



Fillmore County Board Minutes



July 23, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:23 a.m., July 23, 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 4:20 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the July 9, 2019 meeting approved as presented.

FEE REPORT

Harre moved and Graham seconded the motion to approve the June 2019 fee report as presented:

County Sheriff \$1,906.67

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.

2019 2nd QUARTER STATEMENT OF ACCOUNTABILITY FROM OFFICES

After review by the Board, Noel moved and Cerny seconded the motion to approve the 2019 2nd quarter statement of accountability from the County Attorney, County Clerk (Register of Deeds and Section 125 accounts), and Clerk of the District Court. 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.

DRIVEWAY PERMITS

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

Scott Eaton – remove a driveway and add a driveway on the north side of the NW ¼, Section 32, Madison Township;
Betty Reinsch – replace an existing driveway on the south side of the SW ¼, Section 10, Momence Township;
Don Hutchens – move an existing driveway on the south side of the SE ¼, Section 17, Chelsea Township;
Olga Sluka – install a new 40 ft. driveway on the south side of the SW ¼, Section 17, Glengary Township; and
Wynne Transport Service, Inc. – replace an existing driveway on the south side of the SE ¼, Section 12, Geneva Township.

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, and Noel
Nays: None Abstaining due to conflict of interest: Sluka

The Chairman declared the motion carried.

CLEAN SILT PERMIT



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Sluka moved and Graham seconded the motion to approve the clean silt permit as presented by the Highway Superintendent:

ABR Farms – clean silt from the ditch along the east side of the SE ¼, Section 5, Geneva Township and place dirt back in field or save for road repairs.

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

Sluka moved and Lightwine seconded the motion to approve the following occupy county right-of-way permit as presented by the Highway Superintendent:

Shari Lovegrove – bury natural gas line between the SW ¼, Section 4 to the NW ¼, Section 9, Geneva 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.

NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur informed the Board that new hardware had been installed on the doors and key fobs are working. The roof leak still needs to be fixed and still working on the outside doors.

FINAL ACCEPTANCE OF PROJECT ON ROAD 9 BETWEEN ROAD L AND ROAD M

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

RESOLUTION #2019 – 18

WHEREAS: Fillmore County and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

WHEREAS: The project construction has been tentatively accepted and the State, on LPA's behalf, has recommended that the project is ready for final acceptance;

WHEREAS: The LPA Program Agreement requires the county to review and formally approve State's recommendation that the project is ready for final acceptance;

WHEREAS: County has reviewed the State's recommendation and agrees that the project has been constructed according to the plans; specifications and any change order(s) and that the construction is ready for final acceptance;

WHEREAS: County believes that the traffic control and permanent signs on the project are appropriate, have been properly placed and are acceptable to the County.

BE IT RESOLVED BY THE COUNTY BOARD OF FILLMORE COUNTY THAT:



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The Chair, Jeff Neiman, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County's final acceptance of the project construction.

The permanent signing and traffic control on the project are appropriate, have been properly placed and are acceptable to County. The County hereby accepts maintenance of the project and agrees to meet all environmental and other commitments related to the project.

NDOR Project Number: BRO-7030(32)
NDOR Control Number: 42435
NDOR Project Description: Geneva West

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.

DISCUSSION REGARDING BRIDGE REPLACEMENT OR CLOSING ON ROAD 16 BETWEEN ROAD V AND ROAD W

Pat Halbur, Highway Superintendent informed the Board that Speece Lewis estimates the cost to replace the bridge with twin 60' culverts would be \$61,600.00. She also handed out to the Board a list of about twenty (20) additional bridges/culverts that needs to be replaced this summer.

After discussion, Noel moved and Cerny seconded the motion to start the process to close the north 1/2 of Road 16 between Road V and Road W and gravel the south 1/2. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

After further discussion, Graham moved and Lightwine seconded the motion to patch the hole in the north 1/2 until we have time to replace culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

SIGNS FOR ROAD CLOSURE ON ROAD A BETWEEN ROAD 22 AND ROAD 23

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

RESOLUTION #2019 – 19

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



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of Road A & Road 22 controlling East bound traffic.

