



Fillmore County Board Minutes



November 13, 2018

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., November 13, 2018, 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. Ralph Graham, Mark Lightwine, and Janet Bartels were 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 10:25 a.m.

MINUTES APPROVED

Chairman of the Board, Neiman approved the minutes of the October 23, 2018 and the November 2, 2018 Board meetings.

FEE REPORTS

Noel moved and Mueller seconded the motion to approve the October 2018 fee reports as presented:

County Clerk \$5,740.84 (State \$2,460.57 & County \$3,280.27)
Clerk of the District Court \$564.72
County Sheriff \$2,205.35

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 SURVEYOR'S POSITION

Tom Krueger, Fillmore County Surveyor informed that Board that his term would expire in December and is requesting to be reappointed. Tom also shared with the Board the different markers that he finds when relocating a section corner and what he replaces the markers with.

After discussion, Cerny moved and Johnson seconded the motion to appoint Tom Krueger as the Fillmore County Surveyor for a four (4) year term beginning January 1, 2019. 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, Post	552.89
Andrews Electric	Rep	351.09
Matt Benson	Witness fee, Mile	36.35
Peggy Birky	Sup	29.73
Black Hills Energy	Uti	565.46
Michaela Carlson	Witness fee, Mile	36.35



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Nathan Carlson	Witness fee, Mile	36.35
City of Geneva	Uti	653.00
Custer County Sheriff	Ser, Mile	145.65
Diane Deepe	Ser	320.00
Diebold Nixdorf, Inc.	Main	270.77
Brandee Domeier	Witness fee, Mile	36.35
Brock Domeier	Witness fee, Mile	36.35
Dugan Printing & Promotions, LLC	Sup	447.43
Eakes Office Solutions	Sup	586.49
Election Systems & Software, Inc.	Sup, Ser	10,780.40
Erdkamp Motors	Rep, Main	584.69
Exeter Senior Center	USDA Reim	50.40
Fairmont Aging Services	USDA Reim	200.20
Fillmore County Clerk of the District Court	Fees	69.00
Fillmore County Clerk	Fees	16.00
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Medical Center	Ser	428.65
Fillmore County Sheriff	Fees	159.41
Fillmore County Treasurer	Transfer	75,000.00
First Concord Benefits Group, LLC	Insur, Ser	4,823.94
Galls, LLC	Sup	207.41
Geneva Broadband. LLC	Uti	128.00
Geneva Lumber Center	Sup	68.75
Geneva Senior Center	USDA Reim	618.80
Geneva Tire	Rep, Main	552.14
Katie George	Witness fee, Mile	36.35
Heartland Bank	SS	9,734.82
Frances Heinrichs	Mile	19.62
Ambur Hinrichs	Witness fee, Mile	36.35
Hometown Leasing	Ser	1,198.43
Jeff Jensen	Wksh, Lodging	148.42
Jurors	Fee, Mile	3,601.30
Kelch Plumbing, Heating & Refrigeration, Inc	Rep	166.15
Molly Klabunde	Witness fee, Mile	60.00
Jerry Knoche	Mile	38.15
Kophos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	3,507.20
Loup Valley Lighting, Inc.	Sup	229.62
Madison National Life Insurance Co.	Insur	142.39
MIPS, Inc.	Ser, Rep	4,265.89
Melissa Mussman	Witness fee, Mile	36.35
Nick Mussman	Witness fee, Mile	33.08
Nebraska Association of County Officials	Wksh	250.00
The Nebraska Signal	Pro, Ads	3,691.32
Brenda A. Nelson	Witness fee, Mile	38.53
NeoFunds by NeoPost	Post	700.00
Nick's Farm Store	Rep	151.38
Charles O'Callaghan	Witness fee, Mile	169.33
Charlotte Oehm	Witness fee, Mile	458.94
Precision Signs & Graphics	Equip	168.00
Retirement Plans Division of Ameritas	Ret	9,472.48
Southeast Nebraska Assoc. of Cnty Officials	Wksh	100.00
Saline County Clerk	Budget request	2,812.82
Gwen Schultz	Witness fee, Mile	36.35
Shell Fleet Plus	Fuel	2,713.98
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Dept. Correctional Svcs	Medical	68.29
SupplyWorks	Sup	353.35
Thayer County Treasurer	Sup	217.48



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Clancy Timmermans	Witness fee, Mile	36.35
US Bank CPS	Sup, Fuel, Meals, Wksh	2,167.90
Brandy VanDeWalle	Mile, Uti	55.52
Weaver Pharmacy	Sup	154.36
Windstream	Uti	267.62
Woodward's Disposal Service, Inc.	Ser	20.00
34 Electric, LLC	Rep	180.30
Payroll	Salaries	141,740.11

ROAD/BRIDGE FUND:

Action Auto Supply	Parts, Sup, Main	218.67
Auto Value Parts Stores	Sup, Parts	251.48
B & J Automotive, LLC	Rep	455.19
Beatrice Concrete Co., Inc.	Gravel	1,631.70
Black Hills Energy	Uti	136.93
Casey's General Stores	Fuel	1,885.34
City of Geneva	Uti	99.90
Farmers Cooperative	Fuel	3,943.89
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Sup, Tool	351.73
Geneva Implement Co., Inc.	Rep, Main	325.91
Geneva Lumber Center	Sup, Rep	159.81
Geneva Tire	Rep, Main	345.74
Geneva Welding & Supply, Inc.	Sup, Parts	172.75
Grafton Oil, Inc.	Fuel	1,275.06
Luke A. Harre	ROW, Fencing	1,470.00
Heartland Bank	SS	4,451.46
Hometown Leasing	Ser	139.00
John Deere Financial	Rep, Parts	158.22
Kaiser Auto Supply, LLC	Parts, Sup, Rep	505.45
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Fuel	7,931.16
MetroCount USA, Inc.	Rep	115.00
Michael Todd & Company	Equip	8,536.01
MIPS, Inc.	Ser	134.73
Nebraska Dept. of Transportation	Bridge	12,273.78
The Nebraska Signal	Ads	110.74
Newman Traffic Signs	Equip	406.18
Nichols Construction	Gravel	85,963.99
Nick's Farm Store Co.	Rep	5.45
NMC Exchange, LLC	Parts, Ser, Rep	6,443.73
Perennial Public Power District	Uti	51.93
Power Plan	Rep, Parts	1,747.42
Precision Signs & Graphics	Main	24.00
Pribyl Ag, LLC	ROW	876.00
Retirement Plans Division of Ameritas	Ret	4,024.95
Ritchie Bros. Auctioneers, Inc.	Equip	4,740.00
Southeast County Officials Association	Wksh	25.00
Shell Fleet Plus	Fuel	791.71
Strothkamp Construction, LLC	Rep, Main	1,300.00
US Bank CPS	Post, Sup	231.83 Village of
Exeter	Uti	18.75
Village of Fairmont	Uti	23.04
Village of Grafton	Uti	40.27
Village of Shickley	Uti	24.27
Payroll	Salaries	60,222.60

REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	137.06
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911 EMERGENCY MANAGEMENT FUND:

Geneva Broadband, LLC	Uti	64.00
Nemaha County	Ser	615.34
Windstream	Uti	1,737.11
Windstream Communications, Inc.	Ser, Rep	294.88

911 WIRELESS SERVICE FUND:

Windstream Communications, Inc.	Ser, Rep	461.22
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ROAD DEPT./COURTHOUSE BUILDING BOND FUND:

Cheever Construction Company	Building	252,069.30
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	October taxes	890.49
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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, and Sluka
Nays: None Abstaining due to conflict: Risseeuw

The Chairman declared the motion carried.

NACO ANNUAL CONFERENCE VOTING REGISTRATION

After discussion, Mueller moved and Sluka seconded the motion to appoint Chairman Jeff Neiman to cast the ballot and Vice-Chairman Merle Noel as alternate if Jeff is unable to attend. 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.

SUNNYSLOPE SUBDIVISION

Planning & Zoning Administrator, Jennifer Slezak submitted the Sunnyslope Subdivision located in the NE ¼ of the SE ¼, Section 18-6-4, Momence Township.

After discussion, Noel moved and Sluka seconded the motion to approve the Sunnyslope Subdivision located in the NE ¼ of the SE ¼, Section 18, Momence Township described as follows: a tract of land in the northeast quarter of the southeast quarter of Section 18, Township 6 North, Range 4 West of the 6th Principal Meridian, Fillmore County, Nebraska, being more fully described as follows: beginning at the northeast corner of the southeast quarter of Section 18; thence south 0'00'00" west (assumed bearing), on Section line, a distance of 353.00 feet; thence north 79'35'05" west a distance of 541.32 feet to a 3/4 inch pipe; thence north 85'19'23" west a distance of 118.07 feet to a 3/4 inch pipe; thence south 0'00'00" west a distance of 247.50 feet to a 3/4 inch pipe; thence north 89'37'00" west a distance of 412.66 feet to a 3/4 inch pipe; thence north 0'00'00" east a distance of 483.58 feet to a 3/4 inch pipe; thence north 0'00'00" east a distance of 28.25 feet, more or less to the north line of the southeast quarter; thence south 88'50'13" east, on said line, a distance of 1062.95 feet, more or less to the point of beginning, except the west 17.00 feet of the east 50.00 feet of the north 276.31 feet (deeded to Fillmore County deed book 85 page 136). Containing a calculated area of 9.20 acres, more or less, of which 0.27 acres are roadway.

