



# Fillmore County Board Minutes



January 24, 2023

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 24, 2023, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Sluka presiding. Members present were Noel, Neiman, Harre, Cerny, and Lightwine. Graham attending via zoom until 10:25 a.m. (non-voting). 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 12:05 p.m.

## **MINUTES APPROVED**

Chairman of the Board, Sluka declared the minutes from the January 10, 2023, meeting approved as presented.

## **EXECUTIVE SESSION**

Noel moved and Lightwine 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 pending litigation authorized by Statute to be discussed in executive session. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried and requested that the County Clerk remain. Executive session began at 9:02 a.m.

## **RETURN TO REGULAR SESSION**

Neiman moved and Lightwine seconded the motion to return to open session at 9:06 a.m. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **RURAL TRANSIT FUNDING FOR 2023 – 2025**

Brenda Sherwin, Manager Fillmore County Rural Transit requested that the Board approve the funding for rural transit for 2023 – 2025 in the amount of \$20,000.00 per year as in previous years.

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

### **RESOLUTION #2023 – 07**

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

**WHEREAS**, Blue Valley Community Action Partnership desires to apply for said funds to be used to provide public transportation for Fillmore County,

**NOW THEREFORE, BE IT RESOLVED:** that the Fillmore County Board of Supervisors hereby commits \$20,000 a year for fiscal year 2023 – 2025, to Blue Valley Community Action Partnership to be used as a local share in providing the matching funds to operate the Fillmore County Rural Transit Service.

Upon roll call, the vote was as follows:

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



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Nays: None

The Chairman declared the resolution adopted.

## 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:

|   |                  |           |
|---|------------------|-----------|
| Action Auto Supply                      | Sup              | 33.52     |
| Amazon Capital Services                 | Sup              | 54.02     |
| AT& T Mobility                          | Uti              | 2,290.97  |
| Auto Value Parts Stores                 | Rep              | 71.97     |
| B & J Automotive, LLC                   | Ser              | 145.00    |
| Bixby Law Office                        | Ser              | 95.00     |
| William Burgess                         | Prior Ser        | 84.00     |
| Cedars                                  | Ser              | 548.50    |
| Cornerstone Bank                        | Ser, SS          | 5,807.03  |
| Eakes Office Solutions                  | Sup              | 208.33    |
| Exeter Senior Center                    | CASA & USDA Reim | 537.80    |
| Fairmont Aging Services                 | CASA & USDA Reim | 2,327.60  |
| Fillmore County Hospital                | Ser              | 969.75    |
| Fillmore County Medical Center          | Ser              | 54.42     |
| Fillmore County Sheriff                 | Ser              | 131.07    |
| Fillmore County Treasurer               | Transfer         | 10,000.00 |
| First Concord Benefits Group            | Insur            | 2,158.75  |
| First Wireless, Inc.                    | Equip            | 7,485.00  |
| Geneva Home Center                      | Sup              | 150.35    |
| Geneva Senior Center Foundation         | CASA & USDA Reim | 3,439.90  |
| Geneva Super Foods                      | Sup              | 955.79    |
| Geneva Tire and Auto, Inc.              | Rep, Main        | 229.99    |
| Great Plains Uniforms                   | Equip            | 240.50    |
| Barbara (Erdkamp)Hein                   | Prior Ser        | 96.00     |
| The Home Depot Pro                      | Sup              | 675.96    |
| Kalkwarf & Smith Law Office, LLC        | Ser, Post        | 3,376.36  |
| L-Tron Corporation                      | Equip            | 500.63    |
| Madison National Life Insurance         | Insur            | 171.27    |
| Nebraska Public Power District          | Uti              | 935.55    |
| Physician Laboratory PC                 | Ser              | 445.00    |
| Postmaster                              | Post             | 600.00    |
| Protex Central, Inc.                    | Ser              | 839.00    |
| Quadient Finance USA, Inc.              | Post             | 700.00    |
| Reeves Company, Inc.                    | Sup              | 34.51     |
| Region V Systems                        | Ser              | 642.00    |
| Retirement Plans Division of Ameritas   | Ret              | 5,616.83  |
| Sid Dillon Chrysler Dodge Jeep Ram Fiat | Rep              | 4,706.39  |
| Jennifer Slezak                         | Ser, Mile        | 424.06    |
| Sparqdata Solutions                     | Ser              | 3,500.00  |
| State of Nebraska DAS State Accounting  | Ser              | 43.88     |
| State of Nebraska Health & Human Serv.  | Dec Patient care | 93.00     |
| Luetta Strothkamp                       | Prior Service    | 96.00     |
| University of Nebraska – Lincoln        | 4-H Staff        | 2,297.88  |
| US Bank CPS                             | Post, Sup        | 71.21     |
| Carol Vejraska                          | Prior Service    | 23.08     |
| Reid Velte                              | Ser              | 62.50     |
| WEX Bank                                | Fuel             | 2,342.17  |



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Windstream  
Payroll

Uti  
Salaries

143.59  
84,146.92

**ROAD/BRIDGE FUND:**

|                                       |            |           |
|---------------------------------------|------------|-----------|
| Action Auto Supply                    | Sup        | 93.83     |
| AT & T Mobility                       | Uti        | 93.53     |
| B & J Automotive, LLC                 | Rep        | 838.25    |
| Paul Bauer                            | Ser        | 475.00    |
| Richard T. Braden                     | Prior Ser  | 24.00     |
| C & M Supply, Inc.                    | Fuel       | 1,661.87  |
| Carquest of Geneva                    | Parts      | 160.36    |
| Cornerstone Bank                      | SS         | 2,585.79  |
| Exeter Lumber, LLC                    | Sup        | 53.36     |
| Farmers Cooperative                   | Fuel       | 6,178.32  |
| Geneva Home Center                    | Parts, Sup | 15.16     |
| Geneva Super Foods                    | Sup        | 11.05     |
| Grafton Mini-Mart                     | Fuel       | 140.00    |
| Grafton Oil, Inc.                     | Fuel       | 1,858.12  |
| Hwy 41 Express Stop                   | Fuel       | 131.42    |
| Steven Jappert                        | Prior Ser  | 96.00     |
| John Deere Financial                  | Main       | 51.93     |
| Lichti Oil                            | Fuel       | 2,437.85  |
| Gerald J. Lukes                       | Prior Ser  | 72.00     |
| Nebraska Public Power District        | Uti        | 556.05    |
| Perennial Public Power District       | Uti        | 109.42    |
| Protex Central, Inc.                  | Equip      | 264.50    |
| RDO Truck Centers                     | Parts      | 241.52    |
| Retirement Plans Division of Ameritas | Ret        | 2,261.16  |
| US Bank CPS                           | Post, Sup  | 34.50     |
| Verizon                               | Ser        | 547.11    |
| Village of Exeter                     | Uti        | 22.25     |
| Village of Grafton                    | Uti        | 42.54     |
| Village of Ohioa                      | Uti        | 48.00     |
| WEX Bank                              | Fuel       | 1,483.61  |
| Payroll                               | Salaries   | 34,212.44 |

**911 EMERGENCY MANGEMENT FUND:**

|   |       |          |
|---|-------|----------|
| First Wireless, Inc.                                      | Equip | 350.95   |
| Nebraska Emergency Services<br>Communications Association | Dues  | 120.00   |
| Nebraska Public Power District                            | Uti   | 211.25   |
| Windstream  | Uti   | 1,767.90 |

**911 WIRELESS FUND:**

|                      |       |        |
|----------------------|-------|--------|
| First Wireless, Inc. | Equip | 859.21 |
|----------------------|-------|--------|

**ROAD/COURTHOUSE BUILDING BOND FUND:**

|                    |          |           |
|--------------------|----------|-----------|
| Union Bank & Trust | Interest | 23,651.33 |
|--------------------|----------|-----------|

**CLAIMS APPROVED**

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

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

Nays: None

The Chairman declared the motion carried.



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## JAIL INSPECTION

Several Board members conducted the jail inspection prior to the meeting and reported that everything was in order and with next year's budget would need to look at remodeling the kitchen.

## OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Frances Fessler – bury a natural gas line on Road J, between Road 3 and Road 4 (SE ¼, Section 16 and the NE ¼, Section 21), Bennett 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, Harre, Lightwine, Neiman, Noel, and Sluka  
Nays: None

The Chairman declared the motion carried.

