



Fillmore County Board Minutes



September 12, 2017

The Fillmore County Board of Supervisors convened in open and public session at 9:04 a.m., September 12, 2017, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Risseeuw, 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 1:28 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman approved the minutes of the August 22, 2017 Board meeting.

EXECUTIVE SESSION

Mueller moved and Cerny seconded the motion that the Fillmore County Board of Supervisors hold an executive session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and consider in executive session personnel items authorized by Statute to be discussed in executive session. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried and requested that the County Sheriff and County Clerk remain. Executive session began at 9:06 a.m.

RETURN TO REGULAR SESSION

Noel moved and Sluka seconded the motion to return to open session at 9:16 a.m. Upon roll call, the vote was as follows:

Ayes: Cerny, Mueller, Neiman, Noel, Risseeuw, and Sluka
Nays: None Abstaining with conflict: Johnson (didn't agree criteria for executive session)

The Chairman declared the motion carried.

REGION V SYSTEMS

C J Johnson, Regional Administrator with Region V Systems presented the annual report and budget request of \$13,126.00 for mental health and \$2,361.00 for substance abuse for fiscal year 2017/2018.

REGION V SERVICES

Dave Merrill Executive Director with Region V Services presented the annual report and budget request of \$10,484.00 for fiscal year 2017/2018. Tammy Hinrichs gave a presentation of how her department in York and Seward work with individuals in getting them into the work force.

DRIVEWAY PERMIT

Noel moved and Risseeuw seconded the motion to approve the following driveway permit as presented by the Highway Superintendent:

Dustin Hoarty – extend existing driveway to 60 ft. on the west side of the SW ¼, Section 35, West Blue Township.

Upon roll call, the vote was as follows:

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



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The Chairman declared the motion carried.

DRIVEWAY PERMITS

Sluka moved and Cerny seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Rex Mussman – install a new 40 ft. driveway on the south side of the SW ¼, Section 15, Franklin Township;
R & M Farms – install a new 40 ft. driveway on the west side of the NW ¼, Section 30, Stanton Township;
R & M Farms – install a new 40 ft. driveway on the east side of the NE ¼, Section 24, Momence Township;
R & M Farms – install a new 40 ft. driveway on the west side of the SW ¼, Section 19, Stanton Township;
Chad & Jennifer Engle – install a new 40 ft. driveway on the west side of the NW ¼, Section 13 Geneva

Township;

Biba Trust – install a new 40 ft. driveway on the north side of the NE ¼, Section 17, Liberty Township; and
DL Rohr, LLC – install a new 40 ft. driveway on the north side of the NE ¼, Section 2, Franklin Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CLEAN SILT PERMIT

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

Chad & Jennifer Engle – remove the silt along the west side of the NW ¼, Section 13 and place back into the field.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

DISCUSSION REGARDING MOWING NORTH 13TH STREET

Supervisor Johnson had constituents that would like to see north 13th Street mowed as it was in the past when the State of Nebraska owned the property. They gave her ideas of spraying the grass to keep it down and having the City of Geneva mow it. After discussion spraying it will cause erosion around the bridge and the Board assumed the City would charge the County to do this. Per Nebraska Statute 39-1811 it is the landowner's responsibility to mow the roadside.

DISCUSSION REGARDING COST ESTIMATES ON REPAIRING BRIDGE ON ROAD 8

Speece Lewis Engineers submitted cost estimates to the Highway Superintendent for replacing the bridge, removal of bridge and replace with culverts, and a low water crossing. Supervisor Noel contacted the NACO Attorney about the possibility of creating an easement for the adjoining landowners to take over the road. After discussion, the Board would like to research a few things and then invite the adjoining landowners back to meet with the Board at a future meeting.

DISCUSSION REGARDING BRIDGE ON ROAD 11

Pat Halbur, Highway Superintendent gave an update on the replacement of the bridge on Road 11, that there was a delay due to NPPD but the new deck was poured and they are working on putting up the guardrails.



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DISCUSSION REGARDING WASHBOARDS AROUND SECTIONS 14 & 15, MADISON TOWNSHIP

Supervisor Johnson requested the Highway Superintendent review the roadway around Sections 14 and 15, Madison Township for washboards. After discussion, the Board agreed that most gravel roads have some washboards and Highway Superintendent said that gravel was just put out on some of these roads at the time reported.

DISCUSSION REGARDING TURN LANE OFF HIGHWAY 81 ONTO ROAD L (R STREET) EAST

The Board received a letter from the Nebraska Department of Transportation in reference to their letter requesting a traffic study be completed in this area due to the new Fortigen plant. Nebraska Department of Transportation's traffic engineer doesn't believe that the anticipated volumes require any changes at this intersection.

DEED TO RETURN PART OF 6TH STREET BACK TO THE CITY OF GENEVA

After discussion, Cerny moved and Sluka seconded the motion to approve the Chairman and the County Clerk to sign the deed reverting the part of 6th Street that was vacated in 1901 to the City of Geneva. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

RAILROAD CROSSING ON ROAD 12 NORTH OF HIGHWAY 6

The Board reviewed the letter from the Department of Transportation, Railroad Liaison Engineer regarding the railroad crossing on Road 12 north of Highway 6. Their recommendation is to close the crossing on Road 10 or Road 11 for them to signalize Road 12 and the NDOT would pay 100% of the cost. If that was not acceptable to the County Board then the County would have to pay 10% of the approximate \$374,715.00. After discussion, the Board requested the Highway Superintendent to contact them regarding what they would be placing at this crossing, lights and cross arms or just the lights. Will discuss again at the September 26th meeting.

YEAR-END REPORTS FOR ROAD DEPARTMENT

After review, Mueller moved and Johnson seconded the motion to approve the year-end reports for the Road Department as presented by the Highway Superintendent. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY ACTION PLAN FOR ROAD DEPARTMENT

After review, Risseeuw moved and Mueller seconded the motion to approve the Emergency Action Plan for the Road Department as presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BOILER BID LETTING

The following bids were opened at 10:47 a.m. as advertised:

<u>BIDDER:</u>	<u>PRICE:</u>
Trane, US, Inc., Ralston, NE	\$172,147.00
Carrier Corporation, Omaha, NE	\$152,500.00



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Both company representatives gave a presentation after the bid opening.

COUNTY BUDGET HEARING

The hearing on the county's budget for 2017/2018 was opened at 11:04 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 11:04 a.m.

CLOSE PUBLIC HEARINGS

Noel moved and Mueller seconded the motion to close both the Budget and the Final Tax request hearings at 11:14 a.m. as no one appeared to testify for or against. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

BRYANT TOWNSHIP BUDGET HEARING

Opened public hearing at 11:21 a.m. for the Bryant Township budget hearing.

Johnson moved and Noel seconded the motion to close the public hearing regarding Bryant Township 2017/2018 Budget at 11:31 a.m., as there was no one in attendance to testify for or against the budget. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

GENEVA TOWNSHIP BUDGET HEARING

Opened public hearing at 11:34 a.m. for the Geneva Township budget hearing.

Mueller moved and Sluka seconded the motion to close the public hearing regarding Geneva Township 2017/2018 Budget at 11:41 a.m., as there was no one in attendance to testify for or against the budget. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ADDITIONAL BUDGET AUTHORITY

Mueller moved and Cerny 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: Cerny, Johnson, Mueller, Neiman, Noel, Risseeuw, and Sluka

Nays: None

The Chairman declared the motion carried.

BUDGET ADOPTED



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Cerny moved and Mueller seconded the introduction of the following resolution:

RESOLUTION 2017 - 25

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2017 to June 30, 2018, prepared by the Budget Making Authority, was transmitted to the County Board on the 12th day of September, 2017.

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, 2017 to June 30, 2018, 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, 2017 and ending June 30, 2018.

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:

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

The Chairman declared the resolution adopted.

