



Fillmore County Board Minutes



August 14, 2018

The Fillmore County Board of Supervisors convened in open and public session at 9:08 a.m., August 14, 2018, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Risseeuw, Mueller, Cerny, and Johnson. County Clerk was present to record the minutes of the meeting. Ralph Graham and Mark Lightwine were present for a portion of the meeting.

Notice of the meeting was given by publication. 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 3:05 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the July 24, 2018 meeting approved as presented.

FEE REPORTS

Mueller moved and Sluka seconded the motion to approve the fee reports for July 2018 as presented:

County Clerk \$10,193.67 (State \$5,677.16 & County \$4,516.51)
Clerk of the District Court \$988.83
County Sheriff \$935.90

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.

INTERLOCAL AGREEMENT FOR PROPERTY REVIEWER

Lynn Mussman, County Assessor informed the Board that Franklin County decided not to be a part of the Interlocal Agreement for the Property Reviewer so a new agreement needed to be approved.

After discussion, Mueller moved and Noel seconded the motion to approve the Interlocal Agreement for Property Reviewer with Jefferson, Fillmore and Nance counties 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.

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	550.00
Black Hills Energy	Uti	45.42
Don C. Bottorf, PC	Ser	190.00
Chaney Chemical, Inc.	Sup	2,261.88
City of Geneva	Uti	673.40
Eakes Office Solutions	Sup	1,394.28
Exeter Senior Center	USDA Reim.	92.40
Fairmont Aging Services	USDA Reim.	268.80



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Farm & Home Publishers, LTD	Sup	1,100.00
Fillmore County Clerk of the District Court	Fees	102.00
Fillmore County Development Corp.	Wksh	150.00
Fillmore County Hospital	Misc	50.00
Fillmore County Medical Center	Ser	147.56
Fillmore County Treasurer	Transfer	225,500.00
First Concord Benefits Group, LLC	Ser, Insur	2,791.50
Geneva Broadband, LLC	Ser	88.00
Geneva Home Center	Sup, Equip	538.84
Geneva Lumber Center	Sup	46.38
Geneva Senior Center	USDA Reim.	956.20
Geneva Super Foods	Sup	1,029.89
Geneva Tire	Sup, Rep	470.11
Geneva Welding & Supply, Inc.	Sup, Rep	1,177.00
Gropp Law & Mediation, LLC	Ser, Mile	2,414.38
Heartland Bank	SS	4,847.45
Frances Heinrichs	Meal, Mile	65.30
Hometown Leasing	Ser	340.60
Jefferson County Sheriff	Ser, Mile	81.90
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,749.27
Krazy Horse Construction, LLC	Equip, Rep	1,207.08
Lawson Products	Sup	322.19
Lehman Reporting Services	Ser, Mile	277.70
Lynn Peavey	Sup	64.20
Madison National Life Insurance Co.	Insur	135.79
MIPS, Inc.	Ser	3,291.62
Motorola Solutions, Inc.	Equip	6,275.91
Nebraska Association of Senior Centers	Wksh	90.00
Nebraska Public Power District	Uti	3,529.37
Nebraska Sheriff's Association	Wksh	75.00
The Nebraska Signal	Ads, Proc	1,089.23
NeoFunds by NeoPost	Post	700.00
Nick's Farm Store	Rep	64.25
North American Invasive Species Management Association	Wksh	345.00
Platte Valley Communications of Hastings	Equip, Rep	5,578.80
Postmaster	Ser	62.00
Precision Signs & Graphics	Ser, Equip	1,114.70
Proforma	Sup	194.90
PurFoods, LLC	Home Delivered Meals	357.74
Retirement Plans Division of Ameritas	Ret	4,763.71
Saint Louis University – Dept. of Pathology	Ser	180.00
Saline County Law Enforcement	Boarding prisoners	900.00
Shell Fleet Plus	Fuel	3,077.82
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
Sullivan Shoemaker, PC, LLO	Ser, Mile	886.54
Supplyworks	Sup	270.05
Thayer County Treasurer	Sup	217.48
Thomas & Thomas Court Reporting	Ser	254.28
UniFirst Corporation	Ser	181.68
US Bank CPS	Ser, Sup	367.46
Van Diest Supply Company	Sup	1,499.00
Weaver Pharmacy	Sup	207.89
Windstream	Uti	282.95
Woodward's Disposal Service, Inc.	Ser	20.00
York County Sheriff	Ser	18.50
34 Electric, LLC	Rep	264.66



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Payroll

Salaries

70,817.98

ROAD/BRIDGE FUND:

