



Fillmore County Board Minutes



February 14, 2017

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., February 14, 2017, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Galusha, Mueller, Cerny, and Johnson. The County Clerk was present to record the minutes 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 12:03 p.m.

MINUTES

After discussion, Johnson moved and Sluka seconded the motion to add that Mueller and Sluka were absent for a short period of time from the January 24th meeting to listen to a noise in the Assessor's office caused by the boiler. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

JANUARY FEE REPORTS

Mueller moved and Noel seconded the motion to approve the January 2017 fee reports as follows:

County Clerk \$14,425.17 (State \$6,716.69 & County \$7,708.48)

Clerk of the District Court \$1,264.49

County Sheriff \$1,759.13

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

RURAL TRANSIT FUNDING AND APPLICATION

Brenda Sherwin, Director of Fillmore County Rural Transit presented the application for public transportation operating assistance #5311 and request of \$20,000.00 from the county. Brenda also informed the Board that Blue Valley Community Action is looking at purchasing a new van with a lift in it, hired a full-time driver, and is delivering commodities within the County.

After discussion, Noel moved and Sluka seconded the introduction of following resolution:

RESOLUTION 2016 – 06

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, Blue Valley Community Action Partnership desires to apply for said funds to be used to provide public transportation for Fillmore County,

NOW THEREFORE, BE IT RESOLVED; that the Fillmore County Board of Supervisors hereby commits \$20,000.00 to Blue Valley Community Action Partnership to be used as local share in providing the matching funds to operate the Fillmore County Rural Transit Service.

Upon roll call, the vote was as follows:



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

The Chairman declared the resolution adopted.

DRIVEWAY PERMITS

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

Rex Buddenburg & Richard Norgard – replace an existing driveway to 40 ft. on the west side of the NW ¼, Section 27-5-3, Hamilon Township; and
Jared Kempf – install a new 40 ft. driveway on the north side of the NW ¼, Section 32-6-4, Momence Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CLEAN SILT PERMIT

Sluka moved and Mueller seconded the motion to approve the clean silt permit as presented by the Highway Department:

Kent & Kurt Myers, Panther LJM, and Double ACA – clean silt from the ditch and place back in the field along the west side of the SW ¼, Section 14-7-2, Madison Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

Mueller moved and Johnson seconded the motion to approve the occupy county right-of-way permits as presented by the Highway Department:

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SW ¼, Section 1 and the SE ¼, Section 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SW ¼, Section 2 and the SE ¼, Section 3, 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SE ¼, Section 12 and the NE ¼, Section 13, 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SE ¼, Section 13, Madison Township and the SW ¼, Section 18, Liberty 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SE ¼, Section 18 and the SW ¼, Section 17, Liberty 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 in the county right-of-way, and



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Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the NE ¼, Section 2, Liberty Township and the SE ¼, Section 35, Exeter 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SW ¼, Section 36, Exeter Township and the NW ¼, Section 1, Liberty 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SW ¼, Section 36 and the SE ¼, Section 35, Exeter 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the W ½ of the SW ¼, Section 35 and the SE ¼, Section 34, Exeter 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 in the county right-of-way, and

Black Hills Energy Corp. – replacement of a 2" PVC gas pipeline between the SE ¼, Section 36, Fairmont Township and the SW ¼, Section 31, Exeter 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 in the county right-of-way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

MILLIGAN NORTH PAVING PROJECT AND DRIVEWAY REQUEST

Highway Superintendent, Pat Halbur informed that Board that she has received the plans and a request for an 80 ft. driveway for the new convenience store. After discussion, the Board requested that one of the owners **come** to the next Board meeting for discussion.

SURPLUS ITEMS

Johnson moved and Sluka seconded the motion to declare four air compressors, a two-man post hole digger, a one-man post hole digger, and two battery chargers as surplus and to be sold. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried

NEW SHOP/OFFICE BUILDING

Pat Halbur, Highway Superintendent informed the Board that she had an estimate for the shell of an 80 by 100 building. She requested direction on how to proceed with the design of interior as well as the electrical and mechanical needs. After discussion, the Board directed her to contact a couple engineers for an estimate of what they would charge for the work.

HOLIDAY PAY DURING A FOUR DAY WORK WEEK

The employees of the Road Department requested that the week of a holiday, they still would only work four days and have to take either vacation or comp time to make up the two-hour difference. At the last employee meeting Pat took a vote to ensure that the employees were in favor of this. The vote was fifteen (15) to three (3) in favor of still working 10 hours for three days for weeks that contain a holiday.

After discussion, Mueller moved and Cerny seconded the motion to allow the Road Department to work three (3) ten (10) hour days for weeks that contain a holiday and that the employees would need to take either two (2) hours of vacation or comp time or go without pay (holiday pay for all employees is only eight (8) hours). Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

OTHER ROAD DEPARTMENT ISSUES

Pat Halbur, Highway Superintendent informed the Board that she has a landowner requesting that they take out trees in the right-of-way that are hanging on their property. After review of the tree trimming policy, the Board requested that Pat get the surrounding counties policies and review.

Pat also informed the Board that they are in the process of removing the bridge between Sections 26 & 27, Geneva Township and due to the weather both contractors would like to move in early for two box culvert projects in Madison and Belle Prairie Townships.

PRE-APPLICATION FOR THE NEBRASKA AFFORDABLE HOUSING PROGRAM

Patt Lentfer, Director of Fillmore County Development Corp. informed the Board that they would like to apply for the housing funds again this year. This application would assist ten (10) different homes with a requested amount of \$318,000.00.

After discussion, Johnson moved and Mueller seconded the motion to approve the pre-application for the Nebraska Affordable Housing program for 2017. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CONTRACTS FOR WINDOW AND WEST ENTRANCE WITH MASONRY CONSTRUCTION

Greg Dennis with Masonry Construction introduced himself to the Board and will be starting the demolition of the west steps on March 1st.

After discussion, the Board is forwarding the contracts to the County Attorney and will place on the February 28th meeting.

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, Dues	755.55
Kelly Arnold	Misc	25.90
Auto Value Parts Stores	Rep	96.09
Bear Graphics	Sup	280.16
Ruth (Peg) Becker	Ser	144.00
Lois Bernasek	Misc	25.90
Best Western West Hills Inn	Lodging	89.00
Black Hills Energy	Uti	2,307.18
Bottorf & Maser, Attorney at Law	Ser, Mile	1,251.25
Capital Business Systems, Inc.	Ser	146.86
Kayla Carter	Misc	25.90
City of Geneva	Uti	279.85
Brandie Conway	Misc	25.90



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Crossroads Awards	Sup	88.00
Brenden Doht	Misc	25.90
Dollar General	Sup	77.13
Eakes Office Solutions	Sup	1,908.27
Ellison Lawn & Yard Service	Ser	450.00
Erdkamp Motors	Rep, Main	223.85
Farmer & Son Funeral Home, Inc.	Ser	1,028.75
Fillmore County Clerk of the District Court	Fees	69.00
Fillmore County Sheriff	Ser	25.00
First Concord Benefits Group	Insur, Ser	2,596.47
Flood Communications – KUTT FM	Ads	775.00
Geneva Broadband, LLC	Uti	88.00
Geneva Super Foods	Sup	1,519.68
Geneva Tire	Rep, Main	199.15
Gov Connection, Inc.	Main	1,800.40
Hall County Corrections	Boarding prisoners	2,312.35
Heartland Bank	Ser, SS	4,083.23
Heath, Inc.	Rep	250.00
Frances Heinrichs	Ser, Mile	62.08
Hometown Leasing	Ser	1,052.60
Steve Julich	Misc	25.90
Kopchos Sanitation, Inc.	Uti	137.75
Stephen J. Kraviec	Ser, Post	1,727.41
Sara Jo Kunert	Misc	25.90
Lichti Oil	Sup	47.90
Tammy Lintz	Misc	25.90
Madison National Life Insurance Co.	Insur	130.08
Mid-American Research Chemical	Sup	1,336.19
MIPS, Inc.	Equip, Ser	4,046.26
Brenda Motis	Mile	91.49
Nebraska Assoc. of County Treasurers	Dues	75.00
Nebraska.Gov	Ser	4.00
Nebraska Public Power District	Uti	1,795.91
The Nebraska Signal	Ads, Pro, Sup	1,636.03
NeoFunds by NeoPost	Post	700.00
Office Depot Business Credit	Equip	94.77
Pieper's, Inc.	Rep	1,471.50
Precision Sign & Graphics	Sup	13.25
Retirement Plans Division of Ameritas	Ret	3,948.97
Amanda Ritter	Misc	25.90
Steven Roemmich	Misc	25.90
RR Donnelley	Ser	302.97
Tyler Salmon	Misc	25.90
Dixie Schmidt	Ser	35.00
Secretary of State Elections Division	Sup	20.00
Shell Fleet Plus	Fuel	2,325.04
Skalka & Baack Law Firm	Ser, Mile	465.50
Sparqdata Solutions	Ser	265.00
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Dept. of Agriculture	Wksh	90.00
Sullivan Shoemaker PC, LLO	Ser	391.81
SupplyWorks	Sup	625.85
Thayer County Treasurer	Sup	205.00
Trailblazer RC & D	Dues	200.00
Unifirst Corporation	Ser	182.44
University of Nebraska – Lincoln	Ser	2,152.27
US Bank CPS	Post, Sup, Equip	1,477.04
Brandy VanDeWalle	Uti, Meals, Mile, Wksh	174.27



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Reid Velte	Ser	125.00
Weaver Pharmacy	Sup	231.96
Windstream	Uti	279.86
York County Treasurer	Wksh	300.00
Payroll	Salaries	57,261.54

ROAD/BRIDGE FUND:

