



Fillmore County Board Minutes



June 22, 2021

The Fillmore County Board of Supervisors convened in open and public session at 9:08 a.m., June 22, 2021, 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 ?? a.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the June 8, 2021, meeting approved as presented.

AGING PARTNERS ANNUAL REPORT AND BUDGET REQUEST

Randy Jones, Executive Director of Aging Partners and Brenda Motis gave an annual report and budget request of \$19,696.00 for fiscal year 2021/2022. Randy also updated the Board on the Geneva Senior Center and wanting to bring in an outside agency to facilitate a town hall meeting hearing what the residents are wanting regarding a Senior Center. Jill Engel, with Aging Partners and Joe Casey, Geneva City Council were present for discussion.

SERVICE CONTRACT AGREEMENT WITH AGING PARTNERS CARE MANAGEMENT UNIT

After discussion, Graham moved and Lightwine seconded the motion to approve the service contract agreement with the City of Lincoln, Aging Partners Care Management agreement beginning July 1, 2021 and ending June 30, 2022 for \$23,625.00. 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.

PUBLIC HEARING FOR ROAD CLOSURE WITHIN SECTION 24, FRANKLIN TOWNSHIP

Public hearing for road closure within Section 24, Franklin Township was opened at 9:46 a.m.

After discussion, Harre moved and Lightwine seconded the motion to close the public hearing at 9:55 a.m., no one appeared to testify for or against the closure. 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 ROADWAY WITHIN SECTION 24, FRANKLIN TOWNSHIP

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

RESOLUTION #2021 – 19

WHEREAS, pursuant to Nebraska Revised Statute §39-1722, the County Board of Fillmore County, Nebraska, may, by resolution when it deems the public interest may require vacation or abandonment of a public road of the County, and may direct the County Highway Superintendent to study the use being made of such public road and to submit in writing to the County Board his recommendation as to the vacation or abandonment thereof; and

WHEREAS, the Board of Supervisors of Fillmore County, Nebraska, directed the above referenced study to be made and such study was made with regard to inside Section Twenty-four (24), Township Five (5) North, Range One (1) West of the 6th P.M. in Fillmore County, Nebraska, and directed that the County Highway Superintendent submit in writing



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to the County Board within thirty days, a report upon the study made and his recommendation as to the vacation or abandonment thereof and directed that such report be retained in the office of the County Clerk of Fillmore County, Nebraska; and

WHEREAS, the Board of Supervisors of Fillmore County, Nebraska, pursuant to Nebraska Revised Statute §39-1724, has the authority to adopt a resolution fixing the time, date, and place for a public hearing upon receipt of the above referenced study and publish once a week for three consecutive weeks in a legal newspaper published in the County and cause copies to be served by registered or certified mail upon the owners of land abutting on or adjacent to the road to be vacated or abandoned by mailing the same to the last known address of each owner not less than two weeks in advance of the hearing; and

WHEREAS, the Board of Supervisors of Fillmore County, Nebraska, adopted the above referenced Resolution and complied with Nebraska Revised Statutes §39-1722 and §39-1724.

WHEREAS, the Board of Supervisors of the County of Fillmore, have by a vote of two-thirds or more voted to vacate the inside roadway running north and south in direction through the center of Section Twenty-four (24), Township Five (5) North, Range One (1) West of the Sixth Principal Meridian in Fillmore County, Nebraska.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Fillmore County, Nebraska, upon a vote of at least two-thirds of all members, deems that the public interest and public good, require the abandonment of the above referenced roadway and

BE IT FURTHER RESOLVED, that the Fillmore County Board does hereby vacate the inside roadway running north and south in direction through the center of Section Twenty-four (24), Township Five (5) North, Range One (1) West of the Sixth Principal Meridian in Fillmore County, Nebraska, and that the ownership of the vacated portion of the inside roadway of said Section Twenty-four (24) is hereby awarded and does hereby revert to the following persons:

1. Tract 1 – referring to the Northwest corner of the Northeast Quarter of section Twenty-four (24), T5N, R1W, Franklin Township, Fillmore County Nebraska; thence East 33 ft. along the North Section line of section Twenty-four (24), T5N, R1W, Fillmore County Nebraska; thence South a distance of 2,640 ft.; thence West a distance of 33 ft.; thence North a distance of 2,640 ft., to the point of beginning, containing 2.0 acres more or less shall become the sole and separate property of Lonnie L. Schafer.
2. Tract 2 – referring to the Southwest corner of the Southeast Quarter of section Twenty-four (24), T5N, R1W, Franklin Township, Fillmore County Nebraska; thence East 33 ft. along the South Section line of Section Twenty-four (24), T5N, R1W, Fillmore County Nebraska; then North a distance of 2,640 ft.; thence West a distance of 33 ft.; thence South a distance of 2,640 ft., to the point of beginning, containing 2.0 acres more or less shall become the sole and separate property of Louis E. Schafer, Trustee of the Louis E. Schafer Family Trust dated January 9, 2013.
3. Tract 3 – referring to the Southeast corner of the Southwest Quarter of section Twenty-four (24), T5N, R1W, Franklin Township, Fillmore County Nebraska; then West 33 ft. along the South Section line of Section Twenty-four (24), T5N, R1W, Fillmore County Nebraska; thence North a distance of 3,960 ft.; thence East a distance of 33 ft.; thence South a distance of 3,960 ft., to the point of beginning, containing 3.0 acres more or less shall become the sole and separate property of Tiffany R. Beck, Daniel P. Endorf, and Amy A. Havel (reserving to Robert Endorf and LaDean Endorf the use and income from the property for and during their natural lives).
4. Tract 4 – referring to the Northeast corner of the Northwest Quarter of section Twenty-four (24), T5N, R1W, Franklin Township, Fillmore County Nebraska; thence West 33 ft. along the North Section line of Section Twenty-four (24), T5N, R1W, Fillmore County Nebraska.; thence South a distance of 1,320 ft.; thence East a distance of 33 ft.; thence North a distance of 1,320 ft. to the point of beginning, containing 1 acre more or less shall become the sole and separate property of Steven L. Dunse and Matthew W. Dunse (reserving to Gaylen L. Dunse and Barbra L. Dunse, and each of them, the use and income from the property for and during their natural life).

That the owners of said vacated roadway are being awarded the portions of the vacated road upon the following conditions:



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1. If the respective landowners are desirous of determining the exact center of the vacated road or the portion of the vacated road which each shall own following the vacation of said, then it shall be the responsibility and expense of the four landowners to conduct a survey to resolve that issue.
2. It shall be the sole responsibility of the respective landowners heretofore described to notify their liability insurance carriers of their acquisition of the vacated portion of the roadway to provide said insurance carriers with knowledge that said vacated roadway is now owned by the respective owners for purposes of liability insurance coverage.
3. The County shall have no responsibility or liability with regard to the maintenance of the vacated roadway.

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.

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:

Alert Sense	Ser	2,100.00
All Makes	Equip	755.86
Applied Concepts, Inc.	Sup	461.80
Bi-Versal Services, LLC	Ser	470.72
Combined Public Communications	Sup	150.00
Comfort Inn	Lodging	599.70
Cornerstone Bank	Ser, SS	6,251.74
Eakes Office Solutions	Sup, Equip	1,456.41
Erdkamp Motors	Rep	722.67
Faller Landscape	Trees	1,881.46
Fillmore County Hospital	Ser	1,680.52
Fillmore County Med Center	Ser	70.29
Fillmore County Sheriff	Ser	77.24
Fillmore County Treasurer	Transfer, Interest	300,434.72
First Concord Benefits Group, LLC	Ser, Insur	1,801.07
Friesen Ford	Equip	25,893.20
Geneva Home Center	Sup	240.34
Geneva Super Foods	Sup	1,268.63
Geneva Tire and Auto	Rep, Main	1,081.86
Heath, Inc.	Rep	2,211.02
HD Arms, LLC	Sup	1,851.60
Justice Data Solutions, Inc.	Main, Ser	5,200.00
Krueger Land Surveying	Ser	862.50
Madison National Life Insurance Co.	Insur	27.24
Mid-American Research Chemical	Sup	1,138.11
Midwest Connect	Rep	60.00
Midwest Radar & Equipment	Main	240.00
MIPS, Inc.	Equip, Sup, Ser	1,813.64
Kim Mussman	Mile	26.88
Nebraska Fire Sprinkler	Main	430.00
Nebraska Law Enforcement Training Center	Training	216.00
Nebraska Public Power District	UTi	1,632.97
Notary Public Underwriters of Nebraska	Sup	71.00



