



Fillmore County Board Minutes



May 28, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:19 a.m., May 28, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. 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 12:11 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the May 14, 2019 meeting approved as presented.

DISCUSSION REGARDING FAIRVIEW CEMETERY

Earl Frieden requested that the Fairview Cemetery located in Section 18, Momence Township become an abandoned or neglected pioneer cemetery. The Board informed Earl that pursuant to Nebraska State Statute 12-807 the Board needs a petition of thirty-five (35) adult residents of the county.

DRIVEWAY PERMITS

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

Galen Real – replace existing 40 ft. driveway on the north side of the NW ¼, Section 1, West Blue Township; and Perennial Wind, LLC – install a temporary 140 ft. driveway on the west side of the SW ¼, Section 25. West Blue Township.

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur updated the Board that on Friday they did a walk through and made a list of items that needs to be fixed or completed. There is a change order for \$325.00 to hook up the power washer. There is also a change order for doors with key fobs as they need different hardware, after discussion the Board will not pay for that as this was discussed before the project started.

PAYING FOR DAMAGE TO LIZ ZELENY'S CAR

Pat Halbur, Highway Superintendent presented a bill from Liz Zeleny for approximately \$350.00 for damage on her car from a gravel road.

After discussion, Noel moved and Harre seconded the motion to deny the claim for repairs to Liz Zeleny's car. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

DISCUSSION REGARDING WATER ISSUE IN SECTION 8, BELLE PRAIRIE TOWNSHIP



Fillmore County Board Minutes



May 28, 2019

After discussion with the County Attorney, Noel moved and Lightwine seconded the motion to direct the County Attorney to send a letter to the landowner that is blocking the natural waterway in Section 8, Belle Prairie Township. Keith Lauber was present for discussion. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, 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.

GENERARL FUND:

Barbur Floral Co.	Sup	56.50
Bear Graphics	Sup	299.28
Blue Cross Blue Shield of Nebraska	Insur	57,637.90
Consolidated Management Company	Meals	123.08
Contryman Associates, PC	Ser	1,700.00
Jill R. Cunningham	Meals	36.44
Exeter Senior Center	USDA Reim	43.40
Fairmont Aging Services	USDA Reim	145.60
Farmer & Son Funeral Home	Ser	528.75
Fillmore County Hospital	Ser	358.58
First Concord Group, Inc.	Insur	4,781.14
Gall's, LLC	Sup	225.96
Geneva Senior Center	USDA Reim	389.90
Geneva Super Foods	Sup	1,034.12
Geneva TV & Appliance, Inc.	Rep	208.50
Heartland Bank	SS	5,162.51
Konica Minolta Business Solutions	Main	387.00
Krueger Land Surveying	Ser	525.00
Light and Siren	Equip	2,416.01
Madison National Life Insurance Co.	Insur	20.43
Naber's Locksmith	Ser	120.00
Nebraska Association of County Officials	Wksh	360.00
Nebraska Fire Sprinkler Corp.	Ser	420.00
NeoFunds by NeoPost	Post	700.00
Noel Lawn Care	Ser	354.00
O'Keefe Elevator Company, Inc.	Main	277.76
Platte Valley Communications of Hastings	Equip, Rep	4,467.25
Retirement Plans Division of Ameritas	Ret	5,053.54
State of Nebraska Health & Human Service	April Patient care	90.00
Sullivan Shoemaker PC, LLO	Ser	708.12
Supplyworks	Sup	394.46
US Bank CPS	Meals, Lodging, Uti, Sup	395.85
Brandy VanDeWalle	Mile, Uti, Meal	102.99
Wex Bank	Fuel	3,653.62
Windstream	Uti	1,038.92
Payroll	Salaries	75,474.14

ROAD/BRIDGE FUND:

C & M Supply, Inc.	Fuel	1,594.72
Casey's Business Mastercard	Fuel	62.82
Grafton Mini-Mart	Fuel	54.60
Heartland Bank	SS	2,366.54



Fillmore County Board Minutes



May 28, 2019

Mid-Nebraska Aggregate, Inc.	Gravel	24,531.32
Mussman Excavating	Main	2,087.50
Nebraska Public Power District	Uti	444.92
Perennial Public Power District	Uti	191.67
Retirement Plans Division of Ameritas	Ret	2,130.32
Payroll	Salaries	31,857.15

INHERITANCE TAX FUND:

Diode Technologies	Ser, Equip	22,878.81
GeoComm	Ser, Equip	12,116.52
RJ Joint Property Ventures, LLC	Rent	700.00

911 EMERGENCY MANAGEMENT FUND:

Nebraska Emergency Services Communications Association	Wksh	100.00
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911 WIRELESS FUND:

GeoComm	Ser, Equip	9,451.48
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911 WIRELESS HOLDING FUND:

GeoComm	Ser, Equip	9,500.00
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ROAD BUILDING FUND:

JEO Consulting Group, Inc.	Ser	1,498.00
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CLAIMS APPROVED

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

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

SLUKA SUBDIVISION

Zoning Administrator, Jennifer Slezak submitted the Sluka Subdivision to the Board which is located in the SW ¼, Section 18, Glengary Township.

