



Fillmore County Board Minutes



December 14, 2021

The Fillmore County Board of Supervisors convened in open and public session at 9:24 a.m., December 14, 2021, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Graham, Sluka, 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 12:03 p.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the November 23, 2021 and the December 3, 2021 meetings approved as presented.

GLENWOOD TELECOMMUNICATIONS GRANT APPLICATION UPDATE

Jennifer Reiman, with Glenwood Telecommunications informed the Board that Windstream had challenged their application to the Public Service Commission for the grant. Jennifer had submitted their response letter to the Board for review. The Public Service Commission will be awarding the grant on January 4, 2022.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Howard R. Lefler – bury electric line across Road 16 between the NE ¼, Section 33, Fairmont Township and the NW ¼, Section 34, Fairmont 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.

DISCUSSION REGARDING A PORTION OF ROAD L BETWEEN ROAD 20 AND ROAD 21 TO CLOSE

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

RESOLUTION #2021 - 42

WHEREAS, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of County Road L, between Road 20 and Road 21 and to submit within thirty (30) days a written report of recommendation of a portion of the road to be closed.

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.

PUBLIC HEARING FOR CLOSING A PORTION OF ROAD L BETWEEN ROAD 20 AND ROAD 21

After discussion, Highway Superintendent will have study completed by the December 28th meeting and hearing will be at the January 25, 2022 meeting at 9:45 a.m.



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SURPLUS

After discussion, Graham moved and Cerny seconded the motion to declare a 1994 Ford ½ ton pickup as surplus and to sell on Auction Time or Big Iron. 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.

OTHER ROAD DISCUSSION

Pat Halbur, Highway Superintendent informed the Board that our current contract with Verizon Connect does not have a device that will work with the new dump truck. Pat will be attending a webinar this afternoon to learn about a different program that would allow for vehicle tracking.

There are new CDL guidelines that the federal government will be implementing in 2022, which includes that all new or changes to current CDL holders will require schooling as well as drive time requirements. After discussion, this will need to be reviewed and add for budgeting. Pat also informed the Board that in 2022 FEMA will require an annual review of all county roads which will require a video of each road to receive any funding.

EXECUTIVE SESSION

Graham moved and Sluka seconded the motion that the Fillmore County Board of Supervisors hold an executive session at this time pursuant to Section 84-1401, Reissue, Revised Statutes of Nebraska, 1943, for the protection of the public interest and consider in executive session review of confidential courthouse security assessment authorized by Statute to be discussed in executive session. 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 and requested that the Highway Superintendent and County Clerk remain. Executive session began at 10:08 a.m.

RETURN TO REGULAR SESSION

Sluka moved and Harre seconded the motion to return to open session at 10:33 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.

SOLDIERS AND SAILOR PETTY CASH ACCOUNT FOR VETERANS SERVICE

Chairman Neiman and County Clerk, Amy Nelson informed the Board that the auditors are requesting that this account be reduced to \$1,500.00 from \$2,000.00 as a petty cash account. Nick Wollenberg, Veterans Service Officer explained to the Board that it is an emergency account for veteran's needs.

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

RESOLUTION #2021 - 43

WHEREAS, there is a continued need for a petty cash fund for the purpose of making payment for necessary expenditures and/or purchases for veteran's, AND



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NOW THEREFORE, BE IT RESOLVED: that the Fillmore County Board of Supervisors hereby establish the petty cash fund balance in the amount of \$2,000.00 with the maximum limit for any one expenditure to be \$2,000.00. Said fund is to be maintained by the Veterans Service Officer and assistant.

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 2023 TO 2026 SALARIES FOR ELECTED OFFICIALS

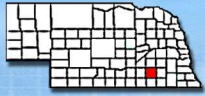
County Assessor, Lynn Mussman; Clerk of the District Court, Peggy Birky; County Sheriff, Steve Julich, County Treasurer, Darcy Nun; and County Clerk, Amy Nelson presented to the Board several different options for salaries for the next term of elected officials with that assistance of the NACO Salary Study. Further discussion will take place at the next meeting as salaries are required to be set by January 15, 2022.

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:

Academic Booster Club	Misc	20.00
Applied Connective Technologies	Uti	530.01
Bi-Versal Services, LLC	Ser	470.72
Black Hills Energy	Uti	765.62
Blue Cross Blue Shield of Nebraska	Insur	59,185.83
Carrier Corporation	Ser	3,050.00
Charm-Tex, Inc.	Sup	271.83
City of Geneva	Uti	768.15
Clay County Sheriff	Fees	18.25
Clearly	Uti	395.60
Melinda Coetzee	Sup/Comm	592.87
Cornerstone Bank	SS	5,643.89
County Veterans' Service Officers Assoc.	Dues	110.00
Jill Cunningham	Rent, Dues, Uti	431.48
Eakes Office Solutions	Sup	2,093.33
Erdkamp Motors	Main	78.45
Exeter Senior Center	USDA reimb	32.90
Fairmont Aging Services	USDA reimb	121.80
Fillmore County Clerk	Fees	44.00
Fillmore County Clerk of the District Court	Fees	71.00
Fillmore County Medical Center	Ser	138.36
Fillmore County Treasurer	Transfer	50,000.00
First Concord Benefits Group	Insur, Ser	3,833.62
Geneva Super Foods	Sup	1,733.87
Geneva Tire and Auto, Inc.	Rep, Main	120.06
Glenwood	Uti	427.65
Dawn M. Henry	Rent, Uti	191.49
Kimberly J. Hirth	Rent, Uti	191.49
Deborah Hoarty	Mile	70.56
Hometown Leasing	Ser	1,518.51
Taylor Kahlandt	Mile	107.52
Kalkwarf & Smith Law Offices, LLC	Ser, Wksh, Post, Uti	3,598.06
Kopchos Sanitation, Inc.	Uti	190.75



