



# Fillmore County Board Minutes



October 27, 2020

The Fillmore County Board of Supervisors convened in open and public session at 9:04 a.m., October 27, 2020, in the Boardroom of the Courthouse 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 12:16 p.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the October 13, 2020 meeting approved as presented.

## TREE REMOVAL BIDS

The following bids for tree removal at the East Office Building were received at 9:15 a.m.

<b>Bidder:</b>	<b>Pin Oak #1</b>	<b>Pin Oak #2</b>
Geneva Tree Service	\$1,200.00	\$1,200.00
Ace Ag Supply	\$ 950.00	\$ 950.00

## AWARD TREE REMOVAL BID

Sluka moved and Graham seconded the motion to accept all bids and award to Ace Ag Supply for \$950.00 per tree, and a total of \$1,900.00. 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.

## RECOMMITMENT TO NIRMA INSURANCE

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

### RESOLUTION #2020 – 30

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

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

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

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

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



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

**WHEREAS**, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2021, and

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

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2021 through June 30, 2024; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

Upon roll call, the vote was follows:

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

Nays: None

The Chairman declared the resolution adopted.

## **APPOINTMENT FOR VOTING AT NACO ANNUAL CONFERENCE**

After discussion, Graham moved and Lightwine seconded the motion to authorize that Jeff Neiman, Chairman and Wade Sluka, Supervisor can vote at the NACO Annual Conference in December 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 PERMITS**

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

Perennial Public Power District – bury a primary high voltage underground line on Road F between Road 13 and Road 14, N ½ of NE ¼, Section 31, 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;

Glenwood Telephone – bury a fiber optic cable on Road 12 between CPI driveway and Road E, NE ¼, Section 26 to NW ¼, Section 25, West Blue 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;

Glenwood Telephone – bury a fiber optic cable on Road 12 between Road E and Road D, SW ¼, Section 24 to NW ¼, Section 24, West Blue 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;

Glenwood Telephone – bury a fiber optic cable on Road D between Road 12 and Road Hwy 81, SW ¼, Section 13 to SE ¼, Section 13, West Blue 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;

Windstream Nebraska, LLC – bury telecommunications line on Road N, between Hwy 41 and Road 13, SE 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; and

Windstream Nebraska LLC – bury telecommunications line on Road L, between Road 12 and Road 13, S ½ of Section 25 to N ½ of Section 36, 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:



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

The Chairman declared the motion carried.

## **PAYMENT FOR AMOR COAT JOB**

Highway Superintendent, Pat Halbur requested that the Board approve the payment to Topkote, Inc. for the amor coat job as they have submitted a request and have completed the job. Speece Lewis will be taking care of the cleanup as well as fixing the patching that was not included in the bid specs.

After discussion, Sluka moved and Cerny seconded the motion to approve payment to Topkote, Inc. for the amor coat job and Speece Lewis will reimburse the County for the cleanup of gravel. 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 PRICES FOR TRAILERS AND BUCKET**

Assistant Highway Superintendent, Doug Motis informed the Board that he has several quotes for a 20-foot tilt bed trailer ranging from \$6,200.00 to \$7,560.00. He also had a bid for a used 2013 trailer for \$4,200.00. After discussion, the Board requested that the Assistant and Highway Superintendent make the purchase.

Highway Superintendent, Pat Halbur informed the Board that she got two quotes for a 30-inch bucket for mini excavator, one for \$890.50 and one for \$1,290.00 as well as three quotes for a compactor attachment for the excavator as follows: \$10,210.00, \$10,500.00 and \$11,300.00. After discussion, the Board authorized Pat to make the purchase.

## **OTHER ROAD DEPARTMENT DISCUSSION**

Several years ago, the Road Dept. stopped allowing farmers/residents to dump rip rap as they had plenty, after the last several years the pile is not depleted. Pat would like to allow the farmers/residents to dump clean rip rap again. After discussion, the Board agreed to allow this again.

Pat Halbur, Highway Superintendent has been researching with other counties as well as vendors regarding a shredder/mulcher to clean up trees. After discussion, the Board would like to have a few firm quotes for a shredder/mulcher for the November 24, 2020 Board meeting.

## **BARNELL SUBDIVISION**

Zoning Administrator, Jennifer Slezak presented the Barnell Subdivision along with a waiver of minimum subdivision requirements from the Planning Commission as the subdivision does not meet the three (3) acre minimum.

After discussion, Sluka moved and Lightwine seconded the motion to approve the Barnell Subdivision with the waiver of minimum subdivision requirements as follows: located in the southeast quarter of the southwest quarter of Section 16, Township 7 North, Range 4 West of the 6<sup>th</sup> Principal Meridian, Fillmore County, Nebraska, more fully described as follows:

Commencing at the southeast corner of the southwest quarter of Section 16; thence North 90°00'00" West (assumed bearing), on section line, a distance of 546.00 feet to the point of beginning; thence North 90°00'00" West a distance of 281.00 feet; thence North 6°48'22" East a distance of 159.02 feet to a ¾ inch pipe; thence, on a 142.0 foot radius curve to the right, a distance of 153.03 feet, the long chord being 145.73 feet, to a ¾ inch pipe; thence North 89°36'00" East a distance of 150.00 feet to a ¾ inch pipe; thence South 0°00'00" West a distance of 252.00 feet to the point of beginning. Containing a calculated area of 1.47 acres, more or less, of which 0.21 acres is roadway.

