



Fillmore County Board Minutes



June 25, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:09 a.m., June 25, 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 3:21 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the June 11, 2019 meeting approved as presented.

PUBLIC HEARING FOR ABANDONED OR NEGLECTED PIONEER CEMETERY

Opened public hearing at 9:15 a.m. as advertised. Board received a petition containing forty-two names requesting that the Fairview Cemetery located in Section 18, Momence Township be declared an abandoned or neglected pioneer cemetery.

After discussion. Sluka moved and Graham seconded the motion to close the hearing at 9:23 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.

DECLARE FAIRVIEW CEMETERY ABANDONED OR NEGLECTED PIONEER CEMETERY

Noel moved and Sluka seconded the motion to declare Fairview Cemetery located in Section 18, Momence Township as an abandoned or neglected pioneer cemetery pursuant to Nebraska State Statute 12-807 and will be taking bids at a later date to clean up the cemetery and to mow according to State Statute. 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.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

Craig Nelson, Brett Lahndorf, and Andy Riales with Black Hill Energy were present to request permission to put their natural gas pipeline on the edge of the road instead of in the middle of the ditch.

After discussion, Sluka moved and Noel seconded the motion to amend the following occupy county right-of-way permit approved at the June 11, 2019 meeting to allow the request from Black Hills Energy to install the natural gas pipeline in the edge of the road:

Black Hills Gas Distribution, LLC – bury a natural gas pipeline between the S ½ of the NE ¼, and the N ½ of the NE ¼, Section 28, Momence 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:

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

The Chairman declared the motion carried.



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DRIVEWAY PERMIT

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

Jerry Boeck – extend existing driveway to 60 ft. on the west side of the NW ¼, Section 10, Exeter Township

Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Harre

The Chairman declared the motion carried.

DRIVEWAY PERMIT

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

Ted Marek – extend an existing driveway to 40 ft. on the east side of the NW ¼, Section 9, Liberty 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.

SURPLUS ITEMS

After discussion, Sluka moved and Lightwine seconded the motion to declare several desks, filing cabinets, chairs, and a vacuum surplus and to be sold at an auction at a later date. One desk and the vacuum are not sellable so will be discarded. 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 BRIDGE ON ROAD 16 BETWEEN ROAD V AND ROAD W

Pat Halbur, Highway Superintendent informed the Board that the bridge on Road 16 between Road V and Road W will need to be replaced, culverts installed, or that the north half of the mile will need to be closed. After discussion, the Board requested that Pat get an estimated cost of fixing the bridge or replacing with culverts.

NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur updated that Board that they are moved but still waiting for some items to be fixed from the punch list.

COURT APPOINTED SPECIAL ADVOCATES ANNUAL REPORT AND BUDGET REQUEST

Frank Heinisch and Deb Mohlman were present for the Court Appointed Special Advocates (CASA) annual report and budget request of \$12,980.66 for fiscal year 2019/2020.

AGING PARTNERS ANNUAL REPORT AND BUDGET REQUEST



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Randy Jones, Executive Director of Aging Partners and Brenda Motis gave an annual report and budget request of \$18,747.00 for fiscal year 2019/2020.

Kay Wenzel, Program Manager and Denise Boyd, Nutritionist with Aging Partners, Rhonda Stokebrand, Linda Heinisch, State Advisory Board President were present for the discussion and Barb Trapp gave a personal example of assistance to the Board.

SERVICE CONTRACT WITH AGING PARTNERS FOR CARE MANAGEMENT

Brenda Motis, Director and Rhonda Stokebrand, Care Management Coordinator presented to the Board the hours they have spent on care management for fiscal year 2018/2019.

After discussion, Harre moved and Sluka seconded the motion to approve and sign the Service Contract with the City of Lincoln / Aging Partners Care Management Unit for \$23,625.00, these funds are reimbursement for care management hours for fiscal year 2019/2020. 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:

All Makes	Equip	3,767.50	
Barbur Floral Co.	Sup	110.50	
Bear Graphics	Sup	333.64	
Bob Barker Company, Inc.	Sup	210.12	BTS
Communications	Ser, Rep	243.00	
Carrot-Top Industries, Inc.	Sup	363.01	
Central Nebraska Cremation & Mortuary	Ser	500.00	
Chaney Chemical, Inc.	Sup	511.48	
Consolidated Management Company	Meals	348.21	
Eakes Office Solutions	Sup	19.21	
Farmer & Son Funeral Home	Ser	602.00	
Fillmore County Treasurer	Transfer	400,000.00	
First Concord Group, Inc.	Insur	1,951.12	
Geneva Home Center	Sup	71.23	
Geneva Tire and Auto, Inc.	Rep	31.69	
GWorks	Ser	22,567.58	
Heartland Bank	SS	4,855.71	
Holiday Inn	Lodging	639.70	
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,107.90	
Madison National Life Insurance Co.	Insur	29.51	
Mail Finance	Post	850.50	
Mid-American Research Chemical	Sup	1,062.49	
MIPS, Inc.	Equip	2,597.68	
MRO	Ser	25.30	
Nebraska Association of County Officials	Wksh	125.00	
Nebraska Institute of Forensic Sciences, Inc.	Ser	2,000.00	
Nebraska Public Power District	Uti	1,059.47	
Noel Lawn Care	Ser	202.80	
Page My Cell	Ser	3,000.00	
Precision Signs and Graphics	Sup	125.00	



