



Fillmore County Board Minutes



March 8, 2022

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., March 8 2022, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Sluka presiding. Members present were Noel, Neiman, 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 11:20 a.m.

MINUTES APPROVED

Chairman of the Board, Sluka declared the minutes from the February 22, 2022 meeting approved as presented.

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:

Applied Connective Technologies	Ser	644.60
Auto Value Parts Stores	Sup	77.53
Axon Enterprise, Inc.	Ser	954.00
Black Hills Energy	Utilities	2,003.28
Blue Cross Blue Shield of Nebraska	Insur	57,307.63
Bockstadter & Glen Law, LLC	Ser, Mile	1,438.36
Charm-Tex, Inc.	Sup	122.70
City of Geneva	Uti	762.90
Clearly	Uti	398.43
Melinda Coetzee	Sup	68.40
Combined Public Communications	Commissary	120.00
Consolidated Management Company	Meals	26.22
Virginia Conway	Sup	16.11
Jill R. Cunningham	Rent	183.33
Drivers License Guide Company	Sup	31.95
Eakes Office Solutions	Sup	1,972.64
Erdkamp Motors	Rep, Main	1,094.03
Fillmore County Clerk of the District Court	Fees	36.00
Fillmore County Medical Center	Ser	94.86
Fillmore County Sheriff	Ser	50.00
Fillmore County Treasurer	Misc	20.00
First Concord Benefits Group, LLC	Ser, Insur	2,246.22
Galls, LLC	Equip	180.65
Geneva Tire & Auto, Inc.	Rep	272.75
Glenwood	Uti	309.75
Greg's Market	Misc	498.38
Dawn M. Henry	Rent	183.34
Kimberly J. Hirth	Rent	183.33
Hometown Leasing	Ser	1,523.95
Eric Johnson aka EJ the DJ	Misc	250.00
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,779.31
Krueger Land Surveying	Ser	2,100.00
Lancaster County Sheriff	Ser	18.62
Madison National Life Insurance Co.	Insur	147.93
Mid-American Research Chemical	Sup	769.24
MIPS, Inc.	Ser	3,115.36



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Murray Law PC, LLO	Ser	446.50
Nebraska Association of County Officials	Wksh	35.00
Nebraska Law Enforcement Training Center	Training	460.00
The Nebraska Signal	Ads, Pro	872.86
Nebraska Weed Control Association	Wksh	120.00
Nebraska Intergovernmental Risk Management Association	Training	585.00
911 Custom	Equip	2,627.17
North American Invasive Species Management Association	Dues	75.00
Quadient Finance USA, Inc.	Post	700.00
Reeves Company, Inc.	Sup	16.46
Saline County Law Enforcement	Boarding prisoners	120.00
Secretary of State – Elections Division	Sup	10.00
Seward County Detention Center	Boarding prisoners	195.00
Skalka & Baack Law Firm	Ser	509.82
State of Nebraska – AS Central Finance	Ser	448.00
Sullivan Shoemaker PC, LLO	Ser	1,495.16
Sutton Pharmacy	Sup	10.96
Thayer County Treasurer	Sup	256.92
Unifirst Corporation	Ser	518.50
US Bank CPS	Lodging, Meals, Sup, Post	850.10
Wayne County Sheriff	Ser	18.50
Weaver Pharmacy	Sup	190.71
Windstream	Uti	17.30
Woodward's Disposal Service, Inc.	Ser	65.00
York County Sheriff	Ser	19.50
Payroll	Salaries	76,737.24

ROAD/BRIDGE FUND:

A-1 Body & Glass	Rep	65.00
Ace Irrigation & Manufacturing	Culverts	14,255.20
Auto Value Parts Stores	Parts, Sup, Main	1,552.51
Paul Bauer	Ser	475.00
Black Hills Energy	Uti	1,199.18
City of Geneva	Uti, Sup	636.14
Clay County News	Ads	776.30
Geneva Tire & Auto, Inc.	Rep, Main, Sup	3,313.91
Geneva Welding & Supply, Inc.	Sup, Equip	187.00
Glenwood Telecommunications, Inc.	Uti	64.95
Hometown Leasing	Ser	151.70
Hwy 41 Express Stop	Fuel	69.23
John Deere Financial	Main, Sup	415.04
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel	5,477.46
MIPS, Inc.	Ser	142.92
The Nebraska Signal	Ads	23.41
Nick's Farm Store Co.	Rep, Equip	735.78
NMC Exchange, LLC	Rep, Parts, Ser	7,718.75
Perennial Public Power District	Uti	222.51
Quill, LLC	Sup	105.41
Sahling Kenworth, Inc.	Parts, Sup	569.35
Lois E. Schultz Trust	ROW, Easement	1,311.31
US Bank CPS	Post, Uti	15.34
Village of Exeter	Uti	22.25
Village of Fairmont	Uti	56.68
Village of Grafton	Uti	42.52
Village of Shickley	Uti	96.86
Windstream	Uti	172.67