Double Arrow

The Double Arrow Sign is located at the intersection of Road A and Road 22. It is set on the East of Road 22. Warning the East bound traffic on Road A.

Dead End

The Dead End Sign is located on the East end of Road A between Road 22 and Road 23, controlling West bound traffic.

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, Graham, Harre, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the resolution adopted.

ROAD DEPARTMENT UPDATES

They are ready to pour the box culvert on Road 8 between Road R and Road S this week. Pat informed the Board that the office cleaning would be reduced to \$475.00 per month instead of \$550.00. Pat told the Board that one of the spare motor graders needs some costly repairs and that would leave two (2) spares instead of three (3).

2019 FRACTURE CRITICAL BRIDGE INSPECTION

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

RESOLUTION #2019 – 20

WHEREAS: the Nebraska Department of Transportation (NDOT) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

WHEREAS: Fillmore County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid projects;

WHEREAS: Fillmore County and the NDOT wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

BE IT RESOLVED: by the Board of Supervisors of Fillmore County the:

Chair of the Fillmore County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between the Fillmore County and the NDOT.

Fillmore County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: STP-NBIS (118)

NDOT Control Number: 01003

NDOT Project Name: 2019 Fracture Critical Bridge Inspection

Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the resolution adopted.

FILLMORE COUNTY DEVELOPMENT CORPORATION

Charlie Traeger and Bart Brinkman, members of the Fillmore County Development Corp. Board, Kelly Heath, City of Geneva, and Richard Walter were present for discussion regarding two (2) different options moving forward with the Director position. After discussion of each option and questions, the Board will discuss at a future meeting.

TUCKPOINTING PROJECT UPDATE

Greg Dennis with Masonry Construction, Inc. informed the Board that he hired a drone to get a better picture of the tuckpointing that needs to be done. Greg showed several pictures to the Board of places that need to be repaired that are not visible from the ground. After discussion, the Board will get a contract to Greg and any additional work will be submitted as a change order for approval.

FAIRVIEW CEMETERY

Earl Frieden informed the Board of the work he has done at the Fairview Cemetery. After discussion with the County Attorney since the Board had the public hearing to take over the cemetery, no more work from volunteers should be done.

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:

Awards Plus	Sup	104.00
Bi-Versal Services, LLC	Ser	175.00
Combined Public Communications	Sup	140.00
Consolidated Management Company	Meals	141.67
Eakes Office Solutions	Sup	1,048.87
Exeter Senior Center	1 st Quarter Reim	425.00
Fairmont Aging Services	1 st Quarter Reim	2,000.00
Geneva Broadband, LLC	Main	541.79
Geneva Home Center	Sup	393.71
Geneva Senior Center	1 st Quarter Reim	2,500.00
Geneva Super Foods	Sup	577.11
Heartland Bank	SS	5,252.52
Heath, Inc.	Rep	50.00
The Home Depot Pro	Sup	581.30
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Wksh	4,213.86
Kelch Plumbing, Heating & Refrigeration	Main, Rep	400.00
Stephen J. Kraviec	Ser, Post	1,737.32
Madison National Life Insurance Co.	Insur	29.51
MIPS, Inc.	Main	145.85
Nebraska Association of Senior Centers	Wksh	95.00
Nebraska Law Enforcement Training Center	Wksh	100.00
Nebraska Public Power District	Uti	2,582.57
NeoFunds by NeoPost	Post	700.00
Neurological and Spinal Surgery, LLC	Ser	75.00
Noel Lawn Care	Ser, Main	202.80
Region V Services	Budget request	2,621.00
Brandon Reinsch/DBA Reinsch Lawn Serv.	Ser	349.15
Retirement Plans Division of Ameritas	Ret	4,967.85
Rural Apprehension Program	Ser	11,542.00
Saint Louis University	Ser	157.00



