

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., November 14, 2023, 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 and 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. The 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 12:00 p.m.

MINUTES APPROVED

Chairman of the Board, Sluka declared the minutes from the October 24, 2023, meeting approved as presented.

HOSPITAL USDA BONDS

Chris Nichols, CFO with Fillmore County Hospital informed the Board that the Hospital Board had authorized the Hospital Revenue Bonds from the USDA for their construction project.

After discussion, Neiman moved and Graham seconded the motion to approve the closing certificate and letter pursuant to Section 23-3504(4), Reissue Revised Statutes of Nebraska, as amended, approves (i) the issuance by the Fillmore County Hospital of its Hospital Revenue Bonds, Series 2023, and the pledge by the hospital of Hospital revenues to the repayment of said Hospital Revenue Bonds in the amount of \$5,000,000.00.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

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

Brian & Jodi Hartman – bury gas and electric line along Road F between Road 14 and Road 15, NE ¼, Section 22, 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 INTERIM HIGHWAY SUPERINTENDENT WITH SPEECE LEWIS

Tim Farmer with Speece Lewis informed the Board that he does currently serve as the Highway Superintendent for Jefferson County and presented a contract if the Board would select them to fill-in until a Highway Superintendent could be hired.

After review and discussion, Lightwine moved and Noel seconded the motion to appoint Tim Farmer with Speece Lewis as the interim Highway Superintendent effective November 14, 2023 and ending December 31, 2024 or until a Highway Superintendent is hired. 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.

DRIVEWAY PERMIT

Lichti Farms submitted a request to add 50 feet to one side of an existing driveway and 60 feet to the other side of this driveway to the Board.

After discussion, Noel moved and Cerny seconded the motion to approve the request of adding fifty (50) feet to one side of an existing driveway and sixty (60) feet to the other side of this driveway due to safety concerns located on Road 6 between Road W And Road X in the NE ¼, Section 26, Bryant Township. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

DISCUSSION REGARDING WIDTH OF DRIVEWAYS WITHIN THE COUNTY

After discussion, Sluka moved and Lightwine seconded the motion to change the maximum driveway to sixty (60) feet without Board approval (used to be forty (40) feet). 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.

DRIVEWAY PERMIT

Curwin Elting submitted a permit for a three hundred forty (340) foot driveway. After discussion regarding the size, the Board requested that they reconsider their request. Curwin agreed to amended their permit to place two (2) eighty (80) foot driveways.

After further discussion, Harre moved and Lightwine seconded the motion to approve the amended driveway permit to install two (2) eighty (80) foot driveways in the SW ¼, Section 30, Bryant Township along Road X between Road 1 and Road 2. 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 DEPARTMENT DISCUSSION

The Board and landowner Jeremy Fairbanks discussed the culvert that was damaged on Road K between Road 3 and Road 4 during harvest. After review and discussion, the Board agreed that they would be replacing this culvert with three (3) forty-eight (48) inch culverts to allow for more cover over the culvert.

Discussed having employees take time off without pay, there is a portion in the new handbook discussing this and the Board prefers this not take place.

Discussed purchasing a new flatbed for a pickup and a portable welder that was included in the budget. Board approved them to proceed with the purchase. Also discussed how to handle interviews and other personnel matters until a Highway Superintendent could be hired. The Chairman and Vice Chairman will assist with these personnel matters unless they are unavailable and then will request assistance from another board member.

DISCUSSION REGARDING CONTRACT WITH CITY OF GENEVA FOR LAW ENFORCEMENT

The Deputy County Attorney and County Sheriff reviewed the contract that was presented by the City of Geneva on October 3, 2023. After review the Deputy County Attorney drafted a letter listing their concerns with portions of the contract. After review of that letter, the Board agreed to have the letter sent to the City of Geneva for their review.

