



Fillmore County Board Minutes



November 28, 2017

The Fillmore County Board of Supervisors convened in open and public session at 9:03 a.m., November 28, 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. Bill Burgess was present for the meeting and Patt Lentfer was present for a portion 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 2:34 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman approved the minutes of the November 14, 2017 Board meeting as presented.

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:

Blue Cross Blue Shield of Nebraska	Insur	62,829.91
Capital Business Systems, Inc.	Ser	153.86
Cass County Sheriff's Office	Ser	18.50
Marilyn Christiancy	Ret	25.00
Clay County District Court	Ser	2.25
Dell Marketing, LP	Sup	743.30
Exeter Senior Center	USDA Reimb.	101.50
Fairmont Aging Services	USDA Reimb.	278.60
Fillmore County Sheriff	Fees	522.35
Fillmore County Treasurer	Transfer	20,000.00
First Concord Benefits Group, LLC	Ser	50.00
Geneva Home Center	Sup	293.19
Geneva Senior Center	USDA Reimb.	1,108.10
Geneva Super Foods	Sup	1,478.98
Heartland Bank	SS	4,807.20
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,129.75
Light & Siren	Equip	546.00
Madison National Life Insurance Co.	Insur	20.43
Nebraska 4-H	Wksh	190.00
O'Keefe Elevator Company, Inc.	Main	256.81
Retirement Plans Division of Ameritas	Ret	4,714.52
Shell Fleet Plus	Fuel	2,376.05
State of Nebraska Dept. of Correctional	Boarding Prisoners	1,452.82
State of Nebraska Dept. of Labor	Main	138.00
State of Nebraska Health & Human Serv.	October Patient Care	186.00
Superior Family Medical Center	Ser	174.00
US Bank CPS	Ser, Sup	254.76
Verizon Wireless	Uti	815.98
Daniel Werner, PC, LLO	Ser	135.00
Windstream	Uti	1,037.79
York County Treasurer	VSO Interlocal	10,000.00
Payroll	Salaries	69,595.14

ROAD/BRIDGE FUND:

Bi-Versal Services, LLC	Ser	625.01
The Boulder Company	Sup	15.00



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C & M Supply, Inc.	Fuel	1,163.81
Dorchester Farmers Coop	Fuel	2,327.50
Geneva Home Center	Rep, Sup	123.81
Geneva Super Foods	Sup	6.99
Grafton Oil, Inc.	Fuel	688.88
Heartland Bank	SS	2,279.40
Michael Todd & Company, Inc.	Parts	858.50
Nebraska Public Power District	Uti	226.16
Newman Traffic Signs	Signs	2,188.57
Perennial Public Power District	Uti	75.67
Retirement Plans Division of Ameritas	Ret	2,051.12
Speece Lewis Engineers	Fees	9,167.75
Transit Works	Equip	84.15
US Bank CPS	Post	2.45
US Postal Service	Sup	10.00
Verizon Wireless	Uti	107.90
Village of Fairmont	Uti	18.20
Payroll	Salaries	30,676.40

ECONOMIC DEVELOPMENT - TOURISM FUND:

Courtside Marketing	Ads	574.00
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INHERITANCE TAX FUND:

Fillmore County Treasurer	Transfer	100,000.00
RJ Joint Property Ventures, LLC	Rent	700.00

911 EMERGENCY MANGEMENT FUND:

Carmichael Business Systems, Inc.	Maint	3,600.00
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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.

HIGHWAY 41 EXPRESS LIQUOR LICENSE

After discussion, Risseeuw moved and Sluka seconded the motion to approve the manager change to Kenny W. Harre for the liquor license for Highway 41 Express Stop, Inc. 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.

EXTRA FIRE ALARM HORN/STROBE FOR COURTHOUSE

After discussion, Johnson moved and Mueller seconded the motion to install a new fire alarm horn/strobe for the breakroom in the courthouse. 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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TUCK POINTING FOR COURTHOUSE

After discussion, the County Clerk will prepare a bid notice for January 9, 2018 for tuck pointing bid letting.

SELLING A PORTION OF LAND BY THE COUNTY SHOP

After further discussion, Mueller moved and Sluka seconded the motion to allow Strothkamp's to purchase 50 ft. on the east side of his current property line for one dollar (\$1.00) and for Strothkamp's to pay for the survey and application fee with the City of Geneva for the lot split and to have the County Attorney's office prepare the deed. 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.

DRIVEWAY PERMITS

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

Darrel Mosier – install a new 40 ft. driveway on the east side of the NE $\frac{1}{4}$, Section 16-5-3, Hamilton Township;

Leonard Sluka – replace an existing 40 ft. driveway on the north side of the NE $\frac{1}{4}$, Section 15-6-1, Glengary

Township; and

Lovegrove Farms, LLC – extend an existing 40 ft. driveway on the north side of the NW $\frac{1}{4}$, Section 2-7-3, 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.