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State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Service	June patient care	90.00
Strothkamp Construction, LLC	Rep	3,159.53
34 Electric, LLC	Rep	88.85
Unifirst Corporation	Ser	350.83
USDA, APHIS, General	Ser	2,473.80
Verizon Wireless	Uti	1,030.60
Weaver Pharmacy	Sup	24.22
WEX Bank	Fuel	2,677.74
Windstream	Uti	1,043.35
Woods & Aitken, LLP	Ser	203.00
Payroll	Salaries	76,448.70

ROAD/BRIDGE FUND:

All Roads Barricade, Inc.	Sup	148.16
C & M Supply, Inc.	Fuel	1,410.26
Casey's Business Mastercard	Fuel	75.60
Eakes Office Solutions	Sup	107.21
Farmers Cooperative	Fuel	1,382.60
Geneva Broadband, LLC	Equip	585.01
Geneva Building Supply	Sup, Misc.	101.79
Geneva Home Center	Sup	37.55
Geneva Lumber Center	Sup	11.77
Geneva Super Foods	Sup	19.98
Grafton Oil, Inc.	Fuel	917.61
Grant Built Logistics, LLC	Rock	928.54
Heartland Bank	SS	2,368.80
Mid-Nebraska Aggregate, Inc.	Gravel	4,795.68
Nebraska Public Power District	Uti	506.91
Nichols Construction	Gravel	70,606.36
Perennial Public Power District	Uti	46.03
Quill Corporation	Sup	504.20
Brandon Reinsch DBA Reinsch Lawn Serv.	Ser	458.19
Retirement Plans Division of Ameritas	Ret	2,116.65
Speece Lewis Engineers	Ser	2,879.32
US Bank CPS	Rep, Fuel	807.02
Verizon Wireless	Uti	87.16
Village of Fairmont	Uti	22.07
Village of Ohioa	Uti	30.00
WEX Bank	Fuel	1,118.68
Payroll	Salaries	31,899.22

911 EMERGENCY MANAGEMENT FUND:

Nebraska Public Power District	Uti	243.10
Platte Valley Communications of Hastings	Equip, Rep	832.50
Windstream	Uti	117.84

ROAD DEPT./COURTHOUSE BOND FUND:

Union Bank & Trust Company	Principal, Interest	143,220.50
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CLAIMS APPROVED

Cerny moved and Lightwine 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.



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CONSENT TO MODIFICATION FOR VERIZON TOWER ON COUNTY PROPERTY

After discussion, Harre moved and Graham seconded the motion to approve the consent to modification for a new battery for the Verizon tower on county property. 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 - 21

RESOLVED, that the Cornerstone Bank of Geneva, Nebraska, be allowed to add the following security held by Wells Fargo Bank to-wit:

CUSIP #698873UB0 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 PLEDGE SECURITIES

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

RESOLUTION 2019 - 22

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

CUSIP #473260DN4 in the amount of \$270,000.00

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.

BUDGET REVIEWS

Throughout the day the board reviewed the following budgets with the department heads: Road Department, Highway Bridge Buyback, County Treasurer, County Assessor, Emergency Management, 911 Emergency Management, 911 Wireless Service, 911 Wireless Service Holding, Clerk of the District Court, District Judge, County Court, County Sheriff, Jail, Investigator – RAP, Law Enforcement Grant, Senior Services, Veterans Service, Planning & Zoning, County Office Building East, Board, County Clerk, Register of Deeds, Elections, Data Processing, Employment Security, Insurance, Surveyor, County Medical Relief & Assistance, Institutions, Miscellaneous, Economic Development – Tourism, ROD Preservation & Modernization, Friends of the Courthouse, Inheritance Tax, Road Dept./Courthouse Bond, and Ag Society Building Bond funds.

INTERLOCAL AGREEMENT FOR SOUTHEAST REGION PET



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After discussion, Sluka moved and Cerny seconded the motion to approve the Interlocal Agreement with Cass, Gage, Fillmore, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Seward, Thayer, and York counties for Southeast Region Planning, Exercise, and Training group. 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, Sluka moved and Graham seconded the motion to adjourn until 9:10 a.m., August 13, 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