



# Fillmore County Board Minutes



March 9, 2021

The Fillmore County Board of Supervisors convened in open and public session at 9:05 a.m., March 9, 2021, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Sluka, Graham, Lightwine, Cerny, and Harre. 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 11:18 a.m.

## MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the February 23, 2021 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:

|   |            |           |
|---|------------|-----------|
| Howard F. Ach                               | Rent, Post | 550.90    |
| Aging Partners                              | Main       | 625.00    |
| Applied Connective Technologies             | Ser        | 357.50    |
| Auto Value Parts Stores                     | Rep        | 57.00     |
| Black Hills Energy                          | Uti        | 1,770.15  |
| Blue Cross Blue Shield of Nebraska          | Insur      | 55,807.50 |
| Bockstadter & Glen Law, LLC                 | Ser        | 298.52    |
| Cherry County Sheriff                       | Ser, Mile  | 48.09     |
| City of Geneva                              | Uti        | 578.00    |
| Clearly                                     | Uti        | 368.36    |
| Consolidated Management Co.                 | Meals      | 190.78    |
| Cornerstone Bank                            | Ser, SS    | 5,468.02  |
| Dugan Printing & Promotions, LLC            | Sup        | 617.50    |
| Eakes Office Solutions                      | Sup        | 401.70    |
| Farmer & Son Funeral Homes, Inc.            | Ser, Mile  | 506.00    |
| Fillmore County Clerk of the District Court | Fees       | 99.00     |
| Fillmore County Sheriff                     | Ser        | 50.00     |
| First Concord Benefits Group, LLC           | Ser, Insur | 2,299.34  |
| Geneva Home Center                          | Sup        | 53.98     |
| Geneva Super Foods                          | Sup        | 284.19    |
| Geneva Tire & Auto, Inc.                    | Rep, Main  | 321.41    |
| GeoComm                                     | Main, Ser  | 5,103.00  |
| Glenwood                                    | Uti        | 88.00     |
| Hometown Leasing                            | Ser        | 1,085.94  |
| Kopchos Sanitation, Inc.                    | Uti        | 169.75    |
| Stephen J. Kraciec                          | Ser, Post  | 1,779.86  |
| Krueger Land Surveying                      | Ser        | 5,000.00  |
| Loup Valley Lighting, Inc.                  | Sup        | 409.20    |
| Madison National Life Insurance Co.         | Insur      | 151.85    |
| Midwest Court Reporting, Inc.               | Ser        | 281.25    |
| MIPS, Inc.                                  | Ser, Equip | 4,528.08  |
| Murray Law PC, LLO                          | Ser        | 313.50    |
| National Sheriff Association                | Dues       | 68.00     |
| Nebraska Association of County Officials    | Wksh       | 130.00    |
| Nebraska Association of County Treasurers   | Dues       | 50.00     |



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|  |                          |           |
|--|--------------------------|-----------|
| Nebraska Institute of Forensic Sciences, Inc | Ser                      | 2,000.00  |
| Nebraska Public Power District               | Uti                      | 1,018.60  |
| The Nebraska Signal                          | Ads, Pro                 | 1,052.85  |
| Postmaster                                   | Post                     | 285.00    |
| PurFoods, LLC                                | Meals                    | 204.34    |
| Reinboth Plumbing                            | Rep                      | 110.87    |
| Retirement Plans Division of Ameritas        | Ret                      | 5,060.76  |
| State of Nebraska DAS Central Finance        | Ser                      | 448.00    |
| Sullivan Shoemaker PC, LLO                   | Ser                      | 583.77    |
| University of Nebraska – Lincoln             | 4-H Asst.                | 2,603.31  |
| US Bank CPS                                  | Sup, Wksh, Lodging, Misc | 969.27    |
| Van Diest Supply Company                     | Sup                      | 768.00    |
| Reid Velte                                   | Ser                      | 212.50    |
| Windstream                                   | Uti                      | 147.48    |
| Woodward's Disposal Service, Inc.            | Ser                      | 20.00     |
| York Heating & Air Conditioning, Inc.        | Rep                      | 2,129.32  |
| Payroll                                      | Salaries                 | 75,874.46 |