Marie A. Aspegren	ROW	758.10
Auto Value Parts Stores	Parts	375.80
Black Hills Energy	Uti	927.15
The Boulder Company	Parts	267.14
Casey's General Stores	Fuel	203.45
Century Lumber Center	Rep, Parts, Sup	174.96
Certified Truck & Trailer, Inc.	Rep, Main	1,375.14
City of Geneva	Uti	61.10
Corner Shop	Fuel	1,127.48
Dorchester Farmers Coop	Fuel	2,444.33
Friesen Chevrolet, Inc.	Rep, Parts	351.25
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Rep, Parts, Sup	156.29
Geneva Super Foods	Sup	25.97
Geneva Tire	Rep	1,000.82
Geneva Welding & Supply, Inc.	Rep, Sup	282.62
Grafton Mini-Mart	Fuel	243.66
Grafton Oil, Inc.	Fuel	745.20
Heartland Bank	SS	2,020.30
Hometown Leasing	Ser	139.00
J Street Lands, LLC	ROW	3,102.75
John Deere Financial	Rep	49.51
Kaiser Auto Supply, LLC	Parts, Sup	467.63
KC Farms	Easements	50.00
Kopchos Sanitation, Inc.	Uti	51.00
Lichti Oil	Parts	58.23
Metalworks & More	Rep, Equip	2,076.81
MIPS, Inc.	Ser	128.31
NE Assoc. of Co. Engineers, Hwy. Supt.	Dues	50.00
Nick's Farm Store Co.	Rep, Equip	1,003.07
NMC Exchange, LLC	Parts, Ser	5,964.63
Pat Halbur	Sup, Equip	1,439.99
Perennial Public Power District	Uti	151.40
Productivity Plus Account	Rep, Parts	897.98
Retirement Plans Division of Ameritas	Ret	1,847.10
Willard R. Rippe, Trustee	Easement	115.00
Roit Repair	Rep	35.49
Donna Saltzman	Ser	78.00
Shell Fleet Plus	Fuel	990.36
Speece Lewis Engineers	Fees	9,995.15
Springbok Equipment	Parts, Rep	637.15
US Bank CPS	Post	2.80
Village of Exeter	Uti	17.50
Village of Fairmont	Uti	53.40
Village of Grafton	Uti	36.60
Village of Ohiowa	Uti	30.00
Village of Shickley	Uti	69.60
Louise M. Wulf Living Trust	Easement & Fencing	532.00
Payroll	Salaries	27,467.31

REGISTER OF DEEDS PRESERVATION FUND:

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

Heartland Bank	SS	128.52
Retirement Plans Division of Ameritas	Ret	130.20
Payroll	Salaries	1,680.00

HOSPITAL OPERATING FUND:

Fillmore County Hospital	January taxes	4,289.90
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911 COMMUNICATIONS CENTER FUND:

Geneva Broadband, LLC	Uti	64.00
Nebraska Public Power District	Uti	169.16
Nemaha County Sheriff's Office	Insur	11.39
Windstream	Uti	1,722.97

CLAIMS APPROVED

Noel moved and Sluka seconded the motion to approve the claims as presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REEB CIRCLE DRIVE SUBDIVISION

Jennifer Slezak, Planning and Zoning Administrator submitted the plat for the Reeb Circle Drive Subdivision located in the NW ¼, Section 24, Bryant Township.

Noel moved and Galusha seconded the motion to approve the Reeb Circle Drive Subdivision located in the NW ¼, Section 24, Township 5 North, Range 4 West. Described as a tract of land located in the NW ¼ of the NW ¼ of Section 24, Township 5 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: beginning at the NW corner of said NW ¼; thence S 89°47'36" E, 390.84 ft. on the north line of said NW ¼; thence S 00°17'07" W, 82.71 ft.; thence S 87°26'43" E, 95.01 ft.; thence S 00°38'27" W, 386.31 ft.; thence S 89°51'17" W, 483.39 ft. to the west line of said NW ¼; thence N 00°17'07" E, 475.87 ft. on said west line to the point of beginning, containing 5.10 acres more or less, which includes 0.63 acres more or less used for county road purposes.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

COUNTY BURIAL REQUEST

After discussion, Cerny moved and Noel seconded the motion to deny the county burial request. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BREAKROOM TV

County Clerk informed the Board that Lichti TV and Appliance has gotten the TV to work.



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FIRE EXTINGUISHERS FOR COURTHOUSE AND VEHICLES

After discussion, Mueller moved and Noel seconded the motion to approve the two-year contract with Protex Central, Inc. to maintain the fire extinguishers in the courthouse and county vehicles. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SURPLUS OLD COUNTY VEHICLES

After discussion, Johnson moved and Galusha seconded the motion to declare the 2002 Dodge Durango and a 2004 Dodge Intrepid SE as surplus and sell on AuctionTime. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EAST OFFICE BUILDING/PROPERTY

Larry Cerny presented two different bids from Ellison Lawn and Yard Service to clean up the lawn at the east building and remove some trees and bushes.

After discussion, Johnson moved and Noel seconded the motion to approve both bids from Ellison Lawn and Yard Service in the amount of \$1,950.00 to clean up the east building property and remove several bushes and trees and then an additional \$530.00 to Lyle Olena for the removal of the stumps. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Sluka moved and Johnson seconded the motion to adjourn until 9:10 a.m., February 28, 2017. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman