



Fillmore County Board Minutes



September 22, 2020

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., September 22, 2020, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham (via zoom – not voting), 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 10:12 a.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the September 8, 2020 and September 17, 2020 meeting approved as presented.

INTERLOCAL AGREEMENT FOR COOPERATIVE ALL-HAZARDS MITIGATION PLANNING EFFORT

Emergency Manager, Jim Dunker informed the Board that he has been working with the Little Blue Natural Resources District, Lower Big Blue Natural Resources District, and the Upper Big Blue Natural Resources District in updating the All-Hazards Mitigation Plan.

After discussion, Cerny moved and Lightwine seconded the motion approve the interlocal agreement with Little Blue Natural Resources District, Lower Big Blue Natural Resources District, Upper Big Blue Natural Resources District, and the following counties: Adams, Clay, Fillmore, Gage, Jefferson, Nuckolls, Saline, Thayer, and Webster for an All-Hazards Mitigation Planning effort in effect until June 30, 2022. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OCCUPY COUNTY RIGHT-OF-WAY PERMITS

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

Black Hills Nebraska Gas, LLC – bore under the road for a utility line on Road 12, NW ¼, Section 1, 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;

Black Hills Nebraska Gas, LLC – bore under the road for a utility line on Road A, NW ¼, Section 1, 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, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

ROAD CLOSURE ON ROAD B BETWEEN ROAD 16 AND ROAD 17

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

RESOLUTION 2020 – 27



Fillmore County Board Minutes



September 22, 2020

WHEREAS, the Fillmore County Board directed the County Highway Superintendent, by resolution, to study the use being made of the West 1755 feet of the public road located BETWEEN Section Three (3), Township Eight (8) North, Range Two (2) West, Fairmont Township, Fillmore County Nebraska and Section Ten (10), Township (8) North, Range Two (2) West, Fairmont Township, Fillmore County, Nebraska; and

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, a copy of the said hearing notice was published once a week for three (3) consecutive weeks in The Nebraska Signal, the legal newspaper of general circulation in Fillmore 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 14, 2020 at 9:45 A.M. in the boardroom of the Fillmore County Courthouse in Geneva, Fillmore County, Nebraska. 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, Nebraska Revised Statutes 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 as follows:

Tract #1:

That part of Fillmore County Road B between Fillmore County Road 16 and Fillmore County Road 17, more specifically described as follows:

A tract of land located in the Northwest Quarter (NW $\frac{1}{4}$) of Section Ten (10), Township Eight (8) North, Range Two (2) West of the Sixth Principal Meridian, Fillmore County, Nebraska, being described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section Ten (10); thence N $87^{\circ}57'37''$ E on the North line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 33.00 feet to the point of beginning; thence continuing N $87^{\circ}57'37''$ E, on said North line, a distance of 1755.00 feet; thence S $2^{\circ}02'23''$ E, perpendicular to said North line, a distance of 33.00 feet; thence S $87^{\circ}57'37''$ W, parallel with and 33.00 feet South of said North line a distance of 1755.20 feet; thence N $2^{\circ}02'23''$ W, parallel with and 33.00 feet East of the West line of said Section Ten (10), a distance of 33.00 feet to the point of beginning containing 1.33 acres, an undivided one-half interest therein to Valerie E. Martel, Trustee of the Valerie Martel Living Trust, dated March 19, 2018 and an undivided one-half interest therein to Marilyn J. Linton, Trustee of the Marilyn J. Linton Nebraska Revocable Trust, as tenants in common and not as joint tenants.

Tract #2:

That part of Fillmore County Road B between Fillmore County Road 16 and Fillmore County Road 17, more specifically described as follows:

That tract of land located in the Southwest Quarter (SW $\frac{1}{4}$) of Section Three (3); thence N $87^{\circ}57'37''$ E on the south line of the said Southwest Quarter, a distance of 33.00 feet to the point of beginning; thence continuing N $87^{\circ}57'37''$ E on said South line, a distance of 1755.00 feet; thence N $2^{\circ}02'23''$ W, perpendicular to said South line, a distance of 33.00 feet; thence S $87^{\circ}57'37''$ W, parallel with and 33.00 feet North of said South line, a distance of 838.00 feet; thence N $89^{\circ}01'37''$ W, a distance of 917.79 feet; thence S $2^{\circ}02'23''$ E, parallel with and 33.00 feet East of the West line of said Section Three (3), a distance of 81.24 feet to the point of beginning, containing 1.84 acres to Sandra J. Bettger.

NOW THEREFORE, be it resolved by the Fillmore County Board of Supervisors that this resolution is approved on the 22nd day of September 2020.

Upon roll call, the vote was as follows:

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



Fillmore County Board Minutes



September 22, 2020

Nays: None

The Chairman declared the resolution adopted.

ROAD DEPARTMENT PETTY CASH FUND

After discussion, Sluka moved and Lightwine seconded the motion to close the Road Department petty cash as the Highway Superintendent deposited the remaining \$5.70 to the Treasurer. Upon roll call, the vote was as follows:

Ayes Cerny, Lightwine, Neiman, Noel, and Sluka

Nays: None

The Chairman declared the motion carried.

OTHER ROAD DEPARTMENT DISCUSSION

Stanton Township would like to replace a culvert on Road Q between Road 9 and Road 10 and requested the County reduce the price on a used culvert. After discussion, the Board agreed that they would not reduce the price.

BAUMANN SUBDIVISION

Zoning Administrator, Jennifer Slezak submitted the Baumann Subdivision located in the Southwest Corner of Section 18, Township 7 North, Range 4 West of the 6th P.M., Fillmore County to the Board.

After discussion, Sluka moved and Cerny seconded the motion to approve the Baumann Subdivision as presented with the following legal description: a tract of land located in the Southwest Quarter of Section 18, Township 7 North, Range 4 West of the 6th P.M., being described as follows: commencing at the Southwest Corner of said Section 18; thence N01°31'10"W (assumed bearing) on the West line of said Southwest Quarter, a distance of 722.00 feet to the point of beginning; thence N88°28'50"E, perpendicular to said West line, a distance of 230.00 feet; thence N57°22'46"E, a distance of 492.83 feet; thence N01°31'10"W, parallel with said west line, a distance of 200.00 feet; thence S88°28'50"W, a distance of 652.00 feet to said west line; thence S01°31'10"E, on said west line, a distance of 460.00 feet to the point of beginning containing 5.61 acres, more or less, including 0.35 acres, more or less, of County road Right-of-Way.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

STENGEL SUBDIVISION

Jennifer Slezak, Zoning Administrator submitted the Stengel Subdivision located in the SW ¼ of Section 28, Township 6 North, Range 4 West of the 6th P.M., Fillmore County to the Board.

After discussion, Noel moved and Lightwine seconded the motion to approve the Stengel Subdivision as presented with the following legal description: a tract of land comprising a part of the SW ¼ of Section 28, Township 6 North, Range 4 West of the 6th P.M., Fillmore County, Nebraska, described as follows: beginning at the NW corner of said SW ¼; thence N88°32'35"E, and on the North line of said SW ¼, 1028.53 feet to a 5/8" rebar w/cap; thence S02°25'40"E, 281.29 feet to a 5/8" rebar w/cap; thence N06°13'35"W, 100.97 feet to a 5/8" rebar w/cap; thence S86°23'03"W, 751.70 feet to a 5/8" rebar w/cap on the west line of said SW ¼; thence N01°40'33"W, and on the West line of said SW ¼, 227.00 feet to the point of beginning and containing 5.52 acres more or less of which 0.17 acres more or less is occupied by County Road R.O.W.

Upon roll call, the vote was as follows:

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

Nays: None



Fillmore County Board Minutes



September 22, 2020

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	567.95
Allied 100, LLC	Sup	220.40
Auto Value Parts Stores	Rep	4.79
Barks and Bubbles	Ser	37.50
Blue Valley Community Action Partnership	budget request	5,000.00
Crossroads Awards	Sup	14.00
Jill R. Cunningham	Sup	4.50
Diode Technologies	Ser, Equip	1,298.88
Eakes Office Solutions	Sup	180.88
Larry Eichelberger	Sup	62.26
Erdkamp Motors	Rep	956.87
Fairmont Aging Services	USDA Reim	102.20
Fillmore County Hospital	Ser	603.12
First Concord Group, Inc.	Insur, Ser	1,344.24
Gage County Clerk	budget request	3,864.56
Geneva Family Dentistry	Ser	467.00
Geneva Home Center	Sup	476.83
Geneva Senior Center	USDA Reim	753.90
Geneva Super Foods	Sup	1,505.59
Heartland Bank	Sup, SS	4,862.33
Intoximeters, Inc.	Sup	714.00
Justice Data Solutions, Inc.	Main	2,800.00
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Uti, Copies	3,257.67
Stephen J. Kraviec	Ser, Post	1,777.66
Krazy Horse Construction, LLC	Ser	737.60
Madison National Life Insurance Co.	Insur	24.97
Mid-American Research Chemical	Sup	495.77
Midwest Court Reporting	Ser	84.00
Nebraska Door & Window, LLC	Equip	2,166.43
Nebraska Public Power District	Uti	2,937.00
The Nebraska Signal	Sup	44.00
Noel Lawn Care	Ser	556.80
PurFoods, LLC	Ser	484.68
Quadient Leasing USA, Inc.	Ser	850.50
Region V Systems	budget request	16,659.00
Retirement Plans Division of Ameritas	Ret	4,617.76
Southeast Nebraska Development District	budget request	7,094.00
Saline County Clerk	budget requests	15,047.84
State of Nebraska DAS Central Finance	Ser	448.00
State of Nebraska DAS State Accounting	Ser	43.88
State of Nebraska Health & Human Serv	Patient care	93.00
Sullivan Shoemaker, PC, LLO	Ser	591.65
34 Electric, LLC	Rep	65.00
Unifirst Corp.	Ser	462.25
Verizon Wireless	Uti	1,029.27
Weather TAP	Main, Ser	434.15
Weaver Pharmacy	Sup	232.32
WEX Bank	Fuel	2,100.06
Windstream	Uti	144.92



Fillmore County Board Minutes



September 22, 2020
70,472.78

Payroll

Salaries

ROAD/BRIDGE FUND:

All Roads Barricade, Inc.	Sup	142.04
Paul Bauer	Ser	475.00
Beatrice Concrete Co., Inc.	Gravel	8,225.18
C & M Supply, Inc.	Fuel	218.04
Carquest Geneva	Main	190.80
Casey's General Stores	Fuel	37.75
Certified Truck & Trailer, Inc.	Parts, Rep	82.76
Farmers Cooperative	Fuel	1,610.63
Geneva Building Supply	Misc	11.30
Geneva Home Center	Misc, Sup	30.78
Geneva Super Foods	Sup	7.98
Grafton Oil, Inc.	Fuel	1,250.97
Heartland Bank	SS	2,328.52
Hwy 41 Express Stop	Fuel	60.96
John Deere Financial	Main	132.64
Kopchos Sanitation, Inc.	Uti	55.00
Lichti Oil	Sup, Fuel	2,713.74
Mussman Excavating	Ser	1,225.00
Nebraska Public Power District	Uti	410.64
Newman Traffic Signs	Sup	257.26
NMC Exchange, LLC	Parts, Ser, Rep	8,553.39
Quill Corporation	Sup	13.07
Retirement Plans Division of Ameritas	Ret	2,079.22
Speece Lewis Engineers	Ser	4,155.30
Verizon Connect NWF, Inc.	Ser	577.62
Verizon Wireless	Uti	82.10
Village of Exeter	Uti	18.75
Village of Grafton	Uti	40.23
WEX Bank	Fuel	1,632.21
Yant Equipment, Inc	Rep	282.12
Payroll	Salaries	31,155.60

INHERITANCE TAX FUND:

Woods Aitken, LLP	Ser	640.50
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911 EMERGENCY MANAGEMENT FUND:

Andrews Electric Co., Inc.	Rep	558.69
Nebraska Public Power District	Uti	254.65
Platte Valley Communications of Hastings	Rep, Ser	1,420.35
Windstream	Ut	2,047.21

ROAD DEPT./COURTHOUSE BOND FUND:

Union Bank & Trust Co.	Ser	1,274.00
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HOSPITAL OPERATING FUND:

Fillmore County Hospital	August taxes	21,784.74
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CLAIMS APPROVED

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

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

The Chairman declared the motion carried.



Fillmore County Board Minutes



September 22, 2020

NIRMA VOTING MEMBER FOR MEETING

After discussion, Sluka moved and Lightwine seconded the motion to allow Supervisor Larry Cerny to be the NIRMA voting member for the October 2, 2020 meeting. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

FEE SCHEDULE FOR NOXIOUS WEED DEPARTMENT

Noxious Weed Superintendent, Todd Boller informed the Board that he was working with the Deputy County Attorney on the fee schedule and will bring back to the Board at their next meeting.

UPDATE FROM GENEVA LIBRARY REGARDING NEWSPAPER DATABASE

Sarah Johnson, Director of Geneva Public Library presented the Board with samples of what the Fillmore County Digital Newspaper Archives include. As of February 20, 2020, the database offers full-text searchable images of Fillmore County newspapers published between 1872 and 2017.

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., October 13, 2020. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

Attest

Chairman