Upon roll call, the vote was as follows:

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



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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:

Blue Cross Blue Shield of Nebraska	Insur	56,397.00
Cornerstone Bank	SS	5,246.75
Election Systems & Software, Inc.	Sup	5,267.66
Patricia I. Engle	Meals	12.34
Erdkamp Motors	Main	64.25
Fillmore County Sheriff	Ser	150.00
Fillmore County Treasurer	Transfer	110,000.00
First Concord Benefits Group, LLC	Insur, Ser	485.19
Geneva Home Center	Sup	570.31
Geneva Super Foods	Sup	1,225.63
Hall County Sheriff	Mile	21.63
The Home Depot Pro	Sup	519.93
Kalkwarf & Smith Law Offices, LLC	Ser, Post, Mile, Uti	3,227.78
Konica Minolta Business Solutions	Main	732.00
LaQuinta By Wyndham Kearney	Lodging	195.90
Madison National Life Insurance Co.	Insur	27.24
Mid-American Research Chemical	Sup	998.41
MIPS, Inc.	Equip, Sup	207.97
Nebraska Law Enforcement Training Center	Ser	10.00
Nebraska Public Power District	Uti	1,776.34
Nebraska Sheriff's Assoc.	Wksh	100.00
Precision Signs & Graphics, LLC	Sup	510.00
Brandon Reinsch DBA Reinsch Lawn Ser	Ser	712.30
Retirement Plans Division of Ameritas	Ret	4,949.62
Secretary of State – Elections Division	Sup	10.00
Seward County Detention Center	Boarding prisoners	1,755.00
State of Nebraska	Ser	65.88
State of Nebraska Health & Human Serv.	Sept. patient care	90.00
34 Electric, LLC	Rep	82.17
USDA, APHIS, General	Ser	2,104.14
Verizon Wireless	Uti	1,217.57
WEX Bank	Fuel	1,982.57
York Animal Clinic	Sup	9.90
York County Sheriff	Ser, Mile	58.28
Payroll	Salaries	75,658.81

### ROAD/BRIDGE FUND:

Caterpillar Financial Services	Rental	5,700.00
Certified Truck & Trailer, Inc.	Parts	22.13
Cornerstone Bank	SS	2,335.24
Farmers Cooperative	Fuel	690.50
Geneva Building Supply	Sup	11.77
Geneva Home Center	Sup	10.49
Geneva Super Foods	Sup	12.96
Grafton Oil, Inc.	Fuel	603.84
Grainger	Sup	339.00
John Deere Financial	Parts	216.37





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K & S Tool Service	Sup, Equip	158.00
Mid-Nebraska Aggregate, Inc.	Gravel	21,127.61
Nebr Iowa Industrial Fasteners Corp	Sup	199.24
Nebraska Public Power District	Uti	348.39
Perennial Public Power District	Uti	77.58
Quill Corporation	Sup	58.25
Brandon Reinsch DBA Reinsch Lawn Serv	Ser	1,306.12
Retirement Plans Division of Ameritas	Ret	2,081.98
Speece Lewis Engineers	Ser	1,493.25
US Bank CPS	Ser, Post	27.17
Verizon Connect NWF, Inc.	Ser	582.84
Verizon Wireless	Uti	82.12
Westover Rock & Sand, Inc.	Rock	37,225.99
WEX Bank	Fuel	2,738.48
Payroll	Salaries	31,238.14

**911 EMERGENCY MANAGEMENT FUND:**

Nebraska Public Power District	Uti	254.71
Windstream	Ut	110.18

**AG SOCIETY BOND FUND:**

Chase NYC Bank	Refinance bonds	474,103.30
Fillmore County Treasurer	Wire Fee	12.00
Union Bank & Trust Company	Admin Fee	750.00

**CLAIMS APPROVED**

Cerny moved and Harre seconded the motion to approve the claims 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 ELECTED OFFICIALS UPDATES**

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

**DISCUSSION REGARDING LARGE FORMAT SCANNER/PRINTER**

County Clerk, Amy Nelson informed the Board that the current large format scanner/printer is not working, and the service tech cannot guarantee that they can fix it at this point. Amy received two quotes ranging from \$7,195.50 to \$8,545.50 depending on size. After discussion, the Board requested that we get a few other quotes from other copier and bring back to the Board.

**ADMINISTRATIVE AGREEMENT WITH FIRST CONCORD BENEFITS GROUP FOR CASH-IN-LIEU FOR 2021**

After discussion, Harre moved and Noel seconded the motion to enter into an Administrative Agreement with First Concord Benefits Group for the cash-in-lieu program beginning January 1, 2021 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.



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## 2020 3<sup>rd</sup> QUARTER ACCOUNTABILITY STATEMENTS

After review, Noel moved and Lightwine seconded the motion to approve the 2020 third (3<sup>rd</sup>) quarter accountability statements as presented from Clerk of the District Court, County Attorney, and County Clerk (Section 125 and Register of Deeds) accounts. 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.

## VACATION AND SICK POLICIES

After discussion, Cerny moved and Lightwine seconded the motion to approve the changes to the vacation time policy with the time being accrued per pay period and not annually on the employee anniversary and not allowing more than twenty-four (24) hours above the annual accrual and sick policy being accrued per pay period instead of monthly beginning January 1, 2021. Employees will be notified of the change in their November 6, 2020 paycheck. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## EXECUTIVE SESSION

Neiman moved and Graham 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 remain. Executive session began at 11:23 a.m.

## RETURN TO REGULAR SESSION

Sluka moved and Graham seconded the motion to return to open session at 12:07 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.

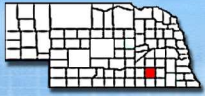
## HIGHWAY SUPERINTENDENT SALARY INCREASE

After discussion, Harre moved and Graham seconded the motion to give the Highway Superintendent a 3% increase effective this payroll and, on the November 6, 2020, paycheck. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

**ADJOURN**



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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., November 10, 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.

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Attest

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Chairman