## ROAD/BRIDGE FUND:

|  |                   |           |
|--|-------------------|-----------|
| Auto Value Parts Stores                  | Parts, Sup, Main  | 473.43    |
| Paul Bauer                               | Ser               | 475.00    |
| Black Hills Energy                       | Uti               | 1,323.01  |
| Certified Truck & Trailer, Inc.          | Parts             | 47.06     |
| City of Geneva                           | Uti, Sup          | 3,125.25  |
| Cornerstone Bank                         | SS                | 2,882.95  |
| Eakes Office Solutions                   | Misc              | 329.60    |
| Farmers Cooperative                      | Parts, Fuel       | 317.62    |
| Geneva Implement Co., Inc.               | Rep               | 106.69    |
| Geneva Tire & Auto, Inc.                 | Rep, Main         | 443.30    |
| Geneva Welding & Supply, Inc.            | Parts, Sup, Equip | 582.23    |
| Glenwood Telecommunications, Inc.        | Uti               | 40.00     |
| Grafton Oil, Inc.                        | Fuel              | 965.59    |
| Hometown Leasing                         | Ser               | 139.00    |
| Kopchos Sanitation, Inc.                 | Uti               | 55.00     |
| MIPS, Inc.                               | Ser               | 137.42    |
| Nebraska Industrial Fasteners Corp       | Sup               | 703.84    |
| Nebraska Association of County Officials | Wksh              | 30.00     |
| NMC Exchange, LLC                        | Parts, Ser, Rep   | 17,273.22 |
| The Nebraska Signal                      | Ads               | 85.66     |
| Office Depot Business Credit             | Sup               | 23.91     |
| Perennial Public Power District          | Uti               | 212.35    |
| Power Plan                               | Parts, Rep        | 840.65    |
| Retirement Plans Division of Ameritas    | Ret               | 2,554.58  |
| 34 Electric, LLC                         | Rep               | 338.88    |
| US Bank, CPS                             | Sup               | 503.64    |
| Village of Exeter                        | Uti               | 18.75     |
| Village of Fairmont                      | Uti               | 99.47     |
| Village of Shickley                      | Uti               | 131.37    |
| Windstream                               | Uti               | 171.35    |
| Payroll                                  | Salaries          | 38,431.67 |

## REGISTER OF DEEDS PRESERVATION FUND:

|           |     |        |
|-----------|-----|--------|
| MIPS, Inc | Ser | 144.34 |
|-----------|-----|--------|

## 911 EMERGENCY MANAGEMENT FUND:

|                                       |      |          |
|---------------------------------------|------|----------|
| Glenwood                              | Uti  | 64.00    |
| National Emergency Number Association | Wksh | 139.00   |
| Windstream                            | Uti  | 1,949.12 |



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## **HOSPITAL OPERATING FUND:**

Fillmore County Hospital

February 2021 taxes

1.096.86

## **CLAIMS APPROVED**

Lightwine 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.

## **FEE REPORTS**

After review, Lightwine moved and Noel seconded the motion to approve the fee reports for February 2021 as presented:

**County Clerk \$13,823.57** (State \$8,009.98 & County \$5,813.59)

**Clerk of the District Court \$558.88**

**County Sheriff \$1,523.60**

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 LAZY HORSE BREWING LIQUOR LICENSE**

After discussion, Sluka moved and Graham seconded the motion to approve the amendment to Lazy Horse Brewing Liquor License #LK-113014-C-1220398 as presented deletion of approximately 20 acres of land. 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.

## **LAWN SPRAYING AT THE EAST OFFICE BUILDING GROUNDS**

After discussion, Graham moved and Sluka seconded the motion to approve the Noel Lawn Care quote for the irrigated portion with a 4-step program for \$202.80 per step and to do the spring aeration for \$96.53 and the non-irrigated portion with a 2-step program for \$354.00 per step. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Harre, Lightwine, Neiman, 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 for 2021/2022 and 2022/2021. Brenda submitted her proposed budget for July 1, 2021 thru June 30, 2023 in the amount of \$247,552.00 with Federal paying \$141,156.00, State \$53,198.00 and County \$53,198.00.

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



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## **RESOLUTION #2020 – 09**

**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 2021 – 2023, 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.

## **DISCUSSION REGARDING THE 2<sup>ND</sup> AMENDMENT**

County Sheriff, William (Bill) Burgess requested that the Board pass a resolution supporting the 2<sup>nd</sup> amendment.