ADDITIONAL RESTRICTED FUNDS FOR BRYANT TOWNSHIP

Johnson moved and Noel seconded the motion to approve the increase in the 2017/2018 restricted funds limit by an additional one percent (1%) for Bryant Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

BRYANT TOWNSHIP 2017/2018 BUDGET

Noel moved and Sluka seconded the motion to approve the 2017/2018 Bryant Township budget as advertised and presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

AUDIT WAIVER FOR BRYANT TOWNSHIP

Mueller moved and Sluka seconded the motion to request an audit waiver for the 2016/2017 fiscal year for Bryant Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADDITIONAL RESTRICTED FUNDS FOR GENEVA TOWNSHIP



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Risseeuw moved and Cerny seconded the motion to approve the increase in the 2017/2018 restricted funds limit by an additional one percent (1%) for Geneva Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

GENEVA TOWNSHIP 2017/2018 BUDGET

Cerny moved and Johnson seconded the motion to approve the 2017/2018 Geneva Township budget as advertised and presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

AUDIT WAIVER FOR GENEVA TOWNSHIP

Sluka moved and Mueller seconded the motion to request an audit waiver for the 2016/2017 fiscal year for Geneva Township. Upon roll call, the vote was as follows:

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

Ace Agricultural Supply	Rep	9.04
Howard F. Ach	Rent, Post, Uti	563.73
Action Auto Supply	Sup	7.86
Adams County Sheriff	Ser	36.00
Auto Value Parts Stores	Sup	6.43
B & J Automotive	Main	55.50
Bi-Versal Services, LLC	Ser	355.38
Black Hills Energy	Uti	74.56
Blue Cross Blue Shield of Nebraska	Insur	55,952.21
Capital Business Systems, Inc.	Ser, Sup	1,258.96
Carrier Corporation	Ser	3,050.00
Century Lumber Center	Sup, Rep	81.61
Chaney Chemical, Inc.	Sup	417.62
City of Geneva	Uti	867.85
Diane Deepe	Ser	180.00
Diesel Pickup Shop	Main	51.86
Dollar General – Regions 410526	Sup	39.90
Eakes Office Solutions	Sup	730.17
Exeter Senior Center	USDA Reimb.	114.80
Fairmont Aging Services	USDA Reimb.	298.20
Fillmore County Clerk of the District Court	Fees	108.00
Fillmore County Hospital	Ser	19.80
Fillmore County Medical Center	Ser	208.21



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Fillmore County Treasurer	Transfer	250,000.00
First Concord Group, Inc.	Insur, Ser	6,386.85
Geneva Broadband, LLC	Uti	128.00
Geneva Senior Center	USDA Reimb.	1,193.50
Geneva Tire	Rep, Main	288.25
GIS Workshop	Ser	3,343.75
Heartland Bank	SS	4,778.35
Frances Heinrichs	Meal, Mile	95.75
Hometown Leasing	Ser	1,039.69
King's Glass	Rep	427.00
Jerry Knoche	Mile	13.91
Kopchos Sanitation, Inc.	Uti	137.75
Lichti Oil	Fuel, Sup	119.90
Lied Lodge & Conference Center	Lodging	303.00
Lincoln Police Department	Uti	960.24
Madison National Life Insurance Co.	Insur	136.01
Masonry Construction, Inc.	Rep	20,062.60
MIPS, Inc.	Ser, Sup	3,732.62
Mussman Excavating	Ser	7,941.25
The Nebraska Signal	Proc, Ads	1,184.83
Nebraska Weed Control Association	Wksh	120.00
NeoFunds by NeoPost	Post	700.00
O'Keefe Elevator Company, Inc.	Main	256.81
Platte Valley Communications of Hastings	Sup, Equip	525.00
Retirement Plans Division of Ameritas	Ret	4,714.95
Shell Fleet Plus	Fuel	2,464.19
Skalka & Baack Law Firm	Ser	70.50
Jennifer Slezak	Mile	39.59
State of Nebraska AS Central Finance	Ser	448.00
SupplyWorks	Sup	295.72
Thayer County Treasurer	Sup	211.15
UniFirst Corp.	Ser	242.27
US Bank, CPS	Post, Sup, Main	371.54
Brandy VanDeWalle	Uti, Mile, Lodging, Meals	341.16
Verizon Wireless	Uti	784.39
Weaver Pharmacy	Sup	99.16
What's Happening	Ad	15.00
Windstream	Uti	1,311.97
Woodward's Disposal Service, Inc.	Ser	20.00
York County Sheriff	Ser	36.18
York News Times	Ads	106.35
Payroll	Salaries	69,217.23

ROAD/BRIDGE FUND:

Ace Irrigation & Manufacturing	Culverts	2,463.03
Action Autos Supply	Parts	13.51
All Roads Barricade, Inc.	Sup	431.50
Auto Value Parts Stores	Parts, Sup, Main	906.63
Barco Municipal Products, Inc.	Equip	156.29
Bi-Versal Services, LLC	Lawn mowing	1,044.31
Black Hills Energy	Fuel	69.85
City of Geneva	Uti	71.75
Dorchester Farmers Coop	Fuel, Rep	5,401.74
Erdkamp Motors	Part, Rep	168.80
Geneva Broadband, LLC	Uti	40.00
Geneva Implement, Inc.	Parts	480.68
Geneva Tire	Rep, Main	440.58
Geneva Welding & Supply, Inc.	Parts, Sup	678.03
Grafton Oil, Inc.	Fuel	1,879.95



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Heartland Bank	SS	2,279.35
Hometown Leasing	Ser	139.00
John Deere Financial	Sup, Parts	66.23
Kaiser Auto Supply, LLC	Parts, Sup	396.53
Kelch Plumbing Heating & Refrigeration	Rep	257.38
Kopchos Sanitation, Inc.	Uti	51.00
Lichti Oil	Rep, Fuel, Parts	8,276.58
MIPS, Inc.	Ser	134.73
Nebraska Industrial Fasteners Corp	Sup	162.68
The Nebraska Signal	Ads	32.41
Newman Traffic Signs	Equip	1,652.65
Nichols Construction	Gravel	137,275.63
Nick's Farm Store Co.	Rep	361.65
NMC Exchange, LLC	Parts, Ser, Rep, Main	17,316.46
Office Depot Business Credit	Sup	50.23
Perennial Public Power District	Uti	50.05
Power Plan	Parts	950.48
Retirement Plans Division of Ameritas	Ret	2,051.23
Sahling Kenworth, Inc.	Parts, Rep	61.44
Shell Fleet Plus	Fuel	3,250.47
34 Electric, LLC	Rep	170.00
Verizon Wireless	Uti	107.70
Village of Grafton	Uti	37.01
Village of Shickley	Uti	25.66
Vogtscapes, Inc.	Paving Projects	122,687.85
Payroll	Salaries	30,678.10

HIGHWAY BRIDGE BUYBACK PROGRAM FUND:

Herbst Construction	Bridge	67,677.05
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REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	134.64
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INHERITANCE TAX FUND:

Woods & Aitken, LLP	Ser	6,244.00
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911 EMERGENCY MANGEMENT FUND:

Geneva Broadband, LLC	Uti	64.00
Nebraska APCO/NENA	Wksh	250.00
Windstream	Uti	1,728.70

HOSPITAL OPERATING FUND:

Fillmore County Hospital	August taxes	22,580.22
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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

FEE REPORTS

Johnson moved and Risseeuw seconded the motion to approve the August 2017 fee reports as presented:

County Clerk: \$8,351.81 (State \$3,827.36 & County \$4,524.45)



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Clerk of the District Court: \$547.79
County Sheriff: \$1,892.18

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

LINCOLN FOOD BANK

John Mabry and Michaela Kumke with the Lincoln Food Bank gave an update to the Board. They are currently serving sixteen (16) counties and in 2016 they provided 67,667 pounds of food or 56,398 meals were distributed in Fillmore County. Within Fillmore County there are 640 people that are food insecure and 210 children under the age of eighteen (18). Their monthly food distributions are at the St. Joseph Church in Geneva on Sept. 12th, October 10th, November 14th, and December 12th.

SUBSTITUTING SECURITIES

Mueller moved and Sluka seconded the introduction of the following resolution:

RESOLUTION #2017 – 26

RESOLVED, that Heartland Bank of Geneva, Nebraska be permitted to substitute the following security held by the Midwest Independent Bank, Trustee:

CUSIP #022438BC8 in the amount of \$300,000.00 & CUSIP #016249FK5 in the amount of \$335,000.00

and that the following security be substituted:

CUSIP #652300MH4 in the amount of \$170,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

BOILER BIDS APPROVED

After further discussion, Sluka moved and Johnson seconded the motion to accept and purchase the boilers from Carrier Corporation with an additional \$8,000.00 for the Carrier I-Vu program. Upon roll call, the vote was as follows:

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

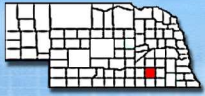
The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Risseeuw moved and Noel seconded the motion to adjourn until 9:00 a.m., September 26, 2017. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



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Attest

Chairman