After discussion, Harre moved and Lightwine seconded the motion to approve the Sluka Subdivision as submitted, located in southwest quarter of Section 18, Township 6 North, Range 1 West of the 6th PM, Fillmore County, Nebraska, being described as follows: commencing at the southeast corner of the southwest quarter of said Section 18; thence S87°23'23"W (assumed bearing) on the south line said southwest quarter a distance of 282.00 feet to the point of beginning; thence continuing S87°23'23"W on said south line a distance of 485.90 feet; thence N 23°36'37"W perpendicular to said south line a distance of 162.49 feet to the beginning of a curve concave to the northwest with a radius of 1305.00 feet; thence northeasterly on said curve, the chord of which bears N52°27'54"E and 379.95 feet, an arc distance of 381.30 feet, thence N87°23'23"E parallel with said south line a distance of 174.39 feet, thence S02°36'37"E perpendicular to said south line a distance of 380.00 feet to the point of beginning containing 3.38 acres, more or less, including 0.37 acres, more or less, of County Right-of-Way.

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, and Noel

Nays: None Abstaining due to conflict: Sluka

The Chairman declared the motion carried.

WITHDRAWING PLEDGE SECURITY



Fillmore County Board Minutes



May 28, 2019

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

RESOLUTION 2019 - 13

RESOLVED, that the Heartland Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

CUSIP #016249FK5 in the amount of \$335,000.00
CUSIP #022438BC8 in the amount of \$300,000.00
CUSIP #574837XF2 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the resolution adopted.

ADDING AND WITHDRAWING PLEDGE SECURITIES

Noel moved and Lightwine seconded the introduction of the following resolution:

RESOLUTION 2019 - 14

RESOLVED, that the Heartland Bank of Geneva, Nebraska, be allowed to add the following securities held by Midwest Independent Bank to-wit:

CUSIP #486890Z41 in the amount of \$240,000.00
CUSIP #986365FL3 in the amount of \$150,000.00

RESOLVED, that the Heartland Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

CUSIP #287867DP7 in the amount of \$200,000.00

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the resolution adopted.

EXTENSION OFFICE UPDATE

Brandy VanDeWalle, Extension Educator updated the Board on the activities they have been doing as well as some that are coming up. Brandy also introduced Haylee Sheffield as the new summer intern.

PROBATION UPDATE

Jeremy Behrends, Chief Probation Officer gave an update to the Board and presented a map of the different districts across Nebraska.

BLUE VALLEY COMMUNITY ACTION

Shari Wurtz-Miller gave an annual report for Blue Valley Community Action and budget request of \$4,413.00 for fiscal year 2019/2020. Alice Herman informed the Board of the emergency services that she offers here in Fillmore County.



Fillmore County Board Minutes



May 28, 2019

HEARING FOR CONDITIONAL USE PERMIT FOR SCOTT & JANA SCHELKOPF

Opened the public hearing for a conditional use permit for Scott & Jana Schelkopf to operate a dog boarding establishment in the NW ¼, Section 3, Hamilton Township.

Scott informed the Board that he has gotten a lot of information from the State on the regulations, but hasn't completed anything until he is granted the conditional use permit.

Jennifer Slezak, Planning & Zoning Administrator presented the recommendation from the Planning Commission to the Board.

After discussion, Sluka moved and Graham seconded the motion to close the public hearing at 11:18 a.m. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

CONDITIONAL USE PERMIT

Graham moved and Sluka seconded the motion to approve the conditional use permit for Scott & Jana Schelkopf located in the NW ¼, Section 3, Hamilton Township. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

CONFERENCE CALL WITH A WIND SPECIALIST ATTORNEY

The Board, County Attorney, and Planning and Zoning Administrator had a conference call with John Snow a wind specialist attorney. After discussion, the Board requested that the County Attorney contract with Mr. Snow to assist with questions and concerns regarding wind farm applications.

ADJOURN

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., June 11, 2019. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

Attest

Chairman