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 PERMIT

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

Brandon Hofmann – install a new 40 ft. driveway on the south side of the SW ¼, Section 6-8-4, Graton 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

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

Paul Ag, LLC – clean silt from the road ditch and place back into the field along the east side of the SE ¼, Section 23-504, Bryant Township;

Douglas Merryman – clean silt from the road ditch and place back in the field along the south and west side of the SW ¼, Section 17-6-3, Stanton Township;

Nancy Tyson Trust/Cory Stengel/Stengel Land & Cattle – clean silt from the road ditch and place back into the field along the south side of the SE ¼ and the SW ¼, Section 30-6-4, Momence Township;

Stengel Land & Cattle, LLC – clean silt from the road ditch and place back into the field along the south and east side of the NE ¼ and the SE ¼, Section 29-6-4, Momence Township; and

GW Land Corp – clean silt from the road ditch and place back into the field along the south and east of the SE ¼, Section 5 and the SW ¼ and SE ¼, Section 4, Momence 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.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

Mueller moved and Risseeuw seconded the motion to approve the following occupy county right-of-way permits as presented by the Highway Superintendent:

John Lovegrove – bury an electrical and natural gas line between the SW ¼, Section 30-8-3, West Blue Township and the SE ¼, Section 25-8-4, Grafton Township. The owner will cooperate fully with the officials of Fillmore County and keep them fully and immediately informed of all construction or maintenance work required in the county right-of-way;

Zito Midwest, LLC – bury fiber optic line along the NW ¼, Section 25-8-3, West Blue Township. The owner will cooperate fully with the officials of Fillmore County and keep them fully and immediately informed of all construction or maintenance work required in the county right-of-way;

Zito Midwest, LLC – bury fiber optic line along the NE ¼, Section 20-8-1, Exeter Township. The owner will cooperate fully with the officials of Fillmore County and keep them fully and immediately informed of all construction or maintenance work required in the county right-of-way; and

Windstream Nebraska, LLC – bury an telecommunications line along Road W between Road 16 and Road 17, Sections 22 and 27-5-2, Belle Prairie Township. The owner will cooperate fully with the officials of Fillmore County and 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, Johnson, Mueller, Neiman, Noel, Risseeuw, and Sluka
Nays: None

The Chairman declared the motion carried.

DISCUSSION REGARDING ROAD Q BETWEEN ROAD 5 AND ROAD 6 TO REMOVE FROM MINIMUM MAINTENANCE CLASSIFICATION

Mike Kamler requested that Road Q between Road 5 and Road 6 be removed from the minimum maintenance classification and brought up to specs or at least place gravel on this road. He is willing to cost share this with the County. After discussion, the Board will do more research and then make a decision.

DISCUSSION REGARDING A ROAD STUDY FOR A POSSIBLE CLOSURE OF ROAD A BETWEEN ROAD 22 AND ROAD 23

Exeter/Fairmont Township submitted a letter requested a portion of Road A between Road 22 and Road 23 be closed.

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

RESOLUTION 2018 – 25

WHEREAS, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of County Road A, between Road 22 and Road 23 and to submit within thirty (30) days a written report of recommendation of the vacation of Road A.

NOW THEREFORE, be it resolved by the Fillmore County Board of Supervisors that this resolution is approved on the 13th day of November, 2018.

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.

APPROVE THE SIGNAGE AT THE INTERSECTION ON ROAD 3 AND ROAD F

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

RESOLUTION 2018 – 26

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

LOCATION

Stop Sign

The Stop Sign is located at the intersection of Road 3 and Road F controlling East bound traffic.

Stop Ahead Sign

The Stop Ahead Sign is located on Road F controlling traffic that is approaching Road 3.

Double Arrow Sign

The Double Arrow Sign is located at the intersection of Road 3 & Road F. It is set on the East side of Road 3 warning the East bound traffic on Road F.



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

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 FENCING IN THE COUNTY RIGHT-OF-WAY POLICY

Highway Superintendent, Pat Halbur read the current policy as follows: Fencing running parallel to the roads within Fillmore County ROW will not be allowed. Landowners that put up a fence that runs parallel to the county road and is within County ROW will be asked to remove such fence. Any fence that does run parallel to the road within County ROW and is hit by any county equipment will not be repaired at the County cost. Said landowner will assume all liability for any and all accidents or damages that occur because of said fence. Fillmore County will allow fencing that runs from County ROW to any county structure that will allow livestock to pass under said structure to get from one side of the road to the other. Said fence may not be attached to any county structure.

After discussion, the Board agreed that the policy would remain as is with no changes.

GENERAL ASSISTANCE #2018-01

After discussion, Neiman moved and Johnson seconded the motion to deny general assistance application #2018-01 since not all resources had been checked. Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Sluka

The Chairman declared the motion carried.

ADJOURN

As there was no other business to come before the Board, Sluka moved and Cerny seconded the motion to adjourn until 9:10 a.m., November 27, 2018. 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