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Quadient Finance USA, Inc.	Post	700.00
Quadient Leasing USA, Inc.	Ser	850.50
Ramada by Wyndham	Lodging	178.00
Retirement Plans Division of Ameritas	Ret	6,022.55
Secretary of State – Notary Division	Sup	30.00
Seward County Detention Center	Boarding prisoners	650.00
Paul Sheffield	Mile	71.68
State of Nebraska – DAS State Accounting	Ser	87.88
State of Nebraska Health & Human Srvc	May patient care	186.00
Blake Stengel	Mile	76.16
Superior Outdoor Power Center	Equip	8,337.69
Thayer County Treasurer	Sup	214.10
Unifirst Corporation	Ser	462.25
US Bank CPS	Post, Ser, Sup	227.01
Brandy VanDeWalle	Uti, Wksh	200.00
Verizon Wireless	Uti	989.48
Weaver Pharmacy	Sup	142.78
WEX Bank	Fuel	5,235.84
Payroll	Salaries	77,828.23

ROAD/BRIDGE FUND:

Paul Bauer	Ser	475.00
Beatrice Concrete Co., Inc.	Sup	8,223.19
Bi-Versal Services, LLC	Ser	1,133.58
C & M Supply, Inc.	Fuel	1,310.67
Carquest Geneva	Sup	19.15
Cornerstone Bank	SS	2,454.04
Econo Lodge Inn & Suites	Lodging	178.00
Farmers Cooperative	Fuel	8,707.01
Fillmore County Treasurer	Misc	20.00
Geneva Dirtworks, Inc.	Ser, Culverts	27,840.74
Geneva Home Center	Sup	91.55
Geneva Lumber Center	Sup, Rep	111.05
Grafton Oil, Inc.	Fuel	2,159.64
Hwy 41 Express Stop	Fuel	78.29
John Deere Financial	Parts	73.33
Lichti Oil	Fuel	2,199.04
Nebraska Public Power District	Uti	310.66
Nichols Construction	Sup	28,455.43
NMC Exchange, LLC	Parts, Ser	14,067.32
Perennial Public Power District	Uti	88.87
Quill Corporation	Sup	109.35
RDO Truck Centers	Equip, Parts	156,108.32
Retirement Plans Division of Ameritas	Ret	2,178.16
Speece Lewis Engineers	Ser	5,137.12
US Bank CPS	Ser, Fuel	45.86
VanKirk Bros Contracting	Ser, Culverts	101,042.20
Verizon Connect NWF, Inc.	Ser	582.84
Verizon Wireless	Uti	41.13
WEX Bank	Fuel	2,112.36
Payroll	Salaries	32,673.66

ECONOMIC DEVELOPMENT – TOURISM FUND:

Jennifer Griffith	Ser	250.00
Milligan Community Club	Promo	400.00
Omaha Magazine	Promo	549.00

INHERITANCE TAX FUND:

Axon Enterprises, Inc.	Equip, Ser	14,876.01
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Fillmore County Treasurer	Transfer	200,000.00
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911 EMERGENCY MANAGEMENT FUND:

Nebraska Public Power District	Uti	202.54
Nemaha County Sheriff's Office	Uti, Ser	308.03
Police Legal Sciences	Ser	720.00
Windstream	Uti	33.67

911 WIRELESS FUND:

Fillmore County Treasurer	Transfer	42,582.52
Nemaha County Sheriff's Office	Uti, Ser	425.37

CLAIMS APPROVED

Lightwine moved and Cerny 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.

DISCUSSION REGARDING PARKING LOTS IN COURTHOUSE AND EAST OFFICE BUILDINGS

After discussion, the Board is requesting that the custodians stripe the parking lots at the courthouse and the east office buildings.

RELEASING PLEDGE SECURITY

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

RESOLUTION #2021 – 20

RESOLVED, that the Cornerstone Bank of York, Nebraska, be allowed to release the following security held by Wells Fargo Bank, NA to-wit:

CUSIP #843460EC6 in the amount of \$645,000.00

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.

SURPLUS ITEMS

After discussion, Sluka moved and Lightwine seconded the motion to surplus a van trailer and a plastic horse tank (to be sold). 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 FOR 2021/2022

After discussion, Graham moved and Noel seconded the motion to approve the NIRMA Insurance for fiscal year 2021/2022 with the same deductibles as previous year. 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 CASH-IN-LIEU PROGRAM FOR HEALTH INSURANCE

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

RESOLUTION #2021 - 21

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 \$500.00 monthly, beginning July 1, 2021.

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

The Chairman declared the resolution adopted.

DISCUSSION REGARDING SERVICE DOGS

After discussion, Noel moved and Sluka seconded the motion to add signage to the entry doors stating the "Only Service Dogs" allowed and to verify with insurance carried regarding the correct wording. 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 HEARING TO AMENDMENT ZONING REGULATIONS 5.1.04 AND 5.2.04 CONDITIONAL USES

Public hearing to amend Zoning Regulations 5.1.04 and 5.2.04 Conditional Uses adding Event Venue, including, but not limited to, banquets, meetings, weddings, anniversaries, and other similar gatherings opened at 10:45 a.m. as advertised.

