



# Fillmore County Board Minutes



December 13, 2016

The Fillmore County Board of Supervisors convened in open and public session at 9:14 a.m., December 13, 2016, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Cerny presiding. Members present were Noel, Capek, Mueller, Neiman, and Johnson. Galusha was absent. The County Clerk was present to record the minutes of the meeting. Wade Sluka was present for 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 12:26 p.m.

## MINUTES

Johnson moved and Mueller seconded the motion that Johnson voted no for both the Apex Clean Energy and Aksamit Energy Development conditional use permits for a meteorological tower. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## DRIVEWAY PERMITS

Mueller moved and Noel seconded the motion to approve the driveway permits as presented by the Highway Department:

Deb Penry – move an existing driveway to the south on the west side of the NW  $\frac{1}{4}$ , Section 8-5-1, Franklin Township;

Jerry Otte – replace an existing driveway located on the south side of the SW  $\frac{1}{4}$ , Section 24-7-4, Bennett Township;

John Lovegrove – extend an existing driveway located on the west side of the SW  $\frac{1}{4}$ , Section 12-7-3, Geneva Township;

John Lovegrove – install a new 40 ft. driveway on the north side of the NW  $\frac{1}{4}$ , Section 9-7-4, Bennett Township;

Lovegrove Family Holdings, LLC – extend an existing driveway to 40 ft. on the west side of the NW  $\frac{1}{4}$ , Section 17-7-4, Bennett Township;

Dave Krupicka – replace an existing driveway on the east side of the NE  $\frac{1}{4}$ , Section 5-7-1, Liberty Township;

Jerry Chapman – install a new 40 ft. driveway on the east side of the SE  $\frac{1}{4}$ , Section 2-7-2, Madison Township;

Steven Mason Trust – install a new 40 ft. driveway on the east side of the SE  $\frac{1}{4}$ , Section 35-8-2, Fairmont Township;

Jim Lovegrove – install two new 40 ft. driveways on the north and south side of the NE & SE  $\frac{1}{4}$ 's, Section 9-7-3, Geneva Township;

Grover Farms – extend an existing driveway to 40 ft. on the north side of the NW  $\frac{1}{4}$ , Section 14-8-2, Fairmont Township;

Robert Lovegrove – extend an existing driveway to 40 ft. on the south side of the SW  $\frac{1}{4}$ , Section 15-8-4, Grafton Township;

RG3 Farms, LLC – extend an existing driveway to 40 ft. on the north side of the NW  $\frac{1}{4}$ , Section 25-7-4, Bennett Township;

Sterling Dyer – install a new 40 ft. driveway on the north side of the NW  $\frac{1}{4}$ , Section 2-7-1, Liberty Township;

Gary & Judith Filipi – replace an existing driveway on the east side of the SE  $\frac{1}{4}$ , Section 35-7-1, Liberty Township;

and

Gerald D. Keller – install a new 40 ft. driveway on the east side of the NE  $\frac{1}{4}$ , Section 25-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.



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## CLEAN SILT PERMITS

Neiman moved and Capek seconded the motion to approve the following clean silt permits as presented by the Highway Department:

- Ted Marek – clean silt from the road ditch along the east side of the NE ¼, Section 5-7-1, Liberty Township;
- Sterling Dyer – clean silt from the road ditch along the north side of the W ½, NW ¼, Section 2-7-1, Liberty Township;
- Dave Krupicka – clean silt from the road ditch along the north and east side of the NE ¼, Section 5-7-1, Liberty Township and place the dirt back in the field; and
- Jerry & Troy Otte – clean silt from the road ditch along the south and west side of the SW ¼, Section 24-7-4, Bennett Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## MADISON BOX CULVERT LETTING

Bid letting for project #C30(390) to replace the box culvert between Sections 4 & 5, Madison Township was opened at 9:30 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Price:</u></b>
Vogtscapes, Inc., Bennett, NE	\$145,485.70
High Plains Enterprises, Inc., Martell, NE	\$151,538.39
Van Kirk Bros. Contracting, Sutton, NE	\$141,379.36
Midland Contracting, Inc., Kearney, NE	\$164,804.66
TCW Construction, Lincoln, NE	\$161,660.00