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Stephen J. Kraviec	Ser, Post	1,777.66
Madison National Life Insurance Co.	Insur	146.50
MIPS, Inc.	Ser, Sup	4,767.88
Murray Law PC, LLO	Ser	1,532.12
Nebraska Public Power District	Uti	460.42
Nebraska Sheriffs Association	Dues	180.00
The Nebraska Signal	Ads, Proc	565.82
Barb Nunns	Rep, Ser	2,500.00
Precision Signs and Graphics, LLC	Sup	72.50
PurFoods, LLC	Meals	396.66
Quadient Finance USA, Inc.	Post	2,400.00
Retirement Plans Division of Ameritas	Ret	5,431.01
Skalka & Baack Law Firm	Ser	123.50
State of Nebraska DAS - Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Serv.	Nov patient care	180.00
State of Nebraska Public Health Envir. Lab	Ser	105.00
Steins Auto Detailing, LLC	Main	220.00
Thayer County Treasurer	Sup	256.92
US Bank CPS	Sup, Post, Equip	517.46
Brandy VanDeWalle	Uti, Lodging, Meals	645.87
Richard Walter	Mile	100.80
Weaver Pharmacy	Sup	172.63
Windstream	Uti	154.54
Woodward's Disposal Service, Inc.	Ser	40.00
York County Treasurer	Ser	10,000.00
Payroll	Salaries	80,739.12

ROAD/BRIDGE FUND:

Ace Irrigation & Manufacturing	Culverts	7,410.96
Action Auto Supply	Sup	13.50
Auto Value Parts Stores	Parts, Sup	438.97
B's Enterprises, Inc.	Equip	2,750.00
Paul Bauer	Ser	475.00
Bi-Versal Services, LLC	Ser	738.58
Black Hills Energy	Uti	309.70
City of Geneva	Uti	58.95
Cornerstone Bank	SS	2,703.72
Eakes Office Solutions	Sup	204.76
Equipment Blades, Inc.	Parts	492.50
Farmers Cooperative	Fuel	1,694.51
Fillmore County Treasurer	Misc	15.00
Geneva Building Supply	Sup	36.15
Geneva Implement Co., Inc.	Sup	8.13
Geneva Tire and Auto, Inc.	Rep, Main, Tires	910.11
Glenwood Telecommunications, Inc.	Uti	40.00
Grafton Oil, Inc.	Fuel, Main	3,070.32
Hwy 41 Express Stop	Fuel	81.00
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel	6,264.84
Martin Marietta	Rock	9,002.53
Medical Enterprises, Inc.	Ser	6.25
Midwest Service & Sales	Parts	2,500.00
MIPS, Inc.	Ser	142.92
Nebr Iowa Industrial Fasteners Corp	Sup	284.37
Newman Traffic Signs	Signs	83.47
Nichols Construction	Gravel	76,539.42
Nick's Farm Store Co.	Rep, Equip	485.55
NMC Exchange, LLC	Parts, Ser	6,278.50



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Perennial Public Power District	Uti	62.74
Protex Central, Inc.	Equip, Ser	536.00
RDO Truck Centers	Parts, Rep	185.70
Retirement Plans Division of Ameritas	Ret	2,397.55
Donna Saltzman	Ser	115.00
US Bank CPS	Ser, Equip	612.99
Verizon Connect NWF, Inc.	Ser	582.84
Village of Exeter	Uti	22.25
Village of Fairmont	Uti	21.62
Village of Grafton	Uti	42.50
Village of Shickley	Uti	23.97
Westover Rock & Sand, Inc.	Rock	8,394.63
Windstream	Uti	173.51
Payroll	Salaries	36,095.85

REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	145.48
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INHERITANCE TAX FUND:

Midwest Storage Solutions, Inc.	Equip	6,301.20
US Bank CPS	Sup, Equip	728.81
Woods Aitken, LLP	Ser	1,188.00

911 EMERGENCY MANAGEMENT FUND:

Brandie Conway	Training	100.00
Glenwood Telecommunications	Uti	64.00
Nebraska Public Power District	Uti	190.13
Windstream	Uti	33.67

HOSPITAL OPERATING FUND:

Fillmore County Hospital	November taxes	147.52
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CLAIMS APPROVED

Noel moved and Harre seconded the motion to approve the claims 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.