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Payroll	Salaries	35,866.50
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REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	145.48
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INHERITANCE TAX FUND:

Carrier Corporation	Rep	4,575.00
Security Equipment, Inc.	Equip, Ser	6,539.00

911 EMERGENCY MANAGEMENT FUND:

APCO International, Inc.	Dues	96.00
First Wireless, Inc.	Equip, Rep	1,570.00
Glenwood	Uti	64.95
National Emergency Number Association	Wksh	598.00
Platte Valley Communications	Rep	257.50

CLAIMS APPROVED

Harre moved and Noel 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

After review, Cerny moved and Lightwine seconded the motion to approve the fee reports for February 2022 as presented:

County Clerk \$23,129.13 (State \$15,893.95 & County \$7,235.18)
Clerk of the District Court \$505.78
County Sheriff \$1,701.11

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.

SAFETY COMMITTEE

After discussion, Graham moved and Lightwine seconded the motion to appoint Cantrell Harrison, Jean Engle, Jennifer Slezak, and Todd Boller to the Safety Committee beginning January 1, 2022 and ending December 31, 2023. 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.

SLEZAK ACRES WEST SUBDIVISION

Zoning Administrator, Jennifer Slezak submitted the Slezak Acres West Subdivision located in the East Half (1/2) of the Southeast Quarter (1/4) of Section 28, Liberty Township.



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After review, Neiman moved and Graham seconded the motion to approve the Slezak Acres West Subdivision as presented with the following legal description: a tract of land located in part of the East ½ of the Southeast Quarter in Section 28, Township 7 North, Range 1 West of the Sixth P.M., Fillmore County, Nebraska, more particularly described as follows: commencing at the Southeast corner of said East ½ Southeast Quarter; thence N01°29'19"W (assumed bearing) on the East line of said East ½ Southeast Quarter, a distance of 1168.84 feet to the point of beginning; thence S86°24'06"W, a distance of 248.17 feet; thence S87°25'00"W, a distance of 371.13 feet; thence N01°29'19"W parallel with said East line, a distance of 384.00 feet; thence S88°59'33"E, a distance of 619.66 feet to a point of intersection with the East line of said East ½ Southeast Quarter; thence S01°29'19"E on said East line, a distance of 340.78 feet to the point of beginning, containing a computed area of 5.16 acres, more or less.

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 ADDITIONAL EMPLOYEE BENEFITS

Board agreed to allow offering a medical transportation program and life insurance to the employees effective July 1, 2022.

DISCUSSION REGARDING ARPA FUNDS WITH GLENWOOD AND NACO

Stan Rouse, CEO/General Manager and Jennifer Reiman, HR Manager/Director of Business Development with Glenwood Telecommunications were present to discuss with the Board regarding using the County ARPA funds along with the funds Glenwood was awarded from the Public Service Commission to expand broadband within Fillmore County. Jon Cannon, Executive Director and Candace Meredith, Deputy Director of Nebraska Association of County Officials (NACO) were also present for discussion regarding the allowable uses of ARPA funds along with the possibility of additional funding that could be available to counties. NACO will have more information at the regional district meetings this Spring.

After discussion, Harre moved and Graham seconded the motion to award the County ARPA funds that are received up to \$1,060,929.00 to the project of broadband expansion within the County subject to an approved agreement between both Glenwood and the County. 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.

ROAD DEPARTMENT DISCUSSION

Liberty Township members have requested that Road L between Road 20 and Road 21 be opened backup after the hearing to close the bridge at the January 25, 2022 meeting. Deputy County Attorney, Daniel Werner was present for discussion via conference call. After discussion, the Board requested that the Deputy County Attorney research this further and discuss at a future Board meeting.

