

# Fillmore County Board Minutes



March 22, 2011

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 22, 2011, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Capek presiding. Members present were Noel, Yates, Simacek, Mueller, Galusha, and Cerny. 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 2:38 p.m.

## MINUTES APPROVED

Chairman of the Board, Capek approved the minutes of the March 8, 2011 Board meeting.

## PUBLIC HEALTH SOLUTIONS

Debbie Wendelin with Public Health Solutions informed the Board that they have received a grant to assist residents with the removal of lead based paint in homes. They have sent contractors to training so that they know how to take care of the lead based paint properly. Public Health is also working with Blue Valley Community Action and Southeast Nebraska Development District.

## 2009/2010 AUDIT

Joleen Stroyek with Contryman Associates, PC presented the audit for fiscal year ending June 30, 2010 to the Board.

## NOXIOUS WEED BOARD

Todd Boller, Noxious Weed Superintendent informed the Board that Darlene Vodicka resigned from the Noxious Weed Board and they would like to appoint Carol Hoarty to fill the vacancy.

After discussion, Noel moved and Simacek seconded the motion to appoint Carol Hoarty to the Noxious Weed Board effective immediately and ending December 31, 2015. Upon roll call, the vote was as follows:

Ayes: Cerny, Galusha, Capek, Yates, Simacek, and Noel

Nays: Mueller

The Chairman declared the motion carried.

## DRIVEWAY PERMITS

Yates moved and Cerny seconded the motion to approve the following driveway permits:

Bill Kleinschmidt – install a new 40 foot driveway on the west side of the NW  $\frac{1}{4}$ , Section 1-6-4, Momence Township;

Steve Heinrichs – install a new 40 foot driveway on the south side of the E  $\frac{1}{2}$  of SE  $\frac{1}{4}$ , Section 14-6-4, Momence Township;

Swartzendruber Farms – install a new 40 foot driveway on the south side of the SE  $\frac{1}{4}$ , Section 22-5-3, Hamilton Township;

James McGowan – install two new 40 foot driveways on the north side of the NW  $\frac{1}{4}$ , Section 35-8-2, Fairmont Township;

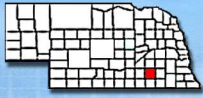
Steve Mason – extend two existing driveways to 40 foot on the south and east side of the SE  $\frac{1}{4}$ , Section 35-8-2, Fairmont Township;

Jerry Chapman – extend two existing driveways to 40 foot on the east side of the SE  $\frac{1}{4}$ , Section 2-7-2, Madison Township.

Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny





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## RURAL TRANSIT

Brenda Sherwin presented the budget for 2011-2012 for the Fillmore County Rural Transit in the amount of \$20,036.00, which will be discussed later this summer. They also presented documents for Federal and State funding.

## RURAL TRANSIT FUNDING

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

### RESOLUTION 2011 - 12

**WHEREAS**, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

**WHEREAS**, Fillmore County desires to apply for said funds to be used to provide public transportation in Fillmore County.

**NOW THEREFORE, BE IT RESOLVED**; that the Fillmore County Board of Supervisors hereby instructs the Fillmore County Clerk to apply for the above said funds. Said funds are to be used for Fillmore County Rural Transit Transportation operations in the Fiscal Year 2011-2012 Application for Public Transportation Assistance.

Upon roll call, the vote was as follows:

Ayes: Noel, Cerny, Mueller, Galusha, Capek, and Yates  
Nays: None                      Abstaining: Simacek

The Chairman declared the resolution adopted.

## RURAL TRANSIT CONTRACT WITH BLUE VALLEY

After discussion, Yates moved and Cerny seconded the motion to approve and sign the contract with Blue Valley Community Action, Inc. for rural transit in Fillmore County beginning July 1, 2011 and ending June 30, 2012. Upon roll call, the vote was as follows:

Ayes: Noel, Cerny, Mueller, Galusha, Capek, and Yates  
Nays: None                      Abstaining: Simacek

The Chairman declared the motion carried.

## LIQUOR LICENSE

As no one appeared to testify for or against the Catering Liquor License the Chairman declared the hearing closed at 11:05 a.m.

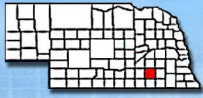
Cerny moved and Galusha seconded the motion to allow Fillmore County Recreation Association DBA Hidden Hills Country Club to obtain their Class I #14224 Catering Application Liquor License. Upon roll call, the vote was as follows:

Ayes: Cerny, Mueller, Galusha, Capek, Yates, Simacek, and Noel  
Nays: None

The Chairman declared the motion carried.

## GENEVA BROADBAND

Greg Baltzer, Manager of Geneva Broadband informed the Board that he is ready to install the equipment on the 911 tower to supply internet service to rural residents. Greg requested that the Board waive the fee to have equipment on the tower for 90 days.



