



Fillmore County Board Minutes



February 28, 2017

The Fillmore County Board of Supervisors convened in open and public session at 9:13 a.m., February 28, 2017, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Galusha, Mueller, Cerny, and Johnson. Johnson absent at 2:49 p.m. 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 3:04 p.m.

MINUTES

Chairman, Neiman approved the minutes from the February 14, 2017 meeting as presented.

FAMILY HERITAGE PRESENTATION

John Coffey with Family Heritage Life informed the Board of the products that his company sells and requested approval from the Board to speak with the employees.

After discussion, the Board agreed that it would be okay for Family Heritage to set up a day to be at the Courthouse and Road Department to visit with any employees that would like to hear about their products.

DRIVEWAY PERMITS

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

Alf Family, LLC – extend existing driveway to 40 ft. on the east side of the NE $\frac{1}{4}$, Section 16-5-4, Bryant Township;

Shirley Rauscher – extend existing driveway to 40 ft. on the west side of the NW $\frac{1}{4}$, Section 3-7-4, Bennett Township;

Jim Lovegrove – extend existing driveway to 40 ft. on the south side of the SE $\frac{1}{4}$, Section 1-7-3, Geneva Township;

Charles Schupbach – install a new 40 ft. driveway on the east side of the SE $\frac{1}{4}$, Section 18-5-1, Franklin Township;

Chaney Farms, LLC – replace driveway to 40 ft. on the west side of the SW $\frac{1}{4}$, Section 6-6-3, Stanton Township;

Kurt, Kent, and Vaden Myers – install a new 40 ft. driveway on the north side of the NE $\frac{1}{4}$, Section 15-6-2, Chelsea Township; and

Jim Lovegrove – extend existing driveway to 40 ft. on the east side of the NE $\frac{1}{4}$, Section 16-8-2, Fairmont 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 PERMIT

Cerny moved and Sluka seconded the motion to approve the occupy county right-of-way permit as presented by the Highway Department:

Windstream Nebraska, Inc. – bury a communication line between Section 4 and Section 5, 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.

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.

TREE TRIMMING POLICY

Board reviewed the current policy and discussed what the neighboring counties were doing. After discussion, the Board requested that the Highway Superintendent put a new policy together with the discussion and present at the next Board meeting.

ALERT SENSE

Jim Dunker, Emergency Manager, Bill Burgess, Sheriff, and Brandie Conway, Head Dispatcher discussed with the Board that they are working together in getting the word out about signing up for Alert Sense for the notifications for emergency announcements within the County as well as weather warnings. All residents with a land line phone have been automatically signed up for the emergency notifications. Anyone wishing to sign up can go on the County website (www.fillmorecounty.org) and scroll to the bottom of home page. There will be a notice in the Nebraska Signal and they have put it out on social media. They are also working on a few bugs within the system.

PUBLIC HEARING FOR BLUE STEM ENERGY CONDITIONAL USE PERMIT

Opened public hearing at 10:45 a.m. as advertised for the conditional use permit application by Blue Stem Energy. Those attending the public hearing: Jennifer Slezak (Planning and Zoning Administrator), Lynn Yates, Patt Lentfer, Howard Lefler, Bill Burgess, Lynn Mussman, Bob Lovegrove, Jim Lovegrove, and Darrel Hayek.

Matt Robinette, Director of Development and Mitch Hyde with Blue Stem Energy informed the Board that they are requesting a conditional use permit to construct two (2) wind energy conversion systems in Section 26 and Section 27, West Blue Township. There is an additional wind energy conversion system that will be discussed with the Village of Fairmont as it is within their mile jurisdiction. Matt informed the Board that Blue Stem Energy has a long-term contract with Perennial Public Power.

Jennifer Slezak, Planning & Zoning Administrator informed the Board that the Planning Commission approved the conditional use permit at their meeting.

After a lengthy discussion, Johnson moved and Sluka seconded the motion to close the public hearing at 11:26 a.m. 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.