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:

Ach & Cunningham	Ser	8.50
Action Auto Supply	Rep, Sup	212.27
Amazon Capital Services	Sup	273.07
Anderson, Klein, Brewster & Brandt	Ser	575.00
Applied Concepts, Inc.	Rep	263.75
Applied Connective Technologies	Ser	4,631.08
Auto Value Parts Stores	Rep	23.54
Axlighting	Ser	1,350.00
B & J Automotive, LLC	Main	76.82
Paul Bauer	Ser	1,480.00
Bear Graphics, Inc.	Sup	288.36
Black Hills Energy	Uti	286.58
Blue Cross Blue Shield of Nebraska	Insur	72,725.60
Chaney Chemical, Inc.	Sup	305.00
City of Geneva	Uti	1,609.85
Clearly	Uti	400.82
Melinda Coetzee	Meals	67.39
Brandie Conway	Sup	101.80
Cornerstone Bank	SS	5,322.13
Crowne Plaza Kearney	Lodging	487.80
Jill Cunningham	Rent	183.33
Diane Deepe	Ser	450.00
Eakes Office Solutions	Sup	1,662.98
Pat Engle	Meals	13.98

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Exeter Senior Center	CASA & USDA Reim	553.90
Fairmont Aging Services	CASA & USDA Reim	2,332.50
Farmers Cooperative	Fuel	66.13
Fillmore County Hospital	Ser	520.85
Fillmore County Treasurer	Transfer, Interest, Misc	151,331.51
First Concord Benefits Group	Insur	4,878.49
First Wireless, Inc.	Sup, Equip	214.00
Geneva Home Center	Sup	45.99
Geneva Senior Center Foundation	CASA & USDA Reim	3,460.90
Geneva Super Foods	Sup	737.17
Geneva Tire & Auto, Inc.	Rep, Ser	329.97
Glenwood	Ser	369.70
Great Plains Uniforms	Uniforms	461.15
Hamilton County Sheriff's Office	Boarding prisoner	1,350.00
Hampton Inn	Lodging	209.00
Dawn M. Henry	Rent	183.33
Kimberly J. Hirth	Rent	183.34
The Home Depot Pro	Sup	694.54
Hometown Leasing	Ser	1,739.16
Intoximeters, Inc.	Rep	186.50
Jim's U-Save Pharmacy	Sup	14.90
Johnson Controls	Rep	1,060.00
Justice Data Solutions, Inc.	Main	3,200.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,299.65
KBK Creative Designs	Sup	555.65
Kelch Plumbing, Heating, & Refrigeration	Rep	770.16
Kopchos Sanitation, Inc.	Ser	224.00
Stephen J. Kraviec	Ser, Post	1,902.97
Lancaster County Sheriff	Ser	8.74
Lee Enterprises	Ad	255.00
Lieske, Lieske, & Ensz, PC, LLO	Ser	1,080.50
MIPS, Inc.	Ser, Sup	3,576.57
NACO Planning & Zoning	Dues	40.00
Nationwide	Sup	50.00
Nebraska Association of County Officials	½ of dues	2,206.66
Nebraska Public Power District	Uti	534.18
Nebraska Sheriff's Association	Dues	320.00
The Nebraska Signal	Ads, Proc	443.84
Nebraska Intergovernmental Risk Mngt	Wksh	100.00
PurFoods, LLC	Meals	412.50
Retirement Plans Division of Ameritas	Ret	5,304.75
Saunders County Sheriff	Ser	53.62
Alexis Schmidt	Mile	80.57
Security Equipment, Inc.	Rep	250.50
Sid Dillon Ford	Equip	55,933.00
Skalka, Baack & Fiala Law Firm	Ser	69.00
State of Nebraska DAS State Accounting	Ser	537.60
State of Nebraska Public Health Envir. Lab	Ser	174.00
Sullivan Shoemaker PC, LLO	Ser	2,606.10
Thayer County Treasurer	Sup	296.38
Thomas & Thomas Court Reporters	Ser	400.45
Jenna Tuberville	Misc	25.00
Unifirst Corporation	Ser	689.45
University of Nebraska – Lincoln	Lodging	473.20
US Bank CPS	Lodging, Meals, Sup, Post, Fuel	2,001.23
USDA, APHS, General	Ser	37.09
Weaver Pharmacy	Sup	227.06
Windstream	Uti	154.16
Woodward's Disposal Service, Inc.	Ser	80.00
Payroll	Salaries	78,360.26

ROAD/BRIDGE FUND:

A – 1 Body & Glass	Rep	67.00
Action Auto Supply	Rep	26.42
Amazon Capital Services	Equip	126.52
Auto Value Parts Stores	Parts, Sup, Main	377.96
Paul Bauer	Ser	390.00
Beatrice Sand and Gravel	Gravel	9,031.06
Black Hills Energy	Uti	77.16
Carquest of Geneva	Parts	64.93
Cheever Construction Company	Rep	1,060.00
City of Geneva	Uti	68.35
Heather Clark	Ser	105.00
Cornerstone Bank	SS	2,680.07
Crowne Plaza Kearney	Lodging	243.90
Cummins, Inc.	Main	834.35
Exeter Lumber, LLC	Sup	44.01
Farmers Cooperative	Fuel, Parts	2,366.65
Geneva Tire & Auto, Inc.	Rep	62.35

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Grafton Oil, Inc.	Fuel	3,187.16
Hometown Leasing	Ser	156.13
Kopchos Sanitation, Inc.	Uti	70.00
Lichti Oil	Fuel	2,817.15
Medical Enterprises, Inc.	Ser	46.25
Michael Todd & Company, Inc.	Equip	4,434.84
MIPS, Inc.	Ser	147.20
Mussman Excavating	Main	1,479.00
The Nebraska Signal	Ads	2,080.00
Nick's Farm Store Co.	Rep	17.83
NMC Exchange, LLC	Parts, Ser, Fuel, Main	7,568.48
Perennial Public Power District	Uti	68.23
Power Plan	Parts	226.44
Retirement Plans Division of Ameritas	Ret	2,344.82
Sapp Bros, Inc. – York	Fuel	11,939.68
US Bank CPS	Uti, Rep	41.99
Verizon	Ser	527.75
Village of Exeter	Uti	22.25
Village of Fairmont	Uti	20.76
Village of Grafton	Uti	42.52
Village of Shickley	Uti	79.67
Western Oil II, LLC	Sup	146.00
Windstream	Uti	177.19
Payroll	Salaries	35,447.03

HIGHWAY BRIDGE BUYBACK PROGRAM FUND:

A & R Construction	Bridge	174,025.21
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REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	148.48
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INHERITANCE TAX FUND:

Applied Connective Technologies	Equip	12,353.70
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911 EMERGENCY MANAGEMENT FUND:

Glenwood	Uti	64.95
Nebraska Public Power District	Uti	157.53
US Bank CPS	Lodging	632.00
Windstream	Uti	1,775.26

HOSPITAL OPERATING FUND:

Fillmore County Hospital	Oct taxes collected	352.61
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CLAIMS APPROVED

Lightwine moved and Neiman seconded the motion to approve the claims 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.

FEE REPORTS

Graham moved and Cerny seconded the motion to approve fee reports for October 2023 as presented:

County Clerk \$12,138.19 (State \$7,677.47 & County \$4,460.72)
Clerk of the District Court \$799.64
County Sheriff \$1,110.15

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.

NIRMA RECOMMITMENT

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

RESOLUTION #2023 – 28

WHEREAS, Fillmore County has previously entered into Intergovernmental/Interlocal Agreements with other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management act (Neb. Rev. Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. §13-801 et seq.); and

WHEREAS, Counties and other Public Agencies as defined in Neb. Rev. Stat. §44-4303 are allowed to participate in said cooperative undertakings; and

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost-effective way which meet and exceed that provided by standard insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits and assessments, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from other sources; and

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2024, and

NOW, THEREFORE, BE IT RESOLVED that Fillmore County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2024 through June 30, 2027; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreement readopted by and incorporated herein by this reference as amended.

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.

APPOINT DRUG/ALCOHOL TESTING CONTACT

After discussion, Sluka moved and Harre seconded the motion to appoint County Clerk, Amy Nelson as the interim drug/alcohol testing contact effective immediately. 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 HIGHWAY SUPERINTENDENT POSITION

After discussion, the Board agreed they would prefer to have a Highway Superintendent onsite rather than hiring an engineering firm to do this. Zelle HR had submitted a proposal for them to assist with the hiring of a Highway Superintendent to the Board.

After further discussion, Graham moved and Neiman seconded the motion to approve the contract with Zelle HR to assist with the hiring of a Highway Superintendent. 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.

ADJOURN

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

Attest

Chairman