



Fillmore County Board Minutes



July 18, 2017

The Fillmore County Board of Supervisors convened in open and public session at 9:15 a.m., July 18, 2017, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Risseeuw, Mueller, Cerny and Johnson. Sluka was absent. The County Clerk was present to record the minutes of the meeting. Bill Burgess 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 3:16 p.m.

EMERGENCY ITEM ADDED TO AGENDA

At the request of the Highway Superintendent, Mueller moved and Noel seconded the motion to add emergency action item to discuss bridge repairs on Road 8 between Road K and Road L to the agenda. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MINUTES

Chairman of the Board, Neiman declared the minutes of the June 27, 2017 Board meeting approved as presented.

INSTALL NEW STOP SIGNS

After discussion, Cerny moved and Johnson seconded the introduction of the following resolution:

RESOLUTION 2017 - 13

In accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended, and

WHEREAS, it is in the best interest of Fillmore County, Nebraska, to establish and maintain proper consistent highway signing in conformity with said manual,

The Fillmore County Highway Department therefore requests formal approval to place, erect, and maintain traffic control devices on Fillmore County Roads at the following locations:

TYPE OF DEVICE
Stop Sign

LOCATION
Stop signs located in the NE and the SW corner of the intersection of Road L and Road 14. Such signs to control East bound and West bound traffic at the intersection of Road L & Road 14.

NOW THEREFORE Be It RESOLVED by the Fillmore County Board of Supervisors directing the Highway Superintendent to install these stop signs.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

EQUIPMENT FOR ROAD DEPARTMENT



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Pat Halbur, Highway Superintendent requested to purchase a reclaiming machine for AC on equipment and a transmission jack for approximately \$5,800.00 since the 2017/2018 budget has not been adopted.

After discussion, Mueller moved and Noel seconded the motion to approve the purchase of a reclaiming machine for AC on equipment and a transmission jack. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

2017 FRACTURE CRITICAL BRIDGE INSPECTION AGREEMENT

After discussion, Risseeuw moved and Johnson seconded the introduction of the following resolution:

RESOLUTION #2017 – 14

WHEREAS, the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

WHEREAS, Fillmore County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid projects;

WHEREAS, Fillmore County and the NDOR wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

BE IT RESOLVED: by the Board of Supervisors of Fillmore County that:

Chair of the Fillmore County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between the Fillmore County and the NDOR.

Fillmore County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOR Project Number: STP-NBIS (110) & NBIS (108)

NDOR Control Number: 00953A & 00958A

NDOR Project Name: 2017 Fracture Critical Bridge Inspection

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

BRIDGE REPAIRS ON ROAD 8

Highway Superintendent, Pat Halbur informed the Board that Road 8 between Road K and Road L has been closed for several months due to the abutment of the bridge needing repairs. After further inspection of bridge the pilings are rusted out and would need to be replaced or repaired.

After discussion regarding cost of repairs or replacement, Cerny moved and Noel seconded the introduction of the following resolution:

RESOLUTION 2017 – 15



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WHEREAS, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of County Road 8, between Road K and Road L and to submit within thirty (30) days a written report of recommendation of the vacation of Road 8.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

MONTHLY FEE REPORTS

Cerny moved and Mueller seconded the motion to approve the fee reports for June 2017 as follows:

County Clerk \$7,852.43 (State \$3,430.10 & County \$4,422.33)
Clerk of the District Court \$1,103.71
County Sheriff \$1,931.48

Upon roll call, the vote was follows:

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

The Chairman declared the motion carried.

2ND QUARTER ACCOUNTABILITY STATEMENTS

After review, Noel moved and Risseeuw seconded the motion to approve the 2nd quarter accountability statements from the County Attorney, Clerk of the District Court, Register of Deeds Fee, Section 125, and Soldiers & Sailors accounts as presented. Upon roll call, the vote was as follows:

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

Howard F. Ach	Rent, Post, Misc	573.47
Alertsense, Inc.	Ser, Main	3,515.00
Auto Value Parts Stores	Rep	190.54
Bi-Versal Services, LLC	Ser	530.38
Black Hills Energy	Uti	84.68
Leslie Boswell	Mile	36.38
Carrier Corporation	Rep, Equip	2,588.00
Century Lumber Center	Sup	42.13
Chaney Chemical, Inc.	Sup	523.32
Jerry Chapman	Mile	25.68
Child Advocacy Center	Budget request	2,107.00
City of Geneva	Uti	391.40
Gaylord Craddock	Mile	36.38
Diane Deepe	Ser	320.00



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Diode Technologies	Rep, Equip	309.00
Dollar General	Sup	8.25
Eakes Office Solutions	Sup	1,626.25
Fillmore County Clerk	Filing Fees	32.00
Fillmore County Clerk of the District Court	Filing Fees	72.00
Fillmore County Treasurer	Transfer	20,000.00
First Concord Group, Inc.	Insur	324.50
Forensic Behavioral Health, Inc.	Ser	937.50
Geneva Broadband	Ser	40.00
Geneva Tire	Main	356.53
Heartland Bank	SS	4,423.53
Frances Heinrichs	Mile, Meal	69.80
Hometown Leasing	Ser	1,039.69
Jerry Knoche	Mile	5.35
Kopchos Sanitation, Inc.	Uti	137.75
Stephen J. Kraviec	Ser, Post	1,736.44
Madison National Life Insurance Co.	Insur	138.21
MIPS, Inc.	Ser	3,340.70
Nebraska Association of County Clerks, Register of Deeds, And Election Commissioner	Wksh	50.00
Nebraska Association of County Officials	Dues	2,264.76
Nebraska Leafy Spurge Task Force	Wksh	35.00
Nebraska Sheriff's Association	Wksh	100.00
The Nebraska Signal	Ads,Proc	1,158.04
NeoFunds by NeoPost	Post	700.00
Nick's Farm Store	Rep, Sup	197.94
NIRMA	Insur	65,326.00
Patrice's Specialties, LLC	Sup	128.00
Retirement Plans Division of Ameritas	Ret	4,345.49
Sargent Drilling	Sup	28.00
Skalka & Baack Law Firm	Ser	401.72
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Health & Human Serv	May Patient Care	93.00
Sullivan, Shoemaker PC, LLO	Ser, Mile	2,703.40
SupplyWorks	Sup	263.05
Targets Online	Sup	75.33
Unifirst	Ser	194.00
Gary Warren	Mile	32.10
Weaver Pharmacy	Sup	336.19
Windstream	Uti	268.45
Payroll	Salaries	64,774.51

ROAD/BRIDGE FUND:

Ace Irrigation & Manufacturing	Culverts	9,126.29
Auto Value Parts Stores	Sup	186.38
Bi-Versal Services, LLC	Ser	1,044.31
Black Hills Energy	Uti	70.49
The Boulder Company	Sup	94.61
City of Geneva	Uti	68.20
Dorchester Farmers Coop	Fuel	5,231.28
Geneva Broadband, LLC	Uti	40.00
Geneva Tire	Rep, Ser, Equip	938.24
Geneva Welding & Supply, Inc.	Sup, Equip	184.00
Grafton Oil, Inc.	Fuel, Main	1,992.29
Heartland Bank	SS	2,129.30
Hometown Leasing	Ser	139.00
Hotel Grand Conference Center	Lodging	189.90
Kaiser Auto Supply, LLC	Parts, Sup	538.59
Kopchos Sanitation	Uti	51.00



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Lichti Oil	Fuel, Parts	1,690.29
Medical Enterprises, Inc.	Ser	36.00
Metal Culverts, Inc.	Culverts	6,719.04
MIPS, Inc.	Ser	134.73
Brian Mussman	Ser	3,300.00
Nebr Iowa Industrial Fasteners Corp.	Sup	330.19
Nichols Construction	Gravel	51,405.40
NIRMA	Insur	67,830.00
Office Depot Business Credit	Sup	115.96
Perennial Public Power District	Uti	50.43
Power Plan	Parts, Sup	1,337.74
Retirement Plans Division of Ameritas	Ret	1,931.00
Shell Fleet Plus	Fuel	1,390.11
Speece Lewis Engineers	Ser	525.00
Village of Exeter	Uti	18.75
Village of Grafton	Uti	36.76
Village of Milligan	Uti	24.00
Village of Shickley	Uti	23.23
Payroll	Salaries	28,714.91

