

# Fillmore County Board Minutes



January 3, 2019

## Reorganization Meeting

The Fillmore County Board of Supervisors convened to reorganize, as required by statute, in open and public session at 9:40 a.m. on January 3, 2019, in the Courthouse Boardroom in Geneva, Nebraska. Members present were Noel, Sluka, Graham, Cerny, Harre, Neiman, 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 reorganization meeting adjourned at 10:30 a.m.

### **NOMINATIONS OF CHAIRMAN**

The first order of business was the election of a Chairman for the year 2019. County Clerk called for nominations for Chairman of the Fillmore County Board of Supervisors. Cerny nominated Neiman and Lightwine seconded the nomination. With no other nominations, Sluka moved and Graham seconded that nominations cease.

Upon roll call, the vote was as follows:

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

The County Clerk as acting temporary Chairman declared the motion carried.

### **ELECTION OF CHAIRMAN**

Sluka moved and Graham seconded the motion that Jeff Neiman be elected as Chairman of the Fillmore County Board of Supervisors. Upon roll call, the vote was as follows:

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

The County Clerk as acting temporary Chairman declared the motion carried.

The County Clerk announced that Jeff Neiman has been elected as Chairman of the Fillmore County Board of Supervisors and turned the meeting over to the Chairman.

### **NOMINATIONS FOR VICE CHAIRMAN**

Chairman Neiman called for nominations for Vice Chairman of the Fillmore County Board of Supervisors. Cerny nominated Noel and Lightwine seconded the nomination. With no other nominations, Graham moved and Sluka seconded that nominations cease.

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.

### **ELECTION OF VICE CHAIRMAN**

Harre moved and Lightwine seconded the motion that Merle Noel be elected as Vice-Chairman of the Fillmore County Board of Supervisors. Upon roll call, the vote was as follows:

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



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The Chairman declared that Merle Noel would be Vice-Chairman of the Fillmore County Board of Supervisors.

## **NAMING OFFICIAL BANK DEPOSITORIES**

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

### **RESOLUTION 2019 - 01**

**BE IT RESOLVED** by the Fillmore County Board of Supervisors that the Generations Bank of Exeter, the Heartland Bank of Geneva, Shickley, Grafton, and Fairmont, the York State Bank of York and Geneva, the Cornerstone Bank of York and Geneva, the Farmers and Merchants Bank of Milligan and the First Bank of Utica – Milligan branch, are hereby designated as bank depositories and the Fillmore County Treasurer is hereby authorized to deposit funds of the County that may come into her possession into these said depositories.

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.

## **AUTHORIZED INVESTMENTS**

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

### **RESOLUTION 2019 - 02**

**BE IT RESOLVED** by the Fillmore County Board of Supervisors that the County Treasurer of Fillmore County be authorized to invest the surplus funds of said county in United States Government Bonds, United States Treasury Notes, Bills or Certificates of Indebtedness maturing within two years of the date of purchase; and in Certificates of Deposit, or Money Market Savings Accounts.

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.

## **SECURITIES COMMITTEE**

Sluka moved and Noel seconded the motion to appoint the County Clerk, the County Treasurer, and Supervisor Ralph Graham to a committee to give temporary approval for securities deposited by banks for collateral on deposits of County funds, with Cerny to sign if Graham is unavailable. 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 APPROVAL**

Noel moved and Cerny seconded the motion to require the approval of the officer in charge of claims for his/her office before the allowance of any and all claims. Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the motion carried.

## **PURCHASING SUPPLIES/EQUIPMENT**

Harre moved and Sluka seconded the motion requiring all officials (elected or appointed) when purchasing any equipment or supplies costing \$2,500.00 or more even if included in their budget to submit to the entire Board for review. All data processing equipment must be purchased through the County Clerk's office. All lease agreements, maintenance contracts, and equipment rental agreements must be reviewed and approved by the entire Board. 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.

## **LEGAL NEWSPAPER AND WEBSITE**

Lightwine moved and Graham seconded the motion to declare The Nebraska Signal as the legal newspaper for Fillmore County and that the Fillmore County website ([www.fillmorecounty.org](http://www.fillmorecounty.org)) be declared as an official means of publication. 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.

## **PUBLIC HEALTH BOARD**

Sluka moved and Cerny seconded the motion to appoint the County Attorney, Jill Cunningham; County Sheriff, William Burgess; County Clerk, Amy Nelson; County Mortician, Shaun Farmer; Chairman of the Board of Supervisors, Neiman; and Fillmore County Hospital Chief of Staff, to the Fillmore County Public Health Board for a one year term beginning January 1, 2019 and ending December 31, 2019. 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 REPORTS TO SUPERVISORS**

Noel moved and Graham seconded the motion that the County Highway Superintendent shall inform the appropriate Supervisor of any work being done other than routine road maintenance in their district. 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.

## **REPRESENTATIVE FOR REGION V**

Sluka moved and Lightwine seconded the motion to appoint Kenny Harre as the representative for the Region V Board beginning January 1, 2019 and ending December 31, 2019 with Ralph Graham being the alternate. Upon roll call, the vote was as follows:

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



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The Chairman declared the motion carried.

## **COUNTY PHYSICIAN**

Sluka moved and Noel seconded the motion to appoint the acting Hospital Chief of Staff as the County Physician. 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.

## **REPRESENTATIVE TO FILLMORE COUNTY HOSPITAL BOARD**

Harre moved and Sluka seconded the motion to appoint Jeff Neiman as a nonvoting member to the Fillmore County Hospital Board beginning January 1, 2019 and ending December 31, 2019. 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.

## **REPRESENTATIVE TO DEVELOPMENT CORPORATION**

Cerny moved and Harre seconded the motion to appoint Merle Noel as the representative and Mark Lightwine as the alternate of the Fillmore County Board at meetings of the Fillmore County Development Corporation beginning January 1, 2019 and ending December 31, 2019. 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.

## **REPRESENTATIVE FOR BLUE VALLEY COMMUNITY ACTION BOARD**

Cerny moved and Lightwine seconded the motion to appoint Wade Sluka as the representative and Ralph Graham as the alternate to the Blue Valley Community Action Board beginning January 1, 2019 and ending December 31, 2019. 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.

## **REPRESENTATIVE FOR THE RC & D BOARD**

Harre moved and Sluka seconded the motion to appoint Larry Cerny as the representative and Ralph Graham as the alternate to the RC & D Board beginning January 1, 2019 and ending December 31, 2019. 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.

## **SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT**



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Neiman moved and Lightwine seconded the motion to appoint Ralph Graham as the representative and Wade Sluka as the alternate to the Southeast Nebraska Development District Board beginning January 1, 2019 and ending December 31, 2019. 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.

## DEPARTMENT HEAD APPOINTMENTS

Noel moved and Graham seconded the motion to reappoint the following appointed department heads for one year beginning January 1, 2019: Emergency Manager, Jim Dunker; Planning & Zoning Administrator, Jennifer Slezak; Senior Services Director, Brenda Motis; Noxious Weed Superintendent, Todd Boller; and Highway Superintendent, Pat Halbur. 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.

## SPECIAL DESIGNATED LIQUOR LICENSE

Sluka moved and Lightwine seconded the motion to appoint the County Clerk as the agent to authorize special designated liquor licenses. 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.

## CONTRACT WITH GENEVA TIRE

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

### RESOLUTION 2019 - 03

**WHEREAS**, Ralph Graham is a member of the Board of Supervisors of Fillmore County, Nebraska;

**WHEREAS**, Ralph Graham is an owner of the business operated in Geneva, Fillmore County, Nebraska under the name of Geneva Tire; and

**WHEREAS**, the County of Fillmore on a regular basis does business with Geneva Tire;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Fillmore County, Nebraska does hereby approve the purchase of merchandise and material from Ralph Graham doing business as Geneva Tire, and the sale by Ralph Graham of merchandise and material to the County of Fillmore on a per invoice basis in an amount not to exceed \$5,000.00, without the prior approval by virtue of a resolution passed by the Board of Supervisors of Fillmore County, Nebraska;

**BE IT FURTHER RESOLVED**, the Board of Supervisors directs that the Clerk of Fillmore County, Nebraska, maintain a separate ledger relative to any purchases made by a representative of the County of Fillmore from Geneva Tire, or contracts for the purchase of any material, which ledger contains the following information as provided in Nebraska Revised Statute §49-14, 103.02:

- 1) Names of the contracting parties;
- 2) Nature of the interest of the officer in question;





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- 3) Date that the contract was approved by the governing body;
- 4) Amount of the contract; and
- 5) Basic terms of the contract.

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.

## **CONTRACT WITH HIGHWAY 41 EXPRESS**

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

### **RESOLUTION 2019 - 04**

**WHEREAS**, Kenny Harre is a member of the Board of Supervisors of Fillmore County, Nebraska;

**WHEREAS**, Kenny Harre is an owner of the business operated in Milligan, Fillmore County, Nebraska under the name of Highway 41 Express; and

**WHEREAS**, the County of Fillmore on a regular basis does business with Highway 41 Express;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Fillmore County, Nebraska does hereby approve the purchase of merchandise and material from Kenny Harre doing business as Highway 41 Express, and the sale by Kenny Harre of merchandise and material to the County of Fillmore on a per invoice basis in an amount not to exceed \$5,000.00, without the prior approval by virtue of a resolution passed by the Board of Supervisors of Fillmore County, Nebraska;

**BE IT FURTHER RESOLVED**, the Board of Supervisors directs that the Clerk of Fillmore County, Nebraska, maintain a separate ledger relative to any purchases made by a representative of the County of Fillmore from Highway 41 Express, or contracts for the purchase of any material, which ledger contains the following information as provided in Nebraska Revised Statute §49-14, 103.02:

- 1) Names of the contracting parties;
- 2) Nature of the interest of the officer in question;
- 3) Date that the contract was approved by the governing body;
- 4) Amount of the contract; and
- 5) Basic terms of the contract.

Upon roll call, the vote was as follows:

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

Nays: None                      Abstaining due to conflict: Harre

The Chairman declared the resolution adopted.

## **AUTHORIZING BOARD CHAIRMAN AND COUNTY CLERK TO ACT ON BEHALF OF THE BOARD**

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

### **RESOLUTION 2019 – 05**

**WHEREAS**, the County Board of Supervisors meet the second and fourth Tuesday of every month;

**WHEREAS**, the salary of all county employees are paid every other week and the payments of such salaries must be approved prior to the issuance of such pay checks; and



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**WHEREAS**, although the Board shall not hold regular meetings in between the second and fourth Tuesday of every month, the activities of County government shall continue and certain claims, warrants and payment of salaries must be acted upon every other week; and

**WHEREAS**, since the salaries of the employees of the County of Fillmore are paid every other week and the County Board must approve the payment of the wages of the county employees prior to the preparation and issuance of such payments which approval by the County Board is not possible in light of the fact that the County Board only meets on the second and fourth Tuesday of every month; and

**WHEREAS**, in order to pay the wages of the employees of the County of Fillmore every other Friday, it will be necessary for at least one member of the County Board and the County Clerk to approve the issuance of the payment of wages prior to the preparation and issuance of such paychecks irrespective of whether the approval is made on the second and fourth Tuesday of every month.

**WHEREAS**, pursuant to Neb. Rev. Stat. §23-103, the powers of the County as a body corporate and politic are exercised through the County Board; and

**NOW, THEREFORE, BE IT RESOLVED BY THE FILLMORE COUNTY BOARD OF SUPERVISORS THAT, PURSUANT TO THE STATUTORY AUTHORITY OF THIS** Board as set forth above, the Chairman of the Fillmore County Board of Supervisors and the Fillmore County Clerk, in between the second and fourth Tuesday of every month, are hereby authorized to prepare claims and issue warrants for the following expenditures, as this Board has previously approved such expenditures through budget approval, approval of contracts, and related processes:

1. Payroll and associated expenses;
2. Utilities;
3. Lease payments;
4. Contract and/or other installment payments which have been contracted for or authorized by action of this Board;

The aforementioned individuals have no authority to conduct County business beyond that stated above. Payments pursuant to paragraphs 1 through 4 above of this Resolution may only be made in those instances when required by law or enforceable contractual obligations. Any other action may only be undertaken by the Board either in an Emergency Meeting, when such meeting has been called or convened pursuant to Neb. Rev. Stat. §84-1411, or pursuant to a meeting convened by the County Clerk pursuant to Neb. Rev. Stat. §23-154.

The above and foregoing Resolution was duly approved by a vote of the Fillmore County Board of Supervisors at a public meeting duly held in accordance with applicable law on this 3<sup>rd</sup> day of January, 2019 and shall remain enforceable until such Resolution has been revoked.

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.

## HOSPITAL BUILD AMERICA BONDS

Noel moved and Lightwine seconded the motion to authorize the Chairman and Vice-Chairman to sign Form 8038-CP for the Hospital Build America Bonds from January 1, 2019 to December 31, 2019. 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.



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## DEPOSIT OF SURPLUS FUNDS

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

### RESOLUTION 2019 - 06

**WHEREAS**, Section 77-2318, Revised Statutes of Nebraska, provides among other things that when County funds exceed 50% of the said capital of all banks of the County, then the Treasurer, with the consent of the County Board, may deposit an amount in excess thereof, but not exceeding capital in any one bank, and

**WHEREAS**, the County Board has by resolution informed the County Treasurer of Fillmore County that all of the banks in Fillmore County have been designated as depositories for monies that the County Treasurer may have in her possession, and

**WHEREAS**, under provisions of Section 77-2314, Revised Statutes of Nebraska, the County Treasurer shall not have a preference to any one of the banks in which she may so deposit. The County Treasurer may select one or more banks to be used for active accounts in which she may keep deposited in excess of these requirements only such funds as may be necessary for the transaction of ordinary day-to-day requirements.

**WHEREAS**, for the purpose of Section 77-2314, Revised Statutes of Nebraska, capital shall mean capital stock, surpluses, undivided profits, capital notes or debentures, and other unimpaired reserves, and

**WHEREAS**, paid up capital at Fillmore County Banks is as follows:

Generations Bank of Exeter	\$ 4,377,638.43
Heartland Bank of Geneva, Shickley, Grafton, and Fairmont	\$ 48,517,213.54
York State Bank & Trust Company of Geneva & York	\$ 18,043,336.84
Farmers and Merchants Bank of Milligan	\$ 14,104,226.37
First Bank of Utica – Milligan Branch	\$ 7,759,346.32

**WHEREAS**, from time to time, the County Treasurer has on hand and will have on hand for deposit, County money that should be deposited for safekeeping in excess of the amount permitted under the statute,

**NOW THEREFORE**, Be it Resolved, that the County Treasurer of Fillmore County be and hereby is, authorized to deposit in the aforesaid banks in Fillmore County during 2019, County funds in her possession in a sum equal to but not in excess of the said capital of said banks, provided that said depository bank or banks shall secure said deposits by pledges of the assets of said bank as provided in Section 77-2318, Revised Statutes of Nebraska, but shall not at any one time have in said bank County funds in excess of 90% of the bonds deposited by said bank as security plus the \$250,000.00 covered and protected by the Federal Deposit Insurance Corporation. Bonds shall be required of all banks and capital stock financial institutions for such excess deposit unless security is given in accordance with Section 77-2318.01, Revised Statutes of Nebraska.

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.

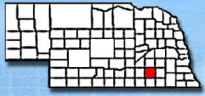
## ADJOURNMENT OF REORGANIZATION MEETING

As there were no other items remaining on the agenda for the reorganization meeting, Sluka moved and Lightwine seconded the motion to adjourn. 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.





# Fillmore County Board Minutes



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Attest

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Chairman



# Fillmore County Board Minutes



January 8, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:07 a.m., January 8, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. The County Clerk was present to record the minutes of the meeting. Holly Ackland was present for a portion 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 11:27 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the December 26, 2018 and January 3, 2019 meetings approved as presented.

## FEE REPORTS

Harre moved and Cerny seconded the motion to approve the December 2018 fee reports as presented:

**County Clerk \$16,220.75** (State \$9,352.27 & County \$6,868.48)  
**Clerk of the District Court \$463.65**  
**County Sheriff \$1,367.34**

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.

## FILLMORE COUNTY DEVELOPMENT CORP.

The new Fillmore County Development Corporation Director Susan Lynch introduced herself to the Board. Susan informed the Board of a few things she is working on and asked what they would like to see from her.

## DISCUSSION REGARDING THE BRIDGE ON ROAD 12 BETWEEN ROAD O AND ROAD P

The Board and Dennis Kimbrough discussed the bridge on Road 12 between Road O and Road P. Dennis thinks that this was put in place back in 1878 when it was homesteaded. Highway Superintendent, Pat Halbur informed the Board that the bridge needs work. Dennis would agree to have the bridge removed if he could still access his field from the east side of this quarter. Further discussion at the next meeting.

## PUBLIC HEARING FOR CLOSURE OF A PORTION OF ROAD A BETWEEN ROAD 22 AND ROAD 23

Opened the public hearing for the closure of a portion of Road A between Road 22 and Road 23 at 9:45 a.m.

## CLOSE PUBLIC HEARING FOR CLOSURE OF A PORTION OF ROAD A

Harre moved and Sluka seconded the motion to close the public hearing for the closure of a portion of Road A between Road 22 and Road 23 at 9:56 a.m. as no one appeared to testify for or against. 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.

## CLOSURE OF A PORTION OF ROAD A BETWEEN ROAD 22 AND ROAD 23



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

## **RESOLUTION 2019 - 07**

**WHEREAS**, the Fillmore County Board directed the County Highway Superintendent, by resolution, to study the use being made of the West ½ mile of the public road located BETWEEN Section 3, T8N, R1W, Exeter Township, Fillmore County Nebraska and Section 34, T9N, R1W, York County, Nebraska.

**WHEREAS**, the Fillmore County Highway Superintendent has reported in writing the results of such study and has recommended the vacation and abandonment of said road, and

**WHEREAS**, upon receipt of said report the Fillmore County Board adopted a resolution fixing the time for a public hearing at 9:45 a.m., January 8, 2019 in the boardroom of the Fillmore County Courthouse in Geneva, Nebraska, Fillmore County, and

**WHEREAS**, a copy of the said hearing notice was published once a week for three consecutive weeks in The Nebraska Signal and in the York News-Times, the legal newspapers of general circulation in Fillmore County and York County, Nebraska, a proof thereof is now on file in the County Clerk's office of said County, and

**WHEREAS**, the hearing was held on January 8, 2019 at 9:45 a.m. in the boardroom of the Fillmore County Courthouse in Geneva, Nebraska, Fillmore County. Upon request of Exeter-Fairmont Township and no person appeared to oppose the closing or abandonment of said roads, nor was there any written testimony received against closing or abandonment of said roads,

**NOW THEREFORE BE IT RESOLVED**, by the Board of Supervisors of Fillmore County, Nebraska, pursuant to Section 39-1725, R. S. of Nebraska, 1943 as amended, that the following two tracts of roadway, be and the same hereby is closed, vacated, and abandoned from this date, and that the right-of-way of said roads shall be reverted to the owners of the land abutting thereon to the center of the road:

### **Tract 1:**

Fillmore County Road A between Fillmore County Road 22 and Fillmore County Road 23;  
Referring to the Northwest corner of the Northwest Quarter of Section Three (3), T8N- R1W, Exeter Township, Fillmore County Nebraska thence East along the North section line of section Three (3) T8N, R1W, Exeter Township, Fillmore County Nebraska, approximately 2,640 ft. to a point on the ½ mile line: thence South a distance of 33 ft.; thence West approximately 2,640 ft.; thence North a distance of 33 ft. to the point of beginning, containing 2 acres more or less.

### **Tract 2:**

Fillmore County Road A between Fillmore County Road 22 and Fillmore County Road 23;  
Referring to the Southwest corner of the Southwest Quarter of Section Thirty-Four (34), T9N, R1W, York County Nebraska; thence East along the South section line of section Thirty-Four (34), T9N, R1W, approximately 2,640 to a point on the ½ mile line; thence North a distance of 33 ft.; Thence West approximately 2,640 ft.; thence South a distance of 33 ft. to the point of beginning, containing 2 acres more or less.

**NOW THEREFORE**, be it resolved by the Fillmore County Board of Supervisors that this resolution is approved on the 8<sup>th</sup> day of January 2019.

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.

## **PUBLIC HEARING FOR ONE & SIX YEAR PLAN**

Opened the public hearing for the One (1) and Six (6) Year Plan at 10:03 a.m.



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## **CLOSE ONE & SIX YEAR PLAN PUBLIC HEARING**

Cerny moved and Sluka seconded the motion to close the public hearing for the One & Six Year plan at 10:21 a.m. as no one appeared to testify for or against. 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.

## **ONE & SIX YEAR PLAN**

Cerny moved and Harre seconded the introduction of the following resolution:

### **RESOLUTION 2019 – 08**

#### **ACCEPTING THE ONE (1) & SIX (6) YEAR HIGHWAY IMPROVEMENT PROGRAM FOR THE COUNTY OF FILLMORE, NEBRASKA.**

**BE IT RESOLVED** by the Chairman and Supervisors of Fillmore County that:

It is hereby found and determined that:

1. The program for distribution of the Highway Allocation Funds provide additional funds to counties for road related maintenance and construction.
2. In order to qualify for said funds the County must, among other things, prepare an annual One (1) and Six (6) Year Program for highway improvements, conduct a local public hearing and submit the results to the Board of Public Roads Classification and Standards.
3. The County of Fillmore, Nebraska does hereby adopt the 2019 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent.

Upon roll call, the vote was as follows:

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

Nays: Noel

The Chairman declared the resolution adopted.

## **DISCUSSION REGARDING POSSIBLE PERMIT FEE CHANGES**

Pat Halbur, Highway Superintendent presented to the Board how several other counties charge for driveway, clean silt, and occupy county right-of-way permits.

After discussion, Harre moved and Sluka seconded the motion to charge twenty-five (\$25.00) dollars per driveway and occupy county right-of-way permits and there won't be a charge for clean silt permits. All permits must meet the County specifications and if a permit is not obtained the County has the right to remove the driveway or what was placed in the county right-of-way at the landowner's expense. Upon roll call, the vote was as follows:

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

Nays: Lightwine and Neiman

The Chairman declared the motion carried.

## **EXTENSION OFFICE UPDATE**

Brandy VanDeWalle gave an update to the Board of what they have been doing and what events are coming up this year.

## **DISCUSSION REGARDING A PIVOT PAD LOCATED IN THE COUNTY RIGHT-OF-WAY**



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Planning and Zoning Administrator, Jennifer Slezak has contacted the County Attorney's office regarding a pivot pad that was placed in the county right-of-way in Section 35, Madison Township. The landowner was notified last year when the pivot was installed without a permit that it needed to be moved. The County Attorney's office has been in contact with the landowner and will continue the process.

## 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:

Auto Value Parts Stores	Rep	30.56
B & J Automotive, LLC	Rep	313.43
Black Hills Energy	Uti	1,617.17
Leslie Boswell	Mile	37.06
Jerry Chapman	Mile	39.24
City of Geneva	Uti	283.10
Gaylord Craddock	Mile	37.06
Dataspec, Inc.	Main	898.00
Dollar General – Regions	Sup	54.00
Sharon Elznic	Mtgs, Mile	60.52
Exeter Senior Center	USDA Reim	37.10
Fairmont Aging Services	USDA Reim	217.70
Fillmore County Clerk of the District Court	Fees	36.00
Fillmore County Development Corp.	budget request	10,000.00
Fillmore County Medical Center	Ser	306.07
Fillmore County Treasurer	Transfer	20,000.00
Fire Guard, Inc.	Ser	36.75
First Concord Benefits Group, LLC	Insur	336.00
5 Loaves Market & Bakery	Misc	75.00
Geneva Broadband, LLC	Uti	128.00
Geneva Senior Center	USDA Reim	490.00
Geneva Tire	Rep, Main	386.02
Richard Girmus	Mtgs, Mile	21.54
Matt Hafer	Mtgs. Mile	47.44
Hampton Inn – Kearney	Lodging	2,089.05
Matt Harre	Mtgs, Mile	64.88
Heartland Bank	SS	5,268.44
Jennifer L. Hoarty	Mile	8.72
Hometown Leasing	Ser	1,198.43
Hope Crisis Center	budget request	5,772.00
Pat Kamler	Mile	30.52
Dean Kassik	Mtgs, Mile	31.35
Jerry Knoche	Mile	73.03
Kopchos Sanitation, Inc.	Uti	148.75
Madison National Life Insurance Co.	Insur	137.04
MailFinance	Ser	850.50
Mid-States Organized Crime Information	Dues	100.00
Milligan Towing	Ser	152.00
MIPS, Inc.	Ser	3,295.62
Morley Most	Mtgs, Mile	64.88
Kim Mussman	Mile	32.70
Nebraska Association of County Officials	Dues	2,261.58
Nebraska Association of Emergency Mngt.	Dues	25.00
Nebraska Association of Senior Centers	Dues	20.00
Nebraska Department of Revenue	Sales Tax	45.34





# Fillmore County Board Minutes



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The Nebraska Signal	Proc, Ads, Sup	496.28
Nebraska Weed Control Association	Wksh	130.00
Nick's Farm Store	Rep	1,123.85
Reg Noel	Mtgs, Mile	31.35
Darren Pfeifer	Uniform	250.00
Reinsch Lawn Services	Ser	335.71
Retirement Plans Division of Ameritas	Ret	5,121.07
Saline County Clerk	Bailiff budget request	14,575.21
Service Press	Sup	175.00
Paul Sheffield	Mile	17.44
Shell Fleet Plus	Fuel	2,263.27
State of Nebraska AS Central Finance	Ser	448.00
Allan Stuckey	Mtgs, Mile	62.70
Thayer County Treasurer	Sup	326.22
Unifirst Corp	Ser	257.42
US Bank CPS	Sup, Meals, Post, Misc.	778.82
Gary Warren	Mile	32.70
Windstream	Uti	1,312.85
Woodward's Disposal Service, Inc.	Ser	20.00
Payroll	Salaries	76,448.70

## **ROAD/BRIDGE FUND:**

Beatrice Concrete Co., Inc.	Gravel	3,438.71
Black Hills Energy, Inc.	Fuel	572.46
City of Geneva	Uti	60.85
Farmers Cooperative	Fuel	2,043.92
Fastenal Company	Sup	395.19
Geneva Broadband, LLC	Uti	40.00
Geneva Implement Co., Inc.	Parts, Main	1,676.11
Geneva Milling Co., Inc.	Sup	34.50
Geneva Tire	Rep	64.10
Geneva Welding & Supply, Inc.	Sup	16.00
Heartland Bank	SS	2,211.17
Hometown Leasing	Ser	139.00
John Deere Financial	Parts	215.63
Kaiser Auto Supply, LLC	Parts, Sup, Main	364.14
Medical Enterprises, Inc.	Sup	40.00
MIPS, Inc.	Ser	134.73
Nebraska Department of Revenue	Sales tax	135.07
Nebraska Iowa Industrial Fasteners Corp.	Sup	115.78
The Nebraska Signal	Ad	57.75
Office Depot Business Credit	Sup	170.35
Perennial Public Power District	Uti	148.08
Power Plan	Parts	766.08
Quill Corp.	Sup	37.62
Reinsch Lawn Service	Ser	440.57
Retirement Plans Division of Ameritas	Ret	2,012.71
Roit Repair	Rep	89.42
Shell Fleet Plus	Fuel	358.68
Speece Lewis Engineers	Ser	6,300.00
US Bank CPS	Post	25.94
Village of Milligan	Uti	22.50
Village of Shickley	Uti	135.15
Payroll	Salaries	30,114.70

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **911 EMERGENCY MANAGEMENT FUND:**



# Fillmore County Board Minutes



January 8, 2019

Geneva Broadband, LLC  
GeoComm  
Windstream

Uti  
Ser, Main  
Uti

64.00  
6,700.00  
1737.05

## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

Cheever Construction Co.

Building

58,209.30

## **CLAIMS APPROVED**

Sluka moved and Lightwine seconded the motion to approve the claims as presented with the removal of the claim to the Fillmore County Sheriff Office for \$50.00. Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Graham

The Chairman declared the motion carried.

## **APPOINTMENT TO SAFETY COMMITTEE**

After discussion, Neiman moved and Lightwine seconded the motion to appoint Lightwine to the Safety Committee to replace Bob Mueller for a two-year term beginning January 2019. 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 BILL FOR GENEVA PUBLIC LIBRARY**

After discussion, Sluka moved and Lightwine seconded the motion to authorize the County Treasurer to pay the submitted bill from Geneva Public Library for \$150.00 for rural Geneva Township residents their renewal at the library. 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.

## **DEPOSIT OF SURPLUS FUNDS**

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

### **RESOLUTION 2019 - 09**

**WHEREAS**, Section 77-2318, Revised Statutes of Nebraska, provides among other things that when County funds exceed 50% of the said capital of all banks of the County, then the Treasurer, with the consent of the County Board, may deposit an amount in excess thereof, but not exceeding capital in any one bank, and

**WHEREAS**, the County Board has by resolution informed the County Treasurer of Fillmore County that all of the banks in Fillmore County have been designated as depositories for monies that the County Treasurer may have in her possession, and

**WHEREAS**, under provisions of Section 77-2314, Revised Statutes of Nebraska, the County Treasurer shall not have a preference to any one of the banks in which she may so deposit. The County Treasurer may select one or more banks to be used for active accounts in which she may keep deposited in excess of these requirements only such funds as may be necessary for the transaction of ordinary day-to-day requirements.

**WHEREAS**, for the purpose of Section 77-2314, Revised Statutes of Nebraska, capital shall mean capital stock, surpluses, undivided profits, capital notes or debentures, and other unimpaired reserves, and



# Fillmore County Board Minutes



January 8, 2019

**WHEREAS**, paid up capital at Fillmore County Banks is as follows:

Cornerstone Bank

\$ 169,700,000.00

**WHEREAS**, from time to time, the County Treasurer has on hand and will have on hand for deposit, County money that should be deposited for safekeeping in excess of the amount permitted under the statute,

**NOW THEREFORE**, Be it Resolved, that the County Treasurer of Fillmore County be and hereby is, authorized to deposit in the aforesaid banks in Fillmore County during 2019, County funds in her possession in a sum equal to but not in excess of the said capital of said banks, provided that said depository bank or banks shall secure said deposits by pledges of the assets of said bank as provided in Section 77-2318, Revised Statutes of Nebraska, but shall not at any one time have in said bank County funds in excess of 90% of the bonds deposited by said bank as security plus the \$250,000.00 covered and protected by the Federal Deposit Insurance Corporation. Bonds shall be required of all banks and capital stock financial institutions for such excess deposit unless security is given in accordance with Section 77-2318.01, Revised Statutes of Nebraska.

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.

## QUARTERLY JAIL INSPECTION

Several Board members reviewed the jail for their quarterly jail inspection and all was in order.

## ADJOURN

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:00 a.m., January 22, 2019. 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



# Fillmore County Board Minutes



January 22, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., January 22, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:20 p.m.

## **MINUTES APPROVED**

Chairman of the Board, Neiman declared the minutes from the January 8, 2019 meetings approved as presented.

## **2018 4<sup>th</sup> QUARTER STATEMENT OF ACCOUNTABILITY FROM OFFICES**

After review by the Board, Harre moved and Sluka seconded the motion to approve the 2018 4<sup>th</sup> quarter statement of accountability from the County Attorney, County Clerk (Register of Deeds and Section 125 accounts), County Sheriff, and Clerk of the District Court. 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.

## **TIRE RECYCLING REPORT**

Cerny gave a report to the Board regarding the 2018 tire recycling with RC & D Trailblazer. Fillmore County collected 157 tons of tires and all six (6) counties collected 680 tons.

## **GENEVA TOWNSHIP BILL FOR MANNING & ASSOCIATES**

After discussion, Noel moved and Graham seconded the motion to authorize the County Treasurer to pay the bill for Geneva Township submitted from Manning & Associates, PC for 2018/2019 budget preparation in the amount of \$461.50. 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 BILL FOR MANNING & ASSOCIATES**

After discussion, Cerny moved and Sluka seconded the motion to authorize the County Treasurer to pay the bill for Bryant Township submitted from Manning & Associates, PC for 2018/2019 budget preparation in the amount of \$461.00. 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.

## **DISCUSSION REGARDING ROAD F FROM HIGHWAY 81 EAST TO THE ½ MILE LINE AND THE ROAD GOING INTO THE SOUTH SIDE OF FAIRMONT**

Board discussed concerns regarding Road F from Highway 81 east to ½ mile line and then the road going into the south side of Fairmont. No one appeared for discussion, but several Board members were told by residents that they did not want this paved.



# Fillmore County Board Minutes



January 22, 2019

## **DISCUSSION REGARDING THE BRIDGE ON ROAD 12 BETWEEN ROAD O AND ROAD P**

The Board and Dennis Kimbrough discussed the bridge on Road 12 between Road O and Road P. After discussion at the January 8, 2019 meeting, Highway Superintendent, Pat Halbur received a bid of approximately \$4,255.00 for a new access bridge to be erected if the current bridge is removed. The bridge is currently on the County's inventory, but is on private property. Dennis informed the Board that he would like to still be able to use this bridge to access his property but did not want to take over the ownership.

After a lengthy discussion, Graham moved and Sluka seconded the motion to take the bridge out on Road 12 between Road O and Road P. Upon roll call, the vote was as follows:

Ayes: Graham, Noel, and Sluka

Nays: Cerny, Harre, Lightwine, and Neiman

The Chairman declared the motion failed.

After further discussion, Neiman moved and Lightwine seconded the motion to repair the wash outs on the bridge located on Road 12 between Road O and Road P and be retained as a County bridge. Upon roll call, the vote was as follows:

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

Nays: Graham and Sluka

The Chairman declared the motion carried.

## **PICKUP BID LETTING**

Pickup bids were opened at 10:00 a.m. as advertised and the following were received:

<b><u>BIDDER:</u></b>	<b><u>EQUIPMENT:</u></b>	<b><u>PRICE:</u></b>
Erdkamp Motors, Inc.	2019 Dodge Ram 1500 Classic ST Crew Cab	\$28,665.00

## **PICKUP BID**

After discussion, Lightwine moved and Harre seconded the motion to accept the bid and purchase the 2019 Dodge Ram 1500 Classic ST Crew Cab from Erdkamp Motors, Inc. for \$28,665.00. 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.

## **FLOORING IN THE OFFICE OF THE NEW ROAD BUILDING**

Included in the original bid for flooring was to have a cement floor, but after research and review the Board requested information regarding changing to a polished concrete or tile for the floors in the office portion. After discussion, the Board requested that the furnace room and two (2) storage rooms changed to polished concrete and the remaining space be tile.

## **UPDATED CONTRACT WITH JEO FOR NEW ROAD BUILDING**

After discussion, the Board approved the Chairman to sign the updated contract with the change orders to-date.

## **UPDATE ON THE CLOSURE OF ROAD A BETWEEN ROAD 22 AND ROAD 23**





# Fillmore County Board Minutes



January 22, 2019

Highway Superintendent, Pat Halbur informed the Board that since Road A is shared by Fillmore and York County that York County would like to have their own public hearing before we can officially close Road A between Road 22 and Road 23.

## DISCUSSION WITH SHERIFF OFFICE REGARDING HIRING

Sheriff, Bill Burgess informed the Board that he is having a hard time filling positions for Sheriff deputies. He would like to offer a \$3,000.00 hiring bonus for certified officers with a two-year contract if they leave they would be required to pay a pro-rated amount. After discussion, the Board agreed to allow this.

## QUARTERLY ELECTED OFFICIALS UPDATES

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

## SEMI-ANNUAL STATEMENT

County Treasurer, Darcy Nun submitted the Semi-Annual Statement ending December 31, 2018 to the Board for review.

## QUARTERLY MEETING WITH APPOINTED DEPARTMENT HEADS

Brenda Motis, Senior Services Director; Todd Boller, Noxious Weed Superintendent; and Jim Dunker, Emergency Manager met with the Board for their quarterly meeting.

## 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:

Howard F. Ach	Rent, Sup, Wksh	1,034.66
Auto Value Parts Stores	Main	3.39
Bi-Versal Services, LLC	Ser	100.00
Bob Barker Company, Inc.	Sup	218.08
Eakes Office Solutions	Sup, Equip	1,459.23
Exeter Senior Center	3 <sup>rd</sup> Quarter CASA funds	425.00
Fairmont Aging Services	3 <sup>rd</sup> Quarter CASA funds	2,000.00
Farmer & Son Funeral Homes, Inc.	Ser	1,925.00
Fillmore County Hospital	Ser	1,570.58
Fillmore County Medical Center	Ser	188.74
First Concord Group, Inc.	Insur	1,407.42
Geneva Home Center	Sup	251.27
Geneva Senior Center	3 <sup>rd</sup> Quarter CASA funds	2,500.00
Geneva Super Foods	Sup	991.11
Heartland Bank	Sup, SS	4,955.60
Barbara (Erdkamp) Hein	Ret	96.00
Kalkwarf & Smith Law Offices, LLC	Ser	3,182.91
Kelch Plumbing, Heating, & Refrigeration	Main, Equip	4,226.46
Stephen J. Kraviec	Ser, Post	1,742.72
MIPS, Inc.	Sup, Ser	396.85
Nebraska Association of County Treasurer	Dues	50.00
NE Clerks of the District Court Assoc.	Dues	50.00
Nebraska Planning & Zoning Association	Wksh	190.00
Nebraska Public Power District	Uti	1,845.65
NeoFunds by NeoPost	Post	700.00



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Vernon Pearson	Ret	48.00
Pieper's Inc.	Rep	770.11
Protex Central, Inc.	Ser	789.00
Region V Services	budget request	2,621.00
Retirement Plans Division of Ameritas	Ret	4,712.86
Secretary of State	Ser	20.00
Seward County Detention Center	Boarding prisoners	520.00
Lee Bauer Smith	Ret	108.00
Sparqdata Solutions	Ser	2,500.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Serv.	December patient care	93.00
Deanna Strothkamp	Ret	72.00
Luetta Strothkamp	Ret	96.00
Mary C. Tesar	Ret	24.00
US Bank, CPS	Post	300.00
Beatrice Vavra	Ret	84.00
Carol Vejraska	Ret	23.08
Verizon Wireless	Uti	1,043.12
Weaver Pharmacy	Sup	1,811.73
York News Times	Sup	226.00
Payroll	Salaries	70,379.91

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Parts, Sup	103.94
Auto Value Parts Stores	Sup, Main	73.79
BNSF Railroad Company	Misc	17.97
The Boulder Company	Sup	236.53
Richard T. Braden	Ret	24.00
Casey's General Stores	Fuel	1,467.93
City of Geneva	Sup	518.92
Farmers Cooperative	Fuel	1,614.40
Fireguard, Inc.	Equip	567.08
Geneva Building Supply	Parts, Sup	82.01
Geneva Home Center	Sup	39.91
Geneva Lumber Center	Sup	86.00
Geneva Super Foods	Sup	18.74
Grafton Oil, Inc.	Parts, Fuel	1,466.43
Heartland Bank	SS	2,247.52
Ronald Isley	Ret	103.86
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Fuel	765.34
Gerald J. Lukes	Ret	72.00
Nebraska Public Power District	Uti	687.16
Newman Traffic Signs	Equip	1,000.24
NMC Exchange, LLC	Parts, Ser	9,008.45
Retirement Plans Division of Ameritas	Ret	2,044.52
Speece Lewis Engineers	Ser	7,432.88
Spring Creek Repair & Farm Supply	Equip	6,525.50
Verizon Wireless	Uti	86.44
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	87.54
Village of Grafton	Uti	40.02
Village of Ohiowa	Uti	30.00
Donald D. Wittmack	Ret	12.00
Payroll	Salaries	30,586.02

## **INHERITANCE TAX FUND:**

Kelch Plumbing, Heating, & Refrigeration	Equip	8,835.00
RJ Joint Property Ventures, LLC	Rent	700.00



# Fillmore County Board Minutes



January 22, 2019

## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	174.34
Nemaha County Sheriff	Insur	70.19
Windstream	Uti	117.84

## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

JEO Consulting Group, Inc.	Ser	1,498.00
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	December 2018 taxes	18,353.13
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## **CLAIMS APPROVED**

Sluka moved and Noel 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 Abstaining due to conflict of interest: Graham

The Chairman declared the motion carried.

## **MILES SUBDIVISION**

Zoning Administrator, Jennifer Slezak submitted the Miles Subdivision to the Board which is located in part of the NW ¼, Section 5, Madison Township.

After discussion, Neiman moved and Lightwine seconded the motion to approve the Miles Subdivision as submitted, located in a tract of land comprising a part of the Northwest Quarter of Section 5, Township 7 North, Range 2 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska being described as follows: commencing at the southwest corner of the Northwest Quarter said Section 5; thence N00°05'46"W (assumed bearing) on the west line of said Northwest Quarter for a distance of 472.00 feet; thence continuing N00°05'46"W on said west line for a distance of 441.78 feet; thence N89°45'48"E for a distance of 813.37 feet; thence S00°26'42"E for a distance of 331.00 feet; thence S87°35'33"W for a distance of 373.00 feet; thence S70°47'51"W for a distance of 240.00 feet; thence S84°41'53"W for a distance of 211.00 feet to the point of beginning containing 7.00 acres more or less, including 0.33 acres, more or less, of 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.

## **NIRMA INSURANCE**

Cerny informed the Board that Nebraska Intergovernmental Risk Management Association (NIRMA) is celebrating 30 years in business. NIRMA was started in the 80's when insurance carriers wouldn't insure counties. Fillmore County joined NIRMA on December 15, 1989 and has been awarded approximately \$272,000.00 in dividends over the years. Cerny presented the Board with a plaque from NIRMA showing our years belonging to NIRMA to be displayed in the Courthouse.

## **CHAIRMAN APPOINTMENTS**

Chairman Neiman, requested that the following appointments be made: Sluka and Harre to oversee the Emergency Manager, Neiman and Cerny to oversee the Veterans Service Officer, Noel and Neiman to oversee the Highway Superintendent, Cerny and Graham to oversee the Senior Services Director, Harre and Lightwine to oversee the Noxious Weed Superintendent, Noel and Sluka to oversee the Planning & Zoning Administrator, and Graham and Lightwine to oversee the Custodian and Building & Grounds.



# Fillmore County Board Minutes



January 22, 2019

Sluka moved and Graham seconded the motion to accept the appointments as presented by the Chairman. 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, Sluka moved and Neiman seconded the motion to adjourn until 9:10 a.m., February 12, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



February 12, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., February 12, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:30 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the January 22, 2019 meetings approved as presented.

## FEE REPORTS

Noel moved and Graham seconded the motion to approve the January 2019 fee reports as presented:

**County Clerk \$12,967.72** (State \$7,843.72 & County \$5,124.00)  
**Clerk of the District Court \$1,139.37**  
**County Sheriff \$1,884.75**

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.

## RURAL TRANSIT FUNDING AND APPLICATION

Brenda Sherwin, Director of Fillmore County Rural Transit presented the application for public transportation operating assistance #5311 and request of \$20,000.00 from the county. Brenda also informed the Board that Blue Valley Community Action purchased two new vans, one having a lift in it and is delivering commodities within the County. Brenda submitted her proposed budget for 2019/2021 in the amount of \$172,884.00 with Federal paying \$126,124.00, State \$45,463.00 and County \$45,462.00.

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

## RESOLUTION 2019 – 10

**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 \$20,000.00 a year for fiscal 2019 – 2021, to Blue Valley Community Action Partnership to be used as 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, Graham, Harre, Lightwine, Neiman, Noel, and Sluka  
Nays: None

The Chairman declared the resolution adopted.





# Fillmore County Board Minutes



February 12, 2019

## **DRIVEWAY PERMITS**

Sluka moved and Lightwine seconded the motion to approve the driveway permits as presented by the Highway Superintendent:

Corner D Farms – install a culvert in existing driveway on the east side of the SE ¼, Section 16, Geneva Township; and

Tallgrass Interstate Gas Transmission, LLC – install a new driveway on the south side of the SE ¼, Section 30, Fairmont Township.

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**

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

Windstream Nebraska, LLC – bury telecommunications line between the SW ¼, Section 18-6-1, Glengary Township and the SE ¼, Section 17-6-1, Glengary 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 WITH JEO REGARDING CEILING IN THE NEW BUILDING**

Justin Kurtzer, President of Cheever Construction; John Dybdal, Site Superintendent of Cheever Construction; and Adam Bellamy, Project Manager with JEO were present for discussion regarding the ceiling in the new building. Justin informed the Board that due to the weather since the project has started they had to install the roof before the insulation and they are having difficulty with the appearance. They believe that the functionality will not be affected. They are having a representative from the insulation company on site this Friday and will bring the results back to the Board. Highway Superintendent, Pat Halbur will inform the Board what time they will be there on Friday.

## **DISCUSSION REGARDING BRIDGE ON ROAD 12 BETWEEN ROAD O & ROAD P**

After February 12<sup>th</sup> meeting, Supervisor Harre requested the Highway Superintendent to research the cost of having this bridge repaired and what it would cost the County to remove. Pat Halbur, Highway Superintendent informed the Board that it would cost over \$20,000.00 to repair this bridge and approx. \$2,000.00 to remove.

After discussion, Harre moved and Sluka seconded the motion that after further review of the cost to repair the bridge and discussion with the landowner, to have the County remove the bridge and not provide another access. Upon roll call, the vote was as follows:

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

Nays: Cerny

The Chairman declared the motion carried.

## **FLOORING BIDS FOR THE OFFICE AREA OF THE NEW BUILDING**



# Fillmore County Board Minutes



February 12, 2019

Highway Superintendent, Pat Halbur presented two bids for flooring in the office area: Geneva Home Center for Armstrong flooring with a twenty-five (25) year warranty for \$17,909.00, with possible additional cost if cement wasn't prepared for floor and Swartzendruber Construction for Mohawk flooring with sealer and twenty (20) year warranty for \$13,475.60.

After discussion, Sluka moved and Noel seconded the motion to award the bid to Swartzendruber Construction with the approval of JEO after they review bids. 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

Pat Halbur, Highway Superintendent informed the Board that the 2008 Caterpillar 12M with approx. 13,000 hours is having performance issues and would like to take bids for a replacement prior to October 2019. After discussion, the Board authorized Pat to start the bid process for letting on March 12<sup>th</sup>. Pat also informed the Board that with the employees doing the rock road projects that she will have to pay overtime for some employees.

## DISCUSSION WITH COMMUNITY CENTER COMMITTEE REGARDING OLD HOSPITAL GROUNDS

Kyle Svec, Kelly Stroh-Heath, Rod Renken, Joe Miller, Bob Higel, Brenda Motis, Mary Stoner, Victoria Verhage, Jane Cronk, Heather Miller, Nancy Meyer, Josh Turner, Eric M. Kamler, and Jennifer Slezak were present for discussion. The committee presented the Board with a pamphlet of the proposed building layout, they currently have 1.5 million in pledged donations and grants, and would like to get the negotiations started to acquire the land for the new Community Center. After discussion, Sluka, Graham, and Noel will be the committee for the County along with two City council members and the Mayor, who will report back to each Board for approval.

## 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:

A1 Body & Glass	Rep	250.00
Howard F. Ach	Rent, Post, Uti	554.55
Baird & Griess	Ser	1,591.24
Bear Graphics, Inc.	Sup	298.18
Black Hills Energy	Uti	1,753.00
Blue Cross Blue Shield of Nebraska	Insur	62,192.24
Bob Barker Company, Inc.	Sup	9.30
Don C. Bottorf, PC	Ser	142.50
City of Geneva	Uti	364.10
Combined Public Communications	Sup	245.00
Crossroad Awards	Sup	88.00
Des Moines Stamp Mfg. Co.	Sup	49.55
Diode Technologies	Ser	85.00
Dollar General – Regions 410526	Sup	55.87
Eakes Office Solutions	Sup, Ser	757.76
Exeter Senior Center	USDA – Nov	57.40
Fairmont Aging Services	USDA – Nov	151.20
Farmer & Son Funeral Home	Ser	75.00
Fillmore County Hospital	Ser	55.35
Fillmore County Treasurer	Int, Transfer	55,219.30



# Fillmore County Board Minutes



February 12, 2019

First Concord Benefits Group, LLC	Ser, Insur	369.00
Geneva Broadband, LLC	Uti	88.00
Geneva Milling Co., Inc.	Sup	36.75
Geneva Senior Center	USDA – Nov	447.30
Geneva Tire	Rep. Main	250.05
Heartland Bank	Ser, SS	4,808.66
Hillyard/Sioux Falls	Sup	262.96
Holiday Inn	Lodging	209.90
Hometown Leasing	Ser	1,198.43
Kaiser Auto Supply, LLC	Main	6.10
Jerry Knoche	Mile	62.64
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,763.12
Krueger Land Surveying	Ser	1,360.00
Madison National Life Insurance Co.	Insur	133.58
Mid-American Research Chemical	Sup	225.00
Midwest Card and ID Solutions	Rep	134.33
MIPS, Inc.	Ser	3,295.62
Nebraska Assoc. of County Extension Bds	Wksh	50.00
Nebraska Association of County Officials	Wksh	140.00
Nebraska Public Power District	Uti	1,080.49
The Nebraska Signal	Ads, Proc, Sup	1,344.62
Neo Funds by NeoPost	Post	1,400.00
Nick's Farm Store	Rep	8.82
O'Keefe Elevator Company, Inc.	Ser	260.00
Platte Valley Communications of Hastings	Rep	229.57
Precision Signs & Graphics	Sup	65.00
Retirement Plans Division of Ameritas	Ret	4,641.72
Secretary of State	Sup	20.00
Shell Fleet Plus	Fuel	2,007.08
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Public Health Env. Lab	Ser	105.00
Sullivan Shoemaker PC, LLO	Ser	468.00
SupplyWorks	Sup	786.64
Unifirst Corporation	Ser	257.23
University of Nebraska – Lincoln	Sal	2,561.21
US Bank CPS	Sup, Post, Wksh, Sup, Mile	1,439.27
USDA, APHIS, General	Ser	2,256.68
Brandy VanDeWalle	Mile, Uti	80.61
Reid Velte	Ser	175.00
Wayne County Sheriff	Ser	18.50
Windstream	Uti	1,333.02
Woodward's Disposal Service, Inc.	Ser	20.00
York County Sheriff	Ser	8.50
Payroll	Salaries	68,984.85

## **ROAD/BRIDGE FUND:**

A-1 Body & Glass	Parts	85.00
Action Auto Supply	Parts, Sup	218.89
Auto Value Parts Stores	Parts, Sup	173.72
Black Hills Energy	Uti	1,795.52
Casey's General Stores	Fuel	179.39
City of Geneva	Uti	64.70
Exeter Lumber, LLC	Sup	5.00
Farmers Cooperative	Fuel	9,178.06
Geneva Broadband, LLC	Uti	40.00
Geneva Building Supply	Rep, Sup	125.41
Geneva Home Center	Sup, Parts	89.38



# Fillmore County Board Minutes



February 12, 2019

Geneva Implement Co., Inc.	Parts, Main	213.51	
Geneva Lumber Center	Sup	25.98	
Geneva Super Foods	Sup	19.45	
Geneva Tire	Rep, Main	363.02	
Geneva Welding & Supply, Inc.	Parts, Rep	3,999.27	
Grafton Mini-Mart	Fuel	127.93	
Grafton Oil, Inc.	Fuel, Main	2,470.38	
Heartland Bank	SS	2,254.30	
Hometown Leasing	Ser	139.00	
John Deere Financial	Parts	288.99	
K & S Tool Service	Sup	99.99	
Kaiser Auto Supply, LLC	Parts, Sup, Main	1,079.32	
Kopchas Sanitation, Inc.	Uti	55.00	
Lichti Oil	Fuel, Parts	2,958.06	
MIPS, Inc.	Ser	134.73	
The Nebraska Signal	Ads	195.51	
Nick's Store Co.	Rep, Equip	549.26	
NMC Exchange, LLC	Parts, Ser	15,218.95	
Perennial Public Power District	Uti	256.06	
Power Plan	Parts	206.84	
Productivity Plus Account	Parts	155.03	
Retirement Plans Division of Ameritas	Ret	2,050.02	
Shell Fleet Plus	Fuel	1,540.10	
VanKirk Bros Contracting	Culverts	91,798.26	
Village of Exeter	Uti	18.75	
Village of Grafton	Uti	40.02	
Village of Shickley	Uti	154.47	Payroll
Salaries		30,667.54	

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **911 EMERGENCY MANAGEMENT FUND:**

APCO International	Dues	92.00
Geneva Broadband, LLC	Uti	64.00
Nemaha County Sheriff	Insur	51.56
Windstream	Uti	1,737.05

## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

Union Bank & Trust	Interest	28,218.50
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	January 2019 taxes	8,273.63
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## **CLAIMS APPROVED**

Noel moved and Lightwine 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      Abstaining due to conflict of interest: Graham

The Chairman declared the motion carried.

## **TRAILBLAZER RESOURCE CONSERVATION & DEVELOPMENT ANNUAL SUPPORT REQUEST**

After discussion, Sluka moved and Graham seconded the motion to pay the 2019 Trailblazer Resource Conservation & Development in the amount of \$350.00 and to submit with the February 26<sup>th</sup> claims. Upon roll call, the vote was as follows:



# Fillmore County Board Minutes



February 12, 2019

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

The Chairman declared the motion carried.

## HOSPITAL BOARD

Lightwine moved and Sluka seconded the motion to reappoint Deb Hoarty to the Hospital Board beginning July 2018 and ending June 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.

## MAINTENANCE AGREEMENT RENEWAL WITH CARRIER COMMERCIAL SERVICES FOR COURTHOUSE

After discussion, Harre moved and Sluka seconded the motion to approve the maintenance agreement renewal with Carrier Commercial Services for the Courthouse HVAC systems quarterly for \$12,200.00 annually. 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.

## EXTENSION BOARD APPOINTMENTS

Graham moved and Cerny seconded the motion to appoint Ashley Hughes, Miranda Kempf, and Hailey Steider to the Extension Board beginning January 1, 2019 and ending December 31, 2021. 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.

## WINDOW REPLACEMENT PROPOSAL FROM CHICAGO LUMBER

Chicago Lumber submitted a proposal of replacing forty-two (42) windows with majority in the clock tower. After review and amount of proposal, the Board agreed they would have to get other bids for this project.

## DISCUSSION REGARDING FENCE AROUND CHILLER

After discussion, Lightwine moved and Sluka seconded the motion to approve the proposal from Flo-Rite to install an eight (8) foot tall fence around the outside chiller unit for \$4,934.51. 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.

## EMPLOYEE APPRECIATION DINNER

After discussion, Sluka moved and Graham seconded the motion to approve the employee appreciation dinner on March 15, 2019 at Gary's Brickhouse in Grafton and to authorize the additional funds per Nebraska Statute §13-2203 revised July 2018. Upon roll call, the vote was as follows:

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





# Fillmore County Board Minutes



February 12, 2019

Nays: None

The Chairman declared the motion carried.

## **DISCUSSION REGARDING SCHOLARSHIP FOR NEW ROAD DEPARTMENT EMPLOYEES**

Larry Cerny informed the Board that tuition is \$9,800.00 and \$6,000.00 for room/meals. If there was a student interested the tuition and room/meals would be paid with a two-year contract being signed. If they resigned the amount would be pro-rated back. After discussion, Board would like to research a few things and discuss at the February 26<sup>th</sup> meeting.

## **PIVOT PAD IN THE COUNTY RIGHT-OF-WAY**

County Attorney, Jill Cunningham informed the Board that charges have been placed and a court date of March 6, 2019 has been set. Jennifer Slezak was present for the discussion.

## **ADJOURN**

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:00 a.m., February 26, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



February 26, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., February 26, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. The County Clerk was present to record the minutes of the meeting. Ian Hrasky, Justina Yound, and Ashley Kassik were present for 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 11:49 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the February 12, 2019 meetings 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:

Rachel Adam	Mile	61.94
Aging Partners	Main	625.00
Bear Graphics, Inc.	Sup	425.40
Lois Bernasek	Misc	20.56
Bi-Versal Services, LLC	Ser	175.00
Blue Cross Blue Shield of Nebraska	Insur	63,225.05
Bob Barker Company, Inc.	Sup	434.95
Buffalo County Sheriff	Ser	18.50
Helen Cellar	Misc	75.00
CenTech Cast Metal Products	Sup	2,238.74
Clerk of the Superior Court Maricopa County, Arizona	Ser	86.50
Melinda Coetzee	Misc	20.56
Brandie Conway	Misc	20.56
County Veteran's Service Officers Assoc.	Wksh, Dues	335.00
Dell Marketing, LP	Sup	196.18
Brenden Dohrt	Misc	20.56
Eakes Office Solutions	Sup	186.49
Erdkamp Motors	Main	60.00
Exeter Senior Center	USDA Reim	46.90
Fairmont Aging Services	USDA Reim	126.70
Fillmore County Med Center	Ser	91.81
Fillmore County Treasurer	Transfer	50,000.00
First Concord Benefits Group, LLC	Ser, Insur	5,780.87
Geneva Home Center	Sup	242.12
Geneva Senior Center	USDA Reim	451.50
Geneva Super Foods	Sup	869.93
Geneva Tire	Rep	69.55
Katie Gnuse	Meals	18.00
Heartland Bank	Sup	4,769.56
Frances Heinrichs	Miles	62.64
Steve Julich	Misc	20.56
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,095.12
Jami Knerl	Misc	20.56
Sara Jo Kunert	Misc	20.56



# Fillmore County Board Minutes



February 26, 2019

Alyssa Ledon	Misc	20.56
Lied Lodge & Conference Center	Lodging	192.40
Madison National Life Insurance Co.	Insur	9.08
Lola Merrigan	Misc	20.56
Mid-American Regional Council	Wksh	75.00
Mid-American Research Chemical	Sup	626.46
Midwest Card and ID Solutions	Main	1,500.00
Midwest Process Services	Ser	20.64
MIPS, Inc.	Equip, Ser	4,786.54
National Assoc. of County Veteran Service Officers, Inc.	Dues	50.00
Nebraska Assoc. of County Clerks Register Of Deeds, & Election Commissioner	Dues	75.00
Nebraska Association of Emergency Management	Wksh	60.00
Nebraska Public Power District	Uti	885.99
Retirement Plans Division of Ameritas	Ret	4,636.85
Steve Roemmich	Misc	20.56
Greg Scellin	Misc	130.00
Secretary of State	Ser	20.00
Seward County Detention Center	Boarding prisoner	390.00
State of Nebraska Health & Human Serv.	January patient care	93.00
Carol Strothkamp	Misc	75.00
Sullivan Shoemaker, PC, LLO	Ser	1,136.12
Thayer County Treasurer	Sup	286.09
34 Electric, LLC	Rep	197.50
Thomson Reuters – West	Sup	324.00
Trailblazer R.C. & D Council	Dues	350.00
Verizon Wireless	Uti	907.14
Sandra Waller	Misc	20.56
Weaver Pharmacy	Sup	43.27
Windstream	Uti	1,040.27
Payroll	Salaries	69,611.48

## **ROAD/BRIDGE FUND:**

BNSF Railway Company	Ser	8,320.37
Farmers Cooperative	Fuel	631.80
Friesen Chevrolet, Inc.	Parts	53.35
Friesen Ford	Parts	139.21
Grafton Mini-Mart	Fuel	123.46
Heartland Bank	SS	2,254.39
Lichti Oil	Fuel	2,130.65
Nebr Iowa Industrial Fasteners Coop	Sup	315.47
Nebraska Public Power District	Uti	536.88
Newman Traffic Signs	Equip, Sup	4,447.79
Perennial Public Power District	Uti	151.26
Retirement Plans Division of Ameritas	Ret	2,050.02
Village of Fairmont	Uti	73.93
York News-Times	Ads	58.72
Payroll	Salaries	30,667.55

## **INHERITANCE TAX FUND:**

RJ Joint Property Ventures, LLC	Rent	700.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	168.08
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## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

Cheever Construction Company	Building	169,704.90
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# Fillmore County Board Minutes



JEO Consulting Group, Inc.

Ser

February 26, 2019  
2,996.00

## **CLAIMS APPROVED**

Harre moved and Cerny 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.

## **SURPLUS OFFICE EQUIPMENT**

After discussion, Graham moved and Sluka seconded the motion to declare miscellaneous office equipment (computers and cordless phones) as surplus. 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.

## **FILLMORE COUNTY HOSPITAL UPDATE**

Chris Nichols updated the Board on what has been going on at the Hospital the last six (6) months and new items will be coming up in the near future.

## **SURPLUS MOTOR GRADERS**

Noel moved and Sluka seconded the motion to surplus a 2005 Cat 12H and a 2008 Cat 12M motor graders 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.

## **FAIRMONT STATE AIRFIELD TRACT F-7B SUBDIVISION**

Zoning Administrator, Jennifer Slezak submitted the Fairmont State Airfield Tract F-7B Subdivision to the Board which is located in part of the SE ¼, Section 5, Madison Township.

After discussion, Cerny moved and Lightwine seconded the motion to approve the Fairmont State Airfield Tract F-7B Subdivision as submitted, located in east half of southeast quarter of Section 5, Township 7 North, Range 2 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska more fully described as follows: commencing at the southeast corner of Section 5, thence north 0°00'00" east (assumed bearing), on section line, a distance of 670.97 feet to the point of beginning, with a 5/8 inch rebar 0.06 feet east; thence north 89°30'09" west a distance of 593.60 feet to a 5/8 inch rebar; thence north 0°01'46" east a distance of 981.26 feet to a 5/8 inch rebar; thence north 89°42'40" east a distance of 593.08 feet to section line, marked with 5/8 inch rebar; thence south 0°00'00" east a distance of 989.40 feet to the point of beginning, except any rights that were taken in "right of way" deeds to Fillmore County in June 1988.

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.

## **UPDATE ON OLD HOSPITAL GROUND REGARDING COMMUNITY CENTER**



# Fillmore County Board Minutes



February 26, 2019

Supervisor Graham informed the Board that the City is still interested in the ground where the old hospital was but they are also looking at a few other options.

## GRAVEL BIDS

The gravel bids were opened at 10:00 a.m. as advertised. The following bids were received:

### REGULAR ROAD GRAVEL

**Mid-NE Aggregate:** Grafton \$15.25, West Blue \$13.79, and Stockpile \$8.00. Did not bid any of the other townships.

**DPL Enterprises, Inc., DBA Nichols Construction:** Belle Prairie \$13.59, Bennett \$15.39, Bryant \$16.99, Chelsea \$13.94, Exeter \$14.48, Fairmont \$14.29, Franklin \$13.39, Geneva \$15.39, Glengary \$14.39, Grafton \$15.70, Hamilton \$14.79, Liberty \$14.39, Madison \$15.49, Momence \$16.73, Stanton \$16.19, West Blue \$14.34, and Stockpile \$10.50.

**Beatrice Concrete Co.:** Belle Prairie \$15.85, Bennett \$19.05, Bryant \$17.90, Chelsea \$16.70, Exeter \$18.50, Fairmont \$19.05, Franklin \$15.25, Geneva \$18.25, Glengary \$16.15, Grafton \$20.05, Hamilton \$16.60, Liberty \$17.55, Madison \$17.60, Momence \$18.15, Stanton \$17.35, West Blue \$19.20, and Stockpile \$12.40.

### COARSE ROAD GRAVEL

**Mid-NE Aggregate:** Grafton \$16.60, West Blue \$15.10, and Stockpile \$10.00. Did not bid any of the other townships.

**DPL Enterprises, Inc., DBA Nichols Construction:** Belle Prairie \$14.84, Bennett \$16.44, Bryant \$18.24, Chelsea \$15.19, Exeter \$15.78, Fairmont \$16.59, Franklin \$14.64, Geneva \$16.64, Glengary \$15.64, Grafton \$17.20, Hamilton \$16.04, Liberty \$15.64, Madison \$16.74, Momence \$17.98, Stanton \$17.44, West Blue \$15.64, and Stockpile \$11.85.

## GRAVEL LETTING

Cerny moved and Sluka seconded the motion to accept all gravel bids and to purchase from the lowest bidder as available. 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 ITEMS

Board reviewed the bids again for flooring and decided that the motion from last meeting would remain and purchase the flooring and installation from Swartzendruber Construction.

Board went to the new road building to look at the changes Cheever's had made to the ceiling. After review, they will be holding a special meeting on March 5, 2019 at 10:00 a.m. with Cheever's and JEO present.

Board is discussing offering a scholarship to recruit new employees for the Road Department. Reviewed information from NCK Tech in Beloit, KS and will be requesting information for CCC in Hastings.

## PIVOT PAD IN THE COUNTY RIGHT-OF-WAY

County Attorney, Jill Cunningham; Planning & Zoning Administrator, Jennifer Slezak; and James Votipka were present for discussion regarding a pivot pad that does not meet the setback regulations. James Votipka showed the Board several pictures of other pads that he states do not meet the regulations. After discussion, the Board said that the pad and pivot must be moved. County Attorney said that this case was filed in County Court and a court date of March 6, 2019 has been set.

## ADJOURN





# Fillmore County Board Minutes



February 26, 2019

Agenda item "computers for Board members" will be discussed at a future meeting. As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:05 a.m., March 12, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



March 5, 2019

The Fillmore County Board of Supervisors convened in open and public session at 10:00 a.m., March 5, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. The County Clerk was present to record the minutes of the meeting. Pat Halbur, Doug Motis, and Bill Burgess were present for the meeting.

Notice of the meeting was given by posting. 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 10:50 a.m.

## **DISCUSSION REGARDING CEILING FOR THE NEW SHOP**

Brian Clinton, Project Manager; Jon Dybdal, Superintendent; and Justin Kurtzer, President (Justin via conference call) all with Cheever Construction were present for the meeting.

Board discussed with Cheever's that they are not happy with the current look of the ceiling for the new shop. Brian informed the Board that they have tried everything they could without taking the ceiling vapor barrier off, which would be last resort. After further discussion, Graham mentioned putting up perforated tin on the ceiling to fix the issue. Brian and John agreed that Cheever's would look into this option.

Graham moved and Cerny seconded the motion to approve Cheever Construction to install the perforated tin on the two ceiling bays of the shop where the ceiling is in question with no cost to the County. The ceiling in the office and conference rooms would not be included in this. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **DISCUSSION REGARDING NEW BUILDING/SHOP**

After review at the February 26, 2019 meeting, the Board discussed what has been done with the placement of the heaters in the shop bays. JEO had submitted a new plan to the Pat Halbur, Highway Superintendent last week via e-mail, but Pat didn't feel that was acceptable either. Due to JEO not being at the meeting, Cheever's will be contacting the HVAC supplier to discuss options and have them for the March 12<sup>th</sup> Board meeting.

## **ADJOURN**

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., March 12, 2019. 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



# Fillmore County Board Minutes



March 12, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., March 12, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Harre, Cerny, and Lightwine. Graham was absent. 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 10:35 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the February 26, 2019 and March 5, 2019 meetings approved as presented.

## FEE REPORTS

Sluka moved and Noel seconded the motion to approve the February 2019 fee reports as presented:

**County Clerk \$32,027.34** (State \$13,571.64 & County \$18,455.70)  
**Clerk of the District Court \$555.54**  
**County Sheriff \$1,287.92**

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## LAWN CARE/TREATMENT FOR EAST OFFICE BUILDING

Noel Lawn Care submitted quotes for lawn care/treatment for the East Office Building. After discussion, the Board agreed that they would contract with Noel Lawn Care for a 4-step program (\$202.80 per step) for the area that is watered and a 2-step program (354.00 per step) for the area that isn't watered.

## 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:

Auto Value Parts Stores	Equip	124.19
B & J Automotive, LLC	Rep	270.00
Black Hills Energy	Uti	1,827.53
Blue Valley Community Action Partnership	Budget request	5,000.00
Carrier Corporation	Main	3,050.00
City of Geneva	Uti	308.80
Diode Technologies	Rep	127.50
Dollar General	Sup	17.50
Eakes Office Solutions	Sup	750.51
Erdkamp Motors	Equip	29,700.00
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Sheriff	Ser	150.00
Fillmore County Treasurer	Misc	15.00
First Concord Group, Inc.	Insur	286.00
Geneva Broadband, LLC	Uti	128.00



# Fillmore County Board Minutes



March 12, 2019

Geneva Floral	Ser	16.30
Geneva Home Center	Sup	149.73
Geneva Lumber Center	Sup	3.98
Heartland Bank	SS	5,023.60
Hometown Leasing	Ser	1,198.43
Shane Jarzynka	Uniform allow	250.00
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,744.97
Lancaster County Sheriff	Ser	38.44
Madison National Life Insurance	Insur	148.96
Mid-American Research Chemical	Sup	187.50
MIPS, Inc.	Ser	3,295.62
National Sheriff Association	Dues	60.00
Nebraska Public Power District	Uti	1,114.22
The Nebraska Signal	Pro, Ads	947.55
Nichols Collision Center	Rep	248.00
O'Keefe Elevator Company, Inc.	Main	267.08
Office Depot Business Credit	Sup	98.14
Platte Valley Communications	Rep	702.57
Retirement Plans Division Ameritas	Ret	4,862.63
Steven Roemmich	Misc	90.00
Shell Fleet Plus	Fuel	1,769.51
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Public Health Envir. Lab	Ser	55.50
Thayer County Treasurer	Sup	201.81
Unifirst Corporation	Ser	350.83
US Bank CPS	Equip, Sup	652.84
Reid S. Velte	Ser	375.00
Wilson Case, Inc.	Sup	389.00
Windstream	Uti	274.28
Woodward's Disposal Service, Inc.	Ser	20.00
York County Treasurer	Meals	170.00
Payroll	Salaries	73,567.72

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Parts, Sup	260.30
Auto Value Parts Stores	Parts, Sup, Main, Equip	13,292.37
Black Hills Energy	Uti	2,025.60
City of Geneva	Uti	80.10
Eakes Office Solutions	Ser	132.05
Farmers Cooperative	Parts, Fuel	6,066.97
Geneva Broadband, LLC	Uti	40.00
Geneva Building Supply	Sup	295.95
Geneva Implement Co., Inc.	Parts, Rep	324.39
Geneva Tire	Rep	435.20
Geneva Welding & Supply, Inc.	Rep, Sup	254.23
Grafton Oil, Inc.	Fuel	2,278.38
Heartland Bank	SS	2,633.12
Hometown Leasing	Ser	139.00
K & S Tool Service	Sup	299.99
Kaiser Auto Supply, LLC	Parts, Sup	751.36
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Fuel	2,162.37
MIPS, Inc.	Ser	134.73
Murphy Tractor & Equipment Co., Inc.	Equip	260,256.00
Nebr. Assoc. of Co. Engineers, Hwy. Supt	Dues	160.00
Nebr Iowa Industrial Fasteners Corp	Sup	100.51
The Nebraska Signal	Ads	217.08
Newman Traffic Signs	Equip	3,964.33



# Fillmore County Board Minutes



March 12, 2019

Nick's Farm Store, Co.	Rep, Main	132.79
NMC Exchange, LLC	Parts, Ser	6,085.93
Notary Public Underwrites of Nebraska	Misc	96.00
Perennial Public Power District	Uti	150.36
Power Plan	Parts, Rep	1,178.20
Retirement Plans Division of Ameritas	Ret	2,370.72
Shell Fleet Plus	Fuel	491.85
Nick Treinen	Sup	800.00
Verizon Wireless	Uti	86.44
Village of Exeter	Uti	18.75
Village of Grafton	Uti	40.10
Village of Shickley	Uti	124.40
Wex Bank	Fuel	706.59
Payroll	Salaries	35,419.28

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **INHERITANCE TAX FUND:**

Fillmore County Treasurer	Transfer	260,256.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Andrews Electric Co., Inc.	Rep	125.00
Geneva Broadband, LLC	Ser	64.00
Windstream	Uti	1,737.05

## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

Cheever Construction Company	Building	108,809.10
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	February taxes	955.57
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## **CLAIMS APPROVED**

Lightwine moved and Harre 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.

## **COMPUTERS/IPADS FOR BOARD MEMBERS**

County Clerk received quotes for computers and iPads for the Board members to replace their current iPads. After discussion, the Board will review and discuss at a future meeting.

## **UPDATE ON NEW ROAD DEPARTMENT SHOP/OFFICE**

Highway Superintendent, Pat Halbur informed the Board that Cheever's did order the perforated tin and will be placing that on the ceiling as discussed at no cost to the County.

## **MOTOR GRADER LETTING**

Bids for the motor grader letting were opened at 10:00 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Year/Make/Model:</u></b>	<b><u>Price:</u></b>
NMC, Inc.	2019 Caterpillar 12M3	\$257,950.00 (\$15,000.00 parts credit Included with the bid)





# Fillmore County Board Minutes



March 12, 2019

Murphy Tractor

2019 John Deere 770 GP

\$241,100.00 (\$8,000.00 parts credit  
included with the bid)

After all bids were opened each company gave a brief overview of their bid and discussed the equipment they were bidding.

## **MOTOR GRADER BIDS**

After discussion, Sluka moved and Harre seconded the motion to accept all bids and purchase the John Deere 770GP for \$241,100.00 with the \$8,000.00 parts & service credit. Upon roll call, the vote was as follows:

Ayes: Harre, Noel, and Sluka

Nays: Cerny, Lightwine, and Neiman

The Chairman declared the motion failed.

## **MOTOR GRADER BIDS**

After further discussion, Noel moved and Sluka seconded the motion to accept all bids and to have further discussion at the March 26, 2019 meeting. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **ADJOURN**

Agenda item "scholarship for new Road Dept. employees" will be discussed at a future meeting. As there was no other business to come before the Board, Sluka moved and Harre seconded the motion to adjourn until 9:00 a.m., March 26, 2019. 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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Attest

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Chairman



# Fillmore County Board Minutes



March 26, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., March 26, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. The County Clerk was present to record the minutes of the meeting. Marvin Kohout and Bill Burgess were present for 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 11:09 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the March 12, 2019 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:

Howard F. Ach	Rent, Post	552.80
Blue Cross Blue Shield of Nebraska	Insur	62,905.67
Bob Barker Company, Inc.	Sup	88.67
BTS Communications	Ser	65.00
Diane Deepe	Ser	200.00
Dell Marketing, LP	Sup	131.09
Eakes Office Solutions	Sup, Equip	478.03
Fairfield Inn	Lodging	219.90
Fillmore County Hospital	Ser	147.50
Fillmore County Treasurer	Transfer	20,000.00
First Group, Inc.	Insur	4,481.86
Geneva Family Dentistry	Ser	235.00
Geneva Home Center	Sup	10.58
Geneva Super Foods	Sup	688.61
Geneva Tire	Sup, Main	1,253.65
Goodwill of the Finger Lakes	Wksh	60.00
Heartland Bank	SS	4,790.24
Frances Heinrichs	Mile	41.76
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Mile, Sup	3,270.58
Madison National Life Insurance Co.	Insur	15.89
MIPS, Inc.	Sup	248.30
Nebraska Public Power District	Uti	792.52
Nebraska Signal	Subscription	38.00
Nebraska Weed Control Association	Wksh	120.00
NeoFunds by NeoPost	Post	700.00
Pro-Vision Video Systems	Equip	610.00
Public Health Solutions	Budget request	1,575.00
Brandon Reinsch DBA Reinsch Lawn Serv.	Ser	1,344.00
Retirement Plans Division of Ameritas	Ret	4,708.77
Southeast Community College	Wksh	10.00
Southeast Nebraska County Officials	Wksh	175.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Service	February patient care	84.00
Sullivan Shoemaker, PC, LLO	Ser	279.00
Brandy VanDeWalle	Mile, Uti	57.66
Verizon Wireless	Uti	986.98



# Fillmore County Board Minutes



March 26, 2019

Weaver Pharmacy	Sup	17.45
Windstream	Uti	1,040.28
York County Sheriff	Ser	21.05
Payroll	Salaries	70,520.01

## **ROAD/BRIDGE FUND:**

Ace Agricultural Supply	Parts	36.84
BNSF Railway Company	Ser	6,734.22
Casey's Business Mastercard	Fuel	103.78
City of Geneva	Sup	6,289.55
Farmers Cooperative	Fuel	3,846.56
Fillmore County Hospital	Ser	138.00
Geneva Home Center	Rep	18.99
Geneva Super Foods	Sup	19.07
Grafton Mini-Mart	Fuel	145.31
Grafton Oil, Inc.	Fuel	655.32
Heartland Bank	SS	2,270.26
John Deere Financial	Parts, Sup, Main	257.63
Lichti Oil	Fuel	2,138.01
Medical Enterprises, Inc.	Sup	70.00
Nebraska Public Power District	Uti	481.86
Perennial Public Power District	Uti	184.23
Retirement Plans Division of Ameritas	Ret	2,046.62
Speece Lewis Engineers	Ser	6,766.40
Verizon Wireless	Uti	86.46
Village of Fairmont	Uti	81.20
Payroll	Salaries	30,617.12

## **ECONOMIC DEVELOPMENT - TOURISM FUND:**

Fillmore County Development Corp.	Dues, Ads, Sup	622.00
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## **INHERITANCE TAX FUND:**

RJ Joint Property Ventures, LLC	Rent	700.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Carmichael Business Systems, Inc.	Equip	6,903.00
Nebraska Public Power District	Uti	164.85

## **911 WIRELESS FUND:**

Carmichael Business Systems, Inc.	Equip	10,797.00
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## **ROAD DEPT./COURTHOUSE BUILDING BOND FUND:**

JEO Consulting Group, Inc.	Ser	1,498.00
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## **CLAIMS APPROVED**

Lightwine moved and Cerny 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.

## **DISCUSSION REGARDING SPONSORSHIP FOR NEW ROAD DEPT. EMPLOYEES**

Supervisor Cerny submitted the information from Hastings CCC and after discussion will have the County Attorney review the contract.



# Fillmore County Board Minutes



March 26, 2019

## COMPUTER FOR EXTENSION OFFICE

After discussion, Sluka moved and Noel seconded the motion to approve the Extension Office to purchase a new laptop computer from UNL (included in budget). 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.

## LOT AT THE EAST OFFICE BUILDING

Supervisor Graham informed the Board that the City of Geneva has decided not to place the Community Building on the lot at the East Office Building.

## CHILD ADVOCACY CENTER AGREEMENT AND BUDGET REQUEST

After discussion, Harre moved and Noel seconded the motion to approve agreement with Lincoln/Lancaster County Child Advocacy Center, Inc. beginning July 1, 2019 and ending June 30, 2020 and budget request of \$2,107.00. 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.

## DRIVEWAY PERMITS

Sluka moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Dick Hoarty – extend an existing driveway on the east side of the SE  $\frac{1}{4}$ , Section 14-7-4, Bennett Township;

Keith Lauber – replace existing driveway on the west side of the SW  $\frac{1}{4}$ , Section 1-5-3, Hamilton Township;

SKK Farms – add a new 40 ft. driveway on the south side of the SW  $\frac{1}{4}$ , Section 4-7-3, Geneva Township (approximately 60 feet west of existing driveway); and

Joe Hoarty – remove a temporary driveway and install a new 40 ft. driveway on the west side of the NW  $\frac{1}{4}$ , Section 23-7-4, Bennett Township.

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 PERMITS

After discussion, Noel moved and Lightwine seconded the motion to approve the following occupy county right-of-way permits as presented by the Highway Superintendent:

John Becker – bury an electrical line between the SW  $\frac{1}{4}$ , Section 10 to the SE  $\frac{1}{4}$ , Section 9, Liberty 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.

Black Hills/Nebraska Gas Utility Company, LLC – install a natural gas distribution line from the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 28 to the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 21, Momence 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.



# Fillmore County Board Minutes



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Black Hills/Nebraska Gas Utility Company, LLC – install a natural gas distribution line from the NE  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 33 to the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 28, Momence 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the N  $\frac{1}{2}$ , Section 5, Geneva Township to the SW  $\frac{1}{4}$ , Section 33, West Blue Township (crossing Road G). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NE  $\frac{1}{4}$ , Section 32, West Blue Township to the SE  $\frac{1}{4}$ , Section 29, West Blue Township (crossing Road F). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NW  $\frac{1}{4}$ , Section 16, West Blue Township to the SW  $\frac{1}{4}$ , Section 9, West Blue Township (crossing Road C). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NE  $\frac{1}{4}$ , Section 29, West Blue Township to the SE  $\frac{1}{4}$ , Section 20, West Blue Township (crossing Road E). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the SE  $\frac{1}{4}$ , Section 6, West Blue Township to the NE  $\frac{1}{4}$ , Section 6, West Blue Township (crossing Road B). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NW  $\frac{1}{4}$ , Section 8, West Blue Township to the SE  $\frac{1}{4}$ , Section 8, West Blue Township (crossing Road B). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NW  $\frac{1}{4}$ , Section 8, West Blue Township to the SE  $\frac{1}{4}$ , Section 6, West Blue Township (crossing Road 8 and Road B). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the SE  $\frac{1}{4}$ , Section 6, West Blue Township to the SW  $\frac{1}{4}$ , Section 5, West Blue Township (crossing Road 8). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the NE  $\frac{1}{4}$ , Section 20, West Blue Township to the SE  $\frac{1}{4}$ , Section 17, West Blue Township (crossing Road D). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the S  $\frac{1}{2}$ , Section 17, West Blue Township to the NW  $\frac{1}{4}$ , Section 16, West Blue Township (crossing Road 9). 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.

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the SW  $\frac{1}{4}$ , Section 9, West Blue Township to the SE  $\frac{1}{4}$ , Section 8, West Blue Township (crossing Road 9). 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.





# Fillmore County Board Minutes



March 26, 2019

Black Hills & Gas Distribution, LLC – replace natural gas pipeline between the SW ¼, Section 33, West Blue Township to the NE ¼, Section 32, West Blue Township (crossing Road 9). 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.

## **MOTOR GRADER BID**

After discussion, Graham moved and Lightwine seconded the motion to purchase the Caterpillar 12M3 for \$257,950.00 with the \$15,000.00 parts & service credit. Upon roll call, the vote was as follows:

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

Nays: Harre and Noel

The Chairman declared the motion carried.