## 2022 4<sup>th</sup> QUARTER ACCOUNTABILITY STATEMENTS

After review, Neiman moved and Noel seconded the motion to approve the 2022 fourth (4<sup>th</sup>) quarter accountability statements as presented from Clerk of the District Court, County Attorney, County Clerk (Section 125 and Register of Deeds), County Sheriff, and Soldier's & Sailors accounts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## EXTENSION BOARD APPOINTMENTS

After discussion, Cerny moved and Neiman seconded the motion to appoint Kory Kahlandt (NE Quadrant), Cody Engle (SE Quadrant), and Megan Nunns (member at-large) to a two year term beginning January 1, 2023 and ending December 31, 2025 as requested by the Extension Educator. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## NEBRASKA PUBLIC AGENCY INVESTMENT TRUST PRESENTION

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

### RESOLUTION #2023 – 08

**WHEREAS**, Nebraska law expressly allows for public agencies to invest surplus or excess funds; and

**WHEREAS**, the Interlocal Cooperative Act, §13-801 et seq. Neb. Rev. Stat. (Reissue 1991) provides that two or more public agencies may jointly cooperate in the exercise or in the performance of their respective governmental functions, powers or responsibilities and may enter into joint agreements as may be deemed appropriate for such purposes when such agreements have been adopted by appropriate action by the governing bodies of the participating public agencies; and



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**WHEREAS**, the Declaration of Trust (Interlocal Agreement) and an Information Statement relating to the Nebraska Public Agency Investment Trust and the Fixed Term Investment Service have been presented to this Governing Body; and

**WHEREAS**, the Declaration of Trust authorizes public agencies to adopt and enter into the Declaration of Trust and become participants of such trust and to participate in the Fixed Term Investment Service; and

**WHEREAS**, this Governing Body deems it advisable for this Public Agency to adopt and enter into the Declaration of Trust and become a participant of the Nebraska Public Agency Investment Trust for the purpose of the joint investment of this Public Agency's money with those other public agencies so as to enhance the investment earnings accruing to each such public agency and to participate in the Fixed Term Investment Service.

**NOW, THEREFORE, BE IT RESOLVED:**

1. This Public Agency shall and does hereby join with other Nebraska public agencies in accordance with the provisions of Nebraska law and in accordance with the Interlocal Cooperative Act, as applicable, by becoming a participant of the Nebraska Public Agency Investment Trust, and the Declaration of Trust and Interlocal Agreement is hereby adopted by this reference with the same effect as if it had been set out verbatim in this Resolution. A copy of the Declaration of Trust is attached hereto and incorporated herein by this reference and shall be filed with the minutes of the meeting at which this Resolution was adopted.
2.
  - a. This Public Agency hereby delegates all authority and duties which the law otherwise authorizes it to delegate in accordance with the Declaration of Trust. The following officers and officials of this Public Agency and the respective successors in office each are hereby designated as "Authorized Officials" and are authorized to take actions and execute any and all such documents and agreements as they deem necessary and appropriate to effectuate the entry by this Public Agency into the Declaration of Trust, to effectuate the investment and withdrawal of monies of the Public Agency from time to time in accordance with the Declaration of Trust, and to make use of the Fixed Term Investment Service through the intermediaries PMA Financial Network, LLC and PMA Securities, LLC, who are authorized to act on behalf of this Public Entity as its agent with respect to such agreements:
  - b. The Authorized Officials of this Public Agency hereby authorize the following "Authorized Signers" to invest the Public Agency's available funds from time to time and to withdrawal such funds from time to time in accordance with the provisions of the Declaration of Trust, including in the Fixed Term Investment Service:

An Authorized Official of this Public Agency shall advise the Nebraska Public Agency Investment Trust of any changes in the Authorized Signers in accordance the procedures established by the trust.

3. The Trustees of the Nebraska Public Agency Investment Trust are hereby designated as having official custody of this Public Agency's monies which are invested in accordance with the Declaration of Trust.
4. Authorization is hereby given for members of this Governing Body and officials of this Public Agency to serve as Trustees of the Nebraska Public Agency Investment Trust from time to time if elected as such pursuant to the Declaration of Trust.
5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution being the same are hereby rescinded.