HIGHWAY BRIDGE BUYBACK PROGRAM FUND:

Herbst Construction	Bridge repair	16,315.25
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REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	134.64
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911 EMERGENCY MANGEMENT FUNDS:

Windstream	Uti	1,728.92
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SHERIFF – SPECIAL LAW ENFORCEMENT FUND:

Fillmore County Treasurer	Loan repayment	1,500.00
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	June taxes	312.63
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CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

ZELANY SUBDIVISION

Planning & Zoning Administrator submitted the Zeleny Subdivision located in the NE ¼ of the SE ¼, Section 13, Township 7 North, Range 2 West, this subdivision is an accessory use so it does not need to be a three (3) acre minimum.

After discussion, Mueller moved and Risseeuw seconded the motion to approve the Zeleny Subdivision as follows: a tract of land in the NE ¼ of the SE ¼ of Section 13, Township 7 North, Range 2 West of the 6th P.M., Fillmore County, Nebraska, being more particularly described as follows: beginning at the NE corner of said SE ¼; thence S 01°55'05" E, 189.07 ft. on the east line of said SE ¼; thence S 88°05'32" W, 282.31 ft.; thence N 48°35'33" W, 71.10 ft.; thence N 02°03'06" W, 139.31 ft. to the north line of said SE ¼; thence N 87°55'07" E, 334.35 ft. on said north line to the point of beginning, containing 1.42 acres more or less, which includes 0/14 acres more or less used for county road purposes.



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Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

REINSCH SUBDIVISION

Planning & Zoning Administrator submitted the Reinsch Subdivision located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 1, Township 5 North, Range 4 West.

After discussion, Noel moved and Mueller seconded the motion to approve the Reinsch Subdivision as follows: a tract of land commencing at the northwest corner of Section 1, Township 5 North, Range 4 West of the sixth principal meridian, Fillmore County, Nebraska, and the point of beginning; thence north 88°39'18" East, (as assumed bearing) on the north line of the NW $\frac{1}{4}$, a distance of 400.01 feet; thence south 00°57'16" East, parallel to the west line of the NW $\frac{1}{4}$; a distance of 400.01 feet; thence south 89°39'18" west, and parallel to the north line of the NW $\frac{1}{4}$, a distance of 400.01 feet; thence north 00°57'16" west, on the west line of the NW $\frac{1}{4}$, a distance of 400.01 feet to the point of beginning, and containing a calculated are of 160,008.00 square feet or 3.673 acres more or less.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SOUTHEAST NEBRASKA ADULT DRUG COURT

Amanda Vanasperen gave an update to the Board and budget request of \$2,343.38 for fiscal year 2017/2018. Currently they have forty-four (44) participants in adult drug court with a 75% success rate. Each participant must plead guilty to their charge in court, complete an application and have the County Attorney sign off before the drug court team will review the application. The process can take eighteen (18) to twenty (20) months to complete all the requirements. If all requirements are met then charges are dropped, if they do not complete the process they will be charged with the felony they plead guilty to. Counties included are Fillmore, Gage, Jefferson, Thayer, and Saline.

After discussion, Johnson moved and Mueller seconded the motion to approve and sign the Interlocal Agreement with Southeast Nebraska Adult Drug Court beginning July 1, 2017 and ending June 30, 2018 with Gage, Jefferson, Thayer, and Saline. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

HOPE CRISIS CENTER

Carmen Hinman, Director of Hope Crisis Center gave an annual report and budget request of \$5,272.00 for fiscal year 2017/2018, further discussion will take place during the budget process.