## **UPDATE ON NEW SHOP**

Highway Superintendent, Pat Halbur informed the Board that things were moving along at the new shop. They finished pouring the concrete for the interior of the building last week and they are about ready to paint in the office portion. They got the heaters and the lights moved to an acceptable location.

## **REPLACEMENT DRIVEWAY PERMITS**

After discussion, the Board requested that the policy of charging twenty-five (\$25.00) per permit will remain the same.

## **EXECUTIVE SESSION**

Sluka moved and Noel 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 potential litigation as authorized by Statute to be discussed in executive session. 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 and requested that the County Attorney, County Sheriff, and County Clerk remain. Executive session began at 11:01 a.m.

## **RETURN TO REGULAR SESSION**

Sluka moved and Harre seconded the motion to return to open session at 11:08 a.m. 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**



# Fillmore County Board Minutes



March 26, 2019

Agenda items "Culvert Bids & flood damage and possible amending budget" will be discussed at a future meeting. As there was no other business to come before the Board, Harre moved and Graham seconded the motion to adjourn until 9:05 a.m., April 9, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



April 9, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., April 9, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, Cerny, and Lightwine. Cerny absent at 9:20 a.m. 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 11:45 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the March 26, 2019 meeting approved as presented.

## FILLMORE COUNTY DEVELOPMENT CORPORATION UPDATE

Susan Lynch, Fillmore County Development Corp. Director informed the Board that there would be several changes to the way the Development Corporation will function and operate in the future. It will be Board and committee driven with the assistance of an Administrative Assistant and the Director's position would change to a volunteer.

## SEIZED CATTLE

William Burgess, Fillmore County Sheriff informed the Board that the Sheriff's office along with the State Patrol have seized cattle. All invoices pertaining to the cattle will be submitted through the claims process and paid from the inheritance tax fund.

## FEE REPORTS

Graham moved and Harre seconded the motion to approve the March 2019 fee reports as follows:

**County Clerk \$15,033.50** (State \$9,436.27 & \$5,597.23)  
**Clerk of the District Court \$1,152.57**  
**County Sheriff \$1,516.80**

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 PERMITS

Noel moved and Harre seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Jamey Myers – install a new 40 ft. driveway on the north side of the NW ¼, Section 11-5-2, Belle Prairie Township;

Vaden Myers – extend an existing driveway to 40 ft. on the west side of the SW ¼, Section 28-6-2, Chelsea Township;

Helen Albro First Trust – replace existing driveway on the west side of the NW ¼, Section 24-7-3, Geneva Township; and

Jayne Halama – remove an existing and install a new 40 ft. driveway to the west on the north side of the NW ¼, Section 14-5-2, Belle Prairie Township.

Upon roll call, the vote was as follows:

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



# Fillmore County Board Minutes



April 9, 2019

Nays: None

Absent: Cerny

The Chairman declared the motion carried.

## UPDATE ON NEW SHOP

Highway Superintendent, Pat Halbur informed the Board that they have installed the perforated tin as requested by the Board and they are finishing painting and putting up lights in the office area.

## DISCUSSION REGARDING QUOTE FROM DIODE TECHNOLOGIES

After discussion, Sluka moved and Lightwine seconded the motion to approve the quote from Diode Technologies for adding security cameras inside and outside the new shop building and adding four (4) doors to the keyless entry system not to exceed \$17,215.00. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## AGREEMENT WITH STATE OF NEBRASKA FOR SURVEYING A PORTION OF HIGHWAY 74

After discussion, Sluka moved and Graham seconded the motion to approve the agreement with the State of Nebraska for reimbursement up to \$5,000.00 for surveying a portion of Highway 74 east of Highway 81 to Fillmore/Saline County line. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## DISCUSSION REGARDING CLEANING SERVICE FOR NEW ROAD DEPARTMENT OFFICE

Pat Halbur, Highway Superintendent asked to have a cleaning service clean the office area of the new road department building weekly, the Board agreed to start the advertising process.

## 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:

Howard F. Ach	Rent, Post	564.54
Action Auto Supply	Rep	20.86
American Society of Aging	Dues	255.00
Auto Value Parts Stores	Rep	15.57
Bear Graphics, Inc.	Sup	174.48
Bixby Law Office	Ser	437.00
Black Hills Energy	Uti	1,235.22
Leslie Boswell	Mile	39.44
William Burgess	Wksh	100.00
Jerry Chapman	Mile	41.76
City of Geneva	Uti	277.95
Gaylord Craddock	Mile	19.72
Diane Deepe	Ser	140.00
Des Moines Stamp Mfg. Co.	Sup	19.55
Dollar General – Regions 410526	Sup	21.35



# Fillmore County Board Minutes



April 9, 2019

Douglas County Sheriff	Ser, Mile	19.61
Drivers License Guide Company	Sup	29.95
Eakes Office Solutions	Sup, Ser	1,696.98
Ken Ekeler DBA Ken's Testing	Ser	130.00
Exeter Senior Center	USDA Reim	34.30
Fairmont Aging Services	USDA Reim	196.70
Fillmore County Clerk of the District Court	Fees	36.00
Fillmore County Medical Center	Ser	279.59
First Concord Benefits Group, LLC	Ser	50.00
Gary's Brick-House Grille	Misc	1,350.00
Geneva Broadband, LLC	Ser	88.00
Geneva Senior Center	USDA Reim	414.40
Geneva Tire & Auto, Inc.	Rep, Main	608.42
Gropp Law & Medication, LLC	Ser	1,665.34
Heartland Bank	SS	4,874.58
Hometown Leasing	Ser	1,198.43
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,754.52
Lancaster County Sheriff	Ser, Mile	25.32
Lichti Oil	Fuel	45.00
Lauber Funeral Service, Inc.	Ser	1,750.00
Madison National Life Insurance Co.	Insur	177.26
MailFinance	Ser	850.50
Midwest Radar & Equipment	Ser	200.00
MIPS, Inc.	Ser	3,295.62
Nebraska Assoc. of County Ext. Boards	Dues	100.00
Nebraska Law Enforcement Training Center	Misc	10.00
Nebraska Public Power District	Uti	819.79
The Nebraska Signal	Pro, Ads	590.98
Nebraska Weed Control Association	Dues	15.00
Region V Services	Budget request	2,621.00
Retirement Plans Division of Ameritas	Ret	4,767.57
Shell Fleet Plus	Fuel	1,041.85
State of Nebraska AS Central Finance	Ser	448.00
Thayer County Treasurer	Sup	201.81
Unifirst Corp.	Ser	281.59
US Bank CPS	Equip, Post, Sup, Wksh, Main	2,310.22
USDA, APHIS, General	Ser	1,292.05
Reid Velte	Ser	75.00
Gary Warren	Mile	34.80
Weaver Pharmacy	Sup	4.99
WEX Bank	Fuel	759.17
Windstream	Uti	272.45
Woodward's Disposal Service, Inc.	Ser	45.00
York County Sheriff	Ser	14.00
Payroll	Salaries	71,623.46

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Sup	156.80
All Roads Barricade, Inc.	Equip	147.12
Beatrice Concrete Co., Inc.	Sup	2,088.24
Black Hills Energy	Uti	2,717.91
City of Geneva	Uti	68.55
Farmers Cooperative	Fuel	7,124.84
Geneva Broadband	Uti	40.00
Geneva Lumber Center	Misc, Sup	64.56
Geneva Tire & Auto, Inc.	Main	95.57
Geneva Welding & Supply, Inc.	Parts, Sup	59.56
Grafton Oil, Inc.	Fuel	1,111.20





# Fillmore County Board Minutes



April 9, 2019

Heartland Bank	SS	2,272.23
Hometown Leasing	Ser	145.95
Kaiser Auto Supply, LLC	Sup, Parts	271.59
Medical Enterprises, Inc.	Sup	5.00
MIPS, Inc.	Ser	134.73
Rex Mussman	Rock	332.72
Nebraska Dept. of Transportation	Bridge	19,419.42
Nebr Iowa Industrial Fasteners Corp.	Sup	133.78
The Nebraska Signal	Ads	321.75
Nick's Farm Store Co.	Rep	16.50
NMC Exchange, LLC	Parts, Rep, Ser, Main	23,652.72
Overland	Sup	2,500.00
Perennial Public Power District	Uti	136.63
Power Plan	Parts, Rep	6,693.81
Retirement Plans Division of Ameritas	Ret	2,046.62
Swartzendruber Floor Covering, LLC	Equip	6,500.00
Village of Milligan	Uti	22.50
Village of Shickley	Uti	104.16
WEX Bank	Fuel	2,208.37
Payroll	Salaries	30,617.15

## **REGISTER OF DEEDS - PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **INHERITANCE TAX FUND:**

Chicago Lumber Center	Equip	3,505.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Andrews Electric Co., Inc.	Main	37.50
Geneva Broadband, LLC	Uti	64.00
Lichti Oil	Fuel	76.38
Platte Valley Communications of Hastings	Rep, Ser	1,249.90
Windstream	Uti	1,735.37

## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	March taxes	4,553.29
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## **CLAIMS APPROVED**

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

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

Nays: None

The Chairman declared the motion carried.

## **QUARTERLY JAIL INSPECTION**

Several Board members reviewed the jail for their quarterly jail inspection and all was in order.

## **SALARY COMMITTEE 2019/2020**

Chairman Neiman asked for volunteers to be appointed to the 2019/2020 Salary Committee. After discussion, Neiman moved and Lightwine seconded the motion to appoint Harre, Sluka, and Graham to the 2019/2020 Salary Committee. Upon roll call, the vote was as follows:

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

Nays: None



# Fillmore County Board Minutes



April 9, 2019

The Chairman declared the motion carried.

## **QUARTERLY MEETING WITH APPOINTED DEPARTMENT HEADS**

Brenda Motis, Senior Services Director; Todd Boller, Noxious Weed Superintendent; and Jim Dunker, Emergency Manager met with the Board for their quarterly meeting.

## **DISCUSSION REGARDING QUOTE FROM DIODE TECHNOLOGIES**

After discussion, Noel moved and Sluka seconded the motion to approve the quote from Diode Technologies for upgrading the DVR and camera system for the Courthouse not to exceed \$11,755.00. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **DISCUSSION REGARDING SPONSORSHIP FOR NEW ROAD DEPT. EMPLOYEES**

Supervisor Cerny (via conference call) informed the Board that the County Attorney reviewed the contract and that he had spoken to the guidance counselors from Exeter/Milligan, Fillmore Central, Shickley, and Bruning/Davenport schools and will be contacting McCool Junction soon. Students would need to complete an application and if awarded would need to sign a three-year contract with the County for employment.

## **ADJOURN**

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., April 23, 2019. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

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Attest

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Chairman



# Fillmore County Board Minutes



April 23, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., April 23, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Cerny, and Lightwine. Harre was present at 9:10. 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 12:11 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the April 9, 2019 meeting approved as presented.

## 2019 1<sup>st</sup> QUARTER STATEMENT OF ACCOUNTABILITY FROM OFFICES

After review by the Board, Graham moved and Cerny seconded the motion to approve the 2019 1<sup>st</sup> quarter statement of accountability from the County Attorney, County Clerk (Register of Deeds and Section 125 accounts), and Clerk of the District Court. 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERAL FUND:

Howard F. Ach	Post	141.00
Bi-Versal Service, LLC	Ser	175.00
Blue Cross Blue Shield of Nebraska	Insur	63,813.85
Boarders Inn & Suites	Lodging	186.00
William Burgess	Meals	53.24
Clerk of the Supreme Court	Fees	252.00
Eakes Office Solutions	Sup	516.65
Fillmore County Medical Center	Ser	100.94
Fillmore County Treasurer	Transfer	35,000.00
First Concord Benefits Group	Insur, Ser	3,120.21
Geneva Home Center	Sup	260.89
Geneva Parks & Recreation Dept.	Ser	150.00
Geneva Super Foods	Sup	1,205.51
Heartland Bank	SS	4,589.20
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Copies	3,093.16
Kelch Plumbing, Heating & Refrigeration	Ser	235.75
Krazy Horse Construction, LLC	Rep	193.40
Madison National Life Insurance Co.	Insur	20.43
Mid-American Research Chemical	Sup	626.63
MIPS, Inc.	Ser	37.50
Nebraska Public Power District	Uti	815.25
The Nebraska Signal	Subscription	38.00
NeoFunds by NeoPost	Post	700.00
Noel Lawn Care	Ser	202.80
Protex Central, Inc.	Main	420.00



# Fillmore County Board Minutes



April 23, 2019

Retirement Plans Division of Ameritas	Ret	4,554.35
Jennifer Slezak	Lodging	214.32
State of Nebraska DAS Accounting	Ser	65.88
State of Nebraska – Dept. of Labor	Ser	120.00
State of Nebraska Health & Human Service	March patient care	93.00
SupplyWorks	Sup	446.18
US Bank CPS	Sup	351.58
Verizon Wireless	Uti	986.21
Weaver Pharmacy	Sup	15.99
WEX Bank	Fuel	2,971.63
Windstream	Uti	1,038.52
York Heating & Air Conditioning, Inc.	Rep	134.13
Payroll	Salaries	68,222.21

## **ROAD/BRIDGE FUND:**

Casey's Business Mastercard	Fuel	284.26
Farmers Cooperative	Fuel	5,540.73
Geneva Home Center	Rep, Parts, Sup	44.03
Geneva Super Foods	Sup	29.37
Grafton Oil, Inc.	Fuel	1,085.28
Grant Built Logistics, LLC	Rock	5,882.56
Heartland Bank	SS	2,285.86
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Fuel	464.03
Nebraska Public Power District	Uti	352.58
Nichols Construction	Gravel	4,519.35
Retirement Plans Division of Ameritas	Ret	2,046.62
Donna Saltzman	Ser	80.00
Verizon Wireless	Uti	86.28
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	57.53
Village of Grafton	Uti	40.19
Village of Ohioa	Uti	30.00
Payroll	Salaries	30,794.14

## **INHERITANCE TAX FUND:**

RJ Joint Property Ventures, LLC	Rent	700.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	155.73
Windstream	Uti	117.84

## **ROAD BUILDING FUND:**

Cheever Construction Company	Building	98,478.90
JEO Consulting Group, Inc.	Ser	1,498.00

## **CLAIMS APPROVED**

Sluka moved and Lightwine 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.

## **BOND FOR LIBERTY TOWNSHIP**



# Fillmore County Board Minutes



April 23, 2019

Sluka moved and Noel seconded the motion to approve the bond for Justin White, Treasurer for Liberty Township. 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

## REPLAT OF CHANEY SUBDIVISION #1

Zoning Administrator, Jennifer Slezak submitted the Replat of Chaney Subdivision #1 to the Board which is located in the N ½ of the SW ¼, Section 20, Glengary Township.

After discussion, Harre moved and Lightwine seconded the motion to approve the Replat of Chaney Subdivision #1 as submitted, located in N ½ of the SW ¼, Section 20, Township 6 North, Range 1 West described as: a tract of land comprising a portion of Chaney Subdivision #1, as surveyed by Leroy Gerrard, LS #290, in January 2003, and a portion of the N ½ of the SW ¼ of Section 20, Township 6 North, Range 1 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, being more particularly described as follows: beginning at the SW corner of said N ½ of the SW ¼; thence N 01°39'25" W, 518.61 ft. on the west line of said N ½ of the SW ¼; thence N 88°20'32" E, 33.00 ft. to the easterly county road right-of-way; thence S 30°36'47" E, 350.49 ft.; thence S 86°16'34" E, 223.88 ft.; thence S 54°00'15" E, 82.70 ft.; thence S 47°49'11" E, 215.20 ft. to the south line of said N ½ of the SW ¼; thence S 89°06'52" W, 646.33 ft. on said south line to the point of beginning, containing 3.39 acres more or less, which includes 0.39 acres more or less used for county road purposes.

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 PERMITS

Sluka moved and Noel seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Stengel Land & Cattle – extend two existing driveways to 40 ft. on the east side of the NE ¼, Section 2-5-4, Bryant Township;

Blake Baller – install a new 40 ft. driveway on the east side of the SE ¼, Section 11-5-1, Franklin Township;

Lee Hanthorne – extend an existing driveway to 40 ft. on the west side of NW ¼, Section 22-8-4, Grafton Township; and

Cynthia Chapman – install a new 40 ft. driveway on the east side of the NE ¼, Section 27-7-2, Madison Township.

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.

## CLEAN SILT PERMIT

Noel moved and Lightwine seconded the motion to approve the following clean silt permit as presented by the Highway Superintendent:

Lee Hanthorne – clean silt from the road ditch and place back into the field along the north side of the NW ¼, Section 22-8-4, Grafton Township.

Upon roll call, the vote was as follows:





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

Nays: None

The Chairman declared the motion carried.

## UPDATE ON NEW SHOP

Highway Superintendent, Pat Halbur informed the Board that the next progress meeting is May 15<sup>th</sup> and will be starting the punch list at that time.

## ROAD DEPARTMENT OFFICE FURNITURE

Pat Halbur, Highway Superintendent got a quote from All Makes for the reception area in the amount of \$4,665.60.

## SURPLUS

After discussion, Noel moved and Cerny seconded the motion to declare two (2) motor grader tires surplus and give to Grafton Township. 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

Highway Superintendent, Pat Halbur informed the Board that there are still a few roads that are closed and working to get them open in the next couple of weeks. There is still damage to be repaired, but roads are open for traffic. They have started working on getting the cross arms at the Railroad Crossing on Road 12 and Highway 6.

## OFFICE FURNITURE BIDS

Bids were received from All Makes for new desks in the dispatch center for \$8,694.35, County Clerk's office to replace a desk and filing system for \$3,571.95, and Clerk of the District Court for new desks for \$6,544.42.

## EAST AND WEST ENTRANCES OF COURTHOUSE

After discussion and request of Emergency Manager, Graham moved and Harre seconded the motion to close the east and west entrances (would remain an exit) with signage on each side. 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.

## TUCKPOINTING BIDS

The following tuckpointing bids were opened at 10:45 a.m. as advertised:

<b><u>BIDDER:</u></b>	<b><u>AMOUNT:</u></b>
Masonry Construction, Inc., Bellevue, NE	\$204,426.00
Karr Tuckpointing, LLC, Vinton, IA	\$338,168.00

After discussion, the Board would like to review bids and award at the May 14, 2019 meeting.

## COMMUNITY RESPONSE SYSTEMS



# Fillmore County Board Minutes



April 23, 2019

Laura Ray, with Community Response Systems (CRS) presented a demonstration of her emergency response system to the Board, Jennifer Slezak, Bill Burgess, Pat Halbur, Jenna Mall, Richard Ellison, and Peggy Birky.

After discussion, Sluka moved and Harre seconded the motion to approve the purchase of the Community Response Systems for an annual fee of \$1,500.00 and a one-time installation fee of \$75.00. 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.

## **QUARTERLY ELECTED OFFICIALS UPDATES**

County Sheriff, Bill Burgess; County Treasurer, Darcy Nun; Clerk of the District Court, Peggy Birky; and County Clerk, Amy Nelson gave an update to the Board regarding each office over the last quarter.

## **COUNTY BURIAL APPLICATION REVIEW**

The Board reviewed an county burial application.

## **ADJOURN**

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., May 14, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



May 14, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., May 14, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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 posting. 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 2:07 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the April 23, 2019 meeting approved as presented.

## FEE REPORTS

Graham moved and Lightwine seconded the motion to approve the fee reports for April 2019 as presented:

**County Clerk \$19,014.85** (State \$11,343.82 & County \$7,671.03)  
**Clerk of the District Court \$667.66**  
**County Sheriff \$1,232.04**

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.

## INTERLOCAL AGREEMENT FOR COOPERATIVE DEVELOPMENT AND USE OF THE NEBRASKA REGIONAL INTEROPERABILITY NETWORK (NRIN)

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

### RESOLUTION #2019 – 11

**WHEREAS**, The Interlocal Cooperation Act of the State of Nebraska (Neb.Rev.Stat. 13-801 et.seq. and all amendments thereto) enables separate political subdivisions of Nebraska to cooperate on the basis of mutual advantage to provide for joint undertakings, services and facilities.

**WHEREAS**, Fillmore County, Nebraska believes it is in the best interest of its citizens to join with other Nebraska Public Agencies participating in the Nebraska Regional Interoperability Network.

**WHEREAS**, the Nebraska Regional Interoperability Network is established by Public Agencies for the benefit of Nebraska citizens and allows information to be shared among emergency and communications centers on a real time, on demand, basis to help mitigate an emergency that threatens any location.

**THEREFORE, BE IT RESOLVED**, that the Fillmore County Board hereby:

1. Approves the document entitled "Agreement", and
2. Enters into the Agreement for the formation and participation in the Nebraska Regional Interoperability Network for the period May 14, 2019 through December 31, 2025, and
3. The Chairman of the Fillmore County Board is hereby authorized to execute the Agreement on behalf of the Public Agency following passage and approval of this Resolution.

Upon roll call, the vote was as follows:

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

Nays: None



# Fillmore County Board Minutes



May 14, 2019

The Chairman declared the resolution adopted.

## **PROCUREMENT/PURCHASING POLICY**

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

### **RESOLUTION #2019 – 12**

**WHEREAS**, the Board of Supervisors of Fillmore County, Nebraska, pursuant to Nebraska Statute, Is vested with the authority of administering the affairs of Fillmore County, Nebraska; and

**WHEREAS**, it has been determined that a Fillmore County procurement/purchasing policy is needed to ensure safeguards and controls are implemented for all financial transactions;

**WHEREAS**, the Board of Supervisors of Fillmore County, deems it advisable and in the best interest of Fillmore County to accept and operate under the same conditions, stipulations and standards of Nebraska financial statutes;

**WHEREAS**, the acceptance of this practice supersedes all previous approved Fillmore County financial practices;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Fillmore County, Nebraska, that the Fillmore County abides by and follows the financial policies of the State of Nebraska concerning procurement and purchasing.

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.

## **DRIVEWAY PERMITS**

Sluka moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Northern Natural Gas – move an existing driveway to the west on the north side of the NW ¼, Section 23, Glengary Township;

Noel Bros Ag & Becky Elznic – replace existing driveway on the east side of the SE ¼, Section 2, Hamilton Township;

Richard Frazier – extend two existing driveways to 40 ft. on the east side of the SE ¼, Section 16, Fairmont Township;

Mark & Cody Lightwine – install a new 40 ft. driveway on the east side of the NE ¼, Section 31, Madison Township; and

Circle Five Beef, Inc. – replace an existing driveway on the east and on the south of the SW ¼, Section 25, West Blue Township.

Upon roll call, the vote was as follows:

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

Nays: None                      Abstaining: Lightwine and Noel

The Chairman declared the motion carried.

## **NEW COUNTY SHOP UPDATE**

Highway Superintendent, Pat Halbur updated the Board that flooring is being installed this week and that they will be going over the punch list next week. They are waiting for Windstream to install phone lines for the fire system. Pat



# Fillmore County Board Minutes



May 14, 2019

also informed the Board that she would need a water softener for the power washer, she will be getting bids for a refrigerator and blinds.

## BIDS FOR OFFICE CLEANING SERVICES

Pat Halbur, Highway Superintendent, informed the Board that she only received one bid for cleaning the new office building. After discussion, the Board agreed to accept that bid but not enter into a contract at this point.

## DISCUSSION REGARDING UPGRADING A DIRT ROAD FOR A PUBLIC RECREATION AREA

Highway Superintendent, Pat Halbur informed that Board that she was notified that there could be a possible public recreation area on Road 23 between Road M and Highway 41, which is a dirt road. After discussion, the Board said the Road would need to be brought up to County specifications at no expense to the County and then the County would maintain.

## DISCUSSION REGARDING WATER ISSUE IN SECTION 8, BELLE PRAIRIE TOWNSHIP

Supervisor Noel informed the Board that he was made aware of drainage issue in Section 8, Belle Prairie Township. Noel spoke with the County Attorney regarding this issue and after discussion, the Board tabled the issue until the May 28<sup>th</sup> meeting.

## CHILD SUPPORT ENFORCEMENT CONTRACT

Cerny moved and Sluka seconded the motion to approve the Child Support Enforcement Contract with Stephen J. Kraviec, PC, LLO beginning July 1, 2019 and ending June 30<sup>th</sup>, 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.

## 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:

A-1 Body and Glass	Rep	726.00
Howard F. Ach	Rent, Post	557.40
Rachel Adam	Mile	139.20
All Around Lawn & Landscaping	Sup	690.00
Andrews Electric Co., Inc.	Rep	312.50
Arnold Motor Supply/Auto Value Parts Store	Sup	2.59
Barnas Drug, Inc.	Sup	21.64
Bixby Law Office	Ser	285.00
Black Hills Energy	Uti	410.42
Chickasaw County Sheriff's Office	Ser	50.88
City of Geneva	Uti	392.50
Diane Deepe	Ser	120.00
Eakes Office Solutions	Sup	606.02
Exeter Senior Center	4 <sup>th</sup> Qrt. Pass thru	425.00
Fairmont Aging Services	4 <sup>th</sup> Qrt. Pass thru	2,000.00
Fillmore County Clerk of the District Court	Fees	236.00
Fillmore County Court	Fees	1,073.58
Fillmore County Medical Center	Ser	127.47
Fillmore County Treasurer	Transfer	150,000.00
First Concord Benefits Group, LLC	Ser, Insur	4,768.74



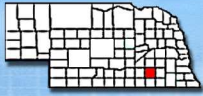


# Fillmore County Board Minutes



May 14, 2019

Anthony Gann	Uni	250.00
Geneva Broadband, LLC	Uti	128.00
Geneva Home Center	Sup	212.61
Geneva Parks & Recreation Dept.	Ser	50.00
Geneva Senior Center	4 <sup>th</sup> Qrt. Pass thru	2,500.00
Geneva Tire and Auto, Inc.	Rep, Main	163.15
Richard Girmus	Mtgs, Mile	21.96
Matt Hafer	Mtgs, Mile	24.28
Matt Harre	Mtgs, Mile	33.56
Heartland Bank	SS	9,571.43
Frances Heinrichs	Mile	41.76
Helena Chemical Company	Sup	7,420.00
Hometown Leasing	Ser	1,198.33
Justice Data Solution, Inc.	Main	2,300.00
Dean Kassik	Mtgs, Mile	32.40
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,736.12
Krueger Land Surveying	Ser	412.50
Lawson Products	Sup	255.86
Madison National Life Insurance Co.	Insur	155.26
MAXIMUS, Inc.	Ser	1,519.30
Midwest Process Services	Ser	18.20
MIPS, Inc.	Ser	3,297.62
Morley Most	Mtgs, Mile	33.56
Brenda Motis	Mile	35.42
National Pen Company, LLC	Sup	101.59
Nebraska Association of County Clerks, Register of Deeds, And Election Commissioners	Wksh	125.00
Nebraska Association of County Officials	Wksh	100.00
Nebraska Association of County Treasurers	Wksh	125.00
Nebraska Clerk of District Court Association	Wksh	100.00
Nebraska County Attorneys Association	Wksh, Dues	1,057.00
Nebraska Law Enforcement Training Center	Wksh	270.00
Nebraska Notary Association	Sup	141.99
Nebraska Public Power District	Uti	1,508.79
The Nebraska Signal	Ads, Proc	505.12
Protex Central, Inc.	Ser	64.98
Ramada Inn	Lodging	152.00
Reinboth Plumbing	Rep	75.00
Reinsch Lawn Services	Ser	349.15
Retirement Plans Division of Ameritas	Ret	9,446.32
Richardson County EM	Insur	59.20
SE District Assessor Association	Wksh	73.50
Saline County Law Enforcement	Boarding prisoner	420.00
Service Press	Sup	415.00
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
Allan Stuckey	Mtgs, Mile	32.40
Sunset Law Enforcement	Sup	608.13
Sutton Electric, Inc.	Rep	52.32
Thayer County Sheriff's Office	Ser	33.08
Thayer County Treasurer	Sup	201.81
Thibault Suhr & Thibault, Inc.	Ser	53.39
34 Electric, LLC	Rep	518.44
Unifirst Corporation	Ser	281.59
University of Nebraska	Equip	2,500.00
University of Nebraska – Lincoln	3 <sup>rd</sup> & 4 <sup>th</sup> Qrt 4-H Aide	5,111.18
US Bank, CPS	Meals, Lodging, Sup, Equip	1,788.71
Verizon Wireless	Uti	1,113.67



# Fillmore County Board Minutes



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Weaver Pharmacy	Sup	102.37
Windstream	Uti	287.17
Woods & Aitken, LLP	Ser	261.00
Woodward's Disposal Service, Inc.	Uti	20.00
Payroll	Salaries	141,382.14

## **ROAD/BRIDGE FUND:**

A-1 Body & Glass	Rep	247.50
Auto Value Parts Stores	Parts, Main	246.82
Beatrice Concrete Co., Inc.	Rock	1,733.54
Black Hills Energy	Uti	680.90
City of Geneva	Uti	80.10
Clay County News	Sup	746.59
Farmers Cooperative	Fuel, Rep	7,518.84
Geneva Broadband, LLC	Uti	40.00
Geneva Building Supply	Sup	13.50
Geneva Home Center	Misc	24.99
Geneva Implement Co., Inc	Parts, Rep	76.77
Geneva Tire & Auto, Inc.	Rep, Tires	9,098.60
Geneva Welding & Supply, Inc.	Rep	38.00
Grafton Mini-Mart	Fuel	101.75
Grafton Oil, Inc.	Fuel	2,346.60
Heartland Bank	SS	4,672.76
Hometown Leasing	Ser	145.95
Kaiser Auto Supply, LLC	Parts, Sup, Fuel	861.78
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel, Parts	9,581.15
Medical Enterprises, Inc.	Sup	75.00
Metal Culverts, Inc.	Culverts	11,754.84
MIPS, Inc.	Ser	134.73
The Nebraska Signal	Ads	272.25
Nichols Construction	Gravel	109,383.39
NMC Exchange, LLC	Parts, Ser, Rep	7,463.42
Perennial Public Power District	Uti	183.85
Power Plan	Parts, Main, Rep	2,971.55
Brandon Reinsch/Reinsch Lawn Care	Ser	458.19
Retirement Plans Division of Ameritas	Ret	4,207.10
Speece Lewis Engineers	Ser	784.60
Verizon Wireless	Uti	86.28
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	21.76
Village of Grafton	Uti	40.23
Village of Shickley	Uti	23.77
Wex Bank	Fuel	4,329.42
Payroll	Salaries	62,921.15

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **INHERITANCE TAX FUND:**

Randy Weaver	Care for cattle	7,128.80
York Animal Clinic	Care for cattle	1,960.99

## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
Nebraska Public Power District	Uti	165.52
Platte Valley Communications of Hastings	Rep	238.29
Windstream	Uti	1,854.08



# Fillmore County Board Minutes



May 14, 2019

## **ROAD BUILDING FUND:**

Cheever Construction Company	Building	236,366.10
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	April taxes	31,244.85
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## **CLAIMS APPROVED**

Noel moved and Lightwine 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.

## **SICK DAY BANK COMMITTEE**

Cerny moved and Sluka seconded the motion to appoint County Board Supervisor, Mark Lightwine; County Assessor, Lynn Mussman; and Highway Superintendent, Pat Halbur to the Sick Day Bank 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.

## **DISCUSSION REGARDING BILL FOR AN INMATE**

After discussion, Noel moved and Sluka seconded the motion to acknowledge that Fillmore County had received the bill from Bryan Health for an inmate and tabled it until further direction from the County Attorney. 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 BUDGET PREPARATION**

After discussion, Cerny moved and Graham seconded the motion to approve Manning & Associates, PC to prepare the budget for Geneva Township. 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 BUDGET PREPARATION**

Noel moved and Harre seconded the motion to approve Manning & Associates, PC to prepare the budget for Bryant Township. 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.

## **HEALTH INSURANCE FOR FISCAL YEAR 2019/2020**



# Fillmore County Board Minutes



May 14, 2019

After discussion, Sluka moved and Lightwine seconded the motion to continue with Blue Cross Blue Shield of Nebraska for fiscal year 2019/2020 with no changes to deductible and buy down. 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.

## **EAST OFFICE BUILDING DISCUSSION**

Supervisor Cerny informed that Board that the Extension Office would like to put a 15 x 30 garden to the north of the building. Cerny also said that during budget they need to look at replacing the tile in the East Office Building bathrooms. The carpet in the hallways will need to be replaced in the near future as well.

## **TREASURER'S AUDIT**

At the request of the County Board, Contryman Associates, PC performed an audit on January 2, 2019 due to the transition of County Treasurer's. The Board received the completed audit with no findings on all eight (8) procedures that were audited.

## **TUCKPOINTING BIDS**

After discussion, Harre moved and Cerny seconded the motion to accept all bids and award to Masonry Construction, Inc. in the amount of \$204,426.00. Upon roll call, the vote was as follows:

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

Nays: Noel and Sluka

The Chairman declared the motion carried.

## **REGION V SYSTEMS ANNUAL REPORT AND BUDGET REQUEST**

CJ Johnson, Regional Administrator of Region V Systems, presented the annual report and the 2019/2020 budget request of \$14,119.00 for mental health and \$2,540.00 for substance use disorder.

## **REGION V SERVICES ANNUAL REPORT AND BUDGET REQUEST**

Dave Merrill, Executive Director of Region V Services, presented the annual report and budget request for fiscal year 2019/2020 of \$10,484.00. Tammy Hinrichs, Area Coordinator, informed the Board of the things they have been doing in the York and Seward locations.

## **CONDITIONAL USE PERMIT HEARING FOR MILLIGAN 1 WIND, LLC (EDF RENEWABLES DEVELOPMENT) FOR NINE (9) UTILITY GRADE WIND ENERGY SYSTEMS**

Public hearing for a conditional use permit for Milligan 1 Wind, LLC (EDF Renewables Development) opened at 1:00 p.m. as advertised at the Geneva Public Library. The following were present for the discussion: Logan Winston, David Lely, and Todd Eagleston with EDF Renewables Development, Eugene Ulmer, Mary L. Uldrich, Sondra L. Backstrom, Scott Vonderfecht, Becky Vonderfecht, Larry Nun, Robert Schropfer, Gorlyn Nun Mel Taylor, David M. Vavra, Susan Kotas, Frances Rohla, Richard Braden, Pat Halbur, Jenna Mall, Bryce Kassik, Kyle Svec, Travis Waldron, Greg Scellin, Bruce Vejraska, Alex Uldrich, Terry B. Backstrom, Ronda Korbelik, Amanda Barney, Scott DeLong, Rod Krupicka, Danny L. Nun, Lynn Mussman, Rex Mussman, Galen Niederklein, and Eric Milton.

After discussion, Noel moved and Cerny seconded the motion to close the public hearing at 2:05 p.m. and table the conditional use permit until further notice. Upon roll call, the vote was as follows:

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

Nays: None



# Fillmore County Board Minutes



May 14, 2019

The Chairman declared the motion carried.

## ADJOURN

As there was no other business to come before the Board, Cerny moved and Noel seconded the motion to adjourn until 9:05 a.m., May 28, 2019. 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.

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Attest

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Chairman





# Fillmore County Board Minutes



May 28, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:19 a.m., May 28, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:11 p.m.

## **MINUTES APPROVED**

Chairman of the Board, Neiman declared the minutes from the May 14, 2019 meeting approved as presented.

## **DISCUSSION REGARDING FAIRVIEW CEMETERY**

Earl Frieden requested that the Fairview Cemetery located in Section 18, Momence Township become an abandoned or neglected pioneer cemetery. The Board informed Earl that pursuant to Nebraska State Statute 12-807 the Board needs a petition of thirty-five (35) adult residents of the county.

## **DRIVEWAY PERMITS**

Sluka moved and Cerny seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Galen Real – replace existing 40 ft. driveway on the north side of the NW ¼, Section 1, West Blue Township; and Perennial Wind, LLC – install a temporary 140 ft. driveway on the west side of the SW ¼, Section 25. West Blue Township.

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.

## **NEW COUNTY SHOP UPDATE**

Highway Superintendent, Pat Halbur updated the Board that on Friday they did a walk through and made a list of items that needs to be fixed or completed. There is a change order for \$325.00 to hook up the power washer. There is also a change order for doors with key fobs as they need different hardware, after discussion the Board will not pay for that as this was discussed before the project started.

## **PAYING FOR DAMAGE TO LIZ ZELENY'S CAR**

Pat Halbur, Highway Superintendent presented a bill from Liz Zeleny for approximately \$350.00 for damage on her car from a gravel road.

After discussion, Noel moved and Harre seconded the motion to deny the claim for repairs to Liz Zeleny's car. 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 WATER ISSUE IN SECTION 8, BELLE PRAIRIE TOWNSHIP**



# Fillmore County Board Minutes



May 28, 2019

After discussion with the County Attorney, Noel moved and Lightwine seconded the motion to direct the County Attorney to send a letter to the landowner that is blocking the natural waterway in Section 8, Belle Prairie Township. Keith Lauber was present for discussion. 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERARL FUND:

Barbur Floral Co.	Sup	56.50
Bear Graphics	Sup	299.28
Blue Cross Blue Shield of Nebraska	Insur	57,637.90
Consolidated Management Company	Meals	123.08
Contryman Associates, PC	Ser	1,700.00
Jill R. Cunningham	Meals	36.44
Exeter Senior Center	USDA Reim	43.40
Fairmont Aging Services	USDA Reim	145.60
Farmer & Son Funeral Home	Ser	528.75
Fillmore County Hospital	Ser	358.58
First Concord Group, Inc.	Insur	4,781.14
Gall's, LLC	Sup	225.96
Geneva Senior Center	USDA Reim	389.90
Geneva Super Foods	Sup	1,034.12
Geneva TV & Appliance, Inc.	Rep	208.50
Heartland Bank	SS	5,162.51
Konica Minolta Business Solutions	Main	387.00
Krueger Land Surveying	Ser	525.00
Light and Siren	Equip	2,416.01
Madison National Life Insurance Co.	Insur	20.43
Naber's Locksmith	Ser	120.00
Nebraska Association of County Officials	Wksh	360.00
Nebraska Fire Sprinkler Corp.	Ser	420.00
NeoFunds by NeoPost	Post	700.00
Noel Lawn Care	Ser	354.00
O'Keefe Elevator Company, Inc.	Main	277.76
Platte Valley Communications of Hastings	Equip, Rep	4,467.25
Retirement Plans Division of Ameritas	Ret	5,053.54
State of Nebraska Health & Human Service	April Patient care	90.00
Sullivan Shoemaker PC, LLO	Ser	708.12
Supplyworks	Sup	394.46
US Bank CPS	Meals, Lodging, Uti, Sup	395.85
Brandy VanDeWalle	Mile, Uti, Meal	102.99
Wex Bank	Fuel	3,653.62
Windstream	Uti	1,038.92
Payroll	Salaries	75,474.14

### ROAD/BRIDGE FUND:

C & M Supply, Inc.	Fuel	1,594.72
Casey's Business Mastercard	Fuel	62.82
Grafton Mini-Mart	Fuel	54.60
Heartland Bank	SS	2,366.54



# Fillmore County Board Minutes



May 28, 2019

Mid-Nebraska Aggregate, Inc.	Gravel	24,531.32
Mussman Excavating	Main	2,087.50
Nebraska Public Power District	Uti	444.92
Perennial Public Power District	Uti	191.67
Retirement Plans Division of Ameritas	Ret	2,130.32
Payroll	Salaries	31,857.15

## **INHERITANCE TAX FUND:**

Diode Technologies	Ser, Equip	22,878.81
GeoComm	Ser, Equip	12,116.52
RJ Joint Property Ventures, LLC	Rent	700.00

## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Emergency Services Communications Association	Wksh	100.00
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## **911 WIRELESS FUND:**

GeoComm	Ser, Equip	9,451.48
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## **911 WIRELESS HOLDING FUND:**

GeoComm	Ser, Equip	9,500.00
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## **ROAD BUILDING FUND:**

JEO Consulting Group, Inc.	Ser	1,498.00
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## **CLAIMS APPROVED**

Cerny moved and Graham 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.

## **SLUKA SUBDIVISION**

Zoning Administrator, Jennifer Slezak submitted the Sluka Subdivision to the Board which is located in the SW ¼, Section 18, Glengary Township.

After discussion, Harre moved and Lightwine seconded the motion to approve the Sluka Subdivision as submitted, located in southwest quarter of Section 18, Township 6 North, Range 1 West of the 6<sup>th</sup> PM, Fillmore County, Nebraska, being described as follows: commencing at the southeast corner of the southwest quarter of said Section 18; thence S87°23'23"W (assumed bearing) on the south line said southwest quarter a distance of 282.00 feet to the point of beginning; thence continuing S87°23'23"W on said south line a distance of 485.90 feet; thence N 23°36'37"W perpendicular to said south line a distance of 162.49 feet to the beginning of a curve concave to the northwest with a radius of 1305.00 feet; thence northeasterly on said curve, the chord of which bears N52°27'54"E and 379.95 feet, an arc distance of 381.30 feet, thence N87°23'23"E parallel with said south line a distance of 174.39 feet, thence S02°36'37"E perpendicular to said south line a distance of 380.00 feet to the point of beginning containing 3.38 acres, more or less, including 0.37 acres, more or less, of County Right-of-Way.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict: Sluka

The Chairman declared the motion carried.