CONDITIONAL USE PERMIT FOR BLUE STEM ENERGY

Mueller moved and Galusha seconded the motion to approve the Conditional Use Permit for Blue Stem Energy for the two (2) wind energy conversion systems. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LOVEGROVE SUBDIVISION

Jennifer Slezak, Planning and Zoning Administrator presented the plat for the Lovegrove Subdivision located in the SE ¼, Section 29, West Blue Township and that they requested a waiver due to not meeting the three (3) acre minimum.



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Cerny moved and Noel seconded the motion to approve the Lovegrove Subdivision located in the SE ¼, Section 29, Township 8 North, Range 3 West. Described as a tract of land located in the SE ¼ of the SE ¼ of Section 29, Township 8 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: beginning at the SW corner of the SE ¼ of the SE ¼; thence N 00°10'25" W, 220.29 ft. on the west line of said SE ¼; thence S 89°48'43" E; 236.81 ft.; thence S 48°36'00" E, 74.26 ft.; thence S 01°08'32" W, 169.47 ft. to the south line of said SE ¼; thence S 89°48'55" W, 288.48 ft. on said south line to the point of beginning, containing 1.43 acres more or less, which includes 0.22 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.

EMERGENCY ACTION ITEM

Mueller moved and Johnson seconded the motion to add an emergency action item to the agenda for the NCRS Farms Subdivision located in the SE ¼ of Section 5, Exeter 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

NCRS FARMS SUBDIVISION

Jennifer Slezak, Planning and Zoning Administrator presented the plat for the NCRS Farms Subdivision located in the SE ¼, Section 5, Exeter Township.

Mueller moved and Cerny seconded the motion to approve the NCRS Farms Subdivision located in the SE ¼, Section 5, Township 8 North, Range 1 West. Described as a tract of land located in the SE ¼ of the SE ¼ of Section 5, Township 8 North, Range 1 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the SE corner of the SE ¼; thence N 00°14'33" E, 781.77 ft. on the east line of said SE ¼ to the point of beginning; thence S 89°43'15" W, 354.64 ft.; thence S 05°30'10" W, 73.62 ft.; thence S 90°00'00" W, 207.90 ft.; thence N 17°06'14" W, 366.11 ft.; thence N 87°50'18" E, 679.03 ft. to said east line; thence S 00°14'33" W, 300.52 ft. on said east line to the point of beginning, containing 4.60 acres more or less, which includes 0.23 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.

DISCUSSION REGARDING NEW SHOP/OFFICE BUILDING

Corey Brodersen, Architectural Department Manager for JEO Consulting Group, Inc. informed the Board of the Nebraska laws regarding building and the different ways to go about this process. After discussion, the Board will discuss at the March 14th meeting.

MILLIGAN NORTH PAVING PROJECT

After discussion, Noel moved and Sluka seconded the motion to approve Speece Lewis Engineers to get the plans drawn up and to get the bid process started for paving five hundred (500) feet north of Highway 41 on Road 24 and to split the cost of the sixty (60) ft. driveway with Milligan 41, LLC owners (County would pay 2/3 cost and Milligan 41, LLC



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would pay for a 1/3 of the cost for the driveway). Kenny Harre was present representing Milligan 41, LLC. 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.

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:

Aging Partners	Budget request	17,334.00
Bi-Versal Services, LLC	Ser	625.00
Black Hills Energy	Uti	1,457.32
Blue Cross Blue Shield of Nebraska	Insur	54,190.04
Bottorf & Maser, Attorney at Law	Ser, Mile	460.75
Capital Business Systems, Inc.	Ser	146.86
Helen Cellar	Spelling Bee	75.00
Marilyn Christiancy	Ret	25.00
City of Geneva	Uti	285.10
Dell Marketing, LP	Equip	166.00
Douglas County Sheriff	Ser, Mile	23.52
Erdkamp Motors	Rep, Main	310.17
Fillmore County Hospital	Ser	277.76
Fillmore County Medical Center	Ser	219.53
Fillmore County Sheriff	Ser	25.00
Fillmore County Treasurer	Transfer	30,000.00
Geneva Chamber of Commerce	Dues	90.00
Geneva Home Center	Sup, Equip	544.75
Halbur Electric, LLC	Rep	111.76
Hall County Department of Corrections	Boarding prisoners	2,332.35
Heartland Bank	SS	3,929.78
Frances Heinrichs	Meals, Mile	69.80
Kalkwarf & Smith Law Offices, LLC	Ser, Uti, Post, Sup	3,027.84
Madison National Life Insurance Co.	Insur	4.54
Midwest Radar & Equipment	Ser	240.00
MIPS, Inc.	Equip	3,986.55
NACO Planning & Zoning	Dues	30.00
NeoFunds by NeoPost	Post	705.00
O'Keefe Elevator Company, Inc.	Main	246.94
Radiology Associates	Ser	42.49
Retirement Plans Division of Ameritas	Ret	3,935.86
Shell Fleet Plus	Fuel	1,887.11
State of Nebraska Health & Human Service	January Patient Care	192.00
Carol Strothkamp	Spelling Bee	75.00
SupplyWorks	Equip, Sup	386.23
US Bank, CPS	Post, Mile	17.94
Brandy VanDeWalle	Uti, Meal, Mile, Wksh	148.76
Verizon Wireless	Uti	719.58
Susan Wilkins	Spelling Bee	130.00
Windstream	Uti	1,028.97
Payroll	Salaries	57,063.30

ROAD/BRIDGE FUND:



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B's Enterprises, Inc.	Equip	5,200.00
Black Hills Energy	Uti	540.87
CEL Farms, LLC	Right-of-Way	583.30
City of Geneva	Sup	492.66
Dorchester Farmers Coop	Fuel	1,979.25
Grafton Mini-Mart	Fuel	56.00
Grafton Oil, Inc.	Fuel	967.58
Heartland Bank	SS	1,946.09
Lauber Seed Farm	Easement	50.00
Medical Enterprises, Inc.	Ser	67.00
Nebraska Public Power District	Uti	550.99
Perennial Public Power District	Uti	310.81
Retirement Plans Division of Ameritas	Ret	1,780.37
US Bank CPS	Post	2.45
Verizon Wireless	Uti	107.54
Payroll	Salaries	26,478.79

SHERIFF – SPECIAL LAW ENFORCEMENT GRANTS FUND:

Heartland Bank	SS	128.52
Retirement Plans Division of Ameritas	Ret	130.20
Verizon Wireless	Uti	63.77
Payroll	Salaries	1,680.00

911 COMMUNICATIONS CENTER FUND:

APCO International	Dues	92.00
Lichti Oil	Fuel	59.37

CLAIMS APPROVED

Mueller moved and Sluka seconded the motion to approve the claims as presented. 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.

COURTHOUSE WINDOW CONTRACT WITH MASONRY CONSTRUCTION

Mueller moved and Noel seconded the motion to approve the contract with Masonry Construction to replace the windows on the east and west steps as bid. 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.

COURTHOUSE WEST ENTRANCE CONTRACT WITH MASONRY CONSTRUCTION

Noel moved and Cerny seconded the motion to approve the contract with Masonry Construction to replace the west entrance steps as bid. 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.

WEST STAIRS CHANGE FROM POURED TO REINFORCED BLOCK WALL



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After discussion, Johnson moved and Galusha seconded the motion to change the west entrance to a reinforced block wall instead of poured.

After review of plans closer and further discussion with the contractor, Johnson and Galusha withdrew the motion as the Board felt they needed more information.

CONTRACT WITH UNIFIRST

County Clerk, Amy Nelson informed the Board that they reviewed the contract with UniFirst for mats, mops, and towels. After discussion with UniFirst there could be a significant savings with signing a new contract.

Noel moved and Johnson seconded the motion to authorize the County Clerk and Custodian's to enter into a new contract with UniFirst. 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.

HOSPITAL BOARD DISCUSSION

Supervisor Noel suggested that the representative from the County Board that sits in on the Hospital Board be allowed to stay in executive sessions. After discussion, the Board will request that a representative from the Hospital Board be present at the March 14th meeting.

ADJOURN

As there was no other business to come before the Board, Mueller moved and Sluka seconded the motion to adjourn until 9:10 a.m., March 14, 2017. Upon roll call, the vote was as follows:

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

Nays: None Absent: Johnson

The Chairman declared the motion carried.

Attest

Chairman