BRYANT TOWNSHIP PRELIMINARY LEVY ALLOCATION

After discussion, Johnson moved and Mueller seconded the introduction of the following resolution:

RESOLUTION BT2017 – 01

WHEREAS, Nebraska Statute 77-3443 (3) requires all political subdivision subject to county levy authority to submit a preliminary request for levy allocation to the County Board; and



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WHEREAS, the Fillmore County is the levy authority for the Bryant Township;

NOW, THEREFORE, BE IT RESOLVED that the following is said Board's request for budget year 2017/2018:
General Fund \$10,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

GENEVA TOWNSHIP PRELIMINARY LEVY ALLOCATION

After discussion, Risseeuw moved and Cerny seconded the introduction of the following resolution:

RESOLUTION GT2017 – 01

WHEREAS, Nebraska Statute 77-3443 (3) requires all political subdivision subject to county levy authority to submit a preliminary request for levy allocation to the County Board; and

WHEREAS, the Fillmore County is the levy authority for the Geneva Township;

NOW, THEREFORE, BE IT RESOLVED that the following is said Board's request for budget year 2017/2018:
General Fund \$15,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BAILIFF BUDGET REQUEST

District Judge Johnson, submitted a budget request of \$12,170.09 for fiscal year 2017/2018, further discussion will take place during budget discussions.

SURPLUS ITEMS

After discussion, Noel moved and Mueller seconded the motion to declare the 2004 Dodge Intrepid SE to be sold with a sealed bid and the topper from the Emergency Manager's pickup as surplus. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

PLANNING AND ZONING ADMINISTRATOR / VETERANS ASSISTANT SALARY

After discussion, Mueller moved and Johnson seconded the motion to raise the Planning and Zoning Administrator's / Veterans Service Assistant salary to \$17.58 an hour. Upon roll call, the vote was as follows:

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



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The Chairman declared the motion carried.

BUDGET REVIEWS

Throughout the day the board reviewed the following budgets with the department heads: Extension, Noxious Weed, District Court, District Judge, Planning & Zoning, Senior Services, Assessor, Sheriff, Jail, Investigator – RAP, Law Enforcement Grant, Board, Clerk, Register of Deeds, Election, Data Processing, Employment Securities, Institutions, Courthouse Bond, and Road Bond.

VETERANS SERVICE DRIVERS SALARY

After discussion, Noel moved and Risseeuw seconded the motion to raise the Veterans Service Drivers salary to \$12.00 an hour. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

SETTING UP NEW FUND

After discussion, Johnson moved and Cerny seconded the introduction of the following resolution:

RESOLUTION 2017 – 16

WHEREAS, Fillmore County has determined there is a need to establish fund #2910 for 911 Emergency Management replacing #5907 911 Emergency Communications,

WHEREAS, Fillmore County will name this fund 911 Emergency Management - #2910,

WHEREAS, the fund will be used for 911 funds for tower, supplies, education, and repairs,

THEREFORE BE IT HEREBY RESOLVED, the 911 Emergency Management fund will be set up on July 18, 2017. The County Treasurer is directed to set up this fund.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

CLOSING BUDGET ACCOUNTS

After discussion, Mueller moved and Risseeuw seconded the introduction of the following resolution:

RESOLUTION 2017 – 17

WHEREAS, Fillmore County, Nebraska, has a Sheriff – Special Law Enforcement Grant Fund #2400, an Emergency Management Grant Fund #2506, and an Ethanol Plant Road Bond Fund #3700, and

WHEREAS, Fillmore County has determined there is no longer a need to have separate funds for the above-named funds,

THEREFORE BE IT HEREBY RESOLVED, the Sheriff – Special Law Enforcement Grant Fund #2400, an Emergency Management Grant Fund #2506, and an Ethanol Plant Road Bond Fund #3700 will be closed as of July 21, 2017. The County Treasurer is directed to transfer all money remaining in aforementioned funds on July 21, 2017 to the Fillmore County General Fund. The County Treasurer is further directed to automatically transfer any future collections for the aforementioned funds directly to the General fund.



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Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

GENERAL ASSISTANCE #2017-01

After discussion, Johnson moved and Mueller seconded the motion to deny General Assistance application #2017-01 and directed applicant to check out other resources. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

EAST OFFICE BUILDING/PROPERTY

The top six inches have been removed from the east building property and replaced with top soil by Mussman Excavating. Cerny will be contacting a couple vendors to submit bids to seed the lawn.

ADJOURN

As there was no other business to come before the Board, Risseeuw moved and Johnson seconded the motion to adjourn until 9:00 a.m., July 25, 2017. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

Attest

Chairman