

The Fillmore County Board of Supervisors convened in open and public session at 9:09 a.m., October 22, 2024, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Neiman presiding. The members present were Noel, Sluka, 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 was adjourned at 11:05 a.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the October 8, 2024, meeting approved as presented.

VACATION OF ZELENY THIRD SUBDIVISION

Landowner Diane Zeleny requested that the Zeleny Third Subdivision be vacated due to the submission of Zeleny Fourth Subdivision. Zoning Administrator Shaundee Graham presented the recommendation from the Planning Commission to the Board also requesting the vacation of Zeleny Third Subdivision.

Sluka moved and Graham seconded the introduction of the following resolution:

RESOLUTION #2024 - 22

A RESOLUTION TO VACATE ZELENY THIRD SUBDIVISION 3.317 ACRES LOCATED ON 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.

WHEREAS, Surveyor Chris Witulski on behalf of Zeleny Family Trust, % Diane Zeleny, Trustee, owner of: Zeleny Third Subdivision of 3.317 acres located on part of the South half of the Northeast Quarter of Section, 24, Township 7N, Range 2W, of the 6th Principal, Meridian, Fillmore County, Nebraska, being hereinafter referred to as the "described property".

Have filed to vacate The Zeleny Third Subdivision with the Fillmore County Zoning Administrator and Fillmore County Clerk, and

WHEREAS, the duly appointed Planning Commission of Fillmore County, Nebraska has prepared amendments, held the required meeting on the 21st day of October 2024 with proper notice given, and has given a recommendation to Vacate the Zeleny Third Subdivision. This Board finds:

1. The property described is situated in the Agriculture (AG) Zoning District of Fillmore County, Nebraska with a legal plat of record.
2. The proposed vacation, of the entire subdivision, fulfills Fillmore County's Subdivision Resolution requirements for a vacation of subdivisions as specifically allowed under Section 504, 504.01, 504.02 together with other provisions applicable thereto.
3. Vacation of the subdivision will not interfere with development of, nor deny access via public thoroughfare to, adjoining properties or utility services or other improvements.
4. The proposed vacation of the described property should be approved.

WHEREAS, the County Board of Supervisors has given public notice as required by the Nebraska State Statutes, of the meeting held on the 22nd day of October 2024 in the Fillmore County Courthouse for the proposed vacation of the Zeleny Third Subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the FILLMORE COUNTY BOARD OF SUPERVISORS that the proposed vacation of this subdivision is approved.

RESOLVED FURTHER, that a copy of this Resolution, when it is filed with the Fillmore County Register of Deeds against the above-named legal description, shall cause the vacation of previously subdivided land.

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.

ZELENY FOURTH SUBDIVISION

Shaundee Graham, Zoning Administrator submitted a plat for Zeleny Fourth Subdivision located in the S ½ of the NE ¼, Section 24, Madison Township.

After review, Harre moved and Cerny seconded the motion to approve the Zeleny Fourth Subdivision, located in 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. 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, 414.38 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, 397.60 feet; thence westerly S 86°26'45" W, 466.90 feet; thence southerly S 05°04'27" E, 253.41 feet, thence southerly S 04°57'44" W, 93.89 feet; thence southerly S 00°50'33" E, 33.63 feet; thence easterly N 88°37'28" E, 463.72 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 4.100 acres more or less, of which 0.301 acres more or less are reserved for County Right-of-Way purposes.

Upon roll call, the vote was as follows:

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

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

GENERAL FUND:

Andrews Electric Co., Inc.	Rep	2,338.59
Applied Connective Technologies	Equip	611.99
AT & T Mobility	Uti	941.04
Auto Value Parts Stores	Rep	78.70
Bear Graphics, Inc.	Sup	295.17
Bi-Versal Services, LLC	Ser	190.00
Blue Valley Community Action	budget request	4,469.00
City of Geneva	Uti	16.50
Cornerstone Bank	SS	6,442.75
Crowne Plaza Kearney	Lodging	249.90
Diane Deepe	Ser	200.00
Election Systems & Software, Inc.	Sup	3,734.05
Entenmann – Rovin Co.	Sup	443.50
Exeter Lumber, LLC / Geneva Building Sup	Sup	10.07
Exeter Senior Center	CASA pass thru	500.00
Fairmont Aging Services	CASA pass thru	2,210.00
Farm & Home Publishers, LTD	Sup	1,300.00
Fillmore County Court	Fees	403.00
Fillmore County Hospital	Ser	235.52
Fillmore County HRA	Insur	50,000.00
Fillmore County Sheriff	Fees	150.00
Fillmore County Treasurer	Transfer	100,000.00
First Concord Benefits Group	Insur	1,746.83
Geneva Floral	Misc	45.00
Geneva Senior Center Foundation	CASA pass thru	3,050.00
Graham Tire Grand Island	Sup	706.20
Great Plains Uniforms, LLC	Sup	181.98
Hamilton County Sheriff's Office	Boarding prisoners	1,500.00
HD Supply	Sup	536.85
Jim's U-Save Pharmacy	Sup	287.90
Kelch Plumbing Heating & Refrig, Inc.	Rep, Main	1,603.64
Kopchos Sanitation, Inc.	Uti	27.00
Kraviec Maurstad Law, PC, LLO	Ser, Post	1,876.34
Lancaster County Sheriff	Fees	20.10
Mid-American Research Chemical	Sup	1,600.00
MIPS, Inc.	Sup	727.70
Nebraska Public Power District	Uti	1,745.85
Mariah Newmyer	Mile	83.75
911 Custom	Equip, Sup	1,903.52
Precision Signs and Graphics, LLC	Equip	950.00
PurFoods, LLC	Meals	547.40
Retirement Plans Division of Ameritas	Ret	6,139.10
Alexis Schmidt	Mile	140.23
State of Nebraska DAS State Acctg	Ser	218.00
State of Nebraska Health & Human Serv	Ser, patient care	401.58
Taylor Lawn Sprinklers	Rep	40.50
UNL AEM Business Center	1 st quarter payroll	2,542.69
US Bank	Lodging, Sup	1,006.23
Weaver Pharmacy	Sup	120.11
WEX Bank	Fuel	2,548.09
Windstream	Uti	151.41
York State Bank	HSA funding	11,250.00
Payroll	Salaries	91,405.35