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

## **ZELENY THIRD SUBDIVISION**

After review and discussion, Harre moved and Lightwine seconded the motion to approve the Zeleny Third Subdivision located in the NE  $\frac{1}{4}$ , Section 24, Madison Township described as: located on a part of the South Half of the Northeast Quarter of Section 24, Township 7 North, Range 2 West of the Sixth Principal Meridian, Fillmore County, Nebraska, and being more particularly described as follows: for the purpose of this legal description, the basis of bearings is the East line of the Northeast Quarter of said Section 24, having an assumed reference bearing of N 01°46'58" W.





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Referring to the East Quarter Corner of said Section 24; thence northerly N 01°46'58" W, on the East line of the Northeast Quarter of said Section 24, 479.40 feet, to the Point of Beginning; thence continuing northerly N 01°46'58" W, on the East line of the Northeast Quarter of said Section 24, 332.58 feet; thence westerly S 86°26'45" W, 466.90 feet; thence southerly S 05°04'27" E, 253.41 feet; thence southeasterly S 57°42'41" E, 102.11 feet; thence easterly N 89°27'19" E, 367.63 feet, to a point of intersection on the East line of the Northeast Quarter of said Section 24, said point also being the True Point of Beginning. Containing a calculated area of 3.317 acres more or less, of which 0.251 acres more or less are reserved for County Right of Way purposes.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **QUARTERLY ELECTED OFFICIALS' UPDATES**

County Attorney, Jill Cunningham; County Sheriff, Steve Roemmich; Clerk of the District Court, Peggy Birky; County Assessor, Lynn Mussman; County Treasurer, Darcy Nun; and County Clerk, Amy Nelson; and gave an update to the Board regarding each office over the last quarter.

## **SEMI-ANNUAL REPORT**

County Treasurer, Darcy Nun submitted the semi-annual report for the Board to review.

## **MEMORANDUM OF UNDERSTANDING COMMUNITY-BASED JUVENILE SERVICES AID**

Katie Kulhanek, Program Director for Diversion Services presented an update to the Board of the services they have been providing for Fillmore County and requested a new memorandum of understanding be approved and allow the request of funding from the Nebraska Crime Commission.

After discussion, Neiman moved and Harre seconded the motion to approve the memorandum of understanding for Community-Based Juvenile Services Aid with the following counties: Adams, Clay, Fillmore, Franklin, Harlan, Kearney, Nuckolls, Phelps, and Webster beginning July 1, 2023 and ending June 30, 2024.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **ZELLE HR SOLUTIONS (CONSULTING & RECRUITING)**

Maddie Hughes, Senior Consultant and Jordan (Arndt) Suarez, Consultant, Compliance and Regulations Manager with Zelle HR Solutions (Consulting & Recruiting) gave a presentation to the Board regarding their services. After discussion, the Board will discuss at a future meeting.

## **PROTEX CENTRAL, INC MAINTENANCE AGREEMENTS**

After discussion and review, Cerny moved and Neiman seconded the motion to approve the agreements with Protex Central, Inc. for the fire alarm system and the inspection of the portable fire extinguishers for 2023, 2024, and 2025. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.



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## **DISCUSSION REGARDING GRANTS AVAILABLE FOR COURTHOUSE UPDATES**

Jerry Berggren, Preservation Architect and Dan Schinstock with Engineering Technologies, Inc. reviewed several different options regarding updating the HVAC system for the Courthouse. In December 2022 they opened up a Rural Nebraska Historic Preservation Grant and it closes on March 1, 2023 that the County can apply for to assist in some funding. Will discuss further at the next meeting.

## **DISCUSSION REGARDING COMMUNICATIONS WITH CLAY COUNTY**

Haley Malone, Clay County Emergency Manager/911 Center Director informed the Board of how they are currently running their 911 Center and the changes they have made over the last year. Several Board members asked questions regarding transition and logistics of how it is working.

## **ADJOURN**

As there was no other business to come before the Board, Neiman moved and Lightwine seconded the motion to adjourn until 9:00 a.m., February 14, 2023. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Chairman