The Board also discussed with the Deputy County Attorney the fencing policy as well as the potential closure of railroad crossings for unit train loading on Manning Railroad. After discussion, the Board requested that the Deputy County Attorney and a representative from Manning Railroad be at the March 22nd Board meeting for further discussion.

Highway Superintendent, Pat Halbur and the Board discussed the new law for all CDL drivers. After discussion, the Board agreed that this new law could cause further difficulties in hiring employees and could cost the County for the employees to obtain a CDL License.

FENCING POLICY



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After discussion, Neiman moved and Cerny seconded the introduction of the following resolution:

RESOLUTION #2022 – 10

WHEREAS, in accordance with Nebraska State Statute §39-301 relating to obstruction of public roads and right-of-way areas, it shall be the policy of Fillmore County to prohibit the construction of fences, or any other obstruction, temporary or permanent, which encroach upon a road or the right-of-way area; and

WHEREAS, as provided by said State Statute, any person, who obstructs a road or right-of-way for more than five (5) days shall, upon conviction thereof, be guilty of a Class V misdemeanor and, in case of placing any obstruction on the road, be charged an additional sum per day for every day he or she allows such obstruction to remain after being ordered to remove the same by the Highway Superintendent; and

WHEREAS, as provided by said State Statute, the Highway Superintendent or any officer in charge of road work, after having given reasonable notice to the owners of the obstruction, may remove any fence or other obstruction and may recover the necessary cost of such removal from such owner or other person obstructing such road, the collected by such officer in an action in county court; and

WHEREAS, as provided by said State Statute, any public roads which have been worked and which have not been used or traveled by the public for the last fifteen (15) years may be fenced by the owners of adjoining lands only if written permission is first obtained from the County Board of Supervisors and if adequate means of ingress and egress are provided by suitable gates.

WHEREAS, in accordance with said State Statute, normal maintenance and snow removal operations may damage fencing and Fillmore County will not be liable for any destruction or damage to or caused by livestock that gets through damages or illegally placed fencing; and

WHEREAS, Fillmore County Roads Department employees have been instructed to properly maintain the roads and rights-of-way.

NOW THEREFORE in consideration of the foregoing statement, the County Board of Fillmore County, Nebraska, hereby adopts the following resolution:

“BE IT RESOLVED, by the County Board of Fillmore County, Nebraska, that Nebraska State Statute §39-301 relating to obstruction of public roads and right-of-way areas hereby invoked and shall be followed by the Fillmore County Department of Roads in order to protect the property of the county and safety of the public.”

Upon roll call, the vote was as follows:

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

Nays: Harre

The Chairman declared the resolution adopted.

APPOINT EMPLOYER REPRESENTATIVE FOR DRUG & ALCOHOL TESTING

Highway Superintendent, Pat Halbur informed the Board that we need to have an employer representative appointed for drug and alcohol testing in regard to CDL requirements.

After discussion, Neiman moved and Graham seconded the motion to appoint the Highway Superintendent as the employer representative for drug and alcohol testing at the Road Department. 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.

SOUTH CENTRAL EAST COMMUNITY WILDFIRE PROTECTION PLAN



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After discussion, Harre moved and Neiman seconded the motion to approve the 2022 South Central East Community Wildfire Protection Plan with Adams, Clay, Fillmore, Jefferson, Nuckolls, Saline, Thayer and Webster counties. 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.

LAWN CARE PROGRAM FOR COUNTY OFFICE BUILDING EAST

After review and discussion, Harre moved and Lightwine seconded the motion to approve the Noel Lawn Care quote for the irrigated portion with a 4-step program for \$219.38 per step and to do the late fall application for \$164.78 and the non-irrigated portion with a 2-step program for \$405.60 per step. 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 DISCUSSION

County Clerk, Amy Nelson informed the Board that the paper folding machine broke and will be looking at purchasing a new machine for all offices to use. Will bring more information to the next meeting.

Senior Services Director, Brenda Motis informed the County Clerk that the health inspector has been reviewing all senior centers over the last few months. Fairmont Senior Center will need to install a commercial dishwasher. Brenda will be meeting with the Village, Aging Partners and the senior center next week.

ADJOURN

As there was no other business to come before the Board, Graham moved and Lightwine seconded the motion to adjourn until 9:00 a.m., March 22, 2022. 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