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

## **RESOLUTION #2021 - 10**

**WHEREAS**, the Second Amendment to the United States Constitution provides that it is the right of the people to keep and bear arms, and that right shall not be infringed; and

**WHEREAS**, Article I, Section 1-1 of the Nebraska Constitution also provides the right to keep and bear arms, specifically “for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes,” and also provides that such right shall not be infringed; and

**WHEREAS**, the United States Supreme Court and the *District of Columbia v. Heller*, U.S. 570 (2008) affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditional lawful purposes, such as self-defense within the home. To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.”; and

**WHEREAS**, it is the desire of the Fillmore County Board of Supervisors to declare its support of the Second Amendment to the United States Constitution and Article I, Section 1-1 of the Nebraska Constitution; and,

**WHEREAS**, the members of the Fillmore County Board of Supervisors took an oath to support and defend the United States and Nebraska Constitutions.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Supervisors of the County of Fillmore, Nebraska by the authority granted the Board by the laws of the State of Nebraska and people of Fillmore County, Nebraska, we hereby declare that we shall stand and defend the rights and liberties of all county citizens, which are guaranteed by the United States and Nebraska Constitutions.

**BE IT FURTHER RESOLVED** that this Board affirms its support for the duly elected Sheriff of Fillmore County, Nebraska, in the exercise of his sound discretion and affirms its resolve to support decisions by our Sheriff to defend the Constitution of the United States and the Constitution of the State of Nebraska.

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.

## **DISCUSSION WITH GRAFTON TOWNSHIP REGARDING ROAD WITH RESIDENCE ON THEM**

Mike Rath, Frank Richards, and Joe Keenan with the Grafton Township were present for the discussion regarding approximately three (3) different locations where a residence is located on a Township road. After a lengthy discussion, the Township members will research a few items and come back to the March 23, 2021 meeting.

### **CONTRACT FOR PROJECT #C30(432)**

Sluka moved and Graham seconded the motion to approve the contract with Geneva Dirtworks, Inc. for project #C30(432) a culvert project located between Section 34, Grafton Township and Section 3 Bennett Township in the amount of \$117,543.32. 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 FOR PROJECT #C30(433)**

Harre moved and Cerny seconded the motion to approve the contract with Geneva Dirtworks, Inc. for project #C30(433) a culvert project located between Section 6 and Section 7, Liberty Township in the amount of \$59,529.70. 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 FOR PROJECT #C30(439)**

Cerny moved and Sluka seconded the motion to approve the contract with Geneva Dirtworks, Inc. for project #C30(439) a culvert project located between Section 28 and Section 27, Hamilton Township in the amount of \$65,993.02. 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, Lightwine moved and Cerny seconded the motion to declare a list of miscellaneous items (a complete listing in the Clerk's office) and a mower as surplus and sell at the Saline Center Auction. 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.

## **SELLING PICKUP BIDS**





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Opened sealed bids to sell a 1998 Ford F250 pickup as advertised. The following bids were received:

| <b><u>Bidder:</u></b>                        | <b><u>Purchase price:</u></b> |
|--|-------------------------------|
| Tim Sorensen                                 | \$ 1,625.00                   |
| Rod Krupicka                                 | \$ 2,400.00                   |
| Victor M. Orona                              | \$ 1,255.00                   |
| Bernard John Miller                          | \$ 710.00                     |
| Robert Kroll                                 | \$ 1,357.00                   |
| Beth Lightwine                               | \$ 1,955.00                   |
| Blaine Richards                              | \$ 1,455.65                   |
| Master Plan of Nebraska, LLC (Alissa Klasek) | \$ 4,003.50                   |
| Scott Furgason                               | \$ 1,805.00                   |

## **SELLING 1989 FORD F250 PICKUP**

Sluka moved and Graham seconded the motion to accept all bids and to sell the 1998 Ford F250 pickup to Master Plan of Nebraska, LLC (Alissa Klasek) for \$4,003.50. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

## **DISCUSSION REGARDING ROAD L BETWEEN ROAD 3 AND ROAD 4**

Kris Stengel requested that the opening for the bridge that was removed on Road L between Road 3 and Road 4 be put back to the same width it was when the bridge was in place and to put some rip rap in the bottom to assist with the water flow. Highway Superintendent, Pat Halbur and Assistant Highway Superintendent, Doug Motis said that the width was the same as before where the water flowed and did not believe that this would cause additional water flow for the adjoining landowners. After discussion, the Board and the road department will monitor this after a large rain fall.

## **FILLMORE COUNTY HOSPITAL UPDATE**

Chris Nichols, CEO gave an update on COVID-19 numbers for the County and State and that several new specialty Doctors that would be coming to the Hospital monthly. He also informed the Board that they were going to start construction on a maintenance building to the west of the hospital this Spring and hopefully on the addition and remodel of the Hospital and Medical Clinic late fall of 2021 or early 2022. Chris shared that due to COVID they have made a few adjustments to the plans so they would be prepared in the future.

## **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., March 23, 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.

\_\_\_\_\_  
Attest

\_\_\_\_\_  
Chairman