Auto Value Parts Stores	Parts, Sup, Rep	794.62
Black Hills Energy	Uti	36.35
The Boulder Company	Sup	145.51
Building Tech, Inc.	Rep	477.00
Casey's General Stores	Fuel	124.59
City of Geneva	Uti	107.30
Exeter Lumber Company	Sup	10.00
Farmers' Cooperative	Fuel	5,110.71
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Sup	16.99
Geneva Implement Co., Inc.	Parts	471.90
Geneva Super Foods	Sup	16.97
Geneva Tire	Rep	104.05
Geneva Welding & Supply, Inc.	Sup	16.00
Grafton Oil, Inc.	Fuel	2,472.77
Grant Built Logistics, LLC	Rock project	4,777.28
Heartland Bank	SS	2,290.83
Hometown Leasing	Ser	139.00
John Deere Financial	Sup	22.46
Kaiser Auto Supply, LLC	Parts	305.26
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Sup, Fuel	5,751.51
Mid-Nebraska Aggregate, Inc.	Gravel	32,045.06
MIPS, Inc.	Ser	134.73
Nebraska Public Power District	Uti	268.36
Newman Traffic Signs	Sup	2,572.64
Nichols Construction	Gravel	177,468.22
Nick's Farm Store Co.	Rep	58.32
NMC Exchange, LLC	Parts, Ser, Main	8,746.89
Pavers, Inc.	Overlay Project	53,958.04
Perennial Public Power District	Uti	123.24
Power Plan	Parts, Rep	1,498.79
Retirement Plans Division of Ameritas	Ret	2,080.53
Shell Fleet Plus	Fuel	2,096.03
Speece Lewis Engineers	Fees	493.35
Darien E. Thomsen	ROW & Fencing	1,440.87
US Bank CPS	Post, Sup	53.40
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	17.81
Village of Grafton	Uti	80.42
Village of Shickley	Uti	23.23
Payroll	Salaries	31,119.58

REGISTER OF DEEDS PRESERVATION & MODERNIZATION FUND:

MIPS, Inc.	Ser	137.06
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DEQ GRANTS – TIRE CLEANUP FUND:

Fillmore County Treasurer	Transfer	3,187.68
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INHERITANCE TAX FUND:

Cheever Construction Company	Ser	32,269.50
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911 EMERGENCY MANAGEMENT FUND:

Geneva Broadband, LLC	Uti	64.00
Nebraska Public Power District	Uti	249.27
Windstream	Uti	1,852.88



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

The Chairman declared the motion carried.

INTERLOCAL AGREEMENT WITH MADISON TOWNSHIP

After discussion, Sluka moved and Risseeuw seconded the motion to approve the Interlocal Agreement with Madison Township for snow removal on Road K between Road 14 and Road 15. 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.

ANNUAL CERTIFICATION FOR STATE BUYBACK PROGRAM

Highway Superintendent, Pat Halbur presented the annual certification form for the State Buyback Program funds to the Board for approval.

After discussion, Johnson moved and Cerny seconded the motion to approve the annual certification for the State Buyback Program funds 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.

DISCUSSION REGARDING BRIDGE REPAIRS OR REPLACEMENT IN LIBERTY TOWNSHIP

Pat Halbur, Highway Superintendent informed the Board that the bridge located between Sections 15 and 16, Liberty Township has been closed until it is repaired or replaced. Speece Lewis Engineers projected it to cost between \$60,000.00 and \$80,000.00 to fix with a load rating and \$125,000.00 to replace with a box culvert.

After discussion, Mueller moved and Cerny seconded the motion to enter into a contract with Speece Lewis for \$10,200.00 for engineering the replacement of the bridge located between Sections 15 and 16, Liberty 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.

SUPPLEMENTAL AGREEMENT WITH STATE OF NEBRASKA AND THE RAILROAD FOR THE FAIRMONT WEST CROSSING ON ROAD 12 NORTH OF HIGHWAY 6

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

RESOLUTION #2018 – 20

WHEREAS, the County Board of Fillmore County, the BNSF Railway Company and the State of Nebraska intend to make improvements to a railroad grade crossing, located on County Road 12, in Fillmore County at DOT No. 073486F.

WHEREAS, the parties have provided for the terms and conditions for making those improvements in a Supplemental Agreement.

WHEREAS, the County of Fillmore wishes to enter into this three-party agreement.



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NOW, THEREFORE, BE IT RESOLVED, the County Board of Fillmore County hereby authorizes the County Board Chair to sign an agreement with the State of Nebraska, Department of Transportation and the BNSF Railway Company for the installation of flashing light signals and gates with constant warning circuitry on County Road 12 at BNSF Railway Company, DOT No. 073486F. NDOT Project Number: RRXX-NFG-30(15), NDOT Control Number: 42862, NDOT Project Description: Fairmont West BNSF Crossing.

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.

SIGN INVENTORY AND MAINTENANCE POLICY

After discussion, Cerny moved and Noel seconded the motion to approve the new sign inventory and maintenance policy as approved by the County Attorney with on inspection per year. 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.