## BELLE PRAIRIE BOX CULVERT LETTING

Bid letting for projects #C30(316) and C30(407) to replace the box culvert between Sections 13 & 24, Belle Prairie Township was opened at 9:40 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Price:</u></b>
Pat Thomas Construction, Inc., Lincoln, NE	\$123,601.00
Vogtscapes, Inc., Bennett, NE	\$108,757.60
High Plains Enterprises, Inc., Martell, NE	\$136,121.40
PSC Companies, Blair, NE	\$353,373.06
Van Kirk Bros. Contracting, Sutton, NE	\$133,516.00
Midland Contracting, Inc., Kearney, NE	\$139,980.50
TCW Construction, Lincoln, NE	\$156,555.00

## GENEVA BRIDGE LETTING

Bid letting for project #C30(406) to replace the bridge between Sections 26 & 27, Geneva Township was opened at 9:45 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Price:</u></b>
Simon Contractors, North Platte, NE	\$775,964.80
Herbst Construction, Le Mars, IA	\$735,405.50
JJK Construction, LLC, Lincoln, NE	\$810,582.99

## DRIVEWAY POLICY



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After discussion, Neiman moved and Mueller seconded the motion to approve and adopt the driveway policy as presented by the Highway Superintendent. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## AGREEMENTS WITH TOWNSHIPS

Mueller moved and Neiman seconded the motion to approve the interlocal agreements with Momence and Liberty Townships as requested by the county's insurance carrier NIRMA. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## FEE REPORTS

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

**County Clerk \$8,086.15** (State \$4,501.13 & County \$3,585.02)  
**Clerk of the District Court \$1,691.22**  
**County Sheriff \$1,154.73**

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## ROAD 20 LETTING

Bid letting to grade Road 20 from Highway 6 north to County Road A was opened at 10:00 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Price:</u></b>
Gana Trucking & Excavating, Martell, NE	\$711,159.51
Vogtsapes, Inc., Bennett, NE	\$570,961.00
High Plains Enterprises, Inc., Martell, NE	\$686,123.35
Van Kirk Bros. Contracting, Sutton, NE	\$666,155.97
Geneva Engineering, Geneva, NE	\$647,389.50
Hookers Brothers Construction, Grand Island, NE	\$655,179.45
Kohl Construction, Inc., Schuyler, NE	\$697,988.13
Adam Civil Resources, Sidney, NE	\$862,257.62

## MADISON BOX CULVERT PROJECT

After review by Speece Lewis Engineers for accuracy, Mueller moved and Johnson seconded the motion to accept all bids and to award the Madison Culvert project #C30(390) to Van Kirk Bros. Contracting for \$141,379.36. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



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## **BELLE PRAIRIE CULVERT PROJECT**

After review by Speece Lewis Engineers for accuracy, Johnson moved and Mueller seconded the motion to accept all bids and to award the Belle Prairie Box Culvert project #C30(316) & C30(407) to Van Kirk Bros. Contracting for \$133,516.00. Upon roll call, the vote was as follows:

Ayes: Johnson

Nays: Capek, Cerny, Mueller, Neiman, and Noel

The Chairman declared the motion failed.

## **BELLE PRAIRIE CULVERT PROJECT**

After discussion, Capek moved and Noel seconded the motion to award the Belle Prairie Box Culvert project #C30(316) & C30(407) to Vogtsapes, Inc. for \$108,757.60. Upon roll call, the vote was as follows:

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

Nays: Johnson

The Chairman declared the motion carried.

## **GENEVA BRIDGE PROJECT**

After review by Speece Lewis Engineers for accuracy, Noel moved and Neiman seconded the motion to accept all bids and award the Geneva Bridge project #C30(406) to Herbst Construction for \$735,405.50. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion.

## **ROAD 20 GRADING PROJECT**

After review by Speece Lewis Engineers for accuracy, Mueller moved and Neiman seconded the motion to accept all bids and award the grading of Road 20 to Vogtsapes, Inc. for \$570,961.00. Supervisor Johnson noted that she would like to see it awarded to Geneva Engineering even though they are higher to keep the business local. Upon roll call, the vote was as follows:

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

Nays: Johnson

The Chairman declared the motion carried.

## **DISCUSSION REGARDING THE WEST ENTRANCE & WINDOW PROJECT**

Jerry Berggren with Berggren Architects presented the Board with an e-mail from JLC regarding their bid from the last Board meeting for the project.

After a lengthy discussion, Noel moved and Johnson seconded the motion to reject the bid from JLC and to rebid the project in two separate bids (one for windows and one for west entrance). Bid will take place at the January 10, 2017 Board meeting. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **MAXIMUS CONTRACT**



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Don Workman with Maximus informed the Board of all the changes that have happened with Health and Human Services in the last year.

After discussion, Johnson moved and Mueller seconded the motion to approve the contract with Maximus for a term beginning November 15, 2016 and ending September 30, 2019. Upon roll call, the vote was as follows:

Ayes: Capek, Cerny, 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:

Academic Booster Club	Misc	50.00
Howard F. Ach	Rent, Uti, Post	556.98
Action Auto Supply	Rep	2.13
Andrews Electric Co., Inc.	Main	118.50
Auto Value Parts Stores	Rep	10.98
B & J Automotive, LLC	Rep	111.50
Ruth (Peg) Becker	Ser	156.00
Black Hills Energy	Uti	576.56
Blue Cross Blue Shield of Nebraska	Insur	54,349.93
Carrier Corp.	Main, Rep	6,573.67
Cass County Sheriff	Mile	59.04
CenTec Cast Metal Products	Sup	2,837.24
Century Lumber Center	Rep	1,082.70
City of Geneva	Uti	416.95
Consolidated Management Company	Meals	80.13
Contryman Associates, PC	Ser	12,200.00
Dollar General	Sup	106.39
Douglas County Sheriff	Mile	9.85
Dugan Business Products	Sup	48.00
Eakes Office Solutions	Sup	1,870.00
Erdkamp Motors	Rep, Main	877.15
Exeter Senior Center	USDA	67.83
Fairmont Aging Services	USDA	244.21
Farmer & Son Funeral Homes, Inc.	Ser	50.00
Fillmore County Clerk of the District Court	Fees	99.00
Fillmore County Sheriff	Fees	194.40
Fillmore County Treasurer	Transfer	50,000.00
First Concord Benefits Group	Insur, Ser	2,715.90
Galls, Inc.	Sup	744.82
Geneva Broadband, LLC	Uti, Equip	198.00
Geneva Senior Center	USDA	1,170.98
Geneva Tire	Tires, Main	544.50
Heartland Bank	SS	8,885.73
Frances Heinrichs	Mile	58.32
Hometown Leasing	Ser	1,052.60
JEO Consulting Group, Inc.	Ser	2,005.00
Kelch Plumbing, Heating & Refrigeration, Inc	Rep	347.50
Jerry Knoche	Mile	48.60
Stephen J. Kraviec	Ser, Post	1,737.64





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Madison National Life Insurance Co.	Insur	129.31
Manning & Associates, PC	Ser	890.00
Mid-American Research Chemical	Sup	288.33
MIPS, Inc.	Ser, Sup	3,500.44
Brenda Motis	Mile	105.30
Nebraska Assoc. of County Officials	Wksh	2,238.91
Nebraska Sheriff's Association	Dues	100.00
The Nebraska Signal	Ads, Pro	1,349.26
NeoFunds by NeoPost	Post	3,086.05
O'Keefe Elevator Company, Inc.	Main	246.94
Rachel Olson	Wksh	95.00
Retirement Plans Division of Ameritas	Ret	8,621.44
Rizzo Electric, LLC	Rep	248.00
Secretary of State	Ser	20.00
Shell Fleet Plus	Fuel	1,553.93
Sparqdata Solutions	Ser	265.00
State of Nebraska AS Central Finance	Ser	448.00
Sullivan Shoemaker PC, LLC	Ser	613.31
Thayer County Sheriff's Office	Ser	19.00
Thayer County Treasurer	Dues	205.00
Unifirst Corporation	Ser	225.04
US Bank CPS	Post, Sup	45.35
Verizon Wireless	Ser	250.00
Weaver Pharmacy	Sup	52.36
Windstream	Uti	1,033.48
Woodward's Disposal Service, Inc.	Misc.	100.00
York County Sheriff	Ser, Mile	19.00
Payroll	Salaries	126,510.24