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After discussion, Cerny moved and Noel seconded the motion to waive the fee to have equipment on the tower for 90 days for Geneva Broadband. Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny  
Nays: None

The Chairman declared the motion carried.

## **LEASE AGREEMENT WITH GENEVA BROADBAND**

Mueller moved and Yates seconded the motion to approve the Antenna Site Lease Agreement with Geneva Broadband beginning March 22, 2011. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, Yates, Simacek, Noel, Cerny, and Mueller  
Nays: None

The Chairman declared the motion carried.

## **PLANNING COMMISSION**

After discussion, Simacek moved and Galusha seconded the motion to appoint Dan Mainwaring to the Planning Commission to replace Tom D. Manning beginning March 22, 2011 and ending June 30, 2011. Upon roll call, the vote was as follows:

Ayes: Capek, Yates, Simacek, Noel, Cerny, Mueller, and Galusha  
Nays: None

The Chairman declared the motion carried.

## **PETERS SUBDIVISION**

Planning and Zoning Administrator, Donna Mainwaring submitted a plat for the Peters Subdivision, located in the NE  $\frac{1}{4}$ , Section 4-8-4, Grafton Township.

Cerny moved and Noel seconded the motion to approve the plat for the Peters Subdivision as follows:

A tract of land in the NE  $\frac{1}{4}$  of Section 4, Township 8 North, Range 4 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, being more particularly described as follows: referring to the NE corner of said NE  $\frac{1}{4}$ ; thence S00°08'56"E, 1045.00 feet on the east line of said NE  $\frac{1}{4}$  to the point of beginning; thence S89°15'04"W, 386.00 feet; thence S00°08'56"E, 573.00 feet; parallel with the east line of said NE  $\frac{1}{4}$ ; thence N89°51'04"E, 386.00 feet to the east line of said NE  $\frac{1}{4}$ ; thence N00°08'56"W, 573.00 feet on said east line to the point of beginning, containing 5.08 acres more or less, which includes 0.43 acres more or less used for county road purposes.

Upon roll call, the vote was as follows:

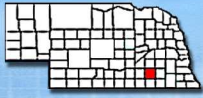
Ayes: Yates, Simacek, Noel, Cerny, Mueller, Galusha, and Capek  
Nays: None

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, Uni – uniform allowance, Uti – utilities, Wksh – workshop expense.

## **GENERAL FUND:**

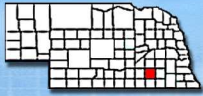


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All Around Lawn Care	Ser	50.00
Ameritas Life Insurance Corp	Ret	3,315.64
Aramark Uniform Services, Inc.	Ser	601.18
Blue Cross Blue Shield of Nebraska	Insur	22,084.93
Blue Valley Community Action Partnership	Budget request	3,610.00
Bottorf & Maser, Atty.	Ser, Mile	600.00
Mary Brinkman	Meals	7.84
Daryl L. Callenius	Meals	11.69
Central Nebraska Refrigeration, Inc.	Rep	591.00
Century Lumber Center	Sup, Rep	169.34
Marilyn Christiancy	Ret	25.00
City of Geneva	Rent	484.00
Corner Stop	Fuel	315.87
Dell Marketing, LP	Sup	518.95
Judy Dondlinger	Ser	120.00
Eakes Office Plus	Sup	1,327.13
Merlin Ehmen	Ret	22.00
Exeter Senior Center	USDA, Misc.	143.72
Fairmont Aging Services	USDA, Misc.	653.89
Fillmore County Treasurer	Sup, Meals, Misc.	215.46
First Concord Group, Inc.	Insur	5,739.50
Galls – An Aramark Company	Sup	6.08
Gambles	Sup	168.64
Geneva Broadband, LLC	Uti	99.98
Geneva Senior Center	USDA, Rent, Misc	1,773.91
Geneva State Bank	SS	3,502.64
Geneva Super Foods	Sup	1,013.60
Norma Gregory	Ret	25.00
Heath, Inc.	Rep	455.51
Heinisch Law Office	Ser	313.50
Hilty's of Geneva	Sup	273.77
Hometown Leasing	Ser	128.44
Steve Julich	Post	6.66
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	2,817.34
Kerry's Auto Repair & Service	Main	44.35
Lancaster County Sheriff	Ser	27.24
Madison National Life	Insur	8.01
MailFinance	Ser	248.20
Donna Mainwaring	Meals	16.51
Ann H. McDonald	Ret	18.00
Mid-American Research Chemical	Sup	321.36
MIPS, Inc.	Sup, Ser	369.00
Moore Wallace DBA RR Donnelley	Sup	79.46
Rich Mueller/Thomas Biegert	Rent	650.00
Nance County District Court	Ser	1.50
Nebraska Association of County Officials	Wksh	80.00
Nebraska Public Power District	Uti	1,066.54
The Nebraska Signal	Sup	285.50
Barb Nunns	Ser	170.00
DMB's Express Police Supply	Sup	312.93
Dawn Opfer	Sup	93.62
Ralph's Geneva Tire & Service Center	Rep	23.50
State of Nebraska AS Central Services	Ser	48.25
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Dept. of Motor Vehicles	Ser	8.00
State of Nebraska Health & Human Service	Febr. Patient care	387.00
Ultramax	Sup	443.50
Brandy VanDeWalle	Mile, Uti	68.56
Carroll L. Verhage	Ser	61.00



