARING TO SET FINAL TAX REQUEST

The special hearing to set the final tax request at a different amount than the prior tax request opened at 11:45 a.m.

CLOSE PUBLIC HEARINGS

After discussion, Neiman moved and Johnson seconded the motion to close both the Budget and the Final Tax request hearings at 11:47 a.m. as no one appeared to testify for or against. 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.

ADDITIONAL BUDGET AUTHORITY

Neiman moved and Mueller seconded the motion to authorize up to one per cent (1%) additional budget authority as allowed by statute. 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.

BUDGET ADOPTED

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

RESOLUTION 2016 - 21

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2016 to June 30, 2017, prepared by the Budget Making Authority, was transmitted to the County Board on the 13th day of September, 2016.

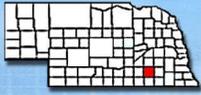
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Fillmore County, Nebraska as follows:

Section 1: That the budget for the Fiscal Year July 1, 2016 to June 30, 2017, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Fillmore County for said fiscal year.

Section 2: That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2016 and ending June 30, 2017.

Section 3: That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

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 resolution adopted.

SOLDIERS AND SAILORS ACCOUNT REPAYMENT

After discussion, Noel moved and Johnson seconded the motion to take the restitution money in the amount of \$12,450.00 and put it back into the Soldiers and Sailors account. Currently \$8,250.00 of the total restitution has been paid to the County and the additional \$4,200.00 will be received at a monthly rate of \$166.00 for approximately two years. 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 FOR VETERANS SERVICE ADMINISTRATIVE ASSISTANT

After discussion, Johnson moved and Mueller seconded the motion to set the Veterans Service Administrative Assistant position salary at an additional \$2.00 an hour to accommodate the extra duties. Upon roll call, the vote was as follows:

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

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 9:10 a.m., September 27, 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