FEE REPORTS FOR NOVEMBER 2021

After review, Harre moved and Graham seconded the motion to approve the fee reports for November

County Clerk \$12,500.07 (State \$6,935.45 & County \$5,564.62)

Clerk of the District Court \$1,529.90

County Sheriff \$2,456.17

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.

YEAR-END CERTIFICATION FOR HIGHWAY SUPERINTENDENT



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

RESOLUTION #2021 - 44

WHEREAS: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that must be met in order for a county to qualify for an annual Incentive Payment; and

WHEREAS: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

WHEREAS: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent's appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

WHEREAS: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution by the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

BE IT RESOLVED that the County Board Chairperson Fillmore County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

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.

SUBSTITUTING SECURITIES

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

RESOLUTION #2021 - 45

RESOLVED, that Heartland Bank of Geneva, Nebraska be permitted to substitute the following security held by Midwest Independent, Trustee:

CUSIP # 577489GV3, Maumee Ohio City School District in the amount of \$235,000.00

and that the following security be substituted:

CUSIP #25940KAG0, Douglas County Neb San. in the amount of \$210,000.00

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.

RIVER VIEW SUBDIVISION

Zoning Administrator, Jennifer Slezak, submitted the River View Subdivision located in the NW ¼, Section 10, West Blue Township to the Board for approval.



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After review, Lightwine moved and Graham seconded the motion to approve the River View Subdivision as submitted with the following legal description: a tract of land located in the Northwest quarter of the Northwest quarter of Section 10, Township 8 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, being described as follows: commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of said Section 10, this being the point of beginning, thence S88°49'30"W, on the North line of said Northeast quarter of the Northwest quarter, a distance of 452.00 feet; thence S01°10'30"E perpendicular to said North line, a distance of 33.00 feet; thence S16°49'35"E, a distance of 552.85 feet, thence N89°40'52"E, a distance of 309.00 feet to the East line of said Northwest quarter; thence N01°47'07"W, on said East line, a distance of 570.00 feet to the point of beginning containing 5.01 acres, more or less, including 0.34 acres more or less, of County Road 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.

C. CHANEY SUBDIVISION NUMBER ONE

Jennifer Slezak, Zoning Administrator, submitted the C. Chaney Subdivision Number One located in the NE ¼, Section 36, Bennett Township to the Board for approval.

After review, Sluka moved and Graham seconded the motion to approve the C. Chaney Subdivision Number One as submitted with the following legal description: a tract of land located in the Northeast quarter of Section 36, Township 7 North, Range 4 West of the 6th P.M., Fillmore County Nebraska, being described as follows: commencing at the Northeast corner of the Northeast quarter of said Section 36; thence S01°30'46"E on the East line of said Northeast quarter, a distance of 575.00 feet to the point of beginning; thence continuing S01°30'46"E on said East line a distance of 460.00 feet; thence S86°38'08"W, a distance of 593.00 feet; thence N00°44'29"E, a distance of 420.00 feet; thence N35°47'18"E, a distance of 18.00 feet; thence N56°14'05"E, a distance of 21.00 feet; thence N83°51'35"E, a distance of 90.00 feet; thence N21°01'58"E, a distance of 43.00 feet; thence S89°49'40"E a distance of 442.00 feet to the point of beginning containing 6.26 acres, more or less, including 0.35 acres, more or less, of 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.

C. CHANEY SUBDIVISION NUMBER TWO

Zoning Administrator, Jennifer Slezak, submitted C. Chaney Subdivision Number Two located in the NW ¼, Section 31, Geneva Township to the Board for approval.

After review, Harre moved and Cerny seconded the motion to approve the C. Chaney Subdivision Number Two as submitted with the following legal description: a tract of land located in the Northwest quarter of Section 31, Township 7 North, Range 3 West of the 6th P.M., Fillmore County, Nebraska, being described as follows: commencing at the Northwest corner of the Northwest quarter of said Section 31; thence S01°30'46"E (assumed bearing) on the West line of said Northwest quarter, a distance of 625.00 feet; thence S88°50'59"E, a distance of 279.00 feet; thence S01°16'59"W a distance of 214.00 feet; thence S13°03'24"W, a distance of 32.00 feet; thence S42°37'22"W, a distance of 52.00 feet; thence S88°29'14"W, perpendicular to the West line of said Northwest quarter of said Section 31, a distance of 224.00 feet to the West line of said Northwest quarter; thence N01°30'46"W, on said West line, a distance of 295.00 feet to the point of beginning containing 1.78 acres, more or less, including 0.22 acres, more or less, of County Right-of-Way.

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 motion carried.

PROTEX CENTRAL AGREEMENT FOR FIRE ALARMS AND EXTINGUISHERS AT EAST OFFICE BUILDING

After discussion, Cerny moved and Noel seconded the motion to approve agreement with Protex Central for 2022 and to take advantage of the additional 10% off of service calls. 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 ALL GRANTS THAT ARE AWARDED TO THE COUNTY

At the request of our auditors, the Board is directing any office that receives a grant and payments regarding these grants be copied to both the County Treasurer and the County Clerk for tracking purposes.

ADJOURN

As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:05 a.m., December 28, 2021. 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