EXECUTIVE SESSION

Risseeuw moved and Noel 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, and Sluka

Nays: None

The Chairman declared the motion carried and requested that the Pat Halbur, Highway Superintendent; Doug Motis, Assistant Highway Superintendent; Amy Nelson, County Clerk; and the following road employees: Kerry Richards, Brant Schwisow, Alan Dondlinger, Russ Brakhage, Mike Strothkamp, and Mike Rath to remain. Executive session began at 10:01 a.m.

RETURN TO REGULAR SESSION

Sluka moved and Johnson seconded the motion to return to open session at 10:56 a.m. 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 CUSTODIAL WAGES

After discussion, Neiman moved and Sluka seconded the motion to approve both custodians to be paid \$16.75 per hour and for it to be retroactive to July 1, 2018. Upon roll call, the vote was as follows:

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

Nays: Mueller

The Chairman declared the motion carried.



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FIRST PROBATION DISTRICT BUDGET REQUEST

First Probation District submitted their budget request for fiscal year 2018/2019 of \$4,580.16.

AGREEMENT WITH ES & S FOR ELECTION SERVICES

After discussion, Risseeuw moved and Noel seconded the motion to approve the three-year agreement with ES & S for ballot printing, coding, and layout services beginning September 1, 2018 and ending August 31, 2021. 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.

VERIZON TOWER COMMUNICATIONS SITE SUBLEASE AGREEMENT

After discussion, Noel moved and Johnson seconded the motion to approve the consent to modifications for the Verizon Tower Communications Site Sublease Agreement dated August 21, 2008. 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.

CHILD SUPPORT ENFORCEMENT WITH COUNTY ATTORNEY AND NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

After discussion, Sluka moved and Risseeuw seconded the motion to approve the agreement with the County Attorney and the Nebraska Department of Health and Human Services beginning October 1, 2018 and ending September 30, 2019 for approximately \$20,000.00. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

CHILD SUPPORT ENFORCEMENT WITH CLERK OF THE DISTRICT COURT AND NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES

After discussion, Johnson moved and Mueller seconded the motion to approve the agreement with the Clerk of the District Court and the Nebraska Department of Health and Human Services beginning October 1, 2018 and ending September 30, 2019 for approximately \$16,921.00 and authorize the Clerk of the District Court to sign this agreement. 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.

SURPLUS FAX MACHINE

Sluka moved and Johnson seconded the motion to surplus the fax machine in the court office and put it with the electronic recycling. 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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ESTABLISH ROAD DEPT./COURTHOUSE BUILDING BOND FUND #3500

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

RESOLUTION #2018 - 21

WHEREAS, Fillmore County has determined there is a need to establish fund #3500 for Road Dept. / Courthouse Building Bond fund,

WHEREAS, Fillmore County will name this fund Road Dept. / Courthouse Building Bond - #3500,

WHEREAS, the fund will be used for construction of Road Department building, repairs to Courthouse and paying the principal and interest for bonds,

THEREFORE BE IT HEREBY RESOLVED, the Road Dept. / Courthouse Building Bond fund will be set up on August 14, 2018. The County Treasurer is directed to set up this fund.

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 WITH TOWNSHIPS REGARDING THEIR BUDGET REQUESTS

The following Township Board members were present for discussion with the Board regarding what they are using the funds for each year: Galen Niederklein, Franklin; Morley Most, Franklin; Gaylen Dunse, Franklin; Bob Fessler, Bennett; Jim Reinsch, Chelsea; Jerry Engle, Chelsea; John Becker, Liberty; Brian Mumm, Stanton; Russ Kleinschmidt, Stanton; Galen Kuska, Liberty; Robert Wulf, Belle Prairie; John Lowe, West Blue; Darrel Saltzman, Hamilton; Mary Heinrichs, Hamilton; Richard Hoarty, Bennett; Leonard Sluka, Glengary; Don A. Griess, Bennett; Gary Kimbrough, Stanton; Wayne Houchin Jr., Belle Prairie; and Sherri Pospisel with Manning & Associates, PC. Madison Township submitted a letter to the Board.

EXECUTIVE SESSION

Noel moved and Sluka 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 possible litigation authorized by Statute to be discussed in executive session. 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 and requested that the County Sheriff, County Attorney, and County Clerk to remain. Executive session began at 2:20 p.m.

RETURN TO REGULAR SESSION

Sluka moved and Johnson seconded the motion to return to open session at 2:30 p.m. 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.

INTERLOCAL COOPERATIVE AGREEMENT FOR LAW ENFORCEMENT SERVICES



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After discussion, Risseeuw moved and Sluka seconded the motion to approve the Interlocal Cooperative Agreement for Law Enforcement Services with the City of Geneva beginning October 1, 2018 and ending September 30, 2020. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Johnson moved and Sluka seconded the motion to adjourn until 9:10 a.m., on August 28, 2018. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman