



Fillmore County Board Minutes



June 28, 2022

The Fillmore County Board of Supervisors convened in open and public session at 9:08 a.m., June 28, 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. Sara Jo Kunert was present for meeting to fulfill her ODEGEO class requirement.

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 2:39 p.m.

MINUTES APPROVED

Chairman of the Board, Sluka declared the minutes from the June 14, 2022, meeting approved as presented.

BUDGET REQUEST FROM REGION V SYSTEMS FOR FISCAL YEAR 2022/2023

CJ Johnson with Region V Systems presented via zoom the annual report and budget request for fiscal year 2022/2023 of \$14,675.00 for mental health and \$2,640.00 for substance use disorder.

ELECTRICAL WORK TO BE DONE AT COUNTY SHOP

After discussion, Neiman moved and Graham seconded the motion to approve 34 Electric to complete the electrical work at the county shop adding outlets/lights to the backup generator for \$4,800.00. 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

Highway Superintendent, Pat Halbur informed the Board that a rough estimate on repairing Road 2 between Road P and Road Q would be \$20,000.00 to \$30,000.00. After discussion, the Board requested that the local road construction contractors be given the option to put in a quote.

After discussion, the Board requested that a notice be placed in the Nebraska Signal with a \$1,000.00 reward for information related to the damage done to the guardrail on Road J between Road 23 and Road 24.

CONTRACT FOR PUBLIC DEFENDER

Brad Kalkwarf presented his new public defender contract to the board with a \$150.00 monthly increase and an education amount of \$5,000.00 per year beginning July 1, 2022 and ending June 30, 2024.

After discussion, Neiman moved and Lightwine seconded the motion to approve the contract for public defender beginning July 1, 2022 and ending June 30, 2024 with Kalkwarf and Smith Law Offices, LLC. 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,



Fillmore County Board Minutes



June 28, 2022

Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

GENERAL FUND:

All Makes	Equip	2,865.55
AT & T Mobility	Uti	881.88
Axlighting	Equip	1,596.70
Best Western Plus	Lodging	150.00
Bi-Versal Services, LLC	Ser	489.43
Paul N. Bixby	Ser	2,403.50
Chaney Chemical, Inc.	Sup	621.60
Charm Tex	Sup	121.30
Comfort Inn	Lodging	229.90
Consolidated Management Company	Meal	8.74
Cornerstone Bank	SS	6,940.42
Crowne Plaza Kearney	Lodging	374.85
Cypress Solutions, Inc.	Equip	3,344.40
Diane Deepe	Ser	100.00
Eakes Office Solutions	Sup	45.37
Brad Eisenhauer	Ser	1,837.50
Election Systems & Software, Inc.	Sup	512.04
Encartele, Inc.	Sup	300.00
Fillmore County Sheriff	Ser	50.10
Fillmore County Treasurer	Transfer	750,000.00
First Concord Benefits Group, LLC	Ser	37.50
First Wireless, Inc.	Ser, Equip	2,571.92
Geneva Home Center	Sup, Rep	416.07
Geneva Super Foods	Sup	805.42
Graham Tire Grand Island	Tires	1,422.40
HD Arms, LLC	Equip	878.24
Deborah Hoarty	Mile	73.71
The Home Depot Pro	Equip	217.95
Kelch Plumbing, Heating & Refrigeration, Inc	Rep	263.40
Krueger Land Surveying	Ser	1,125.00
Madison National Life Insurance Co.	Insur	22.70
Mid-American Research Chemical	Sup	876.00
911 Custom	Sup	43.88
Norfolk Lodging & Suites	Lodging	208.00
Precision Signs and Graphics, LLC	Equip	100.00
Quadient Finance USA, Inc.	Post	700.00
Quadient, Inc.	Rental	162.00
Retirement Plans Division of Ameritas	Ret	6,749.57
Saline County Treasurer	budget request	3,103.64
State of Nebraska DAS Central Finance	Ser	448.00
Thayer County Treasurer	Sup	256.92
Transit Works	Equip	595.00
US Bank CPS	Equip	126.94
Brandy VanDeWalle	Uti, Meals, Lodging, Misc	279.43
Verizon Wireless	Uti	184.57
Richard Walter	Mile	105.30
WEX Bank	Fuel	5,021.69
Payroll	Salaries	98,207.77

ROAD/BRIDGE FUND:

Ace Irrigation & Manufacturing	Equip	22,858.52
AT & T Mobility	Uti	46.62
B's Enterprises, Inc.	Equip	4,560.00
Beatrice Sand and Gravel	Gravel	19,420.27
Bi-Versal Services, Inc.	Ser	1,178.23



Fillmore County Board Minutes



June 28, 2022

C & M Supply, Inc.	Fuel	2,877.42
Cornerstone Bank	SS	2,486.45
Eakes Office Solutions	Sup	1.04
Friesen Chevrolet, Inc.	Equip	35,335.00
Geneva Home Center	Sup	228.93
Grafton Mini-Mart	Fuel	115.48
Grafton Oil, Inc.	Fuel	1,960.42
Lincoln Journal Star	Ads	555.00
Medical Enterprises, Inc.	Sup	70.00
Murphy Tractor & Equipment Co., Inc.	Equip	295,432.00
Nebraska Public Power District	Uti	258.02
Newman Traffic Signs	Equip, Signs	8,821.85
Nichols Construction	Gravel	52,389.47
Perennial Public Power District	Uti	113.80
Pieper's Pottys	Equip	3,500.00
Retirement Plans Division of Ameritas	Ret	2,201.36
34 Electric, LLC	Rep	2,538.75
US Bank CPS	Lodging, Fuel	265.15
VanKirk Bros Contracting	Box Culverts, Bridges	108,175.60
Wex Bank	Fuel	2,523.72
Windstream	Uti	171.96
Payroll	Salaries	33,181.18

ECONOMIC DEVELOPMENT – TOURISM FUND:

Jennifer Griffith	Ser	250.00
Milligan Auditorium	Ser	400.00
S.E. Nebraska Tourism Council	Dues	200.00

INHERITANCE TAX FUND:

Custom Cage	Equip	1,470.00
Dana Safety Supply, Inc.	Equip	1,237.26
Fillmore County Treasurer	Transfer	250,000.00
Newman Signs, Inc.	Equip	4,170.10
ROK Brothers, Inc.	Equip	830.29
Security Equipment, Inc.	Equip	6,149.99
Wahl Tex	Equip	20,079.50

911 WIRELESS FUND:

Fillmore County Treasurer	Transfer	37,463.97
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CLAIMS APPROVED

Neiman 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.

COMPREHENSIVE PLAN UPDATE

Bobbi Pettit with Five Rule Rural Planning reviewed the bid submitted at the April 26, 2022 meeting.

COMPREHENSIVE PLAN BID LETTING

After discussion, Graham moved and Noel seconded the motion to award the comprehensive plan to Hanna Keelan Associates, PC for \$39,000.00. Upon roll call, the vote was as follows:



Fillmore County Board Minutes



June 28, 2022

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

The Chairman declared the motion carried.

DISCUSSION WITH COUNTY ATTORNEY REGARDING CORONER DUTIES

The Board and County Attorney, Jill Cunningham discussed the duties regarding coroner again. Jill informed the Board that Dr. Bepalec would be called if deputies were unsure of the cause of death for \$100.00 per occurrence. Jill will draw up an agreement and the Board would need to authorize the appointment of Coroner's physician at the next meeting. Deputy Roemmich was present for discussion.

MILEAGE RATE

After discussion, Graham moved and Neiman seconded the motion to adopt the revised 2022 IRS mileage rate \$0.625 per mile, motorcycle \$0.565 per mile, and a privately-owned aircraft \$1.515 per mile, and \$0.665 per mile for the Sheriff's office to serve papers effective July 1, 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.

EMERGENCY PROTECTIVE CUSTODY SERVICE AGREEMENT WITH REGION V SYSTEMS

After discussion, Harre moved and Lightwine seconded the motion to approve the Emergency Protective Custody Services Agreement with Region V Systems beginning July 1, 2022 and ending June 30, 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.

GENEVA TOWNSHIP CLAIM

Neiman moved and Noel seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$2,580.00 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.

BRYANT TOWNSHIP CLAIM

After discussion, Cerny moved and Graham seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$1,807.50 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.

BUDGET MAKING AUTHORITY FOR FISCAL YEAR 2022/2023



Fillmore County Board Minutes



June 28, 2022

Neiman moved and Lightwine seconded the motion to appoint the County Clerk as the budget making authority for fiscal year 2022/2023. 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.

DEFICIT APPROPRIATION

After discussion, Harre moved and Lightwine seconded the introduction of the following resolutions:

RESOLUTION 2022 - 12

WHEREAS, all of the funds in the 2021-2022 budget 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 2021-2022 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 \$2,000.00 be appropriated to the Jail budget from the unused funds in the County Sheriff account of the General Fund Budget for 2021-2022 of said county.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declare the resolution adopted.

TAX SALE RESOLUTION

Darcy Nun, County Treasurer presented to the Board a listing of delinquent and unsold parcels.

At the request of the County Treasurer, Lightwine moved and Graham seconded the introduction of the following resolution:

RESOLUTION #2022 – 13

WHEREAS, the County Treasurer of Fillmore County has reported in writing to the County Board setting out a complete list of all parcels of real estate in the county on which taxes are delinquent and which were not sold for want of bidders at the last annual tax sale held in Fillmore County and said real estate taxes have been delinquent for a period of three or more years.

WHEREAS, the County Board has examined the same and while it may direct the issuance of tax sale certificates to the county upon any parcel of real estate upon which there are any delinquent taxes, it shall, as to all parcels of real estate upon which taxes are delinquent for three or more years, either enter an order directing the foreclosure of the lien of such taxes or shall enter an order for the County Treasurer to issue tax sale certificates to the county covering the delinquent taxes upon such parcels for real estate, to be foreclosed in the manner provided in Section 77-1901 to 77-1918, Nebraska Revised Statutes.

WHEREAS, more than two consecutive years have elapsed upon real estate which has been offered for sale and not sold for want of bidders; and

WHEREAS, more than three years will have elapsed since the issuance of such respective certificates of tax sale and by reason thereof the right of redemption of the owners or claimants of such respective tract has expired;



Fillmore County Board Minutes



June 28, 2022

BE IT NOW RESOLVED, that the County Board shall direct the County Attorney to commence foreclosure on such liens or certificates on all real estate which has heretofore been advertised and offered for sale and remains unsold for want of bidders and certificates of tax sale issued thereupon.

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: Road Department, County Attorney, Noxious Weed, Clerk of the District Court, District Judge, and County Treasurer.

PURCHASE OF VEHICLES FOR SHERIFF OFFICE

Chief Deputy McFarland presented a fleet listing of all vehicles that the Sheriff's office has and maintenance condition. He also informed the Board that the 2017 Durango is in need of approximately \$6,000.00 in repairs. McFarland presented a quote for a 2018 Ford Explorer with Police package for \$24,900.00 and a 2017 Ford Taurus fully equipped for \$10,000.00.

After discussion, Lightwine moved and Noel seconded the motion to allow the Sheriff's office to purchase the 2018 Ford Explorer and the 2017 Ford Taurus. 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.

TAKE POTENTIAL ACTION ON REVOKING THE POWER AND AUTHORITY OVER 911 SERVICES (INCLUDING DISPATCHERS) FROM THE SHERIFF'S DEPARTMENT

After discussion, Cerny moved and Noel seconded the motion to revoke the power and authority over the 911 Services (including dispatchers) from the Sheriff's 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.

TAKE POTENTIAL ACTION ON ASSIGNING THE POWER AND AUTHORITY OVER 911 SERVICES (INCLUDING DISPATCHERS) TO THE COMMUNICATIONS/911 CENTER COMMITTEE

Neiman moved and Graham seconded the motion to assign the power and authority over 911 Services (including dispatchers) to the Communications/911 Center Committee. 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.

COMMUNICATIONS/911 CENTER COMMITTEE

After discussion, Neiman moved and Noel seconded the motion that the Communications/911 Center Committee consist of the County Sheriff, Emergency Manager, and the Chief Deputy. Upon roll call, the vote was as follows:

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



Fillmore County Board Minutes



June 28, 2022

Nays: None

The Chairman declared the motion carried.

ADJOURN

Agenda items "Salary Committee recommendation and all other salary items" will be discussed at the next meeting. As there was no other business to come before the Board, Graham moved and Harre seconded the motion to adjourn until 9:05 a.m., July 12, 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