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Protex Central, Inc.	Rep	27.07
Purfoods, LLC	Meals	450.06
Retirement Plans Division of Ameritas	Ret	4,485.00
State of Nebraska DAS State Accounting	Ser	65.88
State of Nebraska Health & Human Serv.	May patient care	93.00
Thayer County Treasurer	Subscription	201.81
34 Electric, LLC	Sup	177.92
US Bank, CPS	Post, Mile	36.10
Verizon Wireless	Uti	1,026.97
WEX Bank	Fuel	2,873.67
Windstream	Uti	1,038.92
Payroll	Salaries	71,267.73

ROAD/BRIDGE FUND:

All Makes	Equip	4,669.90
Axlighting	Equip	2,330.00
B's Enterprises, Inc.	Sup	9,785.00
Beatrice Concrete Co. Inc.	Sup	1,736.60
BNSF Railway Company	Equip	7,480.96
C & M Supply, Inc.	Fuel	1,702.55
Casey's Business Mastercard	Fuel	133.63
Chaney Chemical, Inc.	Sup	543.60
Contech Engineered Solutions, Inc.	Culverts	13,581.60
Farmers Cooperative	Fuel	3,213.01
Geneva Building Supply	Sup	361.91
Geneva Home Center	Sup, Rep, Equip	2,486.77
Grafton Mini-Mart	Fuel	116.52
Grant Built Logistics, LLC	Rock	19,687.68
GWorks	Ser	3,443.00
Heartland Bank	SS	2,377.96
Kopchos Sanitation, Inc.	Uti	55.00
Lichti's, Inc.	Equip	1,099.95
Metal Culverts, Inc.	Culverts	4,633.40
Michael Todd & Company, Inc.	Equip	9,438.56
Mid-Nebraska Aggregate, Inc.	Gravel	13,483.21
Nebraska Public Power District	Uti	549.69
Nichols Construction	Gravel	90,453.97
PetroChoice	Rep, Main	3,473.19
RDO Truck Centers	Rep	537.03
Retirement Plans Division of Ameritas	Ret	2,128.19
Speece Lewis Engineers	Ser	598.30
US Bank CPS	Sup	22.01
Van Kirk Bros Contracting	Ser, Culvert	12,737.99
Verizon Wireless	Uti	86.30
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	46.62
Wex Bank	Fuel	855.00
Windstream	Uti	170.40
Payroll	Salaries	32,012.29

INHERITANCE TAX FUND:

All Makes	Equip	3,000.00
Diode Technologies	Equip	1,454.50
Fillmore County Treasurer	Transfer	150,000.00

911 EMERGENCY MANAGEMENT FUND:

Fillmore County Treasurer	Reim	5,115.00
Nebraska Public Power District	Uti	186.87
Police Legal Sciences	Wksh	720.00



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911 WIRELESS FUND:

Fillmore County Treasurer

Transfer

16,699.15

CLAIMS APPROVED

Lightwine moved and Noel 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.

NIEDERKLEIN SUBDIVISION

Planning and Zoning Administrator, Jennifer Slezak submitted the Niederklein Subdivision located in the E ½ of Section 11-5-1, Franklin Township.

After discussion, Sluka moved and Graham seconded the motion to approve the Niederklein Subdivision as presented with the following legal description: a tract of land commencing at the East ¼ corner of Section 11, Township 5 North, Range 1 West of the 6th P.M., Fillmore County, Nebraska, and the point of beginning; thence south 88°39'26" west (a state plane bearing), on the north line of the Southeast ¼, a distance of 157.99 feet; thence south 00°20'11" west, a distance of 118.74 feet; thence south 88°39'26" west, and parallel to the north line of the Southeast ¼, a distance of 451.63 feet; thence north 00°20'11" east, a distance of 218.46 feet, to a point on the north line of the former Fillmore Western Railroad; thence on a curve to the left (chord definition) having a radius of 1859.86 feet, central angle of 19°04'39", a chord bearing of north 77°01'04" east, a chord distance of 616.41 feet, to a point on the east line of the Northeast ¼, thence south 02°06'02" east, on said east line, a distance of 224.05 feet to the point of beginning, and containing a calculated area of 3.241 acres more or less, including 0.165 acres currently utilized as County Road Right-of-Way easement.

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.

ADDING PLEDGE SECURITIES

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

RESOLUTION 2019 - 16

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

CUSIP #4868904N3 in the amount of \$165,000.00

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.