CLEAN SILT PERMITS

Sluka moved and Risseeuw seconded the motion to approve the following clean silt permits as presented by the Highway Superintendent:

Virginia Richards – clean silt from the ditch along the south side of the SW $\frac{1}{4}$, Section 4-6-3, Stanton Township;

Lovegrove Family Holdings, LLC – clean silt from the ditch along the north side of the NW $\frac{1}{4}$, Section 17-7-4, Bennett Township; and

Ben Horne – clean silt from the ditch along the east side of the SE $\frac{1}{4}$, Section 29-8-1, Exeter 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.

CAMERA SYSTEM AT ROAD DEPARTMENT

After discussion, Johnson moved and Cerny seconded the motion to approve the bid from Diode Technologies for replacing DVR and ten (10) cameras at the Road Department for a total of \$3,467.19. 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.

DISCUSSION REGARDING RENTER'S INSURANCE FOR TEMPORARY OFFICE

After discussion, the Board requested that we take out \$25,000.00 for renter's insurance while at the temporary office with NIRMA.

DISCUSS FENCING POLICY

After discussion, Mueller moved and Noel seconded the motion to change the fencing policy to allow livestock fencing in the right-of-way to pass under bridges but not allow livestock fencing in the right-of-way to run parallel to the roadway. 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.

ROAD DEPARTMENT DISCUSSION

After discussion, once the employees have the items from the original County shop/office building, then a listing of items left will be made public and county residents can take.

Big Blue Mile Shoot Out would like to use the portion of old Highway 81 south of Geneva. After discussion, the Board thought that Milligan south might be a better option for them and to check with NIRMA county's insurance provider. Further discussion to be held at a future Board meeting.

MINI EXCAVATOR LETTING

Bids for a mini excavator were opened at 10:00 a.m. as advertised. The following bids were received:

<u>BIDDER:</u>	<u>EQUIPMENT:</u>	<u>PRICE:</u>
Plains Equipment Group, Geneva, NE	2017 John Deere 35G	\$59,826.00
Roehrs Machinery, Hebron, NE	2017 Kubota U35-4	\$48,576.00
Roehrs Machinery, Hebron, NE	2017 New Holland E37C	\$48,670.00
York Equipment, York, NE	2017 Bobcat E35	\$48,893.00
Titan Machinery, Lincoln, NE	2017 Case CX37C	\$52,600.00
WISE Heavy Equipment, LLC, LaVista, NE	2018 Volvo EC35D	\$50,960.00
Murphy Tractor & Equipment Co., Grand Island, NE	2017 Hitachi ZX35U	\$50,232.84
Geneva Implement, Geneva, NE	2018 JCB 48Z-1	\$61,250.00
NMC Cat, Lincoln, NE	2017 CAT 303.5E2 CR	\$52,950.00
NMC CAT, Lincoln, NE	2016 CAT 303.5E2 CR	\$49,950.00

MINI EXCAVATOR BIDS

After discussion, Mueller moved and Sluka seconded the motion to accept all bids and award at the December 12, 2017 meeting to give Highway Superintendent and Board time to review each bid. 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.

METAL STORAGE BUILDING (POLE)

Bids for the metal storage building (pole) were opened at 10:32 a.m. The following bids were received:



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Bidder:

Caspers Construction Co., Beatrice, NE
Chief Construction Co., Grand Island, NE
Building Tech, Inc., Beatrice, NE
Carmichael Construction, LLC, Hastings, NE
Reinsch Buildings & Bins, Geneva, NE
Neville Construction, LLC, McCool Jct., NE

Price:

\$136,600.00
\$161,539.00
\$117,472.00
\$137,600.00
\$100,745.00
\$128,163.00

METAL STORAGE BUILDING (POLE) BIDS

After discussion, Sluka moved and Noel seconded the motion to accept all bids and award at the December 12, 2017 meeting to give Highway Superintendent and the Board time to review each bid. 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.

ARCHITECT/ENGINEERING LETTING

Bids for architect/engineering of the new county shop/office building were opened at 11:01 a.m. The following bids were received:

Bidder:

CMBA Architects, Grand Island, NE
JEO Consulting Group, Inc., Lincoln, NE

Price:

\$189,500.00
\$149,800.00

ARCHITECT/ENGINEERING BIDS

After discussion, Johnson moved and Neiman seconded the motion to accept all bids and award to JEO Consulting Group, Inc. for the architect/engineering services for the new county shop/office building for \$149,800.00. 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.

ALLOW REIMBURSEMENT FROM BOND PROCEEDS

Brad Slaughter, Vice President with Ameritas Investment Corp. provided information to the Board regarding what our bonding regulations were as well as what items the county could bond for concerning building projects.