## **WITHDRAWING PLEDGE SECURITY**



# Fillmore County Board Minutes



May 28, 2019

Cerny moved and Noel seconded the introduction of the following resolution:

## **RESOLUTION 2019 - 13**

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

CUSIP #016249FK5 in the amount of \$335,000.00  
CUSIP #022438BC8 in the amount of \$300,000.00  
CUSIP #574837XF2 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

## **ADDING AND WITHDRAWING PLEDGE SECURITIES**

Noel moved and Lightwine seconded the introduction of the following resolution:

## **RESOLUTION 2019 - 14**

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to add the following securities held by Midwest Independent Bank to-wit:

CUSIP #486890Z41 in the amount of \$240,000.00  
CUSIP #986365FL3 in the amount of \$150,000.00

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to withdraw the following security held by Midwest Independent Bank to-wit:

CUSIP #287867DP7 in the amount of \$200,000.00

Upon roll call, the vote was as follows:

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

The Chairman declared the resolution adopted.

## **EXTENSION OFFICE UPDATE**

Brandy VanDeWalle, Extension Educator updated the Board on the activities they have been doing as well as some that are coming up. Brandy also introduced Haylee Sheffield as the new summer intern.

## **PROBATION UPDATE**

Jeremy Behrends, Chief Probation Officer gave an update to the Board and presented a map of the different districts across Nebraska.

## **BLUE VALLEY COMMUNITY ACTION**

Shari Wurtz-Miller gave an annual report for Blue Valley Community Action and budget request of \$4,413.00 for fiscal year 2019/2020. Alice Herman informed the Board of the emergency services that she offers here in Fillmore County.



# Fillmore County Board Minutes



May 28, 2019

## HEARING FOR CONDITIONAL USE PERMIT FOR SCOTT & JANA SCHELKOPF

Opened the public hearing for a conditional use permit for Scott & Jana Schelkopf to operate a dog boarding establishment in the NW ¼, Section 3, Hamilton Township.

Scott informed the Board that he has gotten a lot of information from the State on the regulations, but hasn't completed anything until he is granted the conditional use permit.

Jennifer Slezak, Planning & Zoning Administrator presented the recommendation from the Planning Commission to the Board.

After discussion, Sluka moved and Graham seconded the motion to close the public hearing at 11:18 a.m. 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.

## CONDITIONAL USE PERMIT

Graham moved and Sluka seconded the motion to approve the conditional use permit for Scott & Jana Schelkopf located in the NW ¼, Section 3, Hamilton Township. 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.

## CONFERENCE CALL WITH A WIND SPECIALIST ATTORNEY

The Board, County Attorney, and Planning and Zoning Administrator had a conference call with John Snow a wind specialist attorney. After discussion, the Board requested that the County Attorney contract with Mr. Snow to assist with questions and concerns regarding wind farm applications.

## ADJOURN

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., June 11, 2019. 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.

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Attest

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Chairman





# Fillmore County Board Minutes



June 11, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:12 a.m., June 11, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:02 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the May 28, 2019 meeting approved as presented.

## FEE REPORTS

Sluka moved and Harre seconded the motion to approve the Fee Reports for May 2019 as follows:

**County Clerk \$12,505.09** (State \$6,909.20 & County \$5,595.89)  
**Clerk of the District Court \$1,314.42**  
**County Sheriff \$1,740.99**

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.

## HOPE CRISIS CENTER

Carmen Hinman, Executive Director of Hope Crisis Center, Mandy VanLaningham and Natalie Julin-McCleary gave an annual report and budget request of \$6,772.00 for fiscal year 2019/2020, further discussion will take place during the budget process.

## DISCUSSION REGARDING WATER ISSUE IN SECTION 8, BELLE PRAIRIE TOWNSHIP

Stuart Luttich informed the Board that he would be willing to work with the adjacent landowner regarding the water issue in Section 8, Belle Prairie Township. After discussion, the Board will discuss with County Attorney and have her contact both landowners.

## DRIVEWAY PERMITS

Noel moved and Lightwine seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

CEL Trust by Brad A. Lauber – replace and extend two driveways to 40 ft. on the south side of the SW  $\frac{1}{4}$ , Section 22, Geneva Township;

Jerry Boeck – install a new 40 ft. driveway on the west side of the NW  $\frac{1}{4}$ , Section 10, Exeter Township; and

Joan Sloan – replace two existing driveways on the west side of the NW  $\frac{1}{4}$ , Section 20, Madison Township.

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.

## CLEAN SILT PERMITS



# Fillmore County Board Minutes



June 11, 2019

Sluka moved and Graham seconded the motion to approve the following clean silt permits as presented by the Highway Superintendent:

CEL Trust – clean silt from the ditch and use for driveway on the south side of the SW ¼, Section 22, Geneva Township; and

Jerry Boeck – remove old driveway and use for new driveway on the west side of the NW ¼, Section 10, Exeter Township.

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 PERMITS

After discussion, Sluka moved and Graham seconded the motion to approve the following occupy county right-of-way permits as presented by the Highway Superintendent:

Windstream Nebraska, LLC – bury telecommunications line between the NW ¼, Section 12 to the NE ¼, Section 11, Belle Prairie 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.

Black Hills Gas Distribution, LLC – bury a natural gas pipeline between the S ½ of the NE ¼, and the E ½ of the NE ¼, Section 28, Momence 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.

Black Hills/Nebraska Gas Utility Company, LLC – bury a natural gas distribution line between the NE ¼ of the NE ¼ of Section 28 and the SE ¼ of the SE ¼, Section 21, Momence 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.

Black Hills/Nebraska Gas Utility Company, LLC – bury a natural gas distribution line between the NE ¼ of the NE ¼, Section 33 and the SE ¼ of the SE ¼, Section 28, Momence 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.

## NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur updated the Board that they are still waiting for the punch list items to be completed. Pat is working with JEO and Diode Communications on the doors that are needing new hardware to have key fobs on them. After discussion, all road department employees will have a key fob to enter the building.

## DISCUSSION REGARDING BRIDGE ON ROAD 16 BETWEEN ROAD V AND ROAD W

Pat Halbur, Highway Superintendent informed the Board that the bridge on Road 16 between Road V and Road W will need to be replaced or that the north half of the mile will need to be closed. After discussion, the Board requested that Pat talk to the engineers to determine culvert size and get estimated cost of fixing this bridge.

### KYLE & LACY KIMBROUGH 2<sup>ND</sup> SUBDIVISION

Zoning Administrator, Jennifer Slezak submitted the Kyle & Lacy Kimbrough 2<sup>nd</sup> Subdivision to the Board which is located in the S ½ of the NE ¼, Section 26, Stanton Township.



# Fillmore County Board Minutes



June 11, 2019

After discussion, Noel moved and Sluka seconded the motion to approve the Kyle & Lacy Kimbrough 2<sup>nd</sup> Subdivision as submitted, a tract of land comprising a part of the south half of the northeast quarter (S ½, NE ¼), Section twenty-six (26), Township six (6) North, Range three (3) West of the 6<sup>th</sup> PM, Fillmore County, Nebraska. More particularly described as follows: beginning at the northeast corner of said S ½, NE ¼; thence S89°43'37"W on and upon the north line of said S ½, NE ¼ a distance of 696.00 feet to a point; thence S00°11'34"W and parallel with the east line of said S ½, NE ¼ a distance of 435.00 feet to a point; thence N89°43'37"E and parallel with the north line of said S ½, NE ¼ a distance of 153.00 feet to a point; thence S00°11'34"W and parallel with the east line of said S ½, NE ¼ a distance of 427.76 feet to a point; thence N89°43'37"E and parallel with the north line of said S ½, NE ¼ a distance of 543.00 feet to a point on the east line of said S ½, NE ¼; thence N00°11'34"E on and upon the east line of said S ½, NE ¼ a distance of 862.76 feet to the point of beginning. Said tract contains 12.282 acres more or less of which 0.654 acres are occupied by County Road 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.

## ANNUAL REPORT AND BUDGET REQUEST FROM USDA WILDLIFE SERVICES

Jared Fullerton, Wildlife Specialist with USDA/APHIS Wildlife Services presented the annual report and budget request of \$9,184.10 for fiscal year 2019/2020. Jared Fullerton spent approx. 135 hours in Fillmore County this past year.

## CONTRACT FOR USDA WILDLIFE SERVICES

After discussion, Cerny moved and Noel seconded the motion to approve the USDA Wildlife Services beginning July 1, 2019 and ending June 30, 2020 in the amount of \$9,184.10. 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERARL FUND:

A-1 Body & Glass	Rep	67.50
Ace Agricultural	Rep, Sup	161.24
Howard F. Ach	Rent	550.00
AlertSense, Inc.	Main	3,700.00
Peggy Birky	Meals, Parking	39.99
Black Hills Energy	Uti	234.20
Blue Valley Community Action Partnership	budget request	5,000.00
Carrier Corporation	Main	3,050.00
Chaney Chemical	Sup	11,152.50
City of Geneva	Uti	534.45
Consolidated Management Co.	Meals, Lodging	503.67
Jill R. Cunningham	Ser	1,741.05
Diane Deepe	Ser	160.00
Dollar General – Regions 410526	Sup	55.80
Eakes Office Solutions	Sup, Copies	1,522.20
Embassy Suites Lincoln	Lodging	238.00
Erdkamp Motors	Rep, Main	197.10



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Exeter Senior Center	USDA Reim	44.10
Fairmont Aging Services	USDA Reim	150.50
Fillmore County Clerk of the District Court	Fees	138.00
Fillmore County Development Corp.	budget request	10,000.00
Fillmore County Sheriff	Fees	300.15
Fillmore County Treasurer	Transfers, Interest	295,245.25
First Concord Benefits Group, LLC	Ser	339.00
Galls, LLC	Sup	65.94
Geneva Broadband, LLC	Uti	88.00
Geneva Home Center	Sup, Rep	439.92
Geneva Senior Center	USDA Reim	464.80
Geneva Super Foods	Sup	569.65
Geneva Tire & Auto, Inc.	Rep, Main	405.25
Geneva Welding & Supply, Inc.	Equip	3,000.00
Heartland Bank	Ser	4,844.10
Frances Heinrichs	Mile	41.76
Deborah Hoarty	Mile	73.08
Hometown Leasing	Ser	1,198.53
Taylor Kahlandt	Mile	111.36
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,023.13
Pat Kamler	Mile, Mtgs	48.72
Miranda Kempf	Mile, Mtgs	32.48
Jerry Knoche	Mile	29.00
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,728.97
LaQuinta by Wyndham Kearney	Lodging	299.85
Loup Valley Lighting, Inc.	Sup	254.88
Madison National Life Insurance Co.	Insur	167.86
Midwest Process Service	Ser	20.44
MIPS, Inc.	Ser	3,297.62
Kim Mussman	Mile, Mtgs	27.84
Nebraska Notary Association	Misc	100.00
Nebraska Public Power District	Uti	705.97
The Nebraska Signal	Pro, Ads	662.55
Nebraska Weed Control Association	Sup	100.00
NeoFunds by NeoPost	Post	700.00
Postmaster	Sup, rent	1,643.00
Protex Central, Inc.	Ser, Rep	258.36
Brandon Reinsch	Ser	394.46
Retirement Plans Division of Ameritas	Ret	4,597.10
Service Press	Sup	144.50
Paul Sheffield	Mile, Mtgs	55.68
State of Nebraska AS Central Finance	Ser	448.00
Thayer County Treasurer	Sup	201.81
Unifirst Corp.	Ser	354.01
University of Nebraska – Lincoln	Wksh	100.00
UNL – Printing & Copying Services	Sup	147.97
US Bank CPS	Post, Sup	347.86
Van Diest Supply Company	Sup	2,026.80
Richard Walter	Mile	87.00
Windstream	Uti	272.19
Woods & Aitken, LLP	Ser	1,788.72
Woodward's Disposal Service, Inc.	Ser	20.00
York County Sheriff	Ser, Mile	18.50
York County Treasurer	VSO Ser	10,000.00
Payroll	Salaries	69,444.37

## ROAD/BRIDGE FUND:

Action Auto Supply	Parts	80.71
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# Fillmore County Board Minutes



June 11, 2019

Auto Value Parts Stores	Parts, Equip	589.15
Black Hills Energy	Uti	576.16
Cheever Construction Company	Building	226,233.00
City of Geneva	Uti	72.40
Eakes Office Solutions	copies	160.29
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Parts, Sup	82.84
Geneva Implement Co., Inc.	Parts	44.52
Geneva Lumber Center	Parts, Sup	59.12
Geneva Super Foods	Sup	12.88
Geneva Tire and Auto, Inc.	Rep, Tires	6,066.20
Geneva Welding & Supply, Inc.	Parts, Sup	646.31
Grafton Oil	Fuel	2,175.63
Heartland Bank	SS	2,376.85
Hometown Leasing	Ser	145.19
Kaiser Auto Supply, LLC	Parts, Sup	196.61
Ryan Kness	Misc	165.00
Lichti Oil	Fuel, Parts	1,915.53
McInay & Company	Building	1,344.00
MIPS, Inc.	Ser	134.73
Nebraska Iowa Industrial Fasteners Corp	Sup	747.92
Nebraska Public Power District	Uti	280.18
The Nebraska Signal	Ads	412.50
Newman Traffic Signs	Sup, Building	4,930.39
NMC Exchange, LLC	Parts, Ser	11,974.32
Perennial Public Power District	Uti	50.69
Postmaster	Post	150.00
Power Plan	Parts	31,994.37
Brandon Reinsch/DBA Reinsch Lawn Ser.	Ser	822.19
Retirement Plans Division of Ameritas	Ret	2,127.91
Swartzendruber Floor Covering, LLC	Flooring	6,975.60
US Bank CPS	Post, Sup	324.86
US Postal Service – Stamp Fulfillment	Post, Sup	332.00
Village of Grafton	Uti	40.00
Village of Shickley	Uti	23.87
WEX Bank	Fuel	2,023.41
Windstream	Uti	156.67
Payroll	Salaries	32,007.97

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	137.06
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## **INHERITANCE TAX FUND:**

NMC, Inc.	Equip	257,950.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
Platte Valley Communications of Hastings	Rep	412.25
Windstream	Uti	1,853.21

## **AG SOCIETY BOND FUND:**

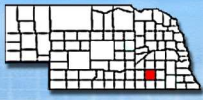
Chase NYC Bank	Principal & Interest	66,945.75
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## **Hospital Operating Fund:**

Fillmore County Hospital	May taxes	9900.87
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**CLAIMS APPROVED**





# Fillmore County Board Minutes



June 11, 2019

Lightwine moved and Cerny seconded the motion to approve the claims as presented, but withhold the claim to Cheever Construction Company for \$226,233.00 due to the punch list and other items that are not completed. 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 CASH-IN-LIEU PROGRAM FOR HEALTH INSURANCE**

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

### **RESOLUTION #2019 - 15**

**WHEREAS**, the Supervisors of Fillmore County consent to adoption of Cash-In-Lieu as an option to our group medical insurance available to the elected officials and full time employees of Fillmore County, Nebraska, and

**WHEREAS**, those elected officials and full time employees of Fillmore County, Nebraska electing to participate in the Cash-In-Lieu option, after presenting notice of Proof of Coverage and submitting a signed Affidavit of Other Coverage to the Supervisors of Fillmore County, Nebraska be eligible for said cash-in-lieu benefits in the amount of \$460.00 monthly, beginning July 1, 2019.

**THEREFORE, IT IS RESOLVED BY THE FILLMORE COUNTY BOARD OF SUPERVISORS** that the Cash-In-Lieu Option offered by First Concord Benefits Group be offered to those elected officials and full time Fillmore County employees wishing to participate according to the above requirements. Said Cash-In-Lieu payment shall be addressed as monthly income and all withholding requirements will be administered accordingly.

Upon roll call, the vote was as follows:

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

Nays: Harre and Sluka

The Chairman declared the resolution adopted.

## **NIRMA INSURANCE FOR 2019/2020**

After discussion, Noel moved and Sluka seconded the motion to approve the NIRMA Insurance for fiscal year 2019/2020 with the same deductibles as previous year. 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.

## **ENGAGEMENT LETTER WITH HACKSTAFF AND SNOW LAW OFFICE**

After discussion with the County Attorney, Lightwine moved and Graham seconded the motion to approve the engagement letter and fee agreement with Hackstaff and Snow Attorneys at Law. 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**



# Fillmore County Board Minutes



June 11, 2019

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., June 25, 2019. Upon roll call, the vote was as follows:

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

Nays: None

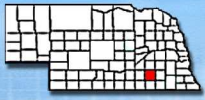
The Chairman declared the motion carried.

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Attest

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Chairman



# Fillmore County Board Minutes



June 25, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:09 a.m., June 25, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 3:21 p.m.

## **MINUTES APPROVED**

Chairman of the Board, Neiman declared the minutes from the June 11, 2019 meeting approved as presented.

### **PUBLIC HEARING FOR ABANDONED OR NEGLECTED PIONEER CEMETERY**

Opened public hearing at 9:15 a.m. as advertised. Board received a petition containing forty-two names requesting that the Fairview Cemetery located in Section 18, Momence Township be declared an abandoned or neglected pioneer cemetery.

After discussion. Sluka moved and Graham seconded the motion to close the hearing at 9:23 a.m. 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.

### **DECLARE FAIRVIEW CEMETERY ABANDONED OR NEGLECTED PIONEER CEMETERY**

Noel moved and Sluka seconded the motion to declare Fairview Cemetery located in Section 18, Momence Township as an abandoned or neglected pioneer cemetery pursuant to Nebraska State Statute 12-807 and will be taking bids at a later date to clean up the cemetery and to mow according to State Statute. 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**

Craig Nelson, Brett Lahndorf, and Andy Riales with Black Hill Energy were present to request permission to put their natural gas pipeline on the edge of the road instead of in the middle of the ditch.

After discussion, Sluka moved and Noel seconded the motion to amend the following occupy county right-of-way permit approved at the June 11, 2019 meeting to allow the request from Black Hills Energy to install the natural gas pipeline in the edge of the road:

Black Hills Gas Distribution, LLC – bury a natural gas pipeline between the S ½ of the NE ¼, and the N ½ of the NE ¼, Section 28, Momence 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.



# Fillmore County Board Minutes



June 25, 2019

## **DRIVEWAY PERMIT**

Noel moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Jerry Boeck – extend existing driveway to 60 ft. on the west side of the NW ¼, Section 10, Exeter Township

Upon roll call, the vote was as follows:

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

Nays: None Abstaining: Harre

The Chairman declared the motion carried.

## **DRIVEWAY PERMIT**

Lightwine moved and Graham seconded the motion to approve the following driveway permit as presented by the Highway Superintendent:

Ted Marek – extend an existing driveway to 40 ft. on the east side of the NW ¼, Section 9, Liberty Township.

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 ITEMS**

After discussion, Sluka moved and Lightwine seconded the motion to declare several desks, filing cabinets, chairs, and a vacuum surplus and to be sold at an auction at a later date. One desk and the vacuum are not sellable so will be discarded. 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 BRIDGE ON ROAD 16 BETWEEN ROAD V AND ROAD W**

Pat Halbur, Highway Superintendent informed the Board that the bridge on Road 16 between Road V and Road W will need to be replaced, culverts installed, or that the north half of the mile will need to be closed. After discussion, the Board requested that Pat get an estimated cost of fixing the bridge or replacing with culverts.

## **NEW COUNTY SHOP UPDATE**

Highway Superintendent, Pat Halbur updated that Board that they are moved but still waiting for some items to be fixed from the punch list.

## **COURT APPOINTED SPECIAL ADVOCATES ANNUAL REPORT AND BUDGET REQUEST**

Frank Heinisch and Deb Mohlman were present for the Court Appointed Special Advocates (CASA) annual report and budget request of \$12,980.66 for fiscal year 2019/2020.

## **AGING PARTNERS ANNUAL REPORT AND BUDGET REQUEST**



# Fillmore County Board Minutes



June 25, 2019

Randy Jones, Executive Director of Aging Partners and Brenda Motis gave an annual report and budget request of \$18,747.00 for fiscal year 2019/2020.

Kay Wenzel, Program Manager and Denise Boyd, Nutritionist with Aging Partners, Rhonda Stokebrand, Linda Heinisch, State Advisory Board President were present for the discussion and Barb Trapp gave a personal example of assistance to the Board.

## SERVICE CONTRACT WITH AGING PARTNERS FOR CARE MANAGEMENT

Brenda Motis, Director and Rhonda Stokebrand, Care Management Coordinator presented to the Board the hours they have spent on care management for fiscal year 2018/2019.

After discussion, Harre moved and Sluka seconded the motion to approve and sign the Service Contract with the City of Lincoln / Aging Partners Care Management Unit for \$23,625.00, these funds are reimbursement for care management hours for fiscal year 2019/2020. 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, 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	3,767.50	
Barbur Floral Co.	Sup	110.50	
Bear Graphics	Sup	333.64	
Bob Barker Company, Inc.	Sup	210.12	BTS
Communications	Ser, Rep	243.00	
Carrot-Top Industries, Inc.	Sup	363.01	
Central Nebraska Cremation & Mortuary Ser	Ser	500.00	
Chaney Chemical, Inc.	Sup	511.48	
Consolidated Management Company	Meals	348.21	
Eakes Office Solutions	Sup	19.21	
Farmer & Son Funeral Home	Ser	602.00	
Fillmore County Treasurer	Transfer	400,000.00	
First Concord Group, Inc.	Insur	1,951.12	
Geneva Home Center	Sup	71.23	
Geneva Tire and Auto, Inc.	Rep	31.69	
GWorks	Ser	22,567.58	
Heartland Bank	SS	4,855.71	
Holiday Inn	Lodging	639.70	
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,107.90	
Madison National Life Insurance Co.	Insur	29.51	
Mail Finance	Post	850.50	
Mid-American Research Chemical	Sup	1,062.49	
MIPS, Inc.	Equip	2,597.68	
MRO	Ser	25.30	
Nebraska Association of County Officials	Wksh	125.00	
Nebraska Institute of Forensic Sciences, Inc.	Ser	2,000.00	
Nebraska Public Power District	Uti	1,059.47	
Noel Lawn Care	Ser	202.80	
Page My Cell	Ser	3,000.00	
Precision Signs and Graphics	Sup	125.00	





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June 25, 2019

Protex Central, Inc.	Rep	27.07
Purfoods, LLC	Meals	450.06
Retirement Plans Division of Ameritas	Ret	4,485.00
State of Nebraska DAS State Accounting	Ser	65.88
State of Nebraska Health & Human Serv.	May patient care	93.00
Thayer County Treasurer	Subscription	201.81
34 Electric, LLC	Sup	177.92
US Bank, CPS	Post, Mile	36.10
Verizon Wireless	Uti	1,026.97
WEX Bank	Fuel	2,873.67
Windstream	Uti	1,038.92
Payroll	Salaries	71,267.73

## **ROAD/BRIDGE FUND:**

All Makes	Equip	4,669.90
Axlighting	Equip	2,330.00
B's Enterprises, Inc.	Sup	9,785.00
Beatrice Concrete Co. Inc.	Sup	1,736.60
BNSF Railway Company	Equip	7,480.96
C & M Supply, Inc.	Fuel	1,702.55
Casey's Business Mastercard	Fuel	133.63
Chaney Chemical, Inc.	Sup	543.60
Contech Engineered Solutions, Inc.	Culverts	13,581.60
Farmers Cooperative	Fuel	3,213.01
Geneva Building Supply	Sup	361.91
Geneva Home Center	Sup, Rep, Equip	2,486.77
Grafton Mini-Mart	Fuel	116.52
Grant Built Logistics, LLC	Rock	19,687.68
GWorks	Ser	3,443.00
Heartland Bank	SS	2,377.96
Kopchos Sanitation, Inc.	Uti	55.00
Lichti's, Inc.	Equip	1,099.95
Metal Culverts, Inc.	Culverts	4,633.40
Michael Todd & Company, Inc.	Equip	9,438.56
Mid-Nebraska Aggregate, Inc.	Gravel	13,483.21
Nebraska Public Power District	Uti	549.69
Nichols Construction	Gravel	90,453.97
PetroChoice	Rep, Main	3,473.19
RDO Truck Centers	Rep	537.03
Retirement Plans Division of Ameritas	Ret	2,128.19
Speece Lewis Engineers	Ser	598.30
US Bank CPS	Sup	22.01
Van Kirk Bros Contracting	Ser, Culvert	12,737.99
Verizon Wireless	Uti	86.30
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	46.62
Wex Bank	Fuel	855.00
Windstream	Uti	170.40
Payroll	Salaries	32,012.29

## **INHERITANCE TAX FUND:**

All Makes	Equip	3,000.00
Diode Technologies	Equip	1,454.50
Fillmore County Treasurer	Transfer	150,000.00

## **911 EMERGENCY MANAGEMENT FUND:**

Fillmore County Treasurer	Reim	5,115.00
Nebraska Public Power District	Uti	186.87
Police Legal Sciences	Wksh	720.00



# Fillmore County Board Minutes



June 25, 2019

## **911 WIRELESS FUND:**

Fillmore County Treasurer

Transfer

16,699.15

## **CLAIMS APPROVED**

Lightwine 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, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

## **NIEDERKLEIN SUBDIVISION**

Planning and Zoning Administrator, Jennifer Slezak submitted the Niederklein Subdivision located in the E ½ of Section 11-5-1, Franklin Township.

After discussion, Sluka moved and Graham seconded the motion to approve the Niederklein Subdivision as presented with the following legal description: a tract of land commencing at the East ¼ corner of Section 11, Township 5 North, Range 1 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, and the point of beginning; thence south 88°39'26" west (a state plane bearing), on the north line of the Southeast ¼, a distance of 157.99 feet; thence south 00°20'11" west, a distance of 118.74 feet; thence south 88°39'26" west, and parallel to the north line of the Southeast ¼, a distance of 451.63 feet; thence north 00°20'11" east, a distance of 218.46 feet, to a point on the north line of the former Fillmore Western Railroad; thence on a curve to the left (chord definition) having a radius of 1859.86 feet, central angle of 19°04'39", a chord bearing of north 77°01'04" east, a chord distance of 616.41 feet, to a point on the east line of the Northeast ¼, thence south 02°06'02" east, on said east line, a distance of 224.05 feet to the point of beginning, and containing a calculated area of 3.241 acres more or less, including 0.165 acres currently utilized as County Road Right-of-Way easement.

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 PLEDGE SECURITIES**

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

### **RESOLUTION 2019 - 16**

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to add the following security held by Midwest Independent Bank to-wit:

CUSIP #4868904N3 in the amount of \$165,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **EMERGENCY PROTECTIVE CUSTODY SERVICES WITH REGION V SYSTEMS**



# Fillmore County Board Minutes



June 25, 2019

After discussion, Sluka moved and Lightwine seconded the motion to approve the contract with Region V Systems for Emergency Protective Custody Services beginning July 1, 2019 and ending June 30, 2020. 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**

Graham moved and Harre seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$3,685.00 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.

## **GENEVA TOWNSHIP CLAIM**

Cerny moved and Noel seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$3,795.00 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.

## **DEFICIT APPROPRIATION**

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

### **RESOLUTION 2019 - 17**

**WHEREAS**, all of the funds in the 2018-2019 budgets 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 2018-2019 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 \$1,000.00 be appropriated to the Jail budget from the unused funds in the Sheriff's budget all within the General Fund Budget for 2018-2019 of said county.

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.

## **SKIP FLU WITH PUBLIC HEALTH SOLUTIONS**

After discussion, Sluka moved and Graham seconded the motion to assist with funding the SKIP Flu vaccine for Fillmore County schools in the amount of \$1,650.00 with Public Health Solutions. Upon roll call, the vote was as follows:



# Fillmore County Board Minutes



June 25, 2019

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

The Chairman declared the motion carried.

## **SOUTHEAST NEBRASKA ADULT DRUG COURT**

Amanda Vanasperen gave an update to the Board and budget request of \$5,878.46 for fiscal year 2019/2020. Currently they have forty-two (42) participants in adult drug court. Each participant must plead guilty to their charge in court, complete an application and have the County Attorney sign off before the drug court team will review the application. The process can take eighteen (18) to twenty-two (22) months to complete all the requirements. If all requirements are met then charges are dropped, if they do not complete the process they will be charged with the felony they plead guilty to. Counties included are Fillmore, Gage, Jefferson, Thayer, and Saline.

After discussion, Cerny moved and Graham seconded the motion to approve and sign the Interlocal Agreement with Southeast Nebraska Adult Drug Court beginning July 1, 2019 and ending June 30, 2020 with Gage, Jefferson, Thayer, and Saline. 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 WITH COUNTY ATTORNEY REGARDING WIND FARMS**

County Attorney, Jill Cunningham; Planning & Zoning Administrator, Jennifer Slezak; Terry & Sondra Backstrom, Rex Mussman, and Robert Schropfer were present for discussion.

The County Attorney requested we have a conference call with Mr. John Snow with Hackstaff and Snow Attorneys. Discussion took place regarding the road agreement, decommissioning agreement, ice sling, shadow flicker, and setbacks.

After discussion, Mr. Snow will put together some guidelines and present them to the Board via a conference call on July 2, 2019 at 9:00 a.m.

## **SALARY COMMITTEE RECOMMENDATION**

Ralph Graham, Kenny Harre, and Wade Sluka members of the Salary committee informed the Board that the Salary committee is recommending a three (3%) percent per department annual salary increase at the discretion of the department head for hourly employees (except seasonal employees) based on merit and performance.

After discussion, Sluka moved and Cerny seconded the motion to approve a three (3%) percent per office current total hourly employee wages at the discretion of the department head for hourly employees (except seasonal employees) based on performance starting on June 30<sup>th</sup>. 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.

## **HIGHWAY SUPERINTENDENT SALARY**

After discussion, Sluka moved and Noel seconded the motion for no increase in the Highway Superintendent's salary for 2019/2020. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



# Fillmore County Board Minutes



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## **SENIOR SERVICES SALARY**

After discussion, Harre moved and Noel seconded the motion to increase the Senior Services Director's salary for 2019/2020 by 3% to \$19.57 an hour. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **EMERGENCY MANAGER SALARY**

After discussion, Harre moved and Sluka seconded the motion to increase the Emergency Manager's salary for 2019/2020 by 3% to \$19.22 an hour. 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.

## **NOXIOUS WEED SUPERINTENDENT SALARY**

After discussion, Harre moved and Graham seconded the motion to increase the Noxious Weed Superintendent's salary for 2019/2020 by 3% to \$20.79 an hour. 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.

## **CUSTODIAN / GROUNDSKEEPER'S SALARY**

After discussion, Graham moved and Noel seconded the motion to Custodian/Groundskeeper salary for 2019/2020 by 3% to \$17.25 and East Office Building Custodian's salary for 2019/2020 by 3% to \$14.42 an hour. 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.

## **PLANNING AND ZONING ADMINISTRATOR / VETERANS ASSISTANT SALARY**

After discussion, Neiman moved and Sluka seconded the motion to increase the Planning and Zoning Administrator/Veterans Service Assistant salary for 2019/2020 by 3% to \$19.01 an hour. Upon roll call, the vote was as follows:

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

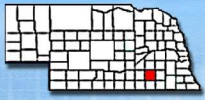
The Chairman declared the motion carried.

## **ADJOURN**

As there was no other business to come before the Board, Lightwine moved and Sluka seconded the motion to adjourn until 9:05 a.m., July 9, 2019. Upon roll call, the vote was as follows:

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





# Fillmore County Board Minutes



June 25, 2019

Nays: None

The Chairman declared the motion carried.

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Attest

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Chairman



# Fillmore County Board Minutes



July 2, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., July 2, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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 posting. 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 10:54 a.m.

## **DISCUSSION WITH COUNTY ATTORNEY REGARDING WIND FARMS**

County Attorney, Jill Cunningham; Planning & Zoning Administrator, Jennifer Slezak; Terry & Sondra Backstrom, Chuck McKay, Ronda Korbelik, Rex Mussman, Nick Mussman, Galen Niederklein, Bernie Anderson, Robert Schropfer, Becky Vonderfect, Jeff Gaertig, Ron Schropfer, Alex Uldrich, Daniel Nadherny, Kimberly Schropfer, and Christine Schropfer were present for discussion.

The County Attorney requested we have a conference call with Mr. John Snow with Hackstaff and Snow Attorneys. Chairman Neiman announced that on June 28, 2019 we received a letter from EDF withdrawing the conditional use permit, action to accept will take place at the July 9, 2019 meeting. Discussion with those in attendance and with Mr. Snow was regarding items/changes that Fillmore County may want to adjust in their current zoning regulations. A meeting with the Fillmore County Board of Supervisors and the Planning Commission will be set for a future date to start those discussions.

## **EXECUTIVE SESSION**

Lightwine moved and Sluka 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 personnel items authorized by Statute to be discussed in executive session. 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 and requested that the Highway Superintendent and County Clerk remain. Executive session began at 9:48 a.m.

## **RETURN TO REGULAR SESSION**

Sluka moved and Harre seconded the motion to return to open session at 10:46 a.m. 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**

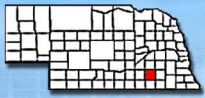
As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:05 a.m., July 9, 2019. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

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# Fillmore County Board Minutes



July 2, 2019

Attest

Chairman



# Fillmore County Board Minutes



July 9, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., July 9, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 11:47 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the June 25, 2019 and July 2, 2019 meetings approved as presented.

## FEE REPORTS

Noel moved and Harre seconded the motion to approve the June 2019 fee reports as presented:

**County Clerk \$4,305.45** (State \$1,156.78 & County \$3,148.67)  
**Clerk of the District Court \$926.40**

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 PERMITS

Sluka moved and Lightwine seconded the motion to approve the following driveway permits as presented by the Assistant Highway Superintendent:

Kent Theobald – extend existing driveway and adding an elbow on the south side of the SE ¼, Section 5, Madison Township; and  
Jack E. Yoder – install a driveway on the north side of the NW ¼, Section 29, Belle Prairie Township.

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 ITEMS

After discussion, Noel moved and Sluka seconded the motion to declare several chairs and a refrigerator as surplus, these items are not sellable and will be discarded. 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.

## NEW COUNTY SHOP UPDATE



# Fillmore County Board Minutes



July 9, 2019

Assistant Highway Superintendent, Doug Motis gave an update that they inspected the roof yesterday and will be changing the flashing and fixing a few other spots. Power washer has been installed and wiring complete. Still waiting for the door locks to be fixed as well as a few door seals.

## ROAD DEPARTMENT UPDATES

They will be pouring the box culvert on Road 8 between Road Q and Road R this week. After last meeting Pat spoke with NIRMA (our insurance carrier) and they advised us not to allow leasing of County right-of-way.

## CHEEVER CONSTRUCTION CHECK

After discussion, Sluka moved and Graham seconded the motion to send the check to Cheever Construction that was held at the June 11<sup>th</sup> meeting with no more payments (retainage) being made until the roof is fixed correctly. 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.

## QUARTERLY JAIL INSPECTION

Board members Lightwine and Sluka reviewed the jail for their quarterly jail inspection one cell door needs adjusting otherwise all was in order.

## 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.

### GENERARL FUND:

Howard F. Ach	Rent	550.00
Black Hills Energy	Uti	69.20
Blue Cross Blue Shield of Nebraska	Insur	59,206.28
Chaney Chemical, Inc.	Sup	1,723.50
Jerry Chapman	Mile	41.76
City of Geneva	Uti	550.25
Gaylord Craddock	Mile	39.44
Diane Deepe	Ser	120.00
Dell Marketing, LP	Sup	111.59
Eakes Office Solutions	Sup, Equip	954.68
Sharon Elznic	Mile, Mtgs	93.72
Exeter Senior Center	USDA	53.20
Fairmont Aging Services	USDA	170.80
Fillmore County Clerk	Ser	16.00
Fillmore County Clerk of the District Court	Ser	36.00
Fillmore County Court	Ser	481.74
Fillmore County Sheriff	Ser	150.00
Fillmore County Treasurer	Transfer	461.22
First Concord Group	Insur	280.50
Geneva Broadband, LLC	Uti	128.00
Geneva Home Center	Sup, Equip	191.46
Geneva Senior Center	USDA	513.80
Geneva Tire & Auto, Inc.	Rep, Main	521.31
Richard Girmus	Mile, Mtgs	43.92
GWorks	Ser	2,486.00
Matt Hafer	Mile, Mtgs	48.56





# Fillmore County Board Minutes



July 9, 2019

Matt Harre	Mile, Mtgs	100.68
Heartland Bank	SS	4,901.21
Heath, Inc.	Rep	50.00
Frances Heinrichs	Mile	20.88
Hometown Leasing	Ser	1,198.33
Kalkwarf & Smith Law Offices, LLC	Ser, Mile	437.00
Dean Kassik	Mile, Mtgs	64.80
Kopchos Sanitation, Inc.	Uti	148.75
Lichti Oil	Fuel	40.00
Madison National Life Insurance Co.	Insur	163.79
MIPS, Inc.	Equip, Ser, Sup	4,102.72
Morley Most	Mile, Mtgs	100.68
Nebraska Law Enforcement Training Center	Wksh	300.00
The Nebraska Signal	Pro, Sup, Ads	800.60
NeoFunds by NeoPost	Post	1,300.00
NIRMA	Insur	60,791.00
Reg Noel	Mile, Mtgs	64.80
Office Depot Business Credit Dept.	Equip	809.98
Precision Signs & Graphics	Equip	395.00
PurFoods, LLC	Meals	519.30
Retirement Plans Division of Ameritas	Ret	4,659.27
State of Nebraska AS Central Finance	Ser	448.00
Allan Stuckey	Mile, Mtgs	64.80
Sullivan Shoemaker PC, LLO	Ser, Mile	773.00
Thayer County Sheriff	Ser	28.44
United States Treasury	Misc	127.40
US Bank CPS	Sup, Post, Mile	206.06
Gary Warren	Mile	34.80
Windstream	Uti	274.63
Woods & Aitken, LLP	Ser	116.00
Woodward's Disposal Service, Inc.	Ser	20.00
Payroll	Salaries	71,854.36

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Sup	96.19
Auto Value Parts Stores	Sup, Main	62.11
B's Enterprises, Inc.	Equip	1,325.00
Blue Valley Door Co., Inc.	Rep	11.94
Black Hills Energy	Uti	77.70
City of Geneva	Uti	28.50
Econo Lodge Inn & Suites	Lodging	178.00
Farmers Cooperative	Fuel	7,829.83
Geneva Broadband, LLC	Uti	40.00
Geneva Implement Co., Inc.	Parts	3.62
Geneva Tire & Auto, Inc.	Rep	109.12
Geneva Welding & Supply, Inc.	Parts, Sup	726.38
Grafton Oil, Inc.	Fuel	2,278.87
Grant Built Logistics, LLC	Rock	2,788.10
Heartland Bank	SS	2,291.95
Hometown Leasing	Ser	118.91
John Deere Financial	Parts, Sup	332.98
K & S Tool Service	Sup	465.97
Kaiser Auto Supply, LLC	Main	34.14
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel, Parts	7,799.78
Midwest Service & Sales	Parts	900.00
MIPS, Inc.	Ser, Equip	431.67
Mussman Excavating	Main	937.50
The Nebraska Signal	Ads	346.50



# Fillmore County Board Minutes



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Nick's Farm Store Co.	Rep	96.07
NIRMA	Insur	62,275.00
Perennial Public Power District	Uti	49.96
Power Plan	Parts	2,944.29
Productivity Plus Account	Parts	443.82
Retirement Plans Division of Ameritas	Ret	2,047.64
US Bank CPS	Post	7.59
Village of Exeter	Uti	20.25
Village of Grafton	Uti	40.13
Village of Milligan	Uti	22.50
Village of Shickley	Uti	23.23
Payroll	Salaries	30,876.80

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	141.20
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## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
US Bank, CPS	Equip	376.00
Windstream	Uti	1,735.61

## **ROAD DEPT./COURTHOUSE BOND FUND:**

Diode Technologies	Equip, Ser	15,730.84
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	June taxes	389.58
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## **CLAIMS APPROVED**

Cerny moved and Lightwine 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.

## **BAILIFF BUDGET REQUEST**

District Judge Johnson, submitted a budget request of \$12,350.72 for fiscal year 2019/2020, further discussion will take place during budget discussions.

## **BRYANT TOWNSHIP PRELIMINARY LEVY ALLOCATION**

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

### **RESOLUTION #BT2019 – 01**

**WHEREAS**, Nebraska Statute 77-3443 (3) requires all political subdivision subject to county levy authority to submit a preliminary request for levy allocation to the County Board; and

**WHEREAS**, the Fillmore County is the levy authority for the Bryant Township;

**NOW, THEREFORE, BE IT RESOLVED** that the following is said Board's request for budget year 2019/2020:  
General Fund \$10,620.00

Upon roll call, the vote was as follows:

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



# Fillmore County Board Minutes



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Nays: None

The Chairman declared the resolution adopted.

## **BRYANT TOWNSHIP MANAGEMENT LETTER WITH MANNING & ASSOCIATES, PC**

Graham moved and Lightwine seconded the motion to approve the management letter with Manning & Associates to prepare the Bryant Township budget for fiscal year 2019/2020. 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 PRELIMINARY LEVY ALLOCATION**

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

### **RESOLUTION #GT2019 – 01**

**WHEREAS**, Nebraska Statute 77-3443 (3) requires all political subdivision subject to county levy authority to submit a preliminary request for levy allocation to the County Board; and

**WHEREAS**, the Fillmore County is the levy authority for the Geneva Township;

**NOW, THEREFORE, BE IT RESOLVED** that the following is said Board's request for budget year 2019/2020:  
General Fund \$15,912.00

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.

## **GENEVA TOWNSHIP MANAGEMENT LETTER WITH MANNING & ASSOCIATES, PC**

Sluka moved and Cerny seconded the motion to approve the management letter with Manning & Associates to prepare the Geneva Township budget for fiscal year 2019/2020. 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 2019/2020**

Cerny moved and Lightwine seconded the motion to appoint the County Clerk as the budget making authority for fiscal year 2019/2020. 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.

## **FILLMORE COUNTY DEVELOPMENT CORPORATION**

Marcus Ruhl, Susan Lynch, Bart Brinkman, Cindy Myers, Kory Kahlandt and Charlie Traeger members of the Fillmore County Development Corp. Board and Kelly Gewecke with the State of Nebraska Economic Development office



# Fillmore County Board Minutes



July 9, 2019

were present for discussion regarding different options moving forward with the Director position. After discussion of each option and questions, the Board will discuss at a future meeting.

## **QUARTERLY MEETING WITH APPOINTED DEPARTMENT HEADS**

Todd Boller, Noxious Weed Superintendent; Jennifer Slezak, Planning & Zoning Administrator; Nick Wollenburg, Veterans Service Officer; and Brenda Motis, Senior Services Director; met with the Board for their quarterly meeting.

## **ADJOURN**

Agenda items "Fairview Cemetery, Masonry Construction, bridge replacement on Road 16, and starting wages" will be discussed at the July 23, 2019 meeting. As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:15 a.m., July 23, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



July 23, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:23 a.m., July 23, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 4:20 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the July 9, 2019 meeting approved as presented.

## FEE REPORT

Harre moved and Graham seconded the motion to approve the June 2019 fee report as presented:

**County Sheriff \$1,906.67**

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.

## 2019 2<sup>nd</sup> QUARTER STATEMENT OF ACCOUNTABILITY FROM OFFICES

After review by the Board, Noel moved and Cerny seconded the motion to approve the 2019 2<sup>nd</sup> quarter statement of accountability from the County Attorney, County Clerk (Register of Deeds and Section 125 accounts), and Clerk of the District Court. 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 PERMITS

Noel moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Scott Eaton – remove a driveway and add a driveway on the north side of the NW ¼, Section 32, Madison Township;

Betty Reinsch – replace an existing driveway on the south side of the SW ¼, Section 10, Momence Township;

Don Hutchens – move an existing driveway on the south side of the SE ¼, Section 17, Chelsea Township;

Olga Sluka – install a new 40 ft. driveway on the south side of the SW ¼, Section 17, Glengary Township; and

Wynne Transport Service, Inc. – replace an existing driveway on the south side of the SE ¼, Section 12, Geneva Township.

Upon roll call, the vote was as follows:

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

Nays: None Abstaining due to conflict of interest: Sluka

The Chairman declared the motion carried.

## CLEAN SILT PERMIT





# Fillmore County Board Minutes



July 23, 2019

Sluka moved and Graham seconded the motion to approve the clean silt permit as presented by the Highway Superintendent:

ABR Farms – clean silt from the ditch along the east side of the SE ¼, Section 5, Geneva Township and place dirt back in field or save for road repairs.

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

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

Shari Lovegrove – bury natural gas line between the SW ¼, Section 4 to the NW ¼, Section 9, Geneva 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.

## NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur informed the Board that new hardware had been installed on the doors and key fobs are working. The roof leak still needs to be fixed and still working on the outside doors.

## FINAL ACCEPTANCE OF PROJECT ON ROAD 9 BETWEEN ROAD L AND ROAD M

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

### RESOLUTION #2019 – 18

**WHEREAS:** Fillmore County and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project;

**WHEREAS:** The project construction has been tentatively accepted and the State, on LPA's behalf, has recommended that the project is ready for final acceptance;

**WHEREAS:** The LPA Program Agreement requires the county to review and formally approve State's recommendation that the project is ready for final acceptance;

**WHEREAS:** County has reviewed the State's recommendation and agrees that the project has been constructed according to the plans; specifications and any change order(s) and that the construction is ready for final acceptance;

**WHEREAS:** County believes that the traffic control and permanent signs on the project are appropriate, have been properly placed and are acceptable to the County.

**BE IT RESOLVED BY THE COUNTY BOARD OF FILLMORE COUNTY THAT:**



# Fillmore County Board Minutes



July 23, 2019

The Chair, Jeff Neiman, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County's final acceptance of the project construction.

The permanent signing and traffic control on the project are appropriate, have been properly placed and are acceptable to County. The County hereby accepts maintenance of the project and agrees to meet all environmental and other commitments related to the project.

NDOR Project Number: BRO-7030(32)  
NDOR Control Number: 42435  
NDOR Project Description: Geneva West

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.

## **DISCUSSION REGARDING BRIDGE REPLACEMENT OR CLOSING ON ROAD 16 BETWEEN ROAD V AND ROAD W**

Pat Halbur, Highway Superintendent informed the Board that Speece Lewis estimates the cost to replace the bridge with twin 60' culverts would be \$61,600.00. She also handed out to the Board a list of about twenty (20) additional bridges/culverts that needs to be replaced this summer.

After discussion, Noel moved and Cerny seconded the motion to start the process to close the north ½ of Road 16 between Road V and Road W and gravel the south ½. Upon roll call, the vote was as follows:

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

The Chairman declared the motion failed.

After further discussion, Graham moved and Lightwine seconded the motion to patch the hole in the north ½ until we have time to replace culverts. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **SIGNS FOR ROAD CLOSURE ON ROAD A BETWEEN ROAD 22 AND ROAD 23**

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

### **RESOLUTION #2019 – 19**

In accordance with the standards set forth in the Manual for Uniform Traffic Control Devices, as from time to time amended, and

**WHEREAS:** it is in the best interest of Fillmore County, Nebraska, to establish and maintain proper consistent highway signing in conformity with said manual,

The Fillmore County Highway Department therefore requests formal approval to place, erect, and maintain traffic control devices on Fillmore County roads at the following locations:

#### **TYPE OF DEVICE**

#### **LOCATION**

Stop Sign

The Stop Sign is located at the intersection



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of Road A & Road 22 controlling East bound traffic.

Double Arrow

The Double Arrow Sign is located at the intersection of Road A and Road 22. It is set on the East of Road 22. Warning the East bound traffic on Road A.

Dead End

The Dead End Sign is located on the East end of Road A between Road 22 and Road 23, controlling West bound traffic.

**NOW THEREFORE BE IT RESOLVED** by the Fillmore County Board of Supervisors directing the Highway Superintendent to install these signs.

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.

## ROAD DEPARTMENT UPDATES

They are ready to pour the box culvert on Road 8 between Road R and Road S this week. Pat informed the Board that the office cleaning would be reduced to \$475.00 per month instead of \$550.00. Pat told the Board that one of the spare motor graders needs some costly repairs and that would leave two (2) spares instead of three (3).

## 2019 FRACTURE CRITICAL BRIDGE INSPECTION

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

### **RESOLUTION #2019 – 20**

**WHEREAS:** the Nebraska Department of Transportation (NDOT) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

**WHEREAS:** Fillmore County as a sub-recipient of Federal-Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid projects;

**WHEREAS:** Fillmore County and the NDOT wish to enter into a Program Agreement to provide for fracture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

**BE IT RESOLVED:** by the Board of Supervisors of Fillmore County the:

Chair of the Fillmore County Board of Supervisors is hereby authorized to sign the attached Project Program Agreement between the Fillmore County and the NDOT.

Fillmore County is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: STP-NBIS (118)

NDOT Control Number: 01003

NDOT Project Name: 2019 Fracture Critical Bridge Inspection

Upon roll call, the vote was as follows:

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

Nays: None



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The Chairman declared the resolution adopted.

## FILLMORE COUNTY DEVELOPMENT CORPORATION

Charlie Traeger and Bart Brinkman, members of the Fillmore County Development Corp. Board, Kelly Heath, City of Geneva, and Richard Walter were present for discussion regarding two (2) different options moving forward with the Director position. After discussion of each option and questions, the Board will discuss at a future meeting.

## TUCKPOINTING PROJECT UPDATE

Greg Dennis with Masonry Construction, Inc. informed the Board that he hired a drone to get a better picture of the tuckpointing that needs to be done. Greg showed several pictures to the Board of places that need to be repaired that are not visible from the ground. After discussion, the Board will get a contract to Greg and any additional work will be submitted as a change order for approval.

## FAIRVIEW CEMETERY

Earl Frieden informed the Board of the work he has done at the Fairview Cemetery. After discussion with the County Attorney since the Board had the public hearing to take over the cemetery, no more work from volunteers should be done.

## 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:

Awards Plus	Sup	104.00
Bi-Versal Services, LLC	Ser	175.00
Combined Public Communications	Sup	140.00
Consolidated Management Company	Meals	141.67
Eakes Office Solutions	Sup	1,048.87
Exeter Senior Center	1 <sup>st</sup> Quarter Reim	425.00
Fairmont Aging Services	1 <sup>st</sup> Quarter Reim	2,000.00
Geneva Broadband, LLC	Main	541.79
Geneva Home Center	Sup	393.71
Geneva Senior Center	1 <sup>st</sup> Quarter Reim	2,500.00
Geneva Super Foods	Sup	577.11
Heartland Bank	SS	5,252.52
Heath, Inc.	Rep	50.00
The Home Depot Pro	Sup	581.30
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Wksh	4,213.86
Kelch Plumbing, Heating & Refrigeration	Main, Rep	400.00
Stephen J. Kraviec	Ser, Post	1,737.32
Madison National Life Insurance Co.	Insur	29.51
MIPS, Inc.	Main	145.85
Nebraska Association of Senior Centers	Wksh	95.00
Nebraska Law Enforcement Training Center	Wksh	100.00
Nebraska Public Power District	Uti	2,582.57
NeoFunds by NeoPost	Post	700.00
Neurological and Spinal Surgery, LLC	Ser	75.00
Noel Lawn Care	Ser, Main	202.80
Region V Services	Budget request	2,621.00
Brandon Reinsch/DBA Reinsch Lawn Serv.	Ser	349.15
Retirement Plans Division of Ameritas	Ret	4,967.85
Rural Apprehension Program	Ser	11,542.00
Saint Louis University	Ser	157.00



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State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Service	June patient care	90.00
Strothkamp Construction, LLC	Rep	3,159.53
34 Electric, LLC	Rep	88.85
Unifirst Corporation	Ser	350.83
USDA, APHIS, General	Ser	2,473.80
Verizon Wireless	Uti	1,030.60
Weaver Pharmacy	Sup	24.22
WEX Bank	Fuel	2,677.74
Windstream	Uti	1,043.35
Woods & Aitken, LLP	Ser	203.00
Payroll	Salaries	76,448.70

## **ROAD/BRIDGE FUND:**

All Roads Barricade, Inc.	Sup	148.16
C & M Supply, Inc.	Fuel	1,410.26
Casey's Business Mastercard	Fuel	75.60
Eakes Office Solutions	Sup	107.21
Farmers Cooperative	Fuel	1,382.60
Geneva Broadband, LLC	Equip	585.01
Geneva Building Supply	Sup, Misc.	101.79
Geneva Home Center	Sup	37.55
Geneva Lumber Center	Sup	11.77
Geneva Super Foods	Sup	19.98
Grafton Oil, Inc.	Fuel	917.61
Grant Built Logistics, LLC	Rock	928.54
Heartland Bank	SS	2,368.80
Mid-Nebraska Aggregate, Inc.	Gravel	4,795.68
Nebraska Public Power District	Uti	506.91
Nichols Construction	Gravel	70,606.36
Perennial Public Power District	Uti	46.03
Quill Corporation	Sup	504.20
Brandon Reinsch DBA Reinsch Lawn Serv.	Ser	458.19
Retirement Plans Division of Ameritas	Ret	2,116.65
Speece Lewis Engineers	Ser	2,879.32
US Bank CPS	Rep, Fuel	807.02
Verizon Wireless	Uti	87.16
Village of Fairmont	Uti	22.07
Village of Ohioa	Uti	30.00
WEX Bank	Fuel	1,118.68
Payroll	Salaries	31,899.22

## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	243.10
Platte Valley Communications of Hastings	Equip, Rep	832.50
Windstream	Uti	117.84

## **ROAD DEPT./COURTHOUSE BOND FUND:**

Union Bank & Trust Company	Principal, Interest	143,220.50
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## **CLAIMS APPROVED**

Cerny moved and Lightwine 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.





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## **CONSENT TO MODIFICATION FOR VERIZON TOWER ON COUNTY PROPERTY**

After discussion, Harre moved and Graham seconded the motion to approve the consent to modification for a new battery for the Verizon tower on county property. 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 PLEDGE SECURITIES**

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

### **RESOLUTION 2019 - 21**

**RESOLVED**, that the Cornerstone Bank of Geneva, Nebraska, be allowed to add the following security held by Wells Fargo Bank to-wit:

CUSIP #698873UB0 in the amount of \$100,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **ADDING PLEDGE SECURITIES**

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

### **RESOLUTION 2019 - 22**

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to add the following security held by Midwest Independent Bank to-wit:

CUSIP #473260DN4 in the amount of \$270,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **BUDGET REVIEWS**

Throughout the day the board reviewed the following budgets with the department heads: Road Department, Highway Bridge Buyback, County Treasurer, County Assessor, Emergency Management, 911 Emergency Management, 911 Wireless Service, 911 Wireless Service Holding, Clerk of the District Court, District Judge, County Court, County Sheriff, Jail, Investigator – RAP, Law Enforcement Grant, Senior Services, Veterans Service, Planning & Zoning, County Office Building East, Board, County Clerk, Register of Deeds, Elections, Data Processing, Employment Security, Insurance, Surveyor, County Medical Relief & Assistance, Institutions, Miscellaneous, Economic Development – Tourism, ROD Preservation & Modernization, Friends of the Courthouse, Inheritance Tax, Road Dept./Courthouse Bond, and Ag Society Building Bond funds.

## **INTERLOCAL AGREEMENT FOR SOUTHEAST REGION PET**



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After discussion, Sluka moved and Cerny seconded the motion to approve the Interlocal Agreement with Cass, Gage, Fillmore, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Saline, Seward, Thayer, and York counties for Southeast Region Planning, Exercise, and Training group. 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, Sluka moved and Graham seconded the motion to adjourn until 9:10 a.m., August 13, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



July 29, 2019

The Fillmore County Board of Supervisors convened in open and public session at 7:00 p.m., July 29, 2019, in the Courthouse Courtroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Harre, and Lightwine. Cerny was absent. 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 8:29 p.m.

## **DISCUSSION WITH PLANNING COMMISSION REGARDING WIND REGULATIONS**

Planning & Zoning Administrator, Jennifer Slezak; Planning Commission members, Matt Harre; Sharon Elznic; Reg Noel; Rich Girmus; Matt Hafer; Morley Most; and Allan Stuckey were present for the discussion.

County Attorney, Jill Cunningham; County Sheriff, William Burgess; Randy Capek; Duane Thomas; Becky Vonderfecht; Rhonda Korbelik; J.D. Korbelik; Scott Vonderfecht; Phil Hardenburger; Alex Uldrich; Gaylene Gaston; Charles McKay; Gary Veprovsky; Mary L. Uldrich; Verlone Yates; Lynn Yates; Rex Mussman; Alan Brunkow; Deb Brunkow; Gorlyn Nun; Roger Schropfer; Barb Whitley; Jeff Whitley; Michael Nadherny; Terry B. Backstrom; Tom Pribyl; Ron Schropfer; Leroy Rohr; Galen Niederklein; Larry Nun; Darrel Hayek; Gerald Stengel; Joe Birky; Nick Mussman; Sandra L. Backstrom; Jeff Gaertig; Christine Schropfer; Robert Schropfer; Sherri Pospisil; Steve Ewalt; James-Michael Knight; Melissa Knight; Amanda Barney; Georgia Schropfer; Laura Weaver; and Tyler Williams were present for the discussion.

Several individuals spoke regarding the changes they would like to see in the current regulations regarding wind farms and commercial grade wind turbines. After discussion, both the Board of Supervisors and the Planning Commission agreed they would appoint three (3) individuals for each board to start the process of getting the regulations changed. Once they have new regulations each Board would have to adopt them. That appointed Board will work with Attorney, John Snow and the County Attorney, Jill Cunningham.

## **ADJOURN**

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., August 13, 2019. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

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Attest

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Chairman



# Fillmore County Board Minutes



August 13, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:03 a.m., August 13, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 2:31 p.m.

## MINUTES APPROVED

After discussion, Sluka moved and Lightwine seconded the motion to change the word "for" to "from" in the following sentence from the July 29, 2019 minutes: "After discussion, both the Board of Supervisors and the Planning Commission agreed they would appoint three (3) individuals from Board to start the process of getting the regulations changed." 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 REPORT

Graham moved and Noel seconded the motion to approve the July 2019 fee report as presented:

**County Clerk \$8,434.51** (State \$4,747.89 & County \$3,686.62)

**Clerk of the District Court \$853.57**

**County Sheriff \$1,530.41**

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 MOWING CONTRACT

The Board met with Brandon Reinsch regarding the mowing contract and requesting that we are on more of a regular schedule than it was earlier this summer.

## BUDGET REVIEWS

Throughout the day the board reviewed the following budgets with the department heads: Noxious Weed, Building and Grounds, and Extension office.

## DRIVEWAY PERMITS

Noel moved and Sluka seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Steven L. Kamler – widen existing driveway to 40 ft. on the south side of the SW ¼, Section 13, Momence Township;

Kyle Kimbrough – install a new 40 ft. driveway on the east side of the NE ¼, Section 26, Stanton Township; and

Jeff & Cindy Moyle – replace culvert in driveway on the south side of the SE ¼, Section 5, Madison Township.

Upon roll call, the vote was as follows:



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

The Chairman declared the motion carried.

## **UPDATE ON BOX CULVERT PROJECTS**

Pat Halbur, Highway Superintendent informed the Board that the box culvert project on Road 8 between Road R and Road S has been poured and waiting for drier weather to finish the dirt work. Project on Road D between Road 17 and Road 18 the floor has been poured.

## **SURPLUS ITEMS**

After discussion, Sluka moved and Cerny seconded the motion to declare the following surplus: 2016 John Deere motor grader (to be sold on Auction Time), fifty-five (55) gallon barrels (to be sold) and the following will be junked office supplies, miscellaneous tools, water pump, and a press. 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.

## **NEW COUNTY SHOP UPDATE**

Highway Superintendent, Pat Halbur informed the Board that there are still several items that need to be fixed or corrected. The roof leak still needs to be fixed and still working on the outside doors.

## **FAIRVIEW CEMETERY**

Highway Superintendent, Pat Halbur informed the Board that they will be putting up a fence around the cemetery.

## **STRANG SHOP**

The Strang shop is empty and can be used for County storage.

## **MINDSHARE SOFTWARE FOR DISPATCH**

After discussion, Noel moved and Graham seconded the motion to approve the purchase of Mindshare paging software for the Dispatch center in the amount of \$41,200.00 plus installation and paid from the Inheritance Tax fund. Brandie Conway, Jim Dunker, and Bill Burgess were present for discussion. 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.

## **ORION DAMAGE ASSESSMENT PROGRAM**

After discussion with Emergency Manager, Sluka moved and Cerny seconded the motion to approve the purchase of Orion damage assessment program for \$1,600.00. 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.

## **CUSTODIAL CART FOR EAST OFFICE BUILDING**





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After discussion, Cerny moved and Harre seconded the motion to purchase a new custodial cart for the East office building. 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERAL FUND:

Howard F. Ach	Rent, Post	550.91
All Makes	Furniture	9,105.85
Black Hills Energy	Uti	63.30
Blue Cross Blue Shield of Nebraska	Insur	58,297.00
Chaney Chemical, Inc.	Sup	304.00
City of Geneva	Uti	657.60
Consolidated Management Company	Meals	281.98
Dollar General – Regions 410526	Sup	47.35
Eakes Office Solutions	Sup	454.45
Exeter Senior Center	UDSA Reim	49.00
Fairmont Aging Servicers	USDA Reim	167.30
Farm & Home Publishers, LTD	Sup	870.00
Fillmore County Hospital	Misc, Ser	85.00
Fillmore County Sheriff	Ser	488.62
First Concord Benefits Group, LLC	Insur	3,848.90
Geneva Broadband, LLC	Uti	88.00
Geneva Building Supply	Rep	38.18
Geneva Home Center	Equip, Rep	781.04
Geneva Senior Center	USDA Reim	513.80
Heartland Bank	Sup, SS	5,081.01
Frances Heinrichs	Mile, Meal	92.11
Hometown Leasing	Ser	1,198.43
Justice Data Solutions, Inc.	Ser	250.00
King's Glass	Rep	2,460.00
Jerry Knoche	Mile	18.56
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,813.21
Lichti Oil	Sup	58.44
Madison National Life Insurance Co.	Insur	158.44
Marshall & Swift / Boeckh, LLC	Sup	649.20
Metalworks & More	Rep	142.04
MIPS, Inc.	Ser, Sup	3,159.30
Nebraska Association of County Clerk, Register of Deeds & Election Comm.	Wksh	100.00
Nebraska Public Power District	Uti	1,234.52
The Nebraska Signal	Pro, Ads	1,342.20
Platte Valley Communications of Hastings	Rep	697.20
Postmaster	Misc	64.00
PurFoods, LLC	Meals	363.51
Retirement Plans Division of Ameritas	Ret	4,808.96
State of Nebraska DAS State Accounting	Ser	65.88
Thayer County Treasurer	Sup	201.81
34 Electric, LLC	Rep	70.23



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Unifirst Corp.	Ser	290.85	
University of Nebraska – Lincoln	Wksh	75.00	US
Bank CPS	Sup, Post	559.00	
Van Diest Supply Company	Sup	412.40	
Verizon Wireless	Uti	1,030.42	
Weaver Pharmacy	Sup	27.92	
Windstream	Uti	277.71	
Woodward's Disposal Service, Inc.	Ser	20.00	
York Heating & Air Conditioning, Inc.	Rep	202.00	
Payroll	Salaries	73,998.00	

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Rep	638.97
All Roads Barricade, Inc.	Sup	147.12
Auto Value Parts Stores	Sup, Equip	1,416.12
Paul Bauer	Ser	729.00
Black Hills Energy	Uti	56.75
The Boulder Company	Sup	283.18
Certified Truck & Trailer, Inc.	Parts, Main	4,298.99
City of Geneva	Uti	82.90
Farmers Cooperative	Fuel	4,452.56
Geneva Broadband, LLC	Uti	40.00
Geneva Building Supply	Misc	30.60
Geneva Home Center	Sup, Misc.	120.32
Geneva Tire and Auto, Inc.	Rep	57.50
Geneva Welding & Supply, Inc.	Sup, Rep	266.18
Grafton Mini-Mart	Fuel	52.50
Grafton Oil, Inc.	Fuel	2,142.70
Grant Built Logistics, LLC	Rock, Sup	10,673.98
Heartland Bank	SS	2,167.24
Hometown Leasing	Misc	139.00
John Deere Financial	Parts	3.66
Kaiser Auto Supply, LLC	Parts, Sup	425.97
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Parts, Fuel	6,165.13
MIPS, Inc.	Ser	134.73
Mussman Excavating	Ser	1,112.50
Nebraska Industrial Fasteners Corp	Parts	188.86
Nebraska Public Power District	Uti	73.28
The Nebraska Signal	Ads	346.50
Newman Traffic Signs	Sup	852.14
Nichols Construction	Gravel	77,907.51
Nick's Farm Store Co.	Rep	2.95
NMC Exchange, LLC	Parts, Ser	8,037.26
Perennial Public Power District	Uti	50.93
Power Plan	Parts, Rep	2,804.20
Reinboth Plumbing, Inc.	Rep	589.98
Retirement Plans Division of Ameritas	Ret	1,936.64
Donna Saltzman	Ser	80.00
Speece Lewis Engineers	Ser	1,050.00
Verizon Wireless	Uti	87.16
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	19.94
Village of Grafton	Uti	40.08
Village of Shickley	Uti	23.11
Windstream	Uti	157.64
Payroll	Salaries	29,232.31

## **REGISTER OF DEEDS PRESERVATION FUND:**



# Fillmore County Board Minutes



MIPS, Inc.

Ser

August 13, 2019  
141.20

## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
Nebraska Public Power District	Uti	302.45
Platte Valley Communications of Hastings	Rep	593.50
Platte Valley Communications of Kearney	Rep, Main	500.00
Windstream	Uti	1,860.81

## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	July taxes	848.73
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## **CLAIMS APPROVED**

Sluka moved and Graham 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.

## **CONTRYMAN ASSOCIATES ENGAGEMENT LETTER FOR 2018/2019 AUDIT**

Graham moved and Sluka seconded the motion to approve and sign the engagement letter with Contryman Associations for 2018/2019 Audit. 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.

## **DRAINAGE ISSUE IN GRAFTON TOWNSHIP**

Joe Kennan presented pictures of a drainage issue within the SE ¼, Section 22, Grafton Township. After discussion with the County Attorney, Jill Cunningham and the Board, the Grafton Township Board and the landowners will need to resolve the issue.

## **COUNTY ATTORNEY REQUESTS STARS PROGRAM**

County Attorney, Jill Cunningham requested an additional \$1,500.00 to be added to the budget for the Stars Program to assist with truancy within Fillmore County. After discussion, the Board will add the requested amount as a line item to the miscellaneous general fund budget.

## **FILLMORE COUNTY DEVELOPMENT CORPORATION**

Marcus Ruhl, Bart Brinkman, and Derek Betka members of the Fillmore County Development Corp. Board, and Kyle Svec, City of Geneva, were present to discuss the Director position. After discussion the Board will discuss further.

## **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, Harre moved and Lightwine seconded the introduction of the following resolution:

## **RESOLUTION #2019 – 23**



# Fillmore County Board Minutes



August 13, 2019

**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;

**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, Johnson, Mueller, Neiman, Noel, Risseeuw, and Sluka

Nays: None

The Chairman declared the resolution adopted.

## SEMI-ANNUAL STATEMENT

Darcy Nun, County Treasurer presented the Semi-Annual Statement to the Board for review.

## STARTING WAGES

After discussion, the Board adjusted some of the starting wages for the County at the discretion of the department head.

## FILLMORE COUNTY DEVELOPMENT

After further discussion, Graham moved and Lightwine seconded the motion to budget \$40,000.00 for Fillmore County Development Corp. and offer an office at the East Office Building for fiscal year 2019/2020. Upon roll call, the vote was as follows:

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

Nays: Harre and Sluka

The Chairman declared the motion carried.

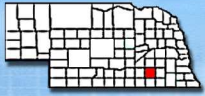
## ADJOURN

As there was no other business to come before the Board, Sluka moved and Graham seconded the motion to adjourn until 9:10 a.m., August 13, 2019. 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.



# Fillmore County Board Minutes



August 13, 2019

Attest

Chairman





# Fillmore County Board Minutes



August 27, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:23 a.m., August 27, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:04 p.m.

## MINUTES APPROVED

After discussion, Harre moved and Sluka seconded the motion to correct the August 13, 2019 minutes as follows: declare surplus a 2006 John Deere 770D instead of a 2016 as printed and the roll call vote on the "Tax Sale Resolution" to Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka. 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.

## FILLMORE COUNTY HOSPITAL BUDGET REQUEST AND UPDATE

Chris Nichols, Chief Executive Officer; and Stephanie Jacobsen, Director of Finance were present to give the Board an update and to discuss the 2019/2020 budget for the Fillmore County Hospital along with their capital improvements budget request.

## DRIVEWAY PERMIT

Harre moved and Sluka seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Edwin Vavra – widen existing driveway top to 40 ft. on the north side of the NW ¼, Section 35, Liberty Township.

Edwin was present for discussion.

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 PERMITS

Noel moved and Lightwine seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Richard Reed – widen an existing driveway to 40 ft. on the west side of the NW ¼, Section 2, Bryant Township;

Bender Family Partnership – widen an existing driveway to 40 ft. on the north side of the NE ¼, Section 31, Grafton Township;

Stella Olinger & Kennedy Living Trust – widen an existing driveway to 40 ft. on the south side of the SE ¼, Section 31, Grafton Township; and

Galen D. Real and Nancy L. Real Trust – replace an existing driveway on the north side of the NW ¼, Section 1, West Blue Township.

Upon roll call, the vote was as follows:

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



# Fillmore County Board Minutes



August 27, 2019

Nays: None

The Chairman declared the motion carried.

## **CLEAN SILT PERMIT**

Sluka moved and Graham seconded the motion to approve the clean silt permit as presented by the Highway Superintendent:

Richard Reed – clean silt from the road ditch along the west side of the NW ¼, Section 2, Bryant Township and use to build a driveway.

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**

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

Windstream Nebraska, LLC – bury telecommunications line along Road 18 between Highway 74 and Road U, in the NW ¼, Section 12, Belle Prairie 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.

## **NEW COUNTY SHOP UPDATE**

Highway Superintendent, Pat Halbur informed the Board that there are still several items that need to be fixed or corrected. The roof leak still needs to be fixed and still working on the outside doors. Delco has not been responding to JEO, Cheever's or to Graham so Board requested that the County Attorney send a certified letter to them.

## **SURPLUS ITEMS**

After discussion, Sluka moved and Graham seconded the motion to declare the 2000 Ford F150 as surplus and to advertise and sell via sealed bid. 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.

## **MORATORIUM TO ALLOW FOR THE STUDY OF EXISTING ZONING REGULATIONS RELATED TO WIND ENERGY TURBINES**

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

### **RESOLUTION #2019 – 28**

**WHEREAS**, the County of Fillmore has a comprehensive development place; and



# Fillmore County Board Minutes



August 27, 2019

**WHEREAS**, the County of Fillmore, Nebraska has zoning regulations in place which are intended to direct the location of specific uses and provide for proper separation of conflicting uses; and

**WHEREAS**, the County of Fillmore has seen an interest in proposed wind energy conversion turbines; and

**WHEREAS**, the County Board of Fillmore County wishes to study the existing zoning regulations related to this use; and

**WHEREAS**, the likelihood of wind farms in Fillmore County is probable, the County Board desires to implement regulations which are appropriate for the county and its residents, and

**WHEREAS**, the Fillmore County Planning Commission should be directed to review the County Comprehensive Planning and Zoning Regulations after meeting with the joint committee to then make specific recommendations for changes to the comprehensive plan and to the County Zoning Regulations dealing with wind energy before granting or recommending a conditional use permit for the construction of wind turbine; and

**WHEREAS**, the County Board finds that the most appropriate way to work on said regulations is without the possibility of new applications coming forward during a time frame which allows consideration of appropriate wind energy conversion regulations.

**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 a three (3) month moratorium on accepting any wind farm applications is hereby invoked and approved.”

**“BE IT FURTHER RESOLVED**, that the Board of Supervisors of Fillmore County, Nebraska, hereby directs that the Fillmore County Planning Commission to review the county comprehensive plan and zoning regulations, to conduct any hearings, if necessary and to make specific recommendations for changes to the comprehensive plan and to the county zoning regulations dealing with wind energy before granting or recommending a conditional use permit for the construction of wind turbines and that such recommendation shall be made with two (2) months of the signing of this Resolution.”

**BE IT FURTHER RESOLVED**, that the said three (3) month moratorium shall become effective as of the date of the approval of this Resolution.”

Upon roll call, the vote was as follows:

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

Nays: Noel

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:

Blue Cross Blue Shield of Nebraska	Insur	58,297.00
Consolidated Management Co.	Meals	449.87
Eakes Office Solutions	Sup	85.19
Erdkamp Motors	Main	88.25
Fillmore County Medical Center	Ser	47.21
Fillmore County Treasurer	Transfer	235,000.00
Geneva Super Foods	Sup	924.66



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August 27, 2019

Geneva Tire and Auto Inc.	Rep, Main	95.90
Geneva TV & Appliance, Inc.	Rep	159.45
Heartland Bank	SS	4,981.98
Heartland Humane Bat Removal, LLC	Ser	100.00
Frances Heinrichs	Mile	41.76
Homestead Local Emergency Planning Com	Dues	57.20
Shane Jarzynka	Wksh	100.00
Justice Data Solutions, Inc.	Ser, Main	19,300.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti	3,033.98
Krueger Land Surveying	Ser	3,412.50
Loup Valley Lighting, Inc.	Sup	305.00
Madison National Life Insurance Co.	Insur	27.24
Mid-American Research Chemical	Sup	1,131.06
Naber's Locksmith Service	Rep	80.00
Nebraska Law Enforcement Training Center	Training	1,076.00
The Nebraska Signal	Sup	38.00
NeoFunds by NeoPost	Post	700.00
Precision Signs and Graphics	Sup	13.25
Region V Systems	Ser	2,996.00
Retirement Plans Division of Ameritas	Ret	4,750.34
State of Nebraska AS Central Finance	Ser	448.00
Rhonda Stokebrand	Mile	23.66
Sullivan Shoemaker, PC, LLO	Ser	76.00
34 Electric, LLC	Rep	88.96
Brandy VanDeWalle	Mile, Uti, Meal	152.97
WE Bank	Fuel	3,215.38
What's Happening	Ads	15.00
Windstream	Uti	1,042.84
Payroll	Salaries	72,910.29

## **ROAD/BRIDGE FUND:**

C & M Supply, Inc.	Fuel	71.92
Casey's Business Mastercard	Fuel	1,958.41
Contech Engineered Solutions, LLC	Sup	6,818.26
Erdkamp Motors	Equip	28,665.00
Farmers Cooperative	Fuel	1,253.50
Fillmore County Treasurer	Misc	15.00
Grafton Mini-Mart	Fuel	64.95
Grafton Oil, Inc.	Fuel	1,062.15
Grant Built Logistics, LLC	Gravel	3,987.18
Heartland Bank	SS	2,235.43
John Deere Financial	Rep	45.77
Lichti Oil	Fuel	5,447.36
Medical Enterprises, Inc.	Sup	75.00
Mid-Nebraska Aggregate, Inc.	Gravel	16,173.12
Nebraska Public Power District	Uti	407.58
Perennial Public Power District	Uti	77.74
Quill Corporation	Sup	41.06
Retirement Plans Division of Ameritas	Ret	1,997.60
Speece Lewis Engineers	Ser	8,402.76
34 Electric, LLC	Rep	756.87
Vogtscapes, Inc.	Culverts	139,044.90
WEX Bank	Fuel	1,422.76
Payroll	Salaries	30,135.52

## **ECONOMIC DEVELOPMENT - TOURISM FUND:**

Renae Kamler	Ser, Mile, Sup	728.74
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**CLAIMS APPROVED**



# Fillmore County Board Minutes



August 27, 2019

Sluka moved and Lightwine 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.

## **FAIRVIEW CEMETERY**

Supervisor Noel informed the Board that the fence will need to go all the way around the cemetery as there are graves to the north.

## **CARRIER QUOTE FOR REPAIRS IN COURTHOUSE**

After discussion, Harre moved and Graham seconded the motion to approve the quote from Carrier to fix individual units in the offices for \$3,025.00. 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.

## **AGING COMMISSION**

Lightwine moved and Graham seconded the motion to appoint Christy Geiger to the Aging Commission beginning September 1, 2019 and ending August 31, 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.

## **PROBATION BUDGET REQUEST FOR 2019/2020**

First Probation District submitted their budget request of \$4,580.16 for fiscal year 2019/2020.

## **2018/2019 INVENTORY**

Graham moved and Lightwine seconded the motion to approve all the 2018/2019 Inventory from all offices as presented by the office holder. 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.

## **COMMUNITY CENTER UPDATE**

Supervisor Graham attended the first meeting regarding the Community Center for Geneva and he gave a brief update to the Board.

## **2019/2020 BUDGET DISCUSSION**

Board reviewed a few line items and decided that the public hearing to adopt the budget would be September 10, 2019 at 11:00 a.m.

## **ADJOURN**





# Fillmore County Board Minutes



August 27, 2019

As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:10 a.m., September 10, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



September 10, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:07 a.m., September 10, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Cerny, and Lightwine. Harre was absent. 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 11:29 a.m.

## EMERGENCY ACTION ITEM

Supervisor Sluka requested that an emergency action item be added to the agenda regarding Glengary Township.

Sluka moved and Neiman seconded the motion to add an emergency action item of Glengary Township road issue to the agenda. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the August 27, 2019 meeting approved as presented.

## FEE REPORTS

Cerny moved and Graham seconded the motion to approve the August 2019 fee reports as presented:

**County Clerk \$5,420.25** (State \$1,858.55 & County \$3,561.70)  
**Clerk of the District Court \$777.47**  
**County Sheriff \$2,176.73**

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## DRIVEWAY PERMITS

Sluka moved and Lightwine seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Harold Rosenau Trust – replace existing driveway on the south side of the SW ¼, Section 16, Stanton Township;  
Village of Shickley – install a new 24 ft. driveway on the east side of the NE ¼, Section 12, Bryant Township;  
Darien Thomsen – install a new 40 ft. driveway on the north side of the NW ¼, Section 23, Fairmont Township.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.



# Fillmore County Board Minutes



September 10, 2019

## CLEAN SILT PERMITS

Noel moved and Cerny seconded the motion to approve the clean silt permits as presented by the Highway Superintendent:

Harold Rosenau Trust – clean silt along the south side of the SW ¼, Section 16, Stanton Township and put the dirt back in the field;

MEVE, LLC – clean silt along the south side of the SE ¼, Section 2, Momence Township and put dirt back in the field.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## UPDATE ON BOX CULVERT PROJECTS

Pat Halbur, Highway Superintendent updated that Board on the two box culvert projects: Road 8 between Road R and Road S needs to be rocked and seeded; and Road D between Road 17 and Road 18 has been poured.

## NEW COUNTY SHOP UPDATE

Highway Superintendent, Pat Halbur informed the Board that there are still several items that need to be fixed or corrected. They discovered that the “Z” channel was not installed properly and it was fixed on a temporary basis. Will be fixed along with other issues on the roof.

## PUBLIC HEARING FOR ONE AND SIX YEAR PLAN

Opened public hearing for One and Six Year plan at 9:45 a.m. as advertised. Board discussed the one and six year plan and will make one change.

After discussion, Sluka moved and Cerny seconded the motion to close the public hearing at 9:54 a.m. and there was no public present for discussion. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## ONE AND SIX YEAR PLAN

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

### RESOLUTION 2019 – 29

**ACCEPTING THE ONE (1) & SIX (6) YEAR HIGHWAY IMPROVEMENT PROGRAM FOR THE COUNTY OF FILLMORE, NEBRASKA.**

**BE IT RESOLVED** by the Chairman and Supervisors of Fillmore County that:

It is hereby found and determined that:

1. The program for distribution of the Highway Allocation Funds provide additional funds to counties for road related maintenance and construction.
2. In order to qualify for said funds the County must, among other things, prepare an annual One (1) and Six (6) Year Program for highway improvements, conduct a local public hearing and submit the results to the Board of Public Roads Classification and Standards.



# Fillmore County Board Minutes



September 10, 2019

3. The County of Fillmore, Nebraska does hereby adopt the 2019 – 2020 One (1) and Six (6) Year Program as proposed by the Fillmore County Highway Superintendent, with the following changes:
  - a. Remove project number C30(420), Fairmont paving project

Upon roll call, the vote was as follows:

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

Nays: Neiman

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.

## GENERARL FUND:

Howard F. Ach	Rent, Post	558.57
Ackland Construction, Inc.	Rep	500.00
Bi-Versal Services, LLC	Ser	175.00
Black Hills Energy	Uti	63.43
Buffalo County Sheriff	Ser	22.03
Carrier Corporation	Ser, Main	3,050.00
Chaney Chemical, Inc.	Sup	253.40
City Clock Co.	Rep	319.00
City of Geneva	Uti	862.30
Consolidated Management Company	Meals	17.48
Diane Deepe	Ser	180.00
Dollar General – Regions 410526	Sup	27.75
Douglas County Clerk of the District Court	Ser	15.25
Eakes Office Solutions	Sup	1,064.97
Larry Eichelberger	Equip	183.25
Exeter Senior Center	USDA funds	44.80
Fairmont Aging Services	USDA funds	162.40
Fillmore County Sheriff	Ser	100.00
Fillmore County Treasurer	Transfer	50,000.00
First Concord Benefits Group, LLC	Insur	3,023.42
Geneva Broadband, LLC	Uti	128.00
Geneva Floral	Ser	32.60
Geneva Home Center	Sup	340.24
Geneva Lumber Center	Rep	14.56
Geneva Senior Center	USDA funds	462.00
Geneva Tire & Auto, Inc.	Main, Rep	931.20
Heartland Bank	SS	5,014.39
Hitz Towing, Inc.	Ser	240.00
Hometown Leasing	Ser	1,198.43
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,794.66
Madison National Life Insurance Co.	Insur	159.21
MIPS, Inc.	Ser	3,094.60
Nebraska Public Power District	Uti	1,160.42
The Nebraska Signal	Proc, Ads	356.35
Neurological and Spinal Surgery, LLC	Ser	50.00
Nick's Farm Store	Main	56.00
North American Invasive Species Mng. Ass	Wksh	401.00
O'Keefe Elevator Company, Inc.	Ser	277.76



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Platte Valley Communications of Hastings	Ser, Rep	1,115.75
Retirement Plans Division of Ameritas	Ret	4,840.70
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Health & Human Serv.	July patient care	93.00
Thayer County Treasurer	Sup	201.81
US Bank CPS	Sup, Fuel	875.95
Weaver Pharmacy	Sup	28.09
Windstream	Uti	279.23
Woods & Aitken, LLP	Ser	1,622.88
Woodward's Disposal Service, Inc.	Ser	20.00
Payroll	Salaries	73,280.52

## **ROAD/BRIDGE FUND:**

Auto Value Parts Stores	Sup	37.98
Black Hills Energy	Uti	34.73
BNSF Railway Company	Railroad crossing	16,500.92
Certified Truck & Trailer, Inc.	Sup, Rep	124.38
City of Geneva	Uti	50.55
Cornhusker Cleaning Supply	Sup	126.36
Farmers Cooperative	Fuel	2,159.30
Geneva Broadband, LLC	Ser	40.00
Geneva Home Center	Sup, Misc. Parts	41.24
Geneva Tire & Auto, Inc.	Tires, Rep	2,570.65
Geneva Welding & Supply, Inc.	Sup	25.00
Grafton Oil, Inc.	Fuel	952.64
Grant Built Logistics, LLC	Rock	6,647.36
Heartland Bank	SS	2,237.01
Hometown Leasing	Ser	139.00
Kaiser Auto Supply, LLC	Parts, Sup, Main	836.54
Lichti Oil	Fuel	1,895.32
MIPS, Inc.	Ser	134.73
The Nebraska Signal	Ads	231.00
Nichols Construction	Gravel	72,748.17
NMC Exchange, LLC	Ser, Parts	5,843.28
Perennial Public Power District	Uti	51.88
Power Plan	Parts, Ser	3,561.26
Quill Corporation	Sup	285.97
Retirement Plans Division of Ameritas	Ret	1,998.40
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	46.25
Village of Shickley	Uti	24.62
Windstream	Uti	157.88
Payroll	Salaries	30,147.31

## **ECONOMIC DEVELOPMENT - TOURISM FUND:**

Geneva Chamber of Commerce	Ads	150.00
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## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	141.20
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## **INHERITANCE TAX FUND:**

US Bank CPS	Equip	1,715.45
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## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
Platte Valley Communications of Hastings	Equip, Rep	614.30
Windstream	Uti	1,741.37

## **ROAD DEPT./COURTHOUSE BOND FUND:**





# Fillmore County Board Minutes



Union Bank & Trust

Ser

September 10, 2019  
1,274.00

## CLAIMS APPROVED

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

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

Nays: None

The Chairman declared the motion carried.

## ADDING PLEDGE SECURITY

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

### RESOLUTION 2019 – 30

**RESOLVED**, that the Heartland Bank of Geneva, Nebraska, be allowed to add the following security held by Midwest Independent Bank to-wit:

CUSIP #006096FJ5 in the amount of \$200,000.00

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## CONTRACT WITH HARRE SEED AND SERVICES

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

### RESOLUTION #2019 - 31

**WHEREAS**, Kenny Harre is a member of the Board of Supervisors of Fillmore County, Nebraska;

**WHEREAS**, Kenny Harre is an owner of the business operated in Milligan, Fillmore County, Nebraska under the name of Harre Seed and Services; and

**WHEREAS**, the County of Fillmore on a regular basis does business with Harre Seed and Services;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of Fillmore County, Nebraska does hereby approve the purchase of merchandise and material from Kenny Harre doing business as Harre Seed and Services, and the sale by Kenny Harre of merchandise and material to the County of Fillmore on a per invoice basis in an amount not to exceed \$5,000.00, without the prior approval by virtue of a resolution passed by the Board of Supervisors of Fillmore County, Nebraska;

**BE IT FURTHER RESOLVED**, the Board of Supervisors directs that the Clerk of Fillmore County, Nebraska, maintain a separate ledger relative to any purchases made by representative of the County of Fillmore from Harre Seed and Services, or contracts for the purchase of any material, which ledger contains the following information as provided in Nebraska Revised Statute §49-14, 103.02:

- 1) Names of the contracting parties;
- 2) Nature of the interest of the officer in question;
- 3) Date that the contract was approved by the governing body;
- 4) Amount of the contract; and
- 5) Basic terms of the contract.



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Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **COUNTY OFFICE BUILDING EAST**

Supervisor Cerny informed the Board that there have been a few leaks at the East office building this year and that Zimba roofing has been out to patch them. The roof is approximately twenty (20) years old and will need to be replaced in the near future.

## **DISCUSSION REGARDING COUNTY VEHICLES**

Supervisor Cerny informed the Board that the County has four (4) vehicles for employees to take to meetings. After review of miles and usage, the Board agreed that they should surplus and sell one of the vehicles (this will take place at the next meeting).

## **DISCUSSION REGARDING GLENGARY TOWNSHIP**

Supervisor Sluka informed the Board that at the January 21, 1983 County Board meeting that an occupy county right-of-way was issued to Roger Pribyl to put a gas line across the County road and down the ditch between Sections 9 and 16, Glengary. Due to the weather, this gas line has become exposed and the road is currently closed. Glengary Township received bids to repair and build up the road to fix this issue.

After discussion, the Board agreed that the Township should proceed with fixing the road, reestablishing the ditches, and would recommend adding some rock to the hill side to help prevent further erosion.

## **COUNTY BUDGET HEARING & SPECIAL HEARING TO SET FINAL TAX REQUEST**

The hearing on the county's budget for 2019/2020 was opened at 11:00 a.m.

The special hearing to set the final tax request at a different amount than the prior tax request opened at 11:05 a.m.

Sluka moved and Graham seconded the motion to close both hearings at 11:09 a.m. as no one appeared to testify for or against. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **ADDITIONAL BUDGET AUTHORITY**

Cerny moved and Noel seconded the motion to authorize up to one per cent (1%) additional budget authority as allowed by statute. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **BUDGET ADOPTED**

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



# Fillmore County Board Minutes



September 10, 2019

## **RESOLUTION 2019 – 32**

**WHEREAS**, a proposed County Budget for the Fiscal Year July 1, 2019 to June 30, 2020, prepared by the Budget Making Authority, was transmitted to the County Board on the 10<sup>th</sup> day of September, 2019.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Fillmore County, Nebraska as follows:

Section 1: That the budget for the Fiscal Year July 1, 2019 to June 30, 2020, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Fillmore County for said fiscal year.

Section 2: That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2019 and ending June 30, 2020.

Section 3: That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **GENEVA TOWNSHIP BUDGET HEARING**

Opened public hearing at 11:15 a.m. for the Geneva Township budget hearing.

Sluka moved and Lightwine seconded the motion to close the public hearing regarding Geneva Township 2019/2020 Budget at 11:19 a.m., as there was no one in attendance to testify for or against the budget. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **GENEVA TOWNSHIP 2019/2020 BUDGET**

Sluka moved and Graham seconded the motion to approve the 2019/2020 Geneva Township budget as advertised and presented. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **AUDIT WAIVER FOR GENEVA TOWNSHIP**

Cerny moved and Graham seconded the motion to request an audit waiver for the 2018/2019 fiscal year for Geneva Township. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **BRYANT TOWNSHIP BUDGET HEARING**



# Fillmore County Board Minutes



September 10, 2019

Opened public hearing at 10:21 a.m. for the Bryant Township budget hearing.

Sluka moved and Lightwine seconded the motion to close the public hearing regarding Bryant Township 2019/2020 Budget at 11:27 a.m., as there was no one in attendance to testify for or against the budget. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **BRYANT TOWNSHIP 2019/2020 BUDGET**

Graham moved and Lightwine seconded the motion to approve the 2019/2020 Bryant Township budget as advertised and presented. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **AUDIT WAIVER FOR BRYANT TOWNSHIP**

Cerny moved and Noel seconded the motion to request an audit waiver for the 2018/2019 fiscal year for Bryant Township. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, 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, Cerny moved and Lightwine seconded the motion to adjourn until 9:00 a.m., September 24, 2019. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

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Attest

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Chairman



# Fillmore County Board Minutes



September 24, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., September 24, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 11:16 a.m.

## MINUTES APPROVED

At the request of the County Clerk, Sluka moved and Graham seconded the motion to correct the September 10, 2019 minutes regarding the public hearing for Bryant Township budget to be 11:21 a.m. 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.

## MAXIMUS COST ALLOCATION PLAN

After discussion, Noel moved and Lightwine seconded the motion to approve the Maximus cost allocation plan for fiscal year 2020. 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.

## UPDATE FROM COMMITTEE REGARDING ZONING REGULATION CHANGES

Supervisor Sluka updated the Board that the committee had two meetings and have agreed on proposed changes to the zoning regulations. County Attorney and Attorney John Snow have reviewed the proposed changes and made a few changes. The Planning Commission will hold a public hearing on October 21, 2019, and the Board of Supervisors will hold their hearing on October 22, 2019 regarding the changes to the zoning regulations.

## 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:

Blue Cross Blue Shield of Nebraska	Insur	57,707.50
Buffalo County Sheriff	Ser	57.09
Child Advocacy Center	budget request	1,664.64
Consolidated Management Company	Meals	247.27
Cottonwood Title Company, LLC	Ser	200.00
Jill R. Cunningham	Sup	40.50
Eakes Office Solutions	Sup, Equip	466.91
Fillmore County Treasurer	Transfer	60,000.00
Futurity IT, Inc.	Ser	1,600.00
Gage County Clerk	budget request	4,580.16
Geneva Home Center	Sup	31.57
Geneva Super Foods	Sup	491.47
Geneva Tire & Auto, Inc.	Main, Rep	161.81





# Fillmore County Board Minutes



September 24, 2019

Heartland Bank	SS	5,607.24
The Home Depot Pro	Sup	644.79
Kalkwarf & Smith Law Offices, LLC	Ser, Wksh, Post, Lodging, Dues	5,376.52
KBK Creative Designs	Sup	87.00
Madison National Life Insurance Co.	Insur	27.24
MailFinance	Ser	850.00
MIPS, Inc.	Ser, Equip	4,542.79
Nebraska Assoc. of County Assessors	Dues	50.00
Nebraska Association of County Officials	Dues	2,252.60
Nebraska Public Power District	Uti	1,795.47
The Nebraska Signal	Ads	49.85
Progressive Agriculture Foundation	Wksh	75.00
PurFoods, LLC	meals	276.96
Region V Systems	budget request	16,659.00
Retirement Plans Division of Ameritas	Ret	5,257.72
Southeast Nebraska Development District	budget request	7,094.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Dept. Correctional Svcs	boarding prisoners	84.84
State of Nebraska Health & Human Serv.	August patient care	93.00
34 Electric, LLC	Rep	207.70
Unifirst Corp.	Ser	427.78
US Bank CPS	Ser	794.00
Brandy VanDeWalle	Lodging, Uti, Meals	517.20
Verizon Wireless	Uti	1,213.55
Weather TAP	Ser	434.15
WEX Bank	Fuel	2,740.16
Windstream	Uti	1,042.84
Payroll	Salaries	81,003.56

## ROAD/BRIDGE FUND:

Barco Municipal Products, Inc.	Sup	462.05
Paul Bauer	Ser	475.00
C & M Supply, Inc.	Fuel	56.69
Casey's Business Mastercard	Fuel	938.56
Eakes Office Solutions	Ser	229.19
Farmers' Cooperative	Fuel	2,577.12
Friesen Chevrolet, Inc.	Parts, Rep	150.15
Geneva Building Supply	Sup, Rep	24.29
Geneva Lumber Center	Sup	14.99
Grafton Oil, Inc.	Fuel	966.72
Harre Seed & Services, LLC	Ser	4,296.00
Heartland Bank	SS	2,255.60
Heath, Inc.	Rep	75.00
John Deere Financial	Parts	139.95
Kerford Limestone Company	Rock	2,795.59
Kopchos Sanitation, Inc.	Uti	55.00
Lawson Products, Inc.	Sup	176.95
Lichti Oil	Fuel, Parts	3,611.42
Mid-Nebraska Aggregate, Inc.	Gravel	13,413.14
Nebraska Public Power District	Uti	397.47
Newman Traffic Signs	Equip	3,324.46
Perennial Public Power District	Uti	81.88
Petrochoice	Main	309.85
Platte Valley Communications	Rep	199.10
Precision Signs & Graphics	Misc	15.25
Retirement Plans Division of Ameritas	Ret	2,015.06
Roit Repair	Rep	6.60
Speece Lewis Engineers	Ser	4,859.63
Verizon Wireless	Uti	87.16



# Fillmore County Board Minutes



September 24, 2019

WEX Bank  
Payroll

Fuel  
Salaries

2,299.46  
30,394.24

## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska APCO/NENA Conference  
Nebraska Public Power District  
Windstream

Wksh  
Uti  
Uti

122.50  
263.39  
117.84

## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital

August taxes

23,019.83

## **CLAIMS APPROVED**

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

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

Nays: None Abstaining due to conflict of interest: Harre

The Chairman declared the motion carried.

## **DECLARE SURPLUS**

After discussion, Sluka moved and Harre seconded the motion to declare a 2011 Crown Victoria and filing cabinets as surplus. 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.

## **COUNTY OFFICE BUILDING EAST**

Supervisor Cerny requested the Boards approval for replacing the tile in the five (5) bathrooms in the County Office Building East. After discussion, the Board agreed to replace the tile as it was budgeted.

## **SETTING THE PROPERTY TAX REQUEST**

Harre moved and Noel seconded the introduction of the following resolution:

### **RESOLUTION 2019 – 33**

**WHEREAS**, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the Fillmore County Board of Supervisors passes by a majority vote a resolution setting the tax request; and

**WHEREAS**, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

**NOW THEREFORE**, the Governing Body of the Fillmore County Board of Supervisors, resolves that:

1. The 2019 – 2020 property tax request be set at \$5,077,858.50.
2. The total assessed value of property differs from last year's total assessed value by -1%.
3. The tax rate which would levy the same amount of property taxes from last year, when multiplied by the new total assessed value of property, would be \$0.202375 per \$100 of assessed value.
4. The Fillmore County Board of Supervisors proposes to adopt a property tax request that will cause its tax rate to be \$0.205755 per \$100 of assessed value.



# Fillmore County Board Minutes



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5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Fillmore County will exceed last years by 3%.
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 13, 2019.

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.

## **DISCUSSION REGARDING POSSIBLE SHOOTING RANGE**

Supervisor Cerny and Noel, informed the Board that the Little Blue NRD has received a grant from the Nebraska Game and Parks for a shooting range by the Bruning Dam. There are some concerned residents as this range would be unsupervised. At this point the Board has been informed that the range has been put on hold.

## **DRIVEWAY PERMIT**

Sluka moved and Graham seconded the motion to approve the following driveway permit as presented by the Highway Superintendent:

Maser Farm Partnership – install a 40 ft. driveway on the south side of the SE ¼, Section 6, Bennett Township.

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.

## **CLEAN SILT PERMITS**

Noel moved and Cerny seconded the motion to approve the clean silt permits as presented by the Highway Superintendent:

Dale Richards – clean silt from the ditch along the west side of the NW ¼, Section 8, Stanton Township and place back in the field;

Jim & Paula Lovegrove – clean silt from the ditch along the east side of the SE ¼, Section 32, Fairmont Township and place back in the field; and

EHW Farms – clean silt from the ditch along the north and west of the NW ¼, Section 23, Hamilton Township and place back in the field.

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 PERMITS**

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



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Zito Media, LLC – install a fiber optic equipment cabinet/trench fiber in the NW ¼, Section 25, West Blue Township (along Road 12 between Road E and Highway 6). 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.

Zito Media, LLC – install a fiber optic equipment cabinet in the NE ¼, Section 20, Exeter Township (along NE Boundary Street, Exeter between E. Osage Street, Exeter and Road D). 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.

## COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE

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

### RESOLUTION 2019 – 34

**WHEREAS**, State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2520(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

**WHEREAS**, State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include a copy of a resolution of the governing body of the county authorizing the signing of the certification form.

**BE IT RESOLVED**, that the County Board Chairperson of Fillmore County is hereby authorized to sign the attached County Annual Certification of Program Compliance form.

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.

## UPDATE ON BOX CULVERT PROJECTS

Pat Halbur, Highway Superintendent updated that Board on the two box culvert projects: Road 8 between Road R and Road S and Road D between Road 17 and Road 18 are open, but still need to be seeded.

## DISCUSSION REGARDING PURCHASING A SEMI

Highway Superintendent, Pat Halbur and Assistant Highway Superintendent, Doug Motis informed the Board that they have three (3) bids for a used semi. The following bids were received: 2014 Kenworth for \$50,000.00; 2015 Freightliner for \$48,500.00; and 2014 Kenworth for \$43,900.00.

After discussion, Harre moved and Cerny seconded the motion to purchase the 2014 Kenworth for \$50,000.00 from Sahling Kenworth, Inc. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## NEW COUNTY SHOP UPDATE



# Fillmore County Board Minutes



September 24, 2019

Highway Superintendent, Pat Halbur informed the Board that Delco has been there to do some of the repairs on the "Z" channel but still have other items to fix.

## **OTHER ROAD DEPARTMENT DISCUSSION**

Pat informed the Board that we are not able to get gravel from Nichols for the next three to four weeks as their pump went out. Beatrice Sand & Gravel has agreed to supply one truck for Fillmore County. Pat told the Board that normally during harvest that the culvert crew stops replacing culverts. After discussion, the Board agreed that due to the weather this year, that the culvert crew will continue to replace culverts during harvest.

## **PICKUP BIDS**

Bids were opened at 9:45 a.m. as advertised, selling a 2000 Ford F150 pickup. The following bids were received: Frank Richards - \$515.00 and Steve Jappert - \$500.00.

## **SELLING PICKUP**

Sluka moved and Graham seconded the motion to accept the bids and award the bid for the 2000 Ford F150 to Frank Richards for \$515.00. 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.

## **TAHOE BIDS**

Bids were opened at 9:50 a.m., selling a 2005 Chevrolet Tahoe. The following bids were received: Nathan Meyer - \$350.00, Doug Motis - \$450.00, and Clint Foutch - \$250.00.

## **SELLING TAHOE**

Graham moved and Harre seconded the motion to accept the bids and award the bid for the 2005 Chevrolet Tahoe to Doug Motis for \$450.00. 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.

## **EQUIPMENT PURCHASE FOR SHERIFF OFFICE**

Bill Burgess, Sheriff, requested authorization to purchase four (4) new rifles for the deputies totaling \$2,660.00 and lease six (6) tasers for \$3,062.00 for the first year and \$2,862.00 for the second through the fifth year. Bill also requested permission to purchase a new 2019 or 2020 SSV (special service vehicle) from Erdkamp Motors for approx. \$30,500.00 when they are available.

## **DISCUSSION REGARDING DANGEROUS DOG – RELEASE OUTSIDE OF COUNTY**

Sheriff, Burgess informed the Board that the County Judge has deemed a dog mean and dangerous (against other dogs) and needs the County Boards approval for this dog to be released outside of the county.

After discussion, Graham moved and Lightwine seconded the motion to approve the release of the mean and dangerous dog from Fillmore County with the understanding that this dog will not to be allowed back in Fillmore County. Upon roll call, the vote was as follows:

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





# Fillmore County Board Minutes



September 24, 2019

The Chairman declared the motion carried.

## **SENIOR SERVICES UPDATE**

Brenda Motis, Senior Services Director, gave her quarterly update to the Board. There will be a Senior Expo on October 11, 2019 at the downtown gym, and Brenda and Rhonda will be holding twelve (12) open enrollment centers (four (4) days in Geneva, three (3) days in Exeter, two (2) days in Fairmont and Milligan and one (1) day in Shickley). Brenda will be adding a part-time position to her department.

## **JUVENILE SERVICES COMMUNITY BASED GRANT**

Carissa Uhrmacher, Project Director for South Central Partnership Regional Consortium presented to the Board the 2019/2020 County Aid Allocations for the Community Based Juvenile Aid. Carissa discussed each of the programs that are offered to assist juveniles who are currently in the justice system.

After discussion, Sluka moved and Lightwine seconded the motion to approve the Memorandum of Understanding regarding Juvenile Services County Aid Funding with Webster, Clay, Adams, Nuckolls, Fillmore, Phelps, Kearney, Franklin, and Harlan counties for fiscal year 2020/2021. 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, Sluka moved and Graham seconded the motion to adjourn until 9:05 a.m., October 8, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



October 8, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:06 a.m., October 8, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 11:05 a.m.

## MINUTES APPROVED

At the request of the County Clerk, Graham moved and Lightwine seconded the motion to correct the September 10, 2019 minutes regarding the clean silt permit to correct MEVE, LLC to MEVF, LLC and to correct that the permit was along the east side and not the south side of the SE ¼, Section 2, Momence Township. 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

Sluka moved and Noel seconded the motion to approve the September 2019 fee reports as presented:

**County Clerk: \$7,433.00** (State \$2,523.57 & County \$4,909.43)

**Clerk of the District Court: \$797.16**

**County Sheriff: \$1,576.03**

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 PERMITS

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

Windstream Nebraska, LLC – bury telecommunications line between the SE ¼, Section 18 and the SW ¼, Section 17, Glengary 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.

Black Hills/Natural Gas Utility Co. – bury a natural gas pipe line between the NE ¼, Section 1 to the NW ¼, Section 2, Bryant 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.

Black Hills/Natural Gas Utility Co. – bury a natural gas pipe line between the NE ¼, Section 12, Momence Township to the NW ¼, Section 7, Stanton 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.



# Fillmore County Board Minutes



October 8, 2019

## DECLARE SURPLUS

Noel moved and Lightwine seconded the motion to declare the 1994 Mac truck as surplus 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.

## DISCUSSION REGARDING PAYMENT REQUEST FROM CHEEVER'S

After discussion, Harre moved and Lightwine seconded the motion not to make any payment to Cheever's Construction until the issues are fixed with the new road building. 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERAL FUND:

Howard F. Ach	Rent, Post, Uti	555.07
Action Auto Supply	Main, Rep	240.98
Axon Enterprise, Inc.	Equip	3,062.00
Bi-Versal Services, LLC	Ser	7,500.00
Black Hills Energy	Uti	37.15
Blue Valley Community Action Partnership	Budget request	5,000.00
Leslie Boswell	Mile	19.72
Carrier Corporation	Rep	3,025.00
CASA of South Central Nebraska	Budget request	12,980.66
Centec Cast Metal Products	Equip	1,521.66
Jerry Chapman	Mile	41.76
City of Geneva	Uti	616.10
Gaylord Craddock	Mile	59.16
Dollar General – Regions 410526	Sup	16.00
Douglas County Clerk of District Court	Ser	5.25
Eakes Office Solutions	Sup	1,408.01
Sharon Elznic	Mtgs, Mile	124.96
Fillmore County Clerk of District Court	Fees	36.00
Fillmore County Court	Court costs	287.00
Fillmore County Sheriff	Ser	100.00
Fillmore County Treasurer	Transfer	50,000.00
First Concord Benefits Group, LLC	Insur, Ser	2,008.29
Geneva Broadband, LLC	Uti	88.00
Geneva Home Center	Sup	12.99
Geneva Tire and Auto, Inc.	Rep	348.00
Richard Girmus	Mtgs, Mile	43.92
Matt Hafer	Mtgs, Mile	97.12
Matt Harre	Mtgs, Mile	67.12
HD Arms, LLC	Equip	2,925.00
Heartland Bank	SS	4,903.58
Frances Heinrichs	Meals, Mile	48.20



# Fillmore County Board Minutes



October 8, 2019

Hometown Leasing	Ser	1,235.61
Dean Kassik	Mtgs, Mile	64.80
Stephen J. Kraviec	Ser, Post	1,794.66
LaQuinta by Wyndham Kearney	Lodging	94.00
Lichti Oil	Sup	8.36
Maverick Industries, Inc.	Ser	515.00
MIPS, Inc.	Ser, Equip	3,244.60
Morley Most	Mtgs, Mile	67.12
Brenda Motis	Meal, Mile	15.99
Nebraska Law Enforcement Training	Training	52.00
Nebraska Public Power District	Uti	912.00
The Nebraska Signal	Ads, Proc	776.28
Nebraska Weed Control Association	Wksh	120.00
NeoFunds by NeoPost	Post	700.00
Noel Lawn Care	Ser	556.80
Reg Noel	Mtgs, Mile	32.40
Precision Locker Company	Equip	424.32
Public Health Solutions	Budget request	1,650.00
Region V Services	Budget request	2,621.00
Retirement Plans Division of Ameritas	Ret	4,744.89
Secretary of State Notary Division	Sup	30.00
State of Nebraska AS Central Finance	Ser	448.00
Allan Stuckey	Mtgs, Mile	129.60
Sullivan Shoemaker PC, LLO	Ser	733.75
Thayer County Treasurer	Sup	201.81
US Bank CPS	Sup, Mile, Wksh	764.80
Gary Warren	Mile	34.80
Windstream Support Services	Sup	17.30
Woodward's Disposal Service, Inc.	Ser	20.00
Payroll	Salaries	71,727.86

## **ROAD/BRIDGE FUND:**

Ace Irrigation & Manufacturing	Culverts	11,807.45
Black Hills Energy	Uti	30.26
BNSF Railway Company	Equip	2,210.62
City of Geneva	Uti	50.55
Farmers Cooperative	Fuel	7,597.90
Geneva Broadband, LLC	Uti	40.00
Geneva Implement Co., Inc.	Parts	63.40
Geneva Tire and Auto, Inc.	Rep, Main	1,292.59
Geneva Welding & Supply, Inc.	Parts, Rep	445.53
Grafton Oil, Inc.	Fuel	2,225.78
Harre Seed & Services, LLC	Ser	1,142.00
Heartland Bank	SS	2,243.18
Heath, Inc.	Rep	100.00
Hometown Leasing	Ser	139.00
Kaiser Auto Supply, LLC	Parts, Sup	294.57
Lichti Oil	Fuel	1,002.08
MIPS, Inc.	Ser	134.73
Mussman Excavating	Ser	3,500.00
The Nebraska Signal	Ads	311.00
Nichols Construction	Gravel	58,552.06
Power Plan	Parts	131.59
Retirement Plans Division of Ameritas	Ret	2,003.80
Sahling Kenworth, Inc.	Equip	50,000.00
US Bank CPS	Equip	392.00
Village of Milligan	Uti	28.50
Village of Shickley	Uti	23.58
Windstream	Uti	157.88



# Fillmore County Board Minutes



October 8, 2019

Payroll

Salaries

30,227.32

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.

Ser

141.20

## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC

Ser

64.00

## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital

Sept. taxes

5,880.83

## **CLAIMS APPROVED**

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

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

Nays: None Abstaining due to conflict of interest: Harre

The Chairman declared the motion carried.

## **QUARTERLY JAIL INSPECTION**

Several Board members reviewed the jail for their quarterly jail inspection and all was in order.

## **UPDATE ON DRAINAGE ISSUE IN SECTION 8, BELLE PRAIRIE TOWNSHIP**

Keith Lauber has been keeping Supervisor Noel informed regarding the drainage issue in Belle Prairie Township. It is currently in the court system and the judge will determine whether this is a natural waterway.

## **BRYANT TOWNSHIP CLAIMS**

Harre moved and Noel seconded the motion to approve the claims from Fillmore County Weed Control for \$400.00, Helena Agri-Enterprises, LLC for \$300.00, Chaney Chemical, Inc. for \$568.50, and The Nebraska Signal for \$77.50 and to direct the County Treasurer to pay the bills 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.

## **GENEVA TOWNSHIP CLAIMS**

Cerny moved and Sluka seconded the motion to approve the claims from Fillmore County Weed Control for \$550.00, Helena Agri-Enterprises, LLC for \$300.00, and The Nebraska Signal for \$77.50 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.

## **QUARTERLY MEETING WITH APPOINTED DEPARTMENT HEADS**

Nick Wollenburg, Veteran's Service Officer; Jennifer Slezak, Planning and Zoning Administrator; Todd Boller, Noxious Weed Superintendent; and Jim Dunker, Emergency Manager met with the Board for their quarterly meeting.

## **ADJOURN**





# Fillmore County Board Minutes



October 8, 2019

As there was no other business to come before the Board, Graham moved and Sluka seconded the motion to adjourn until 9:05 a.m., October 22, 2019. 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.

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Attest

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Chairman



# Fillmore County Board Minutes



October 22, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:03 a.m., October 22, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:03 p.m.

## **MINUTES APPROVED**

Chairman of the Board, Neiman declared the minutes from the October 8, 2019 meeting approved as presented.

## **SAFETY COMMITTEE MEMBER APPOINTMENTS**

After discussion, Sluka moved and Noel seconded the motion to appoint the following to the Safety Committee: Todd Boller, Jim Dunker, Jennifer Slezak, and Jenna Mall to a two-year term ending December 31, 2021 and Richard Ellison, Olivia Glenn, and Brandie Conway to a one year term ending December 31, 2020. 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**

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

Bruce Rocolle – bury a natural gas pipe line between the E ½ of the NE ¼, Section 22, to the S ½ of the SE ¼, Section 15, Exeter 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.

## **EXTENDED WARRANTY ON GENERATOR**

After discussion, Harre moved and Sluka seconded the motion to purchase a five-year extended warranty on the cummins generator at the Road's department including parts, labor, and mileage for \$3,170.00. 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.

## **PEST CONTROL**

Highway Superintendent, Pat Halbur informed the Board that R & R Services would be doing the pest control at the Road department for \$100.00 a time and she would be purchasing some bait boxes for the exterior.

## **DISCUSSION WITH CHEEVER'S REGARDING BUILDING**



# Fillmore County Board Minutes



October 22, 2019

Brian Clinton, with Cheever Construction informed the Board that Delco had been there to fix and had completed the roof issues. The week of October 28<sup>th</sup> an inspector (3<sup>rd</sup> party) will be on site to determine if the roof will pass inspection for warranty. Brian informed the Board that they would have all remaining issues resolved by the November 12<sup>th</sup> meeting so that they can be paid.

## 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.

### GENERARL FUND:

Rachel Adam	Wksh	205.00
Auto Value Parts Stores	Main, Rep	12.09
Blue Valley Community Action Partnership	budget request	4,413.00
William Burgess	Meals	23.02
Clay County Sheriff	Ser	49.36
Cobblestone Hotel and Suites	Lodging	360.00
Combined Public Communications	Sup	210.00
Consolidated Management Company	Meals	8.74
Jill R. Cunningham	Sup	7.50
Diane Deepe	Ser	160.00
Eakes Office Solutions	Sup	716.19
Erdkamp Motors	Main	62.25
Exeter Senior Center	USDA Reim	47.60
Fairfield by Marriot	Lodging	209.90
Fairmont Aging Services	USDA Reim	155.40
Fillmore County Treasurer	Interest	285.35
First Concord Group, Inc.	Insur	280.50
Geneva Home Center	Sup	807.41
Geneva Senior Center	USDA Reim	420.70
Geneva Super Foods	Sup	553.99
Hampton Inn – Kearney	Lodging	208.00
Heartland Bank	Ser, SS	5,142.85
Kalkwarf & Smith Law Offices	Ser, Sup, Post	3,492.91
Konica Minolta Business Solutions	Ser	467.00
Kopchos Sanitation, Inc.	Uti	148.75
Madison National Life Insurance Co.	Insur	185.79
Marshall & Swift	Sup	354.95
Maximus, Inc.	Ser	2,100.00
Mid-American Research Chemical	Sup	879.45
Nebraska Public Power District	Uti	1,350.00
PurFoods, LLC	Meals	201.95
Reinboth Plumbing, Inc.	Rep	245.00
Brandon Reinsch	Ser	1,047.45
Retirement Plans Division of Ameritas	Ret	3,338.34
State of Nebraska DAS State Accounting	Ser	65.88
Sunset Law Enforcement	Sup	139.10
Unifirst Corp.	Ser	346.16
US Bank CPS	Lodging	937.21
USDA, APHIS, General	Budget request	2,531.03
Verizon Wireless	Uti	1,043.25
WEX Bank	Fuel	3,164.25
Windstream	Uti	1,324.73
York County Sheriff	Ser	6.50
Payroll	Salaries	73,076.39



# Fillmore County Board Minutes



October 22, 2019

## **ROAD/BRIDGE FUND:**

Action Auto Supply	Parts	66.62
Auto Value Parts Stores	Sup, Parts	63.27
B's Enterprises, Inc.	Sup	11,296.00
Barco Municipal Products, Inc.	Parts	73.95
Paul Bauer	Ser	365.00
Beatrice Concrete Co., Inc.	Gravel	8,305.97
C & M Supply, Inc.	Fuel	68.91
Certified Truck & Trailer, Inc.	Parts, Rep	868.36
Eakes Office Solutions	Ser	229.19
Farmers Cooperative	Fuel	2,122.05
Fillmore County Treasurer	Misc	10.00
Gana Trucking & Excavating, Inc.	Rock	4,177.44
Geneva Building Supply	Rep, Sup	80.05
Geneva Home Center	Sup	14.97
Geneva Super Foods	Sup	25.77
Grafton Mini-Mart	Fuel	104.21
Heartland Bank	SS	2,281.86
K & S Tool Service	Sup	109.99
Kerford Limestone Company	Rock	7,448.90
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel, Parts	4,800.18
Nebraska Public Power District	Uti	332.46
Newman Traffic Signs	Signs	2,929.32
NMC Exchange, LLC	Parts, Ser	11,351.97
Perennial Public Power District	Uti	52.28
RDO Truck Centers	Rental	1,844.20
Brandon Reinsch	Ser	2,102.57
Retirement Plans Division of Ameritas	Ret	2,003.80
Donna Saltzman	Ser	55.00
Speece Lewis Engineers	Ser	14,985.76
Sutton Body Shop	Parts	250.00
US Bank CPS	Fuel, Misc	403.08
Verizon Wireless	Uti	87.26
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	45.29
Village of Grafton	Uti	40.30
Village of Ohioa	Uti	30.00
WEX Bank	Fuel	2,442.01
Payroll	Salaries	30,457.33

## **REGISTER OF DEEDS PRESERVATION FUND:**

All Makes	Equip	2,127.43
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## **INHERITANCE TAX FUND:**

Hackstaff & Snow, LLC	Ser	378.00
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## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	243.41
Windstream	Uti	1,860.19

## **CLAIMS APPROVED**

Lightwine moved and Cerny 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



# Fillmore County Board Minutes



October 22, 2019

The Chairman declared the motion carried.

## **2019 3<sup>rd</sup> QUARTER STATEMENT OF ACCOUNTABILITY FROM OFFICES**

After review by the Board, Neiman moved and Graham seconded the motion to approve the 2019 3<sup>rd</sup> quarter statement of accountability from the County Attorney, County Clerk (Register of Deeds and Section 125 accounts), Clerk of the District Court, and Soldiers & Sailors. 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.

## **INTERLOCAL AGREEMENT FOR PROPERTY REVIEWER**

After discussion, Sluka moved and Lightwine seconded the motion to approve the interlocal agreement with Jefferson, Franklin, Nance, and Fillmore Counties for a property reviewer. 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.

## **PROTEX CENTRAL AGREEMENT FOR FIRE ALARM SYSTEMS**

Harre moved and Sluka seconded the motion to approve the quote from Protex Central, Inc. for inspection of the fire alarms at the courthouse for three years beginning March 2020 for \$1,168.00. 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.

## **PROTEX CENTRAL AGREEMENT FOR FIRE EXTINGUISHERS**

Noel moved and Graham seconded the motion to approve the quote from Protex Central, Inc. for inspection of the fire extinguishers at the courthouse for three years beginning March 2020 for \$300.00. 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.

## **REPLACING SECURITIES**

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

### **RESOLUTION #2019 – 35**

**RESOLVED**, that Heartland Bank of Geneva, Nebraska be permitted to substitute the following security held by the Midwest Independent Bank, Trustee:

CUSIP #372136ES6 in the amount of \$60,000.00

and that the following security be substituted:

CUSIP #226489LX8 in the amount of \$70,000.00





# Fillmore County Board Minutes



October 22, 2019

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.

## **ENGAGEMENT LETTER WITH WOODS & AITKEN TO CONDUCT A CULTURAL SURVEY**

After discussion, Sluka moved and Harre seconded the motion to approve and sign the engagement letter with Woods & Aitken, LLP to represent Fillmore County regarding general labor and employment matters and to conduct a cultural survey. 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.

## **UPDATE FROM CONGRESSMAN SMITH'S OFFICE**

Eric Kamler gave an update from Congressman Smith's office.

## **QUARTERLY ELECTED OFFICIALS UPDATES**

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

## **PUBLIC HEARING REGARDING CHANGES TO SECTION 9.16 – COMMERCIAL/UTILITY GRADE WIND ENERGY SYSTEMS IN THE ZONING REGULATIONS**

Opened public hearing regarding changes to Section 9.16 – Commercial/Utility Grade Wind Energy Systems in the Zoning regulations at 11:15 a.m. as advertised. Terry Backstrom; Sondra Backstrom; Becky Vonderfecht; Scott Vonderfecht; Greg Scellin; Kenneth Marks; Kyle Svec; Jennifer Slezak, Zoning Administrator; and Jill Cunningham, County Attorney were present for the public hearing.

Jennifer Slezak, Zoning Administrator informed the Board that the Planning Commission approved the following changes: 9.16.05 Setbacks as property lines from 150 feet to 1.5 times total height, dwelling from 1,000 ft. to 2,640 ft., Road ROW and Other ROW from one times tower height to 1.5 times total height; Wildlife Management areas and wetlands from 600 ft. to 1.5 times total height; other structures from one times total height to 1.5 times total height; 9.16.06 under #11, B. to add Approved Decommission plan required and 9.16.06 under #14 adding letter D. Roads Agreement must be approve before any construction can begin; and 9.16.06 adding #16 Shadow Flicker: Applicant will represent that the flicker impact on any occupied resident or community building will not exceed thirty (30) hours per year and will provide a mitigation plan in the case this tolerance is exceeded. Shadow flicker impact analysis will be provided by a 3<sup>rd</sup> party, at the applicant's expense.

After further discussion, Cerny moved and Sluka seconded the motion to close the public hearing at 12:02 p.m. 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.

## **ZONING REGULATION CHANGES**

After discussion, the Board agreed they would like more time to research and think about the zoning changes and would discuss at the November 12<sup>th</sup> Board meeting.



# Fillmore County Board Minutes



October 22, 2019

## ADJOURN

As there was no other business to come before the Board, Sluka moved and Neiman seconded the motion to adjourn until 9:05 a.m., November 12, 2019. Upon roll call, the vote was as follows:

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

Nays: None

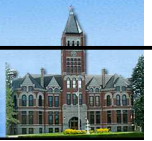
The Chairman declared the motion carried.

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Chairman



# Fillmore County Board Minutes



November 12, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:07 a.m., November 12, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 12:40 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the October 22, 2019 meeting approved as presented.

## FEE REPORTS

Graham moved and Harre seconded the motion to approve the October 2019 monthly fee reports:

**County Clerk \$8,609.30** (State \$3,514.10 & County \$5,095.20)

**Clerk of the District Court \$684.01**

**County Sheriff \$1,536.72**

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.

## FILLMORE COUNTY DEVELOPMENT CORP. UPDATE

Marcus Ruhl introduced Kacee Thompson as the new Fillmore County Development Director and gave an update of upcoming events. FCDC annual meeting will be on February 10, 2020 with location to be determined.

## DRIVEWAY PERMITS

Sluka moved and Noel seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Lovegrove Family Holdings – install a 40 ft. driveway on the south side of the SW ¼, Section 36, West Blue Township;

Vaughn Nun – replace existing driveway with a 40 ft. on the east side of the SE ¼, Section 32, Glengary Township;

Paul E. Bettger – remove and add a 40 ft. driveway on the north side of the NW ¼, Section 27, West Blue Township;

Diane Walters – widen existing driveway to 40 ft. on the SE ¼, Section 35, Hamilton Township; and

Douglas Merryman – install a 40 ft. driveway on the west side of the SW ¼, Section 17, Stanton Township.

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.

## CLEAN SILT PERMITS



# Fillmore County Board Minutes



November 12, 2019

Graham moved and Cerny seconded the motion to approve the clean silt permits as presented by the Highway Superintendent:

Patricia Jett – clean silt from the ditch along the east side of the SE ¼, Section 7, Stanton Township and place back in the field;

Paul E. Bettger – clean silt from the ditch along the north side of the NW ¼, Section 27, West Blue Township and place back in the field;

Tom Novak – clean silt from the ditch along the north of the NE ¼, Section 34, Madison Township and place into re-use pit;

Jim Lovegrove – remove driveway and clean silt from the ditch along the north side of the NE ¼, Section 33, West Blue Township; and

Lovegrove Family Holdings, LLC – clean silt from the ditch along the north and west side of the NW ¼, Section 17, Bennett Township.

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 PERMITS

Sluka moved and Graham seconded the motion to approve the following occupy county right-of-way permits as presented by the Highway Superintendent:

Katie Vanderley – bury wire and electrical service between the NE ¼, Section 5, Bennett Township and the SE ¼, Section 32, Grafton 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.

Unite Private Networks – bury/trench fiber optic cable between the N ½ of Section 25, West Blue Township and the N ½ of Section 30, 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 EDF RENEWABLE ENERGY ROAD AGREEMENT

Highway Superintendent, Pat Halbur informed the Board that EDF Renewable Energy has contacted her regarding the possibility of using Road H to enter the airbase if they were granted permission to store wind turbines there.

## LETTING FOR BRIDGE REPAIR ON ROAD 22 BETWEEN ROAD M AND ROAD N

Bid letting for bridge repair between Road M and N on Road 22 was opened at 9:45 a.m. as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Amount:</u></b>
KEA Constructors, LLC, Milford, NE	\$ 81,841.75
Theisen Construction, Inc., Norfolk, NE	\$ 75,086.25
Midwest Infrastructure, Inc., Lincoln, NE	\$ 72,506.75
Reece Construction Co., Inc., Saline, KS	\$ 98,312.00
Meyer Contracting, Inc., Maple Grove, MN	\$263,339.00
JJK Construction, LLC, Ceresco, NE	\$ 84,054.39

## POSSIBLE BRIDGE CLOSURE ON ROAD B BETWEEN ROAD 16 AND 17



# Fillmore County Board Minutes



November 12, 2019

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

## **RESOLUTION #2019 - 36**

**WHEREAS**, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of County Road B, between Road 16 and Road 17 and to submit within thirty (30) days a written report of recommendation of the vacation of bridge on Road B.

**NOW THEREFORE**, be it resolved by the Fillmore County Board of Supervisors that this resolution is approved.

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.

## **BRIDGE REPAIR ON ROAD 22 BETWEEN ROAD M AND ROAD N**

After review of bids by Speece Lewis Engineers to check math, Cerny moved and Lightwine seconded the motion to accept all bids and award to Midwest Infrastructure, Inc. for \$72,506.75. Upon roll call, the vote was as follows:

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

Nays: Graham

The Chairman declared the motion carried.

## **POSSIBLE BRIDGE CLOSURE OR REPAIR ON ROAD 8 SOUTH OF ROAD U**

Pat Halbur, Highway Superintendent informed the Board that the bridge on Road 8 just south of Road U has been damaged and either needs to be repaired or the Road would need to be closed. Speece Lewis is working on an estimate to repair the bridge.

## **CULVERT PROJECTS**

Pat presented a list of culvert repair projects that still needed to be completed. After discussion, the Board requested that Speece Lewis draw up the plans to have four (4) of the larger projects completed by outside contractors.

## **DISCUSSION REGARDING SPREADER AND PLOW FOR EXISTING DUMP TRUCK**

After discussion, Harre moved and Lightwine seconded the motion to purchase a plow and spreader for the existing dump truck for \$17,514.00 (plow \$12,664.00 and spreader \$4,850.00). Upon roll call, the vote was as follows:

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

Nays: Noel and Sluka

The Chairman declared the motion carried.

## **OTHER ROAD DISCUSSION**

Cheever's submitted a claim for the remaining amount due minus the retainage, most of the issues have been fixed. A light coat of rock will be put on Road 24 from Road F to Road I.

Pat informed the Board that JEO is working on a solution to the floor drain issue. They have offered \$4,500.00 as a credit for the County to have the floor drain fixed, the Board agreed to accept the credit.

## **GENERAL OBLIGATION REFUNDING BONDS, SERIES 2019, IN THE AMOUNT NOT TO EXCEED \$12,000,000.00**





# Fillmore County Board Minutes



November 12, 2019

Brad Slaughter, Senior Vice President with Piper Jaffray informed the Board that the USDA bonds could be refinanced with a savings over a million dollars. Brad met with the Hospital Board and they were in favor of refinancing. Stephanie Jacobsen, Director of Finance with Fillmore County Hospital was present for discussion.

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

## **RESOLUTION #2019 – 37**

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF FILLMORE, IN THE STATE OF NEBRASKA, THAT:**

Section 1. The Chairperson and Board of Supervisors hereby find and determine the following:

(a) There have been heretofore issued and are now outstanding and unpaid valid interest-bearing General Obligation Hospital Bond, Series 2010A-1 (USDA Direct Loan), in the outstanding principal amount of \$8,153,537, dated May 30, 2012, General Obligation Hospital Bond, Series 2010A-2 (USDA Direct Loan), in the outstanding principal amount of \$1,621,635, dated May 30, 2012, and Taxable General Obligation Hospital Bond, Series 2010B (USDA Direct Loan), in the outstanding principal amount of \$1,639,763, dated May 30, 2012 (collectively, the "Outstanding Bonds"), such Outstanding Bonds being issued in the original aggregate principal amount of \$12,600,000 as a direct loan with the United States Department of Agriculture pursuant to a resolution duly passed and adopted by the Board of Supervisors, and such Outstanding Bonds are redeemable at the option of the County at any time at a redemption price equal to the principal amount thereof plus accrued interest to the date fixed for redemption;

(b) The Outstanding Bonds are valid, interest bearing obligations of the County; (i) since the Outstanding Bonds were issued, the rates of interest available in the market have so declined that by issuing its refunding bonds to provide funds for the payment and redemption of a portion of the Outstanding Bonds, all as set out above, a substantial savings in the amount of yearly running interest will be made to the County; (ii) all or a portion of the Outstanding Bonds (as called for redemption, collectively, the "Refunded Bonds") are herein authorized to be called for redemption on a date or dates (each a "Redemption Date") to be determined in a direction for call; (iii) for the purpose of providing for the payment and redemption of the Refunded Bonds as above set out and to pay costs of issuance thereof, it is in the best interest of the County to issue general obligation refunding bonds of the County in the aggregate stated principal amount of not to exceed \$12,000,000; (iv) except as set forth herein, the County has no bond sinking funds on hand for the retirement of the Refunded Bonds not required for the timely payment of principal and interest due on the Redemption Date; (v) all conditions exist for the issuance of bonds in the amount of not to exceed \$12,000,000 pursuant to Sections 10-142, R.R.S. Neb. 2012 and 66-4,101, R.R.S. Neb. 2018, as amended.

Section 2.

(a) For the purpose of refunding the Refunded Bonds and paying the costs of issuing bonds as described herein, there shall be and there are hereby ordered issued the negotiable bonds of this County to be designated as "General Obligation Refunding Bonds, Series 2019" in the aggregate stated principal amount of not to exceed Twelve Million Dollars (\$12,000,000) (the "Bonds").

(b) The Bonds or any portion thereof are hereby authorized to be sold pursuant to a negotiated sale. In connection with such sale, the Chairperson and County Clerk (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in a written designation which may be included in a bond purchase agreement or other certificate, as applicable (each, a "Designation"), (i) the firm to serve as underwriter and initial purchaser of the bonds (the "Underwriter"), (ii) the aggregate purchase price of the Bonds and the underwriting discount, which underwriting discount shall not exceed 1.45% of the aggregate stated principal amount of the Bonds, (iii) the title, dated date, aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed \$12,000,000, and the final maturity date, which shall not be later than December 15, 2052, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity, provided that the County realize present value savings as a result of issuing the Bonds to refund the Refunded Bonds, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Paying Agent and Registrar and the form and content of any agreement between the County and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Resolution.



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(c) Each Authorized Officer is hereby authorized to irrevocably call any or all of the Outstanding Bonds for redemption on the Redemption Date he or she determines appropriate. Each Authorized Officer is hereby authorized to designate, approve, execute and deliver, as the case may be, the form, content, terms and provisions of any published and/or mailed notice of redemption with respect to the payment and redemption of the Refunded Bonds, and direct the application of such proceeds and any investment income to the payment of all of the principal of and interest on the Refunded Bonds maturing on or before each respective Redemption Date and the application of the balance of such proceeds and any investment income thereof to the redemption and retirement of the Refunded Bonds on the Redemption Date.

(d) The Bonds shall be issued in fully registered form in the denomination of \$5,000 or any integral multiple thereof. The date of original issue for the Bonds shall be the date of delivery thereof. Interest on the Bonds, at the respective rates for each maturity, shall be payable semiannually on such dates as may be determined in the Designation, each of said dates an "Interest Payment Date"), and the Bonds shall bear such interest from the date of original issue or the most recent Interest Payment Date, whichever is later. The interest due on each Interest Payment Date shall be payable to the registered owners of record as of the close of business on the fifteenth day immediately preceding the Interest Payment Date (the "Record Date"), subject to the provisions of Section 4 hereof. The Bonds shall be numbered from 1 upwards in the order of their issuance. No Bond shall be issued originally or upon transfer or partial redemption having more than one principal maturity. The initial bond numbering and principal amounts for each of the Bonds issued shall be designated by the County's Treasurer as directed by the initial purchaser thereof. Payments of interest due on the Bonds prior to maturity or earlier redemption shall be made by the Paying Agent and Registrar, as designated pursuant to Section 3 hereof, by mailing a check or draft in the amount due for such interest on each Interest Payment Date to the registered owner of each Bond, as of the Record Date for such Interest Payment Date, to such owner's registered address as shown on the books of registration as required to be maintained in Section 3 hereof. Payments of principal and interest accrued thereon due at maturity or at any date fixed for redemption prior to maturity shall be made by said Paying Agent and Registrar to the registered owners upon presentation and surrender of the Bonds to said Paying Agent and Registrar. The County and said Paying Agent and Registrar may treat the registered owner of any Bond as the absolute owner of such Bond for the purpose of making payments thereon and for all other purposes and neither the County nor the Paying Agent and Registrar shall be affected by any notice or knowledge to the contrary, whether such Bond or any installment of interest due thereon shall be overdue or not. All payments on account of interest or principal made to the registered owner of any Bond in accordance with the terms of this resolution shall be valid and effectual and shall be a discharge of the County and said Paying Agent and Registrar, in respect of the liability upon the Bonds or claims for interest to the extent of the sum or sums so paid.

Section 3. A bank or trust company may be appointed by an Authorized Officer to serve as the Paying Agent and Registrar for the Bonds and such appointment may be made in the Designation or such other documentation determined appropriate in connection with issuance of the Bonds. In the event of an appointment of such bank or trust company as Paying Agent and Registrar, said Paying Agent and Registrar shall serve in such capacities under the terms of an agreement entitled "Paying Agent and Registrar's Agreement" between the County and said Paying Agent and Registrar. The Chairperson and County Clerk are hereby authorized to approve, execute and deliver said agreement on behalf of the County as such officers shall deem appropriate on behalf of the County. The Paying Agent and Registrar shall keep and maintain for the County books for the registration and transfer of the Bonds at its designated corporate trust office. The names and registered addresses of the registered owner or owners of the Bonds shall at all times be recorded in such books. Any Bond may be transferred pursuant to its provisions at the designated corporate trust office of said Paying Agent and Registrar by surrender of such Bond for cancellation, accompanied by a written instrument of transfer, in form satisfactory to said Paying Agent and Registrar, duly executed by the registered owner in person or by said owner's duly authorized agent, and thereupon the Paying Agent and Registrar on behalf of the County will register such transfer upon said registration books and deliver to the transferee registered owner or owners (or send by registered mail to the transferee owner or owners thereof at such transferee owner's or owners' risk and expense), registered in the name of such transferee owner or owners, a new Bond or Bonds of the same interest rate, aggregate principal amount and maturity. To the extent of the denominations authorized for the Bonds by this resolution, one Bond may be transferred for several such Bonds of the same interest rate and maturity, and for a like aggregate principal amount, and several such Bonds may be transferred for one or several such Bonds, respectively, of the same interest rate and maturity and for a like aggregate principal amount. In every case of transfer of a Bond, the surrendered Bond shall be cancelled and destroyed. All Bonds issued upon transfer of the Bonds so surrendered shall be valid obligations of the County evidencing the same obligations as the Bonds surrendered and shall be entitled to all the benefits and protection of this resolution to the same extent as the Bonds upon transfer of which they were delivered. The County and said Paying Agent and Registrar shall not be required to transfer any Bond during any period from any Record Date until its



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immediately following Interest Payment Date or to transfer any Bond called for redemption for a period of 30 days next preceding the date fixed for redemption.

Section 4. In the event that payments of interest due on the Bonds on an Interest Payment Date are not timely made, such interest shall cease to be payable to the registered owners as of the Record Date for such Interest Payment Date and shall be payable to the registered owners of the Bonds as of a special date of record for payment of such defaulted interest as shall be designated by the Paying Agent and Registrar whenever monies for the purpose of paying such defaulted interest become available.

Section 5. If the date for payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the city in which the designated corporate trust office of the Paying Agent and Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

Section 6. Bonds shall be subject to redemption, in whole or in part, prior to maturity at any time on or after the fifth anniversary of the date of original issue thereof (or such other date as determined in the Designation), at par plus accrued interest on the principal amount redeemed to the date fixed for redemption. The County may select the Bonds to be redeemed for optional redemption in its sole discretion. The Bonds shall be redeemed only in amounts of \$5,000 or integral multiples thereof. Bonds redeemed in part only shall be surrendered to the Paying Agent and Registrar in exchange for new Bonds evidencing the unredeemed principal thereof. Notice of redemption of any Bond called for redemption shall be given, at the direction of the County by said Paying Agent and Registrar by mail not less than 30 days prior to the date fixed for redemption, first class, postage prepaid, sent to the registered owner of such Bond at said owner's registered address. Such notice shall designate the Bond or Bonds to be redeemed by maturity or otherwise, the date of original issue and the date fixed for redemption and shall state that such Bond or Bonds are to be presented for prepayment at the office of said Paying Agent and Registrar. In case of any Bond partially redeemed, such notice shall specify the portion of the principal amount of such Bond to be redeemed. No defect in the mailing of notice for any Bond shall affect the sufficiency of the proceedings of the County designating the Bonds called for redemption or the effectiveness of such call for Bonds for which notice by mail has been properly given and the County shall have the right to direct further notice of redemption for any such Bond for which defective notice has been given.

Section 7. The Bonds shall be in substantially the following form:

**UNITED STATES OF AMERICA  
STATE OF NEBRASKA  
THE COUNTY OF FILLMORE  
GENERAL OBLIGATION REFUNDING BOND, SERIES 20\_\_**

No. R-\_\_ \$\_\_\_\_\_

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP No.</u>
%	_____, 20__	_____, 20__	____

Registered Owner: **Cede & Co.**  
13-2555119

Principal Amount: \_\_\_\_\_ Dollars

KNOW ALL PERSONS BY THESE PRESENTS: That The County of Fillmore, in the State of Nebraska, hereby acknowledges itself to owe and for value received promises to pay to the registered owner specified above, or registered assigns, the principal amount specified above in lawful money of the United States of America on the date of maturity specified above with interest thereon to maturity (or earlier redemption) from the date of original issue or most recent Interest Payment Date, whichever is later, at the rate per annum specified above payable semiannually on \_\_\_\_\_ and \_\_\_\_\_ of each year commencing \_\_\_\_\_, 20\_\_ (each of said dates an "Interest Payment Date"). Said interest shall be computed on the basis of a 360-day year consisting of twelve 30-day months. The principal hereof and unpaid accrued interest thereon due at maturity or upon redemption prior to maturity are payable upon presentation and surrender of this bond at the designated corporate trust office of \_\_\_\_\_, as Paying Agent and Registrar, in \_\_\_\_\_, Nebraska. Interest on this bond due prior to maturity or earlier redemption will be paid on each Interest





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Payment Date by a check or draft mailed by the Paying Agent and Registrar to the registered owner of this bond, as shown on the books of record maintained by the Paying Agent and Registrar, at the close of business on the fifteenth day immediately preceding the Interest Payment Date, to such owner's address as shown on such books and records. Any interest not so timely paid shall cease to be payable to the person entitled thereto as of the record date such interest was payable, and shall be payable to the person who is the registered owner of this bond (or of one or more predecessor bonds hereto) on such special record date for payment of such defaulted interest as shall be fixed by the Paying Agent and Registrar whenever monies for such purpose become available.

This bond is one of an issue of fully registered bonds of the total principal amount of \_\_\_\_\_ Thousand Dollars (\$\_\_\_\_\_), of even date and like tenor except as to denomination, date of maturity and rate of interest, for the purpose of (a) refunding \$\_\_\_\_\_ in the principal amount of the County's General Obligation Hospital Bond, Series 2010A-1 (USDA Direct Loan), date of original issue – May 30, 2012, which bonds were originally issued for the purpose of providing funds to acquire, construct, equip and furnish certain hospital and related facilities (the "Project"); (b) refunding \$\_\_\_\_\_ in the principal amount of the County's General Obligation Hospital Bond, Series 2010A-2 (USDA Direct Loan), date of original issue – May 30, 2012, which bonds were originally issued for the purpose of providing funds to pay for the Project; (c) refunding \$\_\_\_\_\_ in the principal amount of the County's Taxable General Obligation Hospital Bond, Series 2010B (USDA Direct Loan), date of original issue – May 30, 2012, which bonds were originally issued for the purpose of providing funds to pay for the Project; and (d) paying certain costs of issuance; and is issued pursuant to Sections 10-142, R.R.S. Neb, 2012. Said bonds are issued pursuant to a resolution (the "Resolution") duly passed and adopted by the Board of Supervisors of said County.

The County, however, reserves the right and option of redeeming bonds of this issue maturing on or after \_\_\_\_\_, 20\_\_ in whole or in part, on or after the fifth anniversary of the date of original issue thereof, at the principal amount to be redeemed, together with accrued interest to the date fixed for redemption.

Notice of any such redemption shall be given by mail, sent to the registered owner of any bond called for redemption at said registered owner's address in the manner provided in the Resolution authorizing said bonds. Individual bonds may be redeemed in part but only in \$5,000 amounts or integral multiples thereof.

If the date for payment of the principal of or interest on this bond shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the City of Geneva, Nebraska, are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not a Saturday, Sunday, legal holiday or a day on which such banking institutions are authorized to close, and payment on such day shall have the same force and effect as if made on the nominal date of payment.

This bond is transferable by the registered owner or such owner's attorney duly authorized in writing at the designated corporate trust office of the Paying Agent and Registrar upon surrender and cancellation of this bond, and thereupon a new bond or bonds of the same total principal amount and interest rate and maturity will be issued to the transferee as provided in the Resolution authorizing said bonds subject to the limitations therein prescribed. The County, the Paying Agent and Registrar and any other person may treat the person in whose name this bond is registered as the absolute owner hereof for the purpose of receiving payment hereof and for all other purposes and shall not be affected by any notice to the contrary, whether this bond be overdue or not.

IT IS HEREBY CERTIFIED AND WARRANTED that all conditions, acts and things required by law to exist or to be done precedent to and in the issuance of this bond did exist, did happen and were done and performed in regular and due form and time as required by law, and that the indebtedness of said County, including this bond, does not exceed any limitation imposed by law. For the prompt payment of this bond, The County of Fillmore has covenanted and agreed, and hereby covenants and agrees, that it shall levy ad valorem taxes upon all the taxable property in The County of Fillmore at such rate or rates, as will provide funds which, together with other funds made available and used for such purpose, will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due.

This bond shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

AS PROVIDED IN THE RESOLUTION REFERRED TO HEREIN, UNTIL THE TERMINATION OF THE SYSTEM OF BOOK-ENTRY-ONLY TRANSFERS THROUGH THE DEPOSITORY TRUST COMPANY, NEW YORK, NEW YORK (TOGETHER WITH ANY SUCCESSOR SECURITIES DEPOSITORY APPOINTED PURSUANT TO THE RESOLUTION, "DTC"), AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THE RESOLUTION TO THE CONTRARY, A PORTION OF THE PRINCIPAL AMOUNT OF THIS BOND MAY BE PAID OR REDEEMED WITHOUT SURRENDER



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HEREOF TO THE PAYING AGENT AND REGISTRAR. DTC OR A NOMINEE, TRANSFEREE OR ASSIGNEE OF DTC OF THIS BOND MAY NOT RELY UPON THE PRINCIPAL AMOUNT INDICATED HEREON AS THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID. THE PRINCIPAL AMOUNT HEREOF OUTSTANDING AND UNPAID SHALL FOR ALL PURPOSES BE THE AMOUNT DETERMINED IN THE MANNER PROVIDED IN THE RESOLUTION.

UNLESS THIS BOND IS PRESENTED BY AN AUTHORIZED OFFICER OF DTC (A) TO THE PAYING AGENT AND REGISTRAR FOR REGISTRATION OF TRANSFER OR EXCHANGE OR (B) TO THE PAYING AGENT AND REGISTRAR FOR PAYMENT OF PRINCIPAL, AND ANY BOND ISSUED IN REPLACEMENT HEREOF OR SUBSTITUTION HEREOF IS REGISTERED IN THE NAME OF DTC AND ANY PAYMENT IS MADE TO DTC OR ITS NOMINEE, ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSONS IS WRONGFUL BECAUSE ONLY THE REGISTERED OWNER HEREOF, DTC OR ITS NOMINEE, HAS AN INTEREST HEREIN.

IN WITNESS WHEREOF, the Board of Supervisors of said County has caused this bond to be executed on behalf of the County by being signed by the Chairperson and County Clerk, both of which signatures may be facsimile signatures, all as of the date of original issue specified above.

THE COUNTY OF FILLMORE  
IN THE STATE OF NEBRASKA

ATTEST:  
\_\_\_\_\_  
(facsimile)  
County Clerk

By: \_\_\_\_\_ (facsimile) \_\_\_\_\_ Chairperson

## CERTIFICATE OF AUTHENTICATION

This bond is one of the series designated therein and has been registered to the owner named in said bond and the name of such owner has been recorded in the books of record maintained by the undersigned as Paying Agent and Registrar for said issue of bonds.

\_\_\_\_\_  
Paying Agent and Registrar

By: \_\_\_\_\_

(FORM OF ASSIGNMENT)

## ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_

Print or Type Name, Address and Social Security Number  
or other Taxpayer Identification Number of Transferee

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_ agent to transfer the within Bond on the Bond Register kept by the Paying Agent for the registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_





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NOTICE: The signature to this assignment must correspond with the name of the Registered Owner as it appears upon the face of the within Bond in every particular.

Medallion Signature Guarantee:

Section 8. Said Bonds shall be executed on behalf of the County by the Chairperson and County Clerk who shall sign the same in their official capacity, both of which signatures are hereby authorized to be facsimile signatures. The Bonds shall be issued initially as "book-entry-only" bonds under the services of The Depository Trust Company (the "Depository"), with one typewritten bond per maturity being issued to the Depository (if the bonds are sold via negotiated sale). In such connection the Chairperson and County Clerk shall execute and deliver a Letter of Representations in the form required by the Depository (which may be in the form of a blanket letter, including any such letter previously executed and delivered), for and on behalf of the County, which shall govern matters with respect to registration, transfer, payment and redemption of the Bonds. With respect to the issuance of the Bonds as "book-entry-only" bonds, the following provisions shall apply:

(a) The County and the Paying Agent and Registrar shall have no responsibility or obligation to any broker-dealer, bank or other financial institution for which the Depository holds Bonds as securities depository (each, a "Bond Participant") or to any person who is an actual purchaser of a Bond from a Bond Participant while the Bonds are in book-entry form (each, a "Beneficial Owner") with respect to the following:

(i) the accuracy of the records of the Depository, any nominees of the Depository or any Bond Participant with respect to any ownership interest in the Bonds,

(ii) the delivery to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or

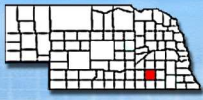
(iii) the payment to any Bond Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the Bonds. The Paying Agent and Registrar shall make payments with respect to the Bonds only to or upon the order of the Depository or its nominee, and all such payments shall be valid and effective fully to satisfy and discharge the obligations with respect to such Bonds to the extent of the sum or sums so paid. No person other than the Depository shall receive an authenticated Bond, except as provided in (e) below.

(b) Upon receipt by the Paying Agent and Registrar of written notice from the Depository to the effect that the Depository is unable or unwilling to discharge its responsibilities, the Paying Agent and Registrar shall issue, transfer and exchange Bonds requested by the Depository in appropriate amounts. Whenever the Depository requests the Paying Agent and Registrar to do so, the Paying Agent and Registrar will cooperate with the Depository in taking appropriate action after reasonable notice (i) to arrange, with the prior written consent of the County, for a substitute depository willing and able upon reasonable and customary terms to maintain custody of the Bonds or (ii) to make available Bonds registered in whatever name or names as the Beneficial Owners transferring or exchanging such Bonds shall designate.

(c) If the County determines that it is desirable that certificates representing the Bonds be delivered to the ultimate beneficial owners of the Bonds and so notifies the Paying Agent and Registrar in writing, the Paying Agent and Registrar shall so notify the Depository, whereupon the Depository will notify the Bond Participants of the availability through the Depository of bond certificates representing the Bonds. In such event, the Paying Agent and Registrar shall issue, transfer and exchange bond certificates representing the Bonds as requested by the Depository in appropriate amounts and in authorized denominations.

(d) Notwithstanding any other provision of this resolution to the contrary, so long as any Bond is registered in the name of the Depository or any nominee thereof, all payments with respect to such Bond and all notices with respect to such Bond shall be made and given, respectively, to the Depository as provided in the Letter of Representations.

(e) Registered ownership of the Bonds may be transferred on the books of registration maintained by the Paying Agent and Registrar, and the Bonds may be delivered in physical form to the following:



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(i) any successor securities depository or its nominee; and

(ii) any person, upon (A) the resignation of the Depository from its functions as depository or (B) termination of the use of the Depository pursuant to this Section.

(f) In the event of any partial redemption of a Bond unless and until such partially redeemed bond has been replaced in accordance with the provisions of this resolution, the books and records of the Paying Agent and Registrar shall govern and establish the principal amount of such bond as is then outstanding and all of the Bonds issued to the Depository or its nominee shall contain a legend to such effect.

If for any reason the Depository is terminated or resigns and is not replaced, the County shall immediately provide a supply of printed bond certificates for issuance upon the transfers from the Depository and subsequent transfers or in the event of partial redemption. In the event that such supply of certificates shall be insufficient to meet the requirements of the Paying Agent and Registrar for issuance of replacement certificates upon transfer or partial redemption, the County agrees to order printed an additional supply of such certificates and to direct their execution by manual or facsimile signatures of its then duly qualified and acting Chairperson and County Clerk. In case any officer whose signature or facsimile thereof shall appear on any Bond shall cease to be such officer before the delivery of such Bond (including such certificates delivered to the Paying Agent and Registrar for issuance upon transfer or partial redemption), such signature or such facsimile signature shall nevertheless be valid and sufficient for all purposes the same as if such officer or officers had remained in office until the delivery of such bond. The Bonds shall not be valid and binding on the County until authenticated by the Paying Agent and Registrar.

Section 9. After being executed by the Chairperson and County Clerk, said Bonds shall be delivered to the Treasurer of this County who shall be responsible therefor under his/her official bond, and he/she shall cause the same to be delivered to the Paying Agent and Registrar for registration and authentication. The County Clerk is directed to make and certify a transcript of the proceedings of the County precedent to the issuance of said Bonds, which shall be delivered to the purchaser of said Bonds.

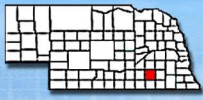
Section 10. The net sale proceeds of the Bonds shall be applied to the payment and satisfaction of all of the principal of and the interest on the Refunded Bonds as called for redemption on the Redemption Date by depositing such funds with the paying agent and registrar for the Refunded Bonds. Accrued interest received from the sale of the Bonds, if any, shall be applied to pay interest first falling due on the Bonds. Expenses of issuance of the Bonds may be paid from the proceeds of the Bonds.

Section 11. For the prompt payment of this bond, the County hereby covenants and agrees that it shall levy ad valorem taxes upon all the taxable property in the County at such rate or rates, as will provide funds which, together with other funds made available and used for such purpose, will be sufficient to make payment of the principal of and interest on this bond and the other bonds of the same issue as the same fall due.

Section 12. The County reserves the right to issue refunding bonds and provide for the investment of the proceeds thereof for purposes of providing for the payment of principal and interest on the Bonds herein authorized in such manner as may be prescribed by law from time to time but specifically including the provisions of Section 10-142 R.R.S. Neb. 2012, as amended, or any amendment thereto.

Section 13. Upon execution, registration and authentication of the Bonds, the Paying Agent and Registrar is authorized to deliver them to the initial purchaser of the Bonds, upon receipt of the purchase price, plus accrued interest, if any, to date of payment and delivery thereof (which purchase price shall be established by the terms of the Designation). The County's Bond Counsel, and the Underwriter and its agents and representatives are hereby authorized to take such actions on behalf of the County as are necessary to effectuate the closing of the issuance and sale of the Bonds, including, without limitation, authorizing the release of the Bonds by the Depository at closing. The Underwriter shall have the right to direct the registration of said Bonds and the denominations thereof within each maturity subject to the restrictions of this resolution. The County shall pay costs of issuance of the Bonds from the proceeds of the Bonds, including Underwriter's discount or fee, Bond Counsel's fee, and the fee of any consultant, including the Nebraska Association of County Officials. The Authorized Officers (or any one of them) are hereby authorized to execute and deliver a Bond Purchase Agreement, in such form as approved by an Authorized Officer.

Section 14. The County hereby covenants to the holders of the Bonds hereby authorized that, to the extent such Bonds are issued with tax-exempt interest, it will make no use of the proceeds of said bond issue, including monies held



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in any sinking fund for the Bonds, which would cause the Bonds to be arbitrage bonds within the meaning of Sections 103(b) and 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and further covenants to comply with said Sections 103(b) and 148 and all applicable regulations thereunder throughout the term of said bond issue. The County hereby covenants and agrees to take all actions necessary under the Code to maintain the tax-exempt status (as to taxpayers generally) of interest payable on those Bonds issued with tax-exempt interest.

Section 15. The County hereby covenants that it will comply with and carry out all of the provisions of the Continuing Disclosure Undertaking, dated the date of delivery of the Bonds (the "Disclosure Undertaking") executed and delivered by the County on the date of issuance of the Bonds in order to ensure compliance with Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission. Notwithstanding any other provision of this Resolution, failure of the County to comply with the Disclosure Undertaking shall not be considered an event of default; however, the registered owner of any Bond may take such actions as may be necessary and appropriate, including seeking a writ of mandamus or specific performance by court order, to cause the County to comply with its obligations under this section. The Chairperson is hereby authorized to execute the Disclosure Undertaking in the form determined necessary by the Chairperson and bond counsel to ensure compliance with the Rule. The Authorized Officers, or any one of them, may appoint a Dissemination Agent with respect to the Bonds to promote compliance with the Disclosure Undertaking.

Section 16. The Chairperson and County Clerk are hereby authorized to approve for and on behalf of the County a preliminary and a final Official Statement with such content as is deemed appropriate by them. The Authorized Officers are hereby authorized to execute and deliver any and all documents and certificates and to take any and all actions deemed necessary and appropriate in connection with the issuance and sale of the Bonds.

Section 17. In order to promote compliance with certain federal tax and securities laws relating to the bonds herein authorized (as well as other outstanding bonds) the policy and procedures attached hereto as Exhibit "A" (the "Post-Issuance Compliance Policy and Procedures") are hereby adopted and approved in all respects. To the extent that there is any inconsistency between the attached Post-Issuance Compliance Policy and Procedures and any similar policy or procedures previously adopted and approved, the Post-Issuance Compliance Policy and Procedures shall control.

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.

## EMERGENCY MANAGEMENT REQUEST

Jim Dunker, Emergency Manager requested to purchase some new chairs for the conference center at the Road Department. Jim had gotten a quote from All Makes for chairs that would roll and also stack that would be \$150.00 each. After discussion, will look for at different folding chairs that would be approximately \$25.00 each.

Jim had a quote from Erdkamp Motors for a new 2020 Dodge Ram crew cab pickup for \$29,200.00.

## CHANGES TO SECTION 9.16 – COMMERCIAL/UTILITY GRADE WIND ENERGY SYSTEMS IN THE ZONING REGULATIONS

Ron Schropfer, Scott Vonderfecht, Becky Vonderfecht, Robert Schropfer, Galen Niederklein, Sondra L. Backstrom, Greg Scellin, and Gorlyn Nun were present for the discussion.

After a lengthy discussion, Neiman moved and Lightwine seconded the introduction of the following resolution:

### RESOLUTION #2019 – 38

#### **A RESOLUTION AMANEDING THE FILLMORE COUNTY ZONING REGULATIONS TO PROVIDE UPDATES REGULATIONS FOR THE COMMERCIAL/UTILITY GRADE WIND ENERGY SYSTSEM REGULATIONS; AND TO PROVIDE WHEN THIS RESOLUTION SHALL BE IN FULL FORCE AND EFFECT**

**WHEREAS**, pursuant to Neb. Rev. Stat. Section 23-174.10, as amended, any county which has adopted a county zoning regulation may make such regulations as may be necessary or expedient to promote the public health, safety, and welfare; and





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**WHEREAS**, Fillmore County has adopted zoning regulations and the Fillmore County Board of Supervisors desires to update the Commercial/Utility Wind Energy System regulations; and

**WHEREAS**, the Fillmore County Joint Planning Commission conducted a public hearing on October 21, 2019 and provided a recommendation of approval, and the Fillmore County Board of Supervisors conducted a public hearing on October 22, 2019 for the following regulations and amendments to the Fillmore County Zoning Regulations:

## **9.16 COMMERCIAL/UTILITY GRADE WIND ENERGY SYSTEMS**

9.16.01 **PURPOSE:** It is the purpose of this regulation to promote the safe, effective and efficient use of commercial/utility grade wind energy conversion systems within Fillmore County.

9.16.02 **DEFINITIONS:** The following are defined for the specific use of this section.

**AGGREGATE PROJECT** shall mean projects that are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the individual WECS within the larger project. Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also part of the aggregated project.

**COMMERCIAL WECS** shall mean a wind energy conversion system of equal to or greater than 100 kW in total name plate generating capacity.

**HUB HEIGHT** shall mean the distance from ground level as measured to the centerline of the rotor.

**FALL ZONE** shall mean the area, defined as the furthest distance from the tower base, in which a guyed or tubular tower will collapse in the event of a structural failure. This area may be less than the total height of the structure.

**FEEDER LINE** shall mean any power line that carries electrical power from one or more wind turbines to the point of interconnection with the project distribution system, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the wind energy conversion system.

**METEOROLOGICAL TOWER** shall mean, for purposes of this regulation, a tower which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System. Meteorological towers do not include towers and equipment used by airports, the Nebraska Department of Roads, or other applications to monitor weather conditions.

**PROPERTY LINE** shall mean the boundary line of the area over which the entity applying for a Wind Energy Conversion System permit has legal control for the purpose of installing, maintaining and operating a Wind Energy Conversion System.

**PUBLIC CONSERVATION LANDS** shall mean land owned in fee title by State or Federal agencies and managed specifically for conservation purposes, including but not limited to State Wildlife Management Areas, State Parks, federal Wildlife Refuges and Waterfowl Production Areas. For purposes of this regulation, public conservation lands will also include lands owned in fee title by non-profit conservation organizations, Public conservation lands will also include private lands upon which conservation easements have been sold to public agencies or non-profit conservation organizations.

**ROTOR DIAMETER** shall mean the diameter of the circle described by the moving rotor blades.

**SMALL WIND ENERGY SYSTEM** shall mean a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce on-site consumption of utility power.

**SUBSTATIONS** shall mean any electrical facility to convert electricity produced by wind turbines to a higher voltage for interconnection with high voltage transmission lines.

**TOTAL HEIGHT** shall mean the highest point, above ground level, reached by a rotor tip or any other part of the Wind Energy Conversion System.

**TOWER** shall mean the vertical structures, including the foundation, that support the electrical generator, rotor blades, or meteorological equipment.

**TOWER HEIGHT** shall mean the total height of the Wind Energy Conversion System exclusive of the rotor blades.

**TRANSMISSION LINE** shall mean the electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electric energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

**WIND ENERGY CONVERSION SYSTEM (WECS)** shall mean an electrical generating facility comprised of one or more wind turbines and accessory facilities, including but not limited to: power lines, transformers, substations



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and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on-site or distributed into the electrical grid.

WIND TURBINES shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy using airfoils or similar devices to capture the wind.

9.16.03 REQUIREMENTS: Commercial/Utility Grade Wind Energy Systems may be permitted as a Conditional Use within any district where the use is listed and allowed. The following minimum requirements and information shall be met and supplied:

1. The name(s) of project applicant.
2. The name of the project owner.
3. The legal description and address of the project.
4. A description of the project of the project including: Number, type, name plate generating capacity, tower height, rotor diameter, and total height of all wind turbines and means of interconnecting with the electrical grid.
5. Site layout, including the location of property lines, wind turbines, feeder lines, and all related accessory structures. This site layout shall include distances and be drawn to scale.
6. Certification by an Engineer competent in disciplines of WEC's.
7. Documentation of land ownership or legal control of the property.
8. The latitude and longitude of individual wind turbines; included with this shall be an area or zone in close proximity that meets all setbacks; where actual WEC will be considered.
9. A USGS topographical map, or map with similar data, of the property and surrounding area, including any other Wind Energy Conversion System, within 10 rotor distances of the proposed Wind Energy Conversion System not owned by the applicant.
10. Location of wetlands, scenic, and natural areas (including bluffs) within 1,320 feet of the proposed Wind Energy Conversion System.
11. An Acoustical Analysis that certifies that the noise requirements within this regulation can be met
12. The applicant shall supply the emergency management agency and/or fire departments with a basic emergency response plan.
13. FAA and FCC permit, if necessary. Applicant shall submit permit or evidence that the permit has been filed with the appropriate agency.

9.16.04 AGGREGATED PROJECTS:

1. Aggregated projects may jointly submit a single application and be reviewed under joint proceedings, including notices, public hearings, reviews and as appropriate approvals.
2. Permits may be issued and recorded separately.
3. Joint projects will be assessed fees as one project.

9.16.05 SETBACKS:

All towers shall adhere to the setbacks (measured from the edge of the tower) established in the following table:

	Wind Turbine – Commercial/Utility WECS	Meteorological Towers
Property Lines	<del>150 feet</del> <b><u>1.5x TOTAL HEIGHT</u></b> from PROPERTY LINE; however, the setback may be reduced to 150 feet when two adjoining property owners are within the AGGREGATED PROJECT.	One times the tower height.
Neighboring Dwelling Units*	<del>1,000 feet</del> <b><u>2,640 feet, however, may be reduced to a minimum of 1.5 x TOTAL HEIGHT at discretion of the adjoining landowner.</u></b>	One times the tower height.
Road Rights-of-Way**	<del>One times the tower height.</del> <b><u>1.5x TOTAL HEIGHT</u></b>	One times the tower height.
Other Rights-of-Way	<del>One times the tower height.</del> <b><u>1.5x TOTAL HEIGHT</u></b>	One times the tower height.
Wildlife Management	<del>600 feet***</del> <b><u>1.5x TOTAL HEIGHT***</u></b>	600 feet***





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Areas and State Recreational Areas		
Wetlands, USFW Types III, IV, and V	<del>600 feet***</del> <b><u>1.5x TOTAL HEIGHT***</u></b>	600 feet***
Other structures and cemeteries adjacent to the applicant's sites	<del>One times the tower height.</del> <b><u>1.5x TOTAL HEIGHT</u></b>	One times the tower height.
Other existing WECS not owned by the applicant.	6,000 lineal feet	NA
River Bluffs	1,320 feet	NA

~~\* The setback for dwelling units shall be reciprocal in that no dwelling unit shall be constructed within the same distance required for a commercial/utility Wind Energy Conversion System.~~

\*\* The setback shall be measured from any future Rights-of-Way if a planned change or expanded Right-of-Way is known. Such rights-of-way shall be verified with the Nebraska Department of Roads and County Roads Department.

\*\*\* Setback may be reduced to a distance of no less than 100 feet based on review of proposed distance and approval by Nebraska Game & Parks Commission, U.S. Fish and Wildlife, and Army Corps of Engineers. Such reduction shall not be less than 100 feet and be based on certified engineer reports showing no effects on the identified areas. Applicant shall submit report and approval or evidence that the study has been performed and the request for approval has been submitted to the appropriate agency prior to the issuance of a zoning permit. Such permit would be conditional and contingent upon such approval.

9.16.06 SPECIAL SAFETY AND DESIGN STANDARDS: All towers shall adhere to the following safety and design standards:

1. Clearance of rotor blades or airfoils must maintain a minimum of 12 feet of clearance between their lowest point and the ground.
2. All Commercial/Utility WECS shall have a sign or signs posted on the tower, transformer and substation, warning of high voltage. Other signs shall be posted on the turbine with emergency contact information.
3. All wind turbines, which are a part of a commercial/utility WECS, shall be installed with a tubular, monopole type tower.
4. Height: The total height shall be determined by the fall zone requirement **and shall not exceed six hundred (600) feet. Total height shall not exceed 600 feet.** FAA approval is required.
5. Consideration shall be given to painted aviation warnings on all towers more than 200 feet.
6. Color and finish: All wind turbines and towers that are part of a commercial/utility WECS shall be white, grey, or another non-obtrusive color. Blades may be black in order to facilitate deicing. Finishes shall be matte or non-reflective.
7. Lighting: Lighting, including lighting intensity and frequency of strobe, shall adhere to but not exceed requirements established by the FAA permits and regulations. Red strobe lights shall be used during nighttime illumination to reduce impacts on neighboring uses and migratory birds. Red pulsating incandescent lights should be avoided.
8. Other signage: All other signage shall comply with the sign regulations found in these regulations.
9. Feeder Lines: All communications and feeder lines associated with the project distribution system installed as part of a WECS shall be buried, where physically feasible. Where obstacles to the buried lines create a need to go above ground, these lines may be placed above ground only to miss the obstacle. All distribution and/or transmission lines outside of the project distribution system may be above ground.
10. Waste Disposal: Solid and Hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable local, state and federal regulations.
11. Discontinuation and Decommissioning:



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- a. A WECS shall be considered a discontinued use after one year without energy production, unless a plan is developed and submitted to the Zoning Administrator outlining the steps and schedule for returning the WECS to service. All WECS and accessory facilities shall be removed to four feet below ground level within 180 days of the discontinuation of use. The 180 days may be extended if proof of weather delays is provided.
  - b. Each Commercial/Utility WECS shall have a Decommissioning plan outlining the anticipated means and cost of removing WECS at the end of their serviceable life or upon being discontinued use. The cost estimates shall be made by a competent party; such as a Professional Engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for decommissioning and removal of the WECS and accessory facilities.
12. Noise: No Commercial/Utility WECS shall exceed 50 dBA at the nearest structure or use occupied by humans. Such structures or uses include dwelling units, churches, daycares, and the like, but do not include barns, sheds, or agricultural, commercial or industrial uses.
13. Interference: The applicant shall minimize or mitigate interference with any commercial or public safety electromagnetic communications, such as radio, telephone, microwaves, or television signals caused by any WECS. The applicant shall notify all communication tower operators within five miles of the proposed WECS location upon application to the county for permits.
14. Roads: Applicants shall:
- a. Identify all county, municipal or township roads to be used for the purpose of transporting WECS, substation parts, cement, and/or equipment for construction, operation or maintenance of the WECS and obtain applicable weight and size permits from the impacted jurisdictions prior to construction.
  - b. Conduct a pre-construction survey, in coordination with the appropriate jurisdictions to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public road.
  - c. Be responsible for restoring the road(s) and bridges to preconstruction conditions.
  - d. **Roads agreements must be approved before any construction can begin.**
15. Drainage System: The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation or maintenance of the WECS.
16. **Shadow Flicker: Applicant will represent that the flicker impact on any occupied resident or community building will not exceed 30 hours per year and will provide a mitigation plan in the case this tolerance is exceeded. Shadow flicker impact analysis will be provided by a 3<sup>rd</sup> party, at the applicant's expense.**
17. **Post Construction as-built survey, provided by a 3<sup>rd</sup> party, at the applicant's expense.**

**NOW, THEREFORE BE IT RESOLVED**, by the County Board of Supervisors of Fillmore County, Nebraska that the above regulations pertaining to the Commercial/Utility Grade Wind Energy Systems are hereby approved.

**FURTHER IT BE IT RESOLVED**, that this Resolution shall be in full force and effect from and after passage, approval and publication or posting required by law and all other resolutions and sections in conflict are hereby repealed.

Upon roll call, the vote was as follows:

Ayes: Graham, Lightwine, Neiman, and Noel

Nays: Cerny, Harre, and Sluka

The Chairman declared the resolution adopted.

## DECLARE SURPLUS

Sheriff Burgess informed that Board that he will be purchasing new firearms and would like the old ones declared surplus.

After discussion, Noel moved and Sluka seconded the motion to declare seven (7) firearms as surplus and will be traded in. Upon roll call, the vote was as follows:



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

Nays: None

The Chairman declared the motion carried.

## DISCUSSION REGARDING INMATE MEDICAL NEEDS

Sheriff Burgess informed the Board that he has an inmate that is requiring more medical needs than what our jail can give. Due to the possibility of having to house this inmate in another facility, Bill will notify the Board at a later meeting what budgetary effects this could have.

## 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.

### GENERARL FUND:

Howard F. Ach	Rent, Post	566.20
B & J Automotive	Rep	649.40
Bear Graphics, Inc.	Sup	296.80
Bi-Versal Services, LLC	Ser	175.00
Black Hills Energy	Uti	316.89
Blue Cross Blue Shield of Nebraska	Insur	57,707.50
City of Geneva	Uti	664.70
Clay County Sheriff	Ser	15.40
Virginia Conway	Ser	30.00
Diebold Nixdorf, Inc.	Ser	278.89
Dollar General, Regions 410526	Sup	68.10
Eakes Office Solutions	Sup	1,238.77
Exeter Senior Center	CASA pass thru	425.00
Fairmont Aging Services	CASA pass thru	2,000.00
Fillmore County Clerk of the District Court	Fees	36.00
Fillmore County Sheriff	Fees	50.00
Fillmore County Treasurer	Transfer	260,000.00
First Concord Benefits Group	Insur	339.00
Galls	Equip	1,389.16
Geneva Broadband, LLC	Uti	128.00
Geneva Senior Center	CASA pass thru	2,500.00
Geneva Tire and Auto, Inc.	Rep, Main	871.42
Geneva Welding & Supply, Inc.	Rep	26.86
Hampton Inn – Kearney	Lodging	154.23
Heartland Bank	Sup, SS	10,028.84
Frances Heinrichs	Mile, Meal	77.66
Hometown Leasing	Ser	1,217.02
Jim's Repair	Rep	28.94
Kaiser Auto Supply, LLC	Main	46.96
Jonothan Knerl	Rep	72.68
Jerry Knoche	Mile	5.80
Kopchos Sanitation, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,809.31
Lehman Reporting Services	Ser, Mile	210.40
Loup Valley Lighting, Inc.	Sup	217.85
Madison National Life Insurance Co.	Insur	161.41
Midwest Connect	Sup	35.00
MIPS, Inc.	Ser, Sup, Equip	6,423.09
Brenda Motis	Mile	9.86



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Murray Law, PC, LLO	Ser	399.00
Nebraska Sheriffs Association	Dues	120.00
The Nebraska Signal	Pro, Ads	662.33
NeoFunds by NeoPost	Post	700.00
Platte Valley Communications of Hastings	Rep, Sup	454.26
PurFoods, LLC	Meals	178.87
Ramada By Wyndam	Lodging	199.90
Retirement Plans Division of Ameritas	Ret	9,664.25
Saline County Clerk	Budget request	11,496.26
Southeast Nebraska County Officials	Wksh	180.00
State of Nebraska AS Central Finance	Ser	448.00
State of Nebraska Dept. Correctional Svcs	Prisoner medical	346.73
State of Nebraska Health & Human Svcs	Sept. patient care	90.00
State of Nebraska – State Fire Marshall	Ser	60.00
Superior Outdoor Power Center	Rep, Equip	5,713.25
Thayer County Treasurer	Sup	201.81
Unifirst Corp.	Ser	349.98
University of Nebraska – Lincoln	Ser	2,579.96
US Bank CPS	Sup, Meal, Equip	646.61
Van Diest Supply Company	Sup	1,593.60
Brandy VanDeWalle	Wksh, Meal, Uti	315.00
Woodward's Disposal Service, Inc.	Ser	20.00
York County Treasurer	Ser	10,000.00
Payroll	Salaries	144,139.30

## **ROAD/BRIDGE FUND:**

Ace Irrigation & Manufacturing	Culverts	12,911.72
Action Auto Supply	Parts, Sup	595.94
All Roads Barricade, Inc.	Sup	221.73
Auto Value Parts Stores	Parts, Sup	133.47
Paul Bauer	Ser	475.00
Beatrice Concrete Co., Inc.	Gravel/Rock	20,519.26
Black Hills Energy	Uti	88.74
City of Geneva	Uti	50.55
Farmers Cooperative	Fuel, Parts	10,117.95
Gana Trucking & Excavating, Inc.	Rock	22,223.21
Geneva Broadband, LLC	Uti	40.00
Geneva Building Supply	Rep, Sup	161.74
Geneva Lumber Center	Sup	4.59
Geneva Tire and Auto, Inc.	Rep, Main	933.20
Geneva Welding & Supply, Inc.	Parts, Sup	184.68
Grafton Oil, Inc.	Fuel	1,933.90
Heartland Bank	SS	4,745.64
Heath, Inc.	Rep	65.00
Hometown Leasing	Ser	139.00
Kaiser Auto Supply, LLC	Parts, Sup	538.38
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel, Parts	2,869.65
McInay & Company	Rep	195.00
Medical Enterprises, Inc.	Sup	40.00
Mid-Nebraska Aggregate, Inc.	Gravel	34,873.71
MIPS, Inc.	Ser, Equip	3,392.04
Nebraska Iowa Industrial Fasteners Corp.	Sup, Parts	306.33
The Nebraska Signal	Ads	287.60
Nichols Collision Center	Rep	250.00
Nichols Construction	Gravel	43,093.26
NMC Exchange, LLC	Parts, Sup, Rep, Ser	9,357.46
Perennial Public Power District	Uti	131.59
Retirement Plans Division of Ameritas	Ret	4,167.81





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Southeast Nebraska County Officials	Wksh	30.00
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	26.74
Village of Grafton	Uti	40.04
Village of Shickley	Uti	42.58
Vogtsapes, Inc.	Box Culvert	92,676.57
Windstream	Uti	158.05
Payroll	Salaries	63,288.06

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc.	Ser	141.20
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## **INHERITANCE TAX FUND:**

CSS Mindshare, LLC	Equip, Ser	42,576.00
Hackstaff & Snow, LLC	Ser	5,000.00

## **911 EMERGENCY MANAGEMENT FUND:**

Dell Marketing, LP	Equip	314.99
Geneva Broadband, LLC	Uti	64.00
Lincoln Marriott Cornhusker	Lodging	109.00
Platte Valley Communications of Hastings	Rep	222.00
Precision Signs & Graphics	Equip	280.00

## **ROAD BUILDING BOND FUND:**

Cheever Construction Company	Building	140,127.50
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	October taxes	437.86
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## **CLAIMS APPROVED**

Lightwine moved and Sluka 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.

## **AMENDMENT TO BOECK 2<sup>ND</sup> SUBDIVISION**

Jennifer Slezak, Planning and Zoning Administrator submitted a plat for an amendment to Boeck 2<sup>nd</sup> Subdivision, located in the NW ¼, Section 10, Exeter Township.

After discussion, Sluka moved and Graham seconded the motion to approve the amendment to Boeck 2<sup>nd</sup> Subdivision as described: a tract of land comprising part of the SW ¼ of the NW ¼ of Section 10, Township 8 North, Range 1 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, described as follows: beginning at the NW corner of the Boeck Subdivision, and assuming the west line of said NW ¼ and Boeck Subdivision to have a bearing of N 37°09'45" W, 90.00 ft. on said west line; thence N 52°52'01" W, 740.65 ft.; thence S 37°09'37" E, 587.86 ft.; thence S 52°51'35" W, 41.11 ft.; thence N 37°09'36" W, 497.86 ft.; thence S 52°52'01" W, 699.90 ft. to the point of beginning and containing 2.00 acres more or less of which 0.07 of an acre more or less is occupied by County Road ROW.

Upon roll call, the vote was as follows:

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

Nays: None                      Abstaining: Harre

The Chairman declared the motion carried.





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## COUNTY SCHOLARSHIP

After discussion, the Board would like to have the County Clerk send the schools the information regarding the scholarship we offer. Students would need to complete an application and if awarded would need to sign a three-year contract with the County for employment.

## NACO ANNUAL CONFERENCE VOTING REGISTRATION

After discussion, Sluka moved and Lightwine seconded the motion to appoint Chairman Jeff Neiman to cast the ballot and Vice-Chairman Merle Noel as alternate if Jeff is unable to attend. 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.

## PHONE SYSTEM

County Clerk, Amy Nelson presented a proposal to replace the current phone system from BTS Communications in the amount of \$15,700.00 with a yearly maintenance of approximately \$2,500.00.

After discussion, Harre moved and Graham seconded the motion to approve the purchase of a new phone system from BTS. 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 9:00 a.m., November 26, 2019. 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.

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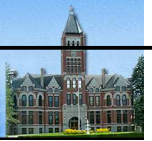
Attest

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Chairman



# Fillmore County Board Minutes



November 26, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:00 a.m., November 26, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 10:25 a.m.

## EMERGENCY ACTION ITEM

Sluka moved and Graham seconded the motion to add Geneva Township bill as an emergency action item to the agenda. Carried 7-0.

## MINUTES APPROVED

At the request of the County Clerk, Harre moved and Lightwine seconded the motion to correct the Occupy County Right-of-way permits adding Myers Bros. for installing an electrical line between the NW ¼, Section 16 to the NE ¼, Section 17, Chelsea Township. Carried 7-0.

## 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:

Bear Graphics	Sup	809.29
Bixby Law Office	Ser	361.00
Blue Cross Blue Shield of Nebraska	Insur	61,351.34
Consolidated Management Company	Meals	38.40
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Medical Center	Ser	68.97
Fillmore County Sheriff	Ser	145.51
Fillmore County Treasurer	Transfer	200,000.00
First Concord Benefits Group, LLC	Ser, Insur	6,176.19
Geneva Home Center	Sup	556.07
Geneva Super Foods	Sup	491.53
Heartland Bank	SS	5,014.92
Frances Heinrichs	Meals, Mile	48.20
The Home Depot Pro	Sup	784.38
Hope Crisis Center	Budget request	6,772.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Mile, Misc	3,120.18
Light and Siren	Equip	2,921.00
Madison National Life Insurance Co.	Insur	27.24
Midwest Court Reporting	Ser	180.00
National Pen Co., LLC	Sup	322.68
Nebraska Association of County Officials	Wksh	500.00
Nebraska Public Power District	Uti	1,427.90
O'Keefe Elevator Company, Inc.	Main	277.76
Platte Valley Communications of Hastings	Rep	131.76
Police Officer's Association of Nebraska	Sup	63.00
Retirement Plans Division of Ameritas	Ret	4,898.66
Saline County Clerk	Budget request	5,878.46
Southeast District Assessor's Association	Dues	25.00
State of Nebraska DAS State Accounting	Ser	43.88



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State of Nebraska Health & Human Service	Oct. patient care	93.00
34 Electric, LLC	Rep	65.00
Verizon Wireless	Uti	1,031.32
WEX Bank	Fuel	2,884.03
Windstream	UTi	1,323.03
Ziamba Roofing Company	Rep	261.00
Payroll	Salaries	73,363.15

## **ROAD/BRIDGE FUND:**

C & M Supply, Inc.	Fuel	226.92
Cummins Central Power, LLC	Main	3,170.00
Farmers Cooperative	Fuel	2,572.50
Geneva Home Center	Sup	89.26
Geneva Milling Co., Inc.	Misc	59.00
Grafton Mini Mart	Fuel	45.50
Grafton Oil, Inc.	Fuel	976.00
Grainger	Sup	329.10
Heartland Bank	SS	2,408.09
Heath, Inc.	Rep	60.00
Kerford Limestone Company	Rock	16,019.05
LCL Truck Equipment, Inc.	Parts	160.52
Mid-Nebraska Aggregate, Inc.	Gravel	16,988.66
Nebraska Association of County Officials	Wksh	125.00
Nebraska Public Power District	Uti	348.18
Nichols Construction	Gravel	22,484.68
Northern Safety Co., Inc.	Equip	79.09
Overland Ready Mixed	Rep	103.50
Perennial Public Power District	Uti	77.36
Protex Central, Inc.	Main	175.00
Retirement Plans Division of Ameritas	Ret	2,115.19
Roit Repair	Rep	30.92
Speece Lewis Engineers	Ser	2,156.80
34 Electric Co.	Rep	164.49
Verizon Wireless	Uti	87.26
WEX Bank	Fuel	2,750.02
Payroll	Salaries	32,107.36

## **ECONOMIC DEVELOPMENT - TOURISM FUND:**

Courtside Marketing	Ads	535.00
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## **INHERITANCE TAX FUND:**

Hackstaff & Snow, LLC	Ser	157.50
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## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	203.11
Windstream	Uti	1,860.19

## **CLAIMS APPROVED**

Noel moved and Graham seconded the motion to approve the claims as presented. Carried 7-0.

## **2020 PAYROLL**

Amy Nelson, County Clerk informed the Board that due to leap year that there would be 27 payrolls in 2020 instead of the normal 26. After discussion, the December 31, 2020 payroll will not have any Section 125, Health, Dental, Vision, Colonial Life, or AFLAC deductions.

## **CHILD SUPPORT ENFORCEMENT WITH COUNTY ATTORNEY AND NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES**



# Fillmore County Board Minutes



November 26, 2019

After discussion, Noel moved and Cerny seconded the motion to approve the agreement with the County Attorney and the Nebraska Department of Health and Human Services beginning October 1, 2019 and ending September 30, 2020. Carried 7-0.

## **CHILD SUPPORT ENFORCEMENT WITH CLERK OF THE DISTRICT COURT AND NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES**

After discussion, Cerny moved and Lightwine seconded the motion to approve the agreement with the Clerk of the District Court and the Nebraska Department of Health and Human Services beginning October 1, 2019 and ending September 30, 2020 and authorize the Clerk of the District Court to sign this agreement. Carried 7-0.

## **GENEVA TOWNSHIP CLAIM**

Sluka moved and Harre seconded the motion to approve the claim from Chaney Chemical for \$1,022.25 for Geneva Township and to direct the County Treasurer to pay the bill as presented. Carried 7-0.

## **DRIVEWAY PERMITS**

Sluka moved and Lightwine seconded the motion to approve the following driveway permits as presented by the Highway Superintendent: Brandon Jones – extend existing driveway to 40 ft. on the south side of the SE ¼, Section 14, Geneva Township; Myers Bros. – replace culvert in existing driveway on the east side of the NE ¼, Section 3, Belle Prairie Township; Heartland Trust – replace culvert in existing driveway on the north side of the NE ¼, Section 23, Hamilton Township; Virginia Johnson Trust – extend existing driveway to 40 ft. on the east side of the N ½ of the SE ¼, Section 11, Geneva Township; and Bret Carlson – install a 40 ft. driveway on the east side of the S ½ of the SE ¼, Section 2, Hamilton Township. Carried 7-0.

## **CLEAN SILT PERMITS**

Noel moved and Cerny seconded the motion to approve the clean silt permits as presented by the Highway Superintendent: Glen Kovanda – clean silt from the ditch and place back in the field along the west side of the NW ¼, Section 25, Liberty Township; Jim Lovegrove – clean silt from the ditch and place back in the field along the south side of the SE ¼, Section 31, Fairmont Township; Patrick Kamler – clean silt from the ditch and place back in the field along the north and west side of the NW ¼, Section 13, Momence Township; and Sunny Slope Farms – clean silt from the ditch and place back in the field along the south side of the SE ¼, Section 18, Momence Township. Carried 7-0.

## **WARRANTY FOR NEW SHOP/OFFICE BUILDING**

After discussion, Sluka moved and Lightwine seconded the motion to sign the twenty-year warranty with Alliance Steel Building Systems. Carried 7-0.

## **PICKUP LETTING**

Bids for a new pickup were opened at 9:45 as advertised. The following bids were received:

<b><u>Bidder:</u></b>	<b><u>Year, Make, and Model:</u></b>	<b><u>Price:</u></b>
Erdkamp Motors, Exeter, NE	2020 Dodge Ram, 2500 Crew Cab	\$32,300.00

## **PICKUP BIDS**

Harre moved and Lightwine seconded the motion to accept the bid and purchase the 2020 Dodge Ram from Erdkamp Motors for \$32,300.00. Carried 7-0.

## **EXTENSION OFFICE AND 4-H UPDATE**

Rachel Adam, 4-H Extension Assistant gave the Board an update of what the events and projects the extension office has presented and upcoming events.

## **KEMPF SECOND SUBDIVISION**



# Fillmore County Board Minutes



November 26, 2019

Jennifer Slezak, Planning and Zoning Administrator presented a plat for the Kempf Second Subdivision, located in the SW  $\frac{1}{4}$ , Section 6, Hamilton Township.

After discussion, Noel moved and Graham seconded the motion to approve the Kempf Second Subdivision as described: a tract of land located in the southwest quarter of Section 6, Township 5 North, Range 3 West of the 6<sup>th</sup> P.M., Fillmore County, Nebraska, being described as follows: commencing at the southwest corner of the southwest quarter of said Section 6; thence N 00°16'57" E (assumed bearing) on the west line of said southwest quarter, a distance of 1860.00 feet to the point of beginning; thence S 89°43'03" E, perpendicular to said west line, a distance of 163.00 feet; thence S 50°30'22" E, a distance of 87.00 feet; thence S 89°43'03" E, perpendicular to west line of said southwest quarter, a distance of 125.00 feet; thence N 35°49'17" E, a distance of 139.54 feet; thence N 17°37'50" E, a distance of 132.00 feet; thence N 01°48'17" W, a distance of 67.00 feet; thence N 87°13'57" W a distance of 140.00 feet; thence N 33°22'12" W, a distance of 75.00 feet; thence N 89°43'03" W, perpendicular to the west line of said southwest quarter, a distance of 292.00 feet to said west line; thence S 00°16'57" W on said west line, a distance of 320.00 feet to the point of beginning containing 3.34 acres including 0.24 acres of county road right-of-way. Carried 7-0.

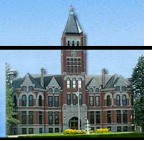
## ADJOURN

As there was no other business to come before the Board, Harre moved and Sluka seconded the motion to adjourn until 9:05 a.m., December 10, 2019. Carried 7-0.





# Fillmore County Board Minutes



December 10, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:06 a.m., December 10, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. 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. 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 11:55 a.m.

## FEE REPORTS

Lightwine moved and Cerny seconded the motion to approve the fee reports for November 2019 as presented:

**County Clerk \$6,643.50** (State \$2,744.08 & County \$3,899.42)  
**Clerk of the District Court \$668.55**  
**County Sheriff \$1,530.28**

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 PERMITS

Sluka moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

James Fitzgerald – replace existing driveway on the west side of the SE of the NW ¼, Section 23, Bennett Township;  
Jason Tatro – move existing driveway and install a 40 ft. driveway on the north side of the W ½ of the NW ¼, Section 32, Madison Township;  
Nate Jacobson – install a new driveway within the NW ¼, Section 1, Stanton Township; and  
Double S Double R Farms, LLC – replace two existing driveways on the west side of the NW ¼, Section 15, Fairmont Township.

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.

## CLEAN SILT PERMITS

Lightwine moved and Harre seconded the motion to approve the clean silt permits as presented by the Highway Superintendent:

Robert Shumaker Properties, LLC – clean silt along the east side of the NE ¼, Section 19, Stanton Township and place back into the field; and  
Jason Tatro – clean silt along the west side of the NW ¼, Section 32, Madison Township and place back into the field and use to build driveway.

Upon roll call, the vote was as follows:

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



# Fillmore County Board Minutes



December 10, 2019

Nays: None

The Chairman declared the motion carried.

## **CONTRACT FOR BRIDGE REPAIRS ON PROJECT #C003004325**

After discussion, Sluka moved and Harre seconded the motion to approve the contract with Midwest Infrastructure for \$72,506.75 to repair the bridge on Road 22 between Road M and Road N. 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.

## **SET HEARING TO CLOSE ROAD**

Highway Superintendent, Pat Halbur presented the traffic study to report the use of public roadway that runs east and west between Section 3, Fairmont Township and Section 10 Fairmont Township (Road B between Road 16 and Road 17).

After discussion, Graham moved and Lightwine seconded the introduction of the following resolution:

## **RESOLUTION #2019 – 39**

**WHEREAS**, the County Board directed the County Highway Superintendent, by resolution, to study the use being made of the public road between Section 3, T8N – R2W, Fairmont Township and Section 10, T8N – R2W, Fairmont Township.

**WHEREAS**, a written report was submitted by the County Highway Superintendent recommending to close and vacate the public road between Section 3, T8N – R2W, Fairmont Township and Section 10, T8N – R2W, Fairmont Township.

**NOW THEREFORE** Be it Resolved by the Fillmore County Board of Supervisors that a hearing be set for 9:45 a.m., January 14, 2020 to hear testimony concerning the proposed abandonment of the roadway listed above.

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.

## **UPDATE ON THE BUILDING**

Pat informed the Board that the roof hasn't leaked since they fixed it and they will be there today to fix the bollard. Cheever's submitted a bill withholding \$3,000.00 in retainage, which is in the claims today.

## **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.

## **GENERARL FUND:**

Academic Booster Club	Misc	50.00
Howard F. Ach	Rent, Post, Sup, Dues	929.70
Aging Partners	Budget request	18,747.00
Auto Value Parts Stores	Rep	30.07



# Fillmore County Board Minutes



December 10, 2019

Black Hills Energy	Uti	819.95
Carrier Corporation	Main	3,050.00
City of Geneva	Uti	399.70
Consolidated Management Company	Meals	110.65
County Veterans' Service Officer Assoc. NE	Dues	110.00
Dodge County Sheriff	Ser	7.22
Dollar General – Regions 410526	Sup	9.00
Eakes Office Solutions	Sup	1,103.66
Erdkamp Motors	Main/Rep	432.25
Fillmore County Development Corp.	Budget request	10,000.00
Fillmore County Hospital	Ser	1,088.77
Fillmore County Medical Center	Ser	114.60
First Concord Group, Inc.	Insur	291.50
Fillmore County Clerk of the District Court	Fees	137.00
Galls, LLC	Equip	48.84
Geneva Broadband, LLC	Uti	88.00
Geneva Home Center	Sup	234.90
Geneva Tire and Auto, Inc.	Main, Tires, Rep	1,664.50
Gropp Law and Mediation	Fees	891.00
HD Arms, LLC	Equip	507.00
Heartland Bank	SS	5,286.23
Hometown Leasing	Ser	1,217.02
Steve Julich	Post	7.90
Kelch Plumbing, Heating, & Refrigeration	Rep	69.00
Konica Minolta Business Solutions, USA	Main, Sup	3,265.00
Kopchos Sanitaion, Inc.	Uti	148.75
Stephen J. Kraviec	Ser, Post	1,792.41
Madison National Life Insurance Co.	Insur	165.81
Midwest Court Reporting	Ser	341.25
Midwest Process Services	Ser	66.80
MIPS, Inc.	Ser	3,094.60
Nebraska Association of County Officials	Wksh	3,377.60
Nebraska Law Enforcement Training Cntr	Lodging	160.00
Nebraska Public Power District	Uti	717.47
The Nebraska Signal	Ads, Proc	477.33
Nebraska Weed Control Association	Dues	210.00
Nebraska.Gov	Subscription	100.00
NeoFunds by NeoPost	Post	2,100.00
Proforma	Sup	618.78
Region V Systems	Ser	642.00
Retirement Plans Division of Ameritas	Ret	5,119.94
Secretary of State – Elections Division	Sup	20.00
Service Press	Sup	350.00
State of Nebraska AS Central Finance	Ser	448.00
T & J Towing	Ser	330.00
Thayer County Treasurer	Sup	201.81
US Bank CPS	Meal	20.30
Brandy VanDeWalle	Lodging, Mile, Uti	154.37
Reid Velte	Ser	75.00
Weaver Pharmacy	Sup	31.68
Windstream	Uti	296.85
Woodward's Disposal Service, Inc.	Ser	20.00
Payroll	Salaries	73,363.15

## **ROAD/BRIDGE FUND:**

Ace Irrigation & Manufacturing	Culverts	36,534.70
Aurora Cooperative Elevator Co.	Fuel	1,190.00
Paul Bauer	Ser	475.00
Black Hills Energy	Uti	389.73



# Fillmore County Board Minutes



December 10, 2019

BNSF Railway Company	Rep	252.56
Certified Truck & Trailer, Inc.	Rep, Sup	1,090.12
City of Geneva	Uti	50.55
Farmers Cooperative	Fuel	281.09
Friesen Chevrolet, Inc.	Rep	79.28
Geneva Broadband, LLC	Uti	40.00
Geneva Home Center	Sup	56.72
Geneva Implement Co., Inc.	Parts, Main	549.51
Geneva Tire and Auto, Inc.	Rep, Main	618.14
Geneva Welding & Supply, Inc.	Sup	141.00
Grafton Oil, Inc.	Fuel	824.19
Heartland Bank	SS	2,416.82
Hometown Leasing	Ser	139.00
Kaiser Auto Supply, LLC	Parts, Sup, Main	444.42
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Fuel	2,446.06
MIPS, Inc.	Ser	134.73
Nick's Farm Store Co.	Rep, Main	105.33
NMC Exchange, LLC	Parts, Ser, Rap	10,492.24
Perennial Public Power District	Uti	96.92
Power Plan	Parts	758.57
Retirement Plans Division of Ameritas	Ret	2,124.69
US Bank CPS	Post, Mis	77.85
Village of Exeter	Uti	18.75
Village of Fairmont	Uti	90.80
Village of Grafton	Uti	40.04
Village of Shickley	Uti	126.33
Windstream	Uti	164.17
Payroll	Salaries	32,107.36

## **REGISTER OF DEEDS PRESERVATION FUND:**

MIPS, Inc	Ser	141.20
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## **INHERITANCE TAX FUND:**

Woods Aitken, LLP	Ser	5,878.10
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## **911 EMERGENCY MANAGEMENT FUND:**

Geneva Broadband, LLC	Uti	64.00
Windstream	Uti	1,743.65

## **ROAD BUILDING FUND:**

Cheever Construction Company	Building	27,239.16
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## **AG SOCIETY BOND FUND:**

Chase NYC Bank	Interest, Misc	6,470.75
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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital	Nov. taxes	149.15
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## **CLAIMS APPROVED**

Lightwine moved and Cerny 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.



# Fillmore County Board Minutes



December 10, 2019

## MAXIMUS CONTRACT FOR FY 2019 TO 2021

After discussion, Cerny moved and Noel seconded the motion to approve the contract with MAXIMUS Consulting Services, Inc. for fiscal year 2019 through FY 2021. 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.

## PARTIAL PAYMENT OF TAXES

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

### RESOLUTION #2019 – 40

**WHEREAS**, previous Fillmore County Treasurers have accepted partial payments towards real estate taxes in past years, and

**WHEREAS**, Fillmore County Board of Supervisors pass a resolution authorizing and directing the Fillmore County Treasurer to accept partial payments toward payment of real estate taxes under the terms and conditions to be determined by the Fillmore County Treasurer.

**NOW THEREFORE, BE IT RESOLVED**, by the Chairman and the Board of Supervisors of Fillmore County, Nebraska, that the present Fillmore County Treasurer be authorized and directed to accept partial payment toward real estate taxes in amounts and under such conditions as the Fillmore County Treasurer shall determine and under the additional following terms and conditions:

1. That the partial payments made by taxpayers shall be maintained in a special holding account until the entire year's real estate taxes or the installments payments have been paid in full.
2. That the taxpayer shall not be paid any interest on any funds deposited in the special holding account but that the Treasurer shall be entitled to earn interest on the monies deposited in said account.
3. That no receipt shall be provided to the taxpayer until full payments for each installment or full payment for one year's taxes have been received from the taxpayer.

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.

## BLUE VALLEY COMMUNITY ACTION

Wade Sluka submitted to the Board a letter from Blue Valley Community Action explaining how they would be changing from a fifty-eight (58) member Board to a twenty-six (26) member Board.

## UPDATE FROM SENATOR TOM BRANDT

Tom Brandt informed the Board of what has been happening with YRTC – Geneva as well as things that are upcoming in legislature.

## EXECUTIVE SESSION

Lightwine moved and Cerny 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





# Fillmore County Board Minutes



December 10, 2019

protection of the public interest and consider in executive session threatening litigation authorized by Statute to be discussed in executive session. 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 and requested that the County Clerk remain. Executive session began at 10:56 a.m.

## RETURN TO REGULAR SESSION

Harre moved and Sluka seconded the motion to return to open session at 11:54 a.m. 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, Noel moved and Sluka seconded the motion to adjourn until 9:05 a.m., December 23, 2019. 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.

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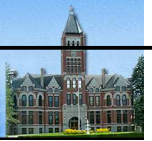
Attest

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Chairman



# Fillmore County Board Minutes



December 23, 2019

The Fillmore County Board of Supervisors convened in open and public session at 9:06 a.m., December 23, 2019, in the Courthouse Boardroom in Geneva, Nebraska with Chairman Neiman presiding. Members present were Sluka, Graham, Harre, Cerny, and Lightwine. Noel was absent and Harre absent at 10:15 a.m. 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 YRTC Geneva at 11:55 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the December 10, 2019 meetings approved as presented.

## CHRISTMAS EVE

After discussion, Graham moved and Lightwine seconded the motion to follow the Presidential Proclamation and close all day on Christmas Eve, December 24, 2019. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## DISCUSSION REGARDING SOLAR REGULATIONS FOR ZONING

Zoning Administrator, Jennifer Slezak submitted the following resolution regarding a moratorium for any solar energy farms so that we could get some regulations in place.

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

### RESOLUTION #2019 – 41

**WHEREAS**, the County of Fillmore has a comprehensive development plan in place; and

**WHEREAS**, the County of Fillmore, Nebraska has zoning regulations in place which are intended to direct the location of specific uses and provide for proper separation of conflicting uses; and

**WHEREAS**, the County of Fillmore has seen an interest in proposed Solar Engery Farms; and

**WHEREAS**, the County Board of Fillmore County wishes to study the Zoning Regulations related to this use; and

**WHEREAS**, the likelihood of solar energy farms in Fillmore County is propbale, the County Board desires to implement regulations which are appropriate for the county and its residents, and

**WHEREAS**, the Fillmore County Planning Commission should be directed to review the County Comprehensive Planning and Zoning Regulations with recommendations for changes to the comprehensive plan and to the County Zoning Regulations dealing with solar energy farms before granting or recommending a conditional use permit for the construction of any solar energy farm; and

**WHEREAS**, the County Board finds that the most appropriate way to work on said regulations is without the possibility of new applications coming forward during a time frame which allows consideration of appropriate solar energy farms.

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



# Fillmore County Board Minutes



December 23, 2019

**“BE IT RESOLVED**, the County Board of Fillmore County, Nebraska that a four (4) month moratorium on accepting any solar energy farm applications is hereby invoked and approved.”

**“BE IT FUTHER RESOLVED**, that the Board of Supervisors of Fillmore County, Nebraska, hereby directs that the Fillmore County Planning Commission to review the county comprehensive plan and zoning regulations, to conduct any hearings, if neccesary and to make specific recommendations for changes to the comprehensive plan and to the county zoning regulations dealing with solar energy farms before granitng or recommending a conditional use permit for the construction of solar energy farms and that such recommendation shall be made within three (3) months of signing of this Resolution”

**“BE IT FURTHER RESOLVED**, that the said four (4) month moratorium shall become effective as of the date of the approval of this Resolution”.

Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, 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, Misc – miscellaneous, Post – postage, Pro – proceedings, Rep – repairs, Ret – retirement, Ser – service, SS – social security, Sup – supplies, Uti – utilities, Wksh – workshop expense.

### GENERARL FUND:

Rachel Adam	Wksh, Mile	25.09
Betka Plumbing, Heating & Air Conditioning	Rep	288.29
Comfort Inn	Lodging	1,319.40
Consolidated Management Company	Meals	120.75
Des Moines Stamp	Sup	65.00
Eakes Office Solutions	Sup	313.73
Fairfield by Marriott	Lodging	659.70
Fillmore County Sheriff	Ser	150.00
Fortify Group	Sup	80.00
Geneva Home Center	Sup	320.00
Geneva Super Foods	Sup	770.13
Hampton Inn – Kearney	Lodging	879.60
HD Arms, LLC	Equip	3,144.00
Heartland Bank	Ser, SS	5,343.05
Deborah Hoarty	Mile	85.26
The Home Depot Pro	Equip, Sup	934.76
Taylor Kahlandt	Mile	129.92
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Mile, Wksh	5,246.37
Pat Kamler	Mile	32.48
Krueger Land Surveying	Ser	525.00
Lancaster County Sheriff	Ser	6.00
Loup Valley Lighting, Inc.	Sup	61.66
Madison National Life Insurance Co.	Insur	27.24
Mid- American Research Chemical	Sup	837.74
MIPS, Inc.	Ser, Sup, Equip	2,009.34
Kim Mussman	Mile	27.84
Nebraska Public Power District	Uti	800.10
Protex Central	Ser, Main	355.00
Retirement Plans Division of Ameritas	Ret	4,944.32
Paul Sheffield	Mile	37.12



# Fillmore County Board Minutes



December 23, 2019

State of Nebraska DAS State Accounting	Ser	65.88
State of Nebraska Health & Human Service	Nov. patient care	90.00
Unifirst Corporation	Ser	435.30
University of Nebraska – Lincoln	Wksh	238.00
US Bank CPS	Lodging	232.83
Verizon Wireless	Uti	1,031.26
Richard Walter	Mile	121.80
WEX Bank	Fuel	2,769.33
York County Sheriff	Boarding prisoners	455.00
Payroll	Salaries	77,210.78

## **ROAD/BRIDGE FUND:**

Aurora Cooperation Elevator Co.	Fuel	3,988.27
BNSF Railway Company	Ser, Rep	117.64
C & M Supply, Inc.	Fuel	75.15
Diesel Pickup Shop	Rep	21.68
Eakes Office Solutions	Sup	54.14
Geneva Building Supply	Sup, Misc	44.65
Geneva Lumber Center	Sup	4.75
Geneva Super Foods	Sup	39.84
Grafton Mini Mart	Fuel	53.26
Hampton Inn – Kearney	Lodging	219.90
Heartland Bank	SS	2,415.16
Nebraska Public Power District	Uti	365.77
Quill Corporation	Sup	131.15
Retirement Plans Division of Ameritas	Ret	2,122.21
Speece Lewis Engineers	Ser	3,649.36
US Bank, CPS	Post	40.80
Verizon Wireless	Uti	87.26
WEX Bank	Fuel	1,381.80
Payroll	Salaries	32,211.41

## **ECONOMIC DEVELOPMENT – TOURISM FUND:**

Rena Kamler	Mile, Ser, Sup	479.34
Wanda Marget	Lodging, Wksh, Mile	626.75
Nebraska Department of Transportation	Sup	15.00

## **COUNTY DRUG LAW ENFORCEMENT FUND:**

U.S. Marshalls Service	Misc	9,750.00
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## **INHERITANCE TAX FUND:**

Woods Aitken, LLP	Ser	6,183.48
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## **911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	206.91
Windstream	Uti	117.84

## **ROAD BUILDING FUND:**

JEO Consulting Group, Inc.	Ser	1,498.00
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## **CLAIMS APPROVED**

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

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

Nays: None

The Chairman declared the motion carried.



# Fillmore County Board Minutes



December 23, 2019

## **DISCUSSION REGARDING COUNTY SURVEYOR POSITION**

Nebraska Association of County Officials informed the Board that in 2014 Legislation enacted a bill stating the County Board would need to decide whether to place the question on the November 2020 ballot to keep the County Surveyor as an elected position. Further discussion will be held at the January 14, 2020 meeting.

## **EMPLOYEE APPRECIATION DINNER**

After discussion, Harre moved and Sluka seconded the motion to approve the employee appreciation dinner on January 17, 2020 at the Fillmore County Ag Hall. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **DRIVEWAY PERMITS**

Sluka moved and Graham seconded the motion to approve the following driveway permits as presented by the Highway Superintendent:

Steven Swartzendruber, ETAL – replace a culvert in existing driveway in the SW ¼, Section 30, Hamilton Township;

Dale Richards – widen existing driveway to 40 ft. on the east side of the NE ¼, Section 30, Stanton Township; and

Spencer Walters – remove driveway and install a new driveway on the east side of the SE ¼, Section 24, Momence Township.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **CLEAN SILT PERMITS**

Lightwine moved and Cerny seconded the motion to approve the clean silt permits as presented by the Highway Superintendent:

Madonna Swartzendruber – clean silt from the ditch along the east side of the SE ¼, Section 25, Bryant Township and fill in areas that have eroded away in the ditch; and

Swartz Farms, LLC – clean silt from the ditch along the south and west of the SW ¼, Section 30, Hamilton Township and place back in the field.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

## **ROAD UPDATES**

Highway Superintendent, Pat Halbur informed the Board that the bollard has been relocated. She is still waiting on the packet of all the subcontractors contact information. Discussed final payment to JEO when claims were approved.

## **TOUR OF YRTC GENEVA**





# Fillmore County Board Minutes



December 23, 2019

The Board members, Sheriff William Burgess, Clerk Amy Nelson, and Emergency Manager Jim Dunker toured YRTC – Geneva.

## **ADJOURN SINE DIE**

As there was no other business to come before the Board, Lightwine moved and Graham seconded the motion to adjourn sine die until 9:05 a.m., January 7, 2020. Upon roll call, the vote was as follows:

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

Nays: None                      Absent: Harre

The Chairman declared the motion carried.

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Attest

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Chairman