EMERGENCY PROTECTIVE CUSTODY SERVICES WITH REGION V SYSTEMS



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After discussion, Sluka moved and Lightwine seconded the motion to approve the contract with Region V Systems for Emergency Protective Custody Services beginning July 1, 2019 and ending June 30, 2020. 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.

BRYANT TOWNSHIP CLAIM

Graham moved and Harre seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$3,685.00 for Bryant Township and to direct the County Treasurer to pay the bill 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.

GENEVA TOWNSHIP CLAIM

Cerny moved and Noel seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$3,795.00 for Geneva Township and to direct the County Treasurer to pay the bill 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.

DEFICIT APPROPRIATION

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

RESOLUTION 2019 - 17

WHEREAS, all of the funds in the 2018-2019 budgets for the Jail have been expended due to unforeseen circumstances, and

WHEREAS, it is necessary to have county funds available in these budgets to meet all obligations for the 2018-2019 budget year,

NOW THEREFORE Be It Resolved by the Fillmore County Board of Supervisors that a need does exist for additional funds and that the sum of \$1,000.00 be appropriated to the Jail budget from the unused funds in the Sheriff's budget all within the General Fund Budget for 2018-2019 of said county.

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.

SKIP FLU WITH PUBLIC HEALTH SOLUTIONS

After discussion, Sluka moved and Graham seconded the motion to assist with funding the SKIP Flu vaccine for Fillmore County schools in the amount of \$1,650.00 with Public Health Solutions. Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

SOUTHEAST NEBRASKA ADULT DRUG COURT

Amanda Vanasperen gave an update to the Board and budget request of \$5,878.46 for fiscal year 2019/2020. Currently they have forty-two (42) participants in adult drug court. Each participant must plead guilty to their charge in court, complete an application and have the County Attorney sign off before the drug court team will review the application. The process can take eighteen (18) to twenty-two (22) months to complete all the requirements. If all requirements are met then charges are dropped, if they do not complete the process they will be charged with the felony they plead guilty to. Counties included are Fillmore, Gage, Jefferson, Thayer, and Saline.

After discussion, Cerny moved and Graham seconded the motion to approve and sign the Interlocal Agreement with Southeast Nebraska Adult Drug Court beginning July 1, 2019 and ending June 30, 2020 with Gage, Jefferson, Thayer, and Saline. 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 WITH COUNTY ATTORNEY REGARDING WIND FARMS

County Attorney, Jill Cunningham; Planning & Zoning Administrator, Jennifer Slezak; Terry & Sondra Backstrom, Rex Mussman, and Robert Schropfer were present for discussion.

The County Attorney requested we have a conference call with Mr. John Snow with Hackstaff and Snow Attorneys. Discussion took place regarding the road agreement, decommissioning agreement, ice sling, shadow flicker, and setbacks.

After discussion, Mr. Snow will put together some guidelines and present them to the Board via a conference call on July 2, 2019 at 9:00 a.m.

SALARY COMMITTEE RECOMMENDATION

Ralph Graham, Kenny Harre, and Wade Sluka members of the Salary committee informed the Board that the Salary committee is recommending a three (3%) percent per department annual salary increase at the discretion of the department head for hourly employees (except seasonal employees) based on merit and performance.

After discussion, Sluka moved and Cerny seconded the motion to approve a three (3%) percent per office current total hourly employee wages at the discretion of the department head for hourly employees (except seasonal employees) based on performance starting on June 30th. 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.

HIGHWAY SUPERINTENDENT SALARY

After discussion, Sluka moved and Noel seconded the motion for no increase in the Highway Superintendent's salary for 2019/2020. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



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SENIOR SERVICES SALARY

After discussion, Harre moved and Noel seconded the motion to increase the Senior Services Director's salary for 2019/2020 by 3% to \$19.57 an hour. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

EMERGENCY MANAGER SALARY

After discussion, Harre moved and Sluka seconded the motion to increase the Emergency Manager's salary for 2019/2020 by 3% to \$19.22 an hour. 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.

NOXIOUS WEED SUPERINTENDENT SALARY

After discussion, Harre moved and Graham seconded the motion to increase the Noxious Weed Superintendent's salary for 2019/2020 by 3% to \$20.79 an hour. 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.

CUSTODIAN / GROUNDSKEEPER'S SALARY

After discussion, Graham moved and Noel seconded the motion to Custodian/Groundskeeper salary for 2019/2020 by 3% to \$17.25 and East Office Building Custodian's salary for 2019/2020 by 3% to \$14.42 an hour. 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.

PLANNING AND ZONING ADMINISTRATOR / VETERANS ASSISTANT SALARY

After discussion, Neiman moved and Sluka seconded the motion to increase the Planning and Zoning Administrator/Veterans Service Assistant salary for 2019/2020 by 3% to \$19.01 an hour. 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.

ADJOURN

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

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



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Nays: None

The Chairman declared the motion carried.

Attest

Chairman