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

RESOLUTION #2017 – 30

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF FILLMORE, NEBRASKA TO DECLARE ITS OFFICIAL INTENT UNDER THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, TO REIMBURSE CERTAIN CAPITAL EXPENDITURES FROM THE PROCEEDS OF TAX-EXEMPT OR TAX-FAVORED DEBT OBLIGATIONS

WHEREAS, the United States Department of the Treasury has promulgated final regulations under the Internal Revenue Code of 1986, as amended (the “**Code**”), that impose requirements on the County of Fillmore, Nebraska (the “**Issuer**”) when it desires to reimburse itself for capital expenditures relating to the capital projects described herein from the proceeds of its tax-exempt or tax-favored debt obligations or such debt obligations issued on its behalf; and

WHEREAS, the Issuer has determined that it is necessary for the Issuer to construct, improve, equip and furnish certain of its facilities for use by the Issuer, including a maintenance facility and its courthouse (collectively, the “**Project**”) and



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to finance the costs of such Project with the proceeds of tax-exempt or tax-favored debt obligations to be issued by the Issuer or by an entity authorized to issue such obligations; and

WHEREAS, the Issuer anticipates that the Issuer will spend its moneys to pay Project costs (the “**Prior Capital Expenditures**”) prior to the issuance of any tax-exempt or tax-favored debt obligations; and

WHEREAS, the Issuer reasonably expects to be reimbursed for such Prior Capital Expenditures with proceeds of tax-exempt or tax-favored debt obligations to be issued by the Issuer or by an entity authorized to issue such obligations (the “**Reimbursement Debt**”) in the maximum principal amount of \$1,500,000 plus such additional principal amount necessary to pay costs of issuance and to fund any reserves; and

WHEREAS, the Issuer expects that the Reimbursement Debt will be incurred and allocated to reimburse the Prior Capital Expenditures no later than 18 months after the later of (a) the date on which it pays the Prior Capital Expenditures, or (b) the date on which the Project is placed in service, but in no event not later than 3 years after the original date of such Prior Capital Expenditures, or (c) such other date that is permitted by law; and

WHEREAS, the Issuer finds it necessary to adopt this resolution to ensure that its declaration of intent to reimburse itself for such Prior Capital Expenditures satisfies the “Official Intent Requirement” described in Treasury Regulations Section 1.150-2 (the “**Regulations**”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FILLMORE, NEBRASKA, AS FOLLOWS:

Section 1. The Issuer hereby declares its official intent to reimburse itself for the Prior Capital Expenditures relating to the Project out of the proceeds of the Reimbursement Debt to be issued by the Issuer or by an entity authorized to issue such obligations on its behalf. With such declaration, the Issuer hereby satisfies the “Official Intent Requirement” of the Regulations.

Section 2. Other than (a) expenditures to be paid or reimbursed from sources other than the Reimbursement Debt, (b) expenditures constituting “preliminary expenditures” within the meaning of Section 1.150-2(f)(2) of the Regulations or (c) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have been paid by the Issuer more than 60 days prior to the date of execution and delivery of this Resolution.

Section 3. This resolution does not constitute approval of any kind with respect to the issuance of the Reimbursement Debt or any other tax-exempt or tax-favored debt obligations and does not legally or morally obligate the Issuer or any other entity to issue such obligations on its behalf.

Section 4. This resolution shall be operative, effective and valid upon its passage by the Issuer’s Board of Supervisors.

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.

DISCUSSION REGARDING PROGRAMS AND EQUIPMENT FOR DISPATCH & SHERIFF’S OFFICE

Stacen Gross, Territory Sales Manager with GeoComm gave a presentation to the Board regarding upgrading the dispatch GIS system and equipment. This system provides the dispatch center and sheriff deputies a lot more information and the ability to see where a 911 caller is located on a map. This system can be used by fire departments as well as the ambulances in each town. Bill Burgess, Steve Julich, Brandie Conway, and Jim Dunker were present for the discussion.

After discussion, Cerny moved and Noel seconded the motion to approve the Sheriff’s office and Emergency Management to go with GeoComm system (which is an upgrade to the dispatch system) for approx. \$163,435.00 with an approx. \$42,700.00 coming from 911 Wireless funds and the remaining funded by the inheritance tax fund. Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

JAIL STANDARDS REPORT

Jail Standards is requesting that we fix the west housing unit shower with stainless steel, install timers in both shower units to assist with moisture issues, and to repaint areas.

After discussion, the Board requested that the Sheriff get quotes to get the areas fixed and to have the drywall fixed that was taken down.

DISCUSSION REGARDING PHONES IN THE JAIL FOR VISITORS WITH HEARING LOSS

County Clerk contacted Protocall, who supplies the phones in the visitation area. After discussion with the owner, they will be out in the next couple weeks to install a new phone that has been tested with several hearing aids.

ADJOURN

As there was no other business to come before the Board, Sluka moved and Risseeuw seconded the motion to adjourn until 9:10 a.m., December 12, 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.

Attest

Chairman