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Verizon Wireless	Uti	495.90
Weaver Pharmacy	Sup	2.09
Daniel L. Werner, P.C. LLO	Ser, Mile	599.56
Anthony Whitmore	Meals, Post	12.27
Williams Exterminating, Inc.	Ser	110.00
Windstream	Uti	1,334.65
Payroll	Salaries	48,145.51

## ROAD/BRIDGE FUND:

Ace Agri Supply	Rep	36.52
Ameritas Life Insurance Corp.	Ret	1,774.78
Aurora Cooperative Elevator Co.	Sup	1,600.00
Auto Value Parts Stores	Parts, Sup	1,532.53
Blue Cross Blue Shield of Nebraska	Insur	13,131.58
Century Lumber Center	Rep, Parts, Sup	472.54
City of Geneva	Sup	103.85
Dorchester Farmers Coop	Fuel	11,306.11
Fehlhafers, Inc.	Parts	40.00
Fillmore County Hospital	Ser	52.00
Fillmore County Treasurer	Equip	170.00
Gambles	Parts, Sup	235.90
Geneva Implement Co, Inc.	Parts	1,666.72
Geneva State Bank	SS	1,949.42
Geneva Super Foods	Sup	29.85
Ralph Gould	Ret	18.00
Elmer Hessheimer	Mile, Ser	177.76
Donovan Jirkovsky	Ret	25.00
Lichti Oil	Fuel, Parts	7,808.76
Mels Automotive, Inc.	Parts, Rep	127.68
MIPS, Inc.	Ser	225.00
Nebraska Bolt	Sup	64.05
Nebraska Public Power District	Uti	523.31
Newman Traffic Signs	Sup	893.70
Nick's Farm Store Co.	Parts, Rep	15.72
Office Depot Credit Plan	Sup	93.96
Perennial Public Power District	Ser	7,722.74
Power Plan	Parts, Rep	1,326.14
Speece Lewis Engineers	Ser	2,278.47
Stolz's Grading	Ser	292.50
Verizon Wireless	Uti	69.60
Village of Exeter	Uti	15.00
Village of Fairmont	Uti	132.27
Wicks Sterling Trucks	Parts	10.87
Windstream	Uti	145.55
Payroll	Salaries	26,293.12

## ECONOMIC DEVELOPMENT – TOURISM FUND:

Fillmore County Development Corp.	Sup, Ser	267.34
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## INHERITANCE TAX FUND:

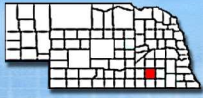
City Clock Company	Equip	11,462.00
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## 911 WIRELESS FUND:

Metro Leasing Company	Ser	794.89
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## E911 COMMUNICATIONS FUND:

Dell Marketing, LP	Equip	1,121.42
Nebraska Public Power District	Uti	165.30
Windstream	Uti	1,010.50



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## CLAIMS APPROVED

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

Ayes: Simacek, Noel, Cerny, Mueller, Galusha, Capek, and Yates  
Nays: None

The Chairman declared the motion carried.

## GIS WORKSHOP

Amy Nelson, County Clerk and Election Commissioner presented a bid from GIS Workshop establishing a tab on the Assessor's website that would assist County residents in locating supervisor districts, school districts, voting districts, fire districts and other important information regarding elections. The cost to establish is \$2,500.00 with an annual maintenance fee. After discussion, the Board agreed that this would be a benefit to the residents of Fillmore County.