After discussion, Noel moved and Sluka seconded the motion to close the public hearing at 10:50 a.m. as no one appeared to testify for or against the change. 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.

APPROVE AMENDMENTS TO ZONING REGULATIONS 5.1.04 AND 5.2.04 CONDITIONAL USES



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

RESOLUTION #2021 – 22

A RESOLUTION AMENDING THE FILLMORE COUNTY ZONING REGULATIONS TO PROVIDE UPDATED REGULATIONS FOR THE AG-1 AGRICULTURE DISTRICT AND AG-2 AGRICULTURE DISTRICT; 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

WHEREAS, Fillmore County has adopted zoning regulations and the Fillmore County Board of Supervisors desires to update the AG-1 Agriculture District (Article 5.1.04 Conditional Uses) & AG-2 Agriculture District regulations (Article 5.2.04 Conditional Uses); and

WHEREAS, the Fillmore County Joint Planning Commission conducted a public hearing on June 21, 2021, 2021 and provided a recommendation of approval, and the Fillmore County Board of Supervisors conducted a public hearing on June 22, 2021 for the following regulations and amendments to the Fillmore County Zoning Regulations:

1. Amendment to Section 5.1.04 CONDITIONAL USES (ADD)
 - 19. Event Venue including but not limited to; banquets, meetings, weddings, anniversaries, and other similar gatherings
2. Amendment to Section 5.2.04 CONDITIONAL USES (ADD)
 - 13. Event Venue including but not limited to; banquets, meetings, weddings, anniversaries, and other similar gatherings

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors of Fillmore County, Nebraska that the above regulations 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: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the resolution adopted.

PUBLIC HEARING FOR CONDITIONAL USE PERMIT FOR LEE & MELISSA HANTHORN

Public hearing for a conditional use permit for Lee & Melissa Hanthorn opened at 10:51 a.m. Lee & Melissa informed the Board of their plans of a wedding venue/event center for their property located within Section 22, Grafton Township.

After discussion, Harre moved and Graham seconded the motion to close the public hearing at 10:55 a.m., as no one appeared to testify for or against the permit. 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 FOR LEE & MELISSA HANTHORN

Graham moved and Cerny seconded the motion to approve the Conditional Use permit for Lee & Melissa Hanthorn as submitted. 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.

PUBLIC HEARING TO AMENDMENT ZONING REGULATIONS 9.21 IRRIGATION PIVOT POINTS & STOPS

Public hearing to amend Zoning Regulations 9.21 Irrigation Pivot points and stops opened at 11:05 a.m. as advertised.

After discussion, Sluka moved and Harre seconded the motion to close the public hearing at 11:08 a.m. as no one appeared to testify for or against the change. 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.

APPROVE AMENDMENT TO ZONING REGULATION 9.21 IRRIGATION PIVOT POINTS & STOPS

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

RESOLUTION #2021 – 23

A RESOLUTION AMENDING THE FILLMORE COUNTY ZONING REGULATIONS TO PROVIDE UPDATED REGULATIONS FOR SECTION 9.21 IRRIGATION PIVOT POINTS AND STOPS; 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

WHEREAS, Fillmore County has adopted zoning regulations and the Fillmore County Board of Supervisors desires to update Section 9.21 Irrigation Pivot Points and Stops; and

WHEREAS, the Fillmore County Joint Planning Commission conducted a public hearing on June 21, 2021, 2021 and provided a recommendation of approval, and the Fillmore County Board of Supervisors conducted a public hearing on June 22, 2021 for the following regulations and amendments to the Fillmore County Zoning Regulations:

3. Amendment to Section 9.21 Irrigation Pivot Points and Stops
(ADD) 3. Pivot points/pads on all new pivots located at or near county road intersections shall follow a site distance setback of seventy-five (75) feet measured from the center of the intersection sighted across; forming a triangle.

NOW, THEREFORE BE IT RESOLVED, by the County Board of Supervisors of Fillmore County, Nebraska that the above regulations 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: Cerny, Graham, Harre, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the resolution adopted.

ADD EMERGENCY ACTION ITEM



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At the request of Zoning Administrator, Jennifer Slezak, Sluka moved and Lightwine seconded the motion to add an emergency action item of Luzum Subdivision to the agenda. 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.

LUZUM SUBDIVISION

After discussion, Harre moved and Lightwine seconded the motion to approve the Luzum Subdivision located in the Northwest Quarter of the Southwest Quarter of Section 24, Liberty Township as described: a tract of land located in the Northwest