ROAD/BRIDGE FUND:

October 22, 2024

AFC Industries	Sup	175.58
AT & T Mobility	Uti	46.90
Beatrice Sand and Gravel	Gravel	5,269.62
C & M Supply, Inc.	Fuel	1,631.04
Carquest of Geneva	Parts, Sup	185.80
Cornerstone Bank	SS	2,797.56
Exeter Lumber, LLC	Sup	112.69
Farmers Cooperative	Fuel	9,425.64
Gaylen Energy Supply, LLC	Fuel	3,894.48
Geneva Home Center	Sup	5.29
Geneva Super Foods	Sup	5.39
Grafton Oil, Inc.	Fuel	1,105.38
Harre Seed, Inc.	Ser	9,999.00
John Deere Financial	Main	63.98
Mid-Nebraska Aggregate, Inc.	Gravel	38,041.55
Nebraska Public Power District	Uti	364.72
NMC, Inc.	Parts, Ser	5,822.72
Perennial Public Power District	Uti	93.16
Platte Valley Communications, Inc.	Parts	112.50
Retirement Plans Division of Ameritas	Ret	2,382.21
Riverside Portables, LLC	Main	240.00
Sapp Bros, Inc. – York	Fuel	1,702.45
Truck Center Companies	Parts	56.75
Village of Grafton	Uti	42.50
Village of Ohioa	Uti	48.00
WEX Bank	Fuel	1,146.82
Payroll	Salaries	37,292.00

INHERITANCE TAX FUND:

Emergency Vehicle Resources, LLC	Equip	37,125.00
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911 EMERGENCY MANAGEMENT FUND:

Nebraska Public Power District	Uti	179.05
Windstream	Uti	33.67

911 WIRELESS SERVICE FUND:

CenturyLink	Uti	3,129.63
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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.

2024 2nd QUARTER ACCOUNTABILITY STATEMENTS

After review, Lightwine moved and Graham seconded the motion to approve the 2024 second (2nd) quarter accountability statements as presented from Clerk of the District Court, County Attorney, County Clerk (Section 125 and Register of Deeds), and County Sheriff. 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.

LETTING FOR PROJECT C30 (239) FOR A BOX CULVERT ON ROAD D BETWEEN ROAD 6 AND ROAD 7, GRAFTON TOWNSHIP

Bids were opened at 9:30 a.m. as advertised and the following bids were received:

<u>Bidder:</u>	<u>Bid Price:</u>
GUS Construction Co., Inc., Casey, IA	\$367,542.50
Van Kirk Bros Contracting, Sutton, NE	\$242,977.85
Vogtscapes, Inc., Bennet, NE	\$258,597.00
CL Construction, LLC, Wahoo, NE	\$382,947.07

OCCUPY COUNTY RIGHT-OF-WAY PERMIT

After review, Graham moved and Noel seconded the motion to approve the following occupy county right-of-way permit as presented:

Darrel Saltzman – install an electrical line between the S ½, Section 28 and the N ½, Section 33 across Road X, between Road 9, and Road 10, Hamilton 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.

SURPLUS 1999 CAT 938G LOADER

After discussion, Sluka moved and Lightwine seconded the motion to surplus the 1999 CAT 938G Loader and sell on Auction Time. 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.

SURPLUS CHAIN LINK FENCE

After discussion, Graham moved and Lightwine seconded the motion to surplus the chain link fence from the Shickley shop. 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.

AWARD BID LETTING FOR PROJECT

After review by Speece Lewis, Sluka moved and Graham seconded the motion to accept all bids and award to Van Kirk Bros Contracting for \$242,977.85. 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 ITEMS

County Treasurer, Darcy Nun discussed CD rates with the Board for a CD that will be renewing this month. Emergency Manager, Jean Engle and FCDC Director, Eric Johnson gave their quarterly updates to the Board.

QUARTERLY MEETING WITH ELECTED OFFICIALS

County Treasurer, Darcy Nun; Clerk of the District Court, Peggy Birky; Chief Deputy, Mark McFarland; and County Clerk, Amy Nelson gave their quarterly update to the Board.

APPOINT COUNTY SHERIFF TO FULFILL TERM

Neiman moved and Harre seconded the motion to appoint Chief Deputy Mark McFarland to County Sheriff effective immediately to fulfill the current term. 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, Lightwine moved and Graham seconded the motion to adjourn until 9:05 a.m., November 12, 2024. 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