## CULVERT PIPE BIDS

Opened culvert pipe bids at 1:10 p.m., the following bids were received:

	<u>ROUND CMP</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.33	11.05	14.65	23.05	26.96	44.12	50.95	58.25	80.80	96.80	135.50
Contech	9.48	11.26	14.98	22.98	27.41	44.67	50.82	58.21	82.36	98.23	141.76
Metal Culverts	8.29	9.84	13.17	20.35	24.27	39.89	45.44	51.80	72.89	87.02	125.58
Midwest Services	10.45	12.43	16.59	24.94	29.81	48.26	54.95	61.63	87.87	104.71	168.64

	<u>ELLIPTICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.73	11.45	15.05	23.45	27.21	45.12	52.95	59.25	82.80	98.80	139.50
Contech	9.79	11.61	15.45	23.71	28.29	46.09	52.44	59.98	84.98	101.35	146.27
Metal Culverts	8.88	10.43	14.06	21.24	25.31	41.07	46.68	53.21	74.44	88.95	129.35
Midwest Services	11.58	13.57	17.84	26.45	31.30	50.02	56.94	61.63	91.64	109.74	174.24

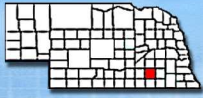
	<u>ROUND HELICAL (SPIRAL)</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	9.70	11.50	15.20	23.90	28.03	46.00	52.90	60.80	84.20	100.80	142.90
Big R Bridge	14.36	17.13	22.26	28.20	33.75	39.46	54.54	63.10	71.68	85.77	101.15
Contech	8.04	9.64	12.86	20.21	24.27	39.22	44.82	50.41	71.25	85.25	121.96
Metal Culverts	8.29	9.84	13.17	20.35	24.27	39.89	45.44	51.80	72.89	87.02	125.58
Midwest Services	9.34	11.10	14.81	22.28	26.62	43.09	49.07	55.04	78.48	93.51	No Bid

	<u>ELLIPTICAL HELICAL SQUASH PIPE</u>										
	15"	18"	24"	30"	36"	42"	48"	54"	60"	72"	84"
Ace Eaton	10.10	11.90	15.60	24.30	28.28	47.00	54.90	61.80	86.20	102.80	146.90
Big R Bridge	15.41	18.39	24.34	30.30	36.27	52.27	80.81	90.79	94.48	113.06	No Bid
Contech	8.24	9.89	13.19	20.73	24.90	40.23	45.97	51.71	73.09	87.45	125.09
Metal Culverts	8.88	10.43	14.06	21.24	25.31	41.07	46.69	53.21	74.44	88.95	129.35
Midwest Services	10.24	12.12	15.94	23.62	27.95	44.68	50.86	57.27	81.84	97.99	No Bid

## CULVERT PIPE LETTING

After discussion, Simacek moved and Yates seconded the motion to accept all bids with the Highway Superintendent selecting the lowest bid depending upon availability. Upon roll call, the vote was as follows:

Ayes: Noel, Cerny, Mueller, Galusha, Capek, Yates, and Simacek  
Nays: None



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The Chairman declared the motion carried.

## REVITALIZE GENEVA PROJECT

Kyle Svec, Administrator for City of Geneva presented the estimate for pedestrian lights on Courthouse grounds as requested at the previous Board meeting. Kyle also requested that the Board let the City know if they would be willing to assist in any portion of the pedestrian lights between 8<sup>th</sup> and 10<sup>th</sup> Street.

After discussion, Cerny moved and Yates seconded the motion to pay \$25,000.00 toward the pedestrian lights along 8<sup>th</sup> and 10<sup>th</sup> Street on the south side of the block. Upon roll call, the vote was as follows:

Ayes: Cerny, Mueller, and Yates

Nays: Galusha, Capek, Simacek, and Noel

The Chairman declared the motion failed.

## AERIAL PHOTOS

Lynn Mussman, County Assessor informed the Board that GIS Workshop would charge \$16,000.00 to take aerial photos of all rural properties.

After discussion, Mueller moved and Yates seconded the motion to approve GIS Workshop to take the rural aerial photos for the Assessor's office. Upon roll call, the vote was as follows:

Ayes: Mueller, Galusha, Capek, Yates, Simacek, Noel, and Cerny

Nays: None

The Chairman declared the motion carried.

## ASSESSOR UPDATES

County Assessor, Lynn Mussman informed the Board that to complete the review of the rural land would take an additional forty days of the appraiser's time. Board approved the time as it needs to be completed to stay in compliance with the State regulations.

Lynn also informed the Board that the valuation abstract is complete and the 2011 valuation will increase approximately \$162,000,000.00.

## FLOODPLAIN ISSUES

Merle Noel presented a letter to the Board that he would like to send to Congressman Adrian Smith regarding his floodplain issues. After discussion, the Board requested that Merle send the letter from himself as a landowner and then the Board would send a letter addressing the issues they have.

## ADJOURN

Agenda item "Uniform & Car Wash allowance and crack sealing & armor coating" was tabled until a future board meeting. As there was no other business to come before the Board, Galusha moved and Yates seconded the motion to adjourn until 9:10 a.m., April 12, 2011. Upon roll call, the vote was as follows:

Ayes: Galusha, Capek, Yates, Simacek, Noel, Cerny, and Mueller

Nays: None

The Chairman declared the motion carried.

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Attest

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Chairman