## ROAD/BRIDGE FUND:

Ace Irrigation & Manufacturing	Sup	100.00
Action Auto Supply	Parts, Sup	233.98
Auto Value Parts Stores	Parts, Sup	890.02
B's Enterprises, Inc.	Parts, Sup	12,360.00
Bill's Repair	Parts	1,005.26
Black Hills Energy	Uti	101.70
Casey's General Stores	Fuel	150.76
Century Lumber Center	Rep, Parts, Sup	117.80
Certified Truck & Trailer, Inc.	Parts, Rep	1,835.04
City of Geneva	Uti	71.50
Dorchester Farmers Coop	Fuel	7,916.91
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Parts, Sup, Equip	202.02
Geneva Implement Co., Inc.	Parts	125.46
Geneva Tire	Rep, Main	308.76
Geneva Welding & Supply, Inc.	Sup	96.00
Grafton Mini-Mart	Fuel	96.00
Grafton Oil, Inc.	Fuel, Main	1,125.51
Halbur Electric, LLC	Rep	78.59
Heartland Bank	SS	4,111.45
Hometown Leasing	Ser	139.00
Jim's Repair	Parts, Main	482.00
John Deere Financial	Parts, Rep	512.46
Kaiser Auto Supply, LLC	Parts, Sup, Main	738.75
Kopchos Sanitation, Inc.	Uti	51.00
Lichti Oil	Parts, Fuel	1,972.79
MetalWorks & More	Parts, Rep	2,956.26
MetroCount USA, Inc.	Parts	98.00
MIPS, Inc.	Ser	128.31



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The Nebraska Signal	Ads	557.76
Nichols Construction	Gravel	36,847.23
Nick's Farm Store, Co.	Rep	63.86
NMC Exchange, LLC	Parts, Ser, Rep	9,970.12
Perennial Public Power District	Uti	134.50
R. K. Farms, Inc.	Right-of-way	361.50
Retirement Plans Division of Ameritas	Ret	3,756.21
Roit Repair	Rep	9.00
Sahling Kenworth, Inc.	Rep	165.36
Shell Fleet Plus	Fuel	1,354.95
Speece Lewis Engineers	Fees	14,790.00
US Bank CPS	Post	.63
US Postal Service – Stamp Fulfillment	Post, Sup	302.65
Village of Exeter	Uti	17.50
Village of Grafton	Uti	36.50
Village of Shickley	Uti	22.19
Wick's Sterling Trucks, Inc.	Parts, Rep	875.62
Payroll	Salaries	55,853.39

**REGISTER OF DEEDS PRESERVATION FUND:**

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

Heartland Bank	SS	460.95
Retirement Plans Division of Ameritas	Ret	466.98
Payroll	Salaries	6,025.36

**COURTHOUSE BOND FUND:**

Chase NYC Bank	Interest, Fee	7,608.50
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**HOSPITAL OPERATING FUND:**

Fillmore County Hospital	Nov. Taxes	177.58
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**911 COMMUNICATIONS CENTER FUND:**

Geneva Broadband	Uti	64.00
Nebraska Emergency Services Communications Assoc.	Wksh	15.00

**CLAIMS APPROVED**

Johnson moved and Mueller seconded the motion to approve the claims as presented with the exception of CenTec Cast Metal Products as this was a duplicate. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

**SNOW REMOVAL CONTRACT WITH BI-VERSAL SERVICES**

Mueller moved and Noel seconded the motion to approve and authorize the Chairman to sign the contract with Bi-Versal Services, LLC for snow removal at the Courthouse. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



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After discussion, Noel moved and Capek seconded the motion to approve the audit for fiscal year ending June 30, 2016. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **EAST OFFICE BUILDING**

Chairman Cerny informed the Board that the renovation is coming to a close at the East Building. Probation is wanting two more offices; the Board will request a percentage of time that probation spends in other counties. They will also be talking to the counties around to see if they would be willing to assist with the cost of office space and utilities that Fillmore County is providing.

## **ADJOURN**

As there was no other business to come before the Board, Mueller moved and Johnson seconded the motion to adjourn until 9:00 a.m., December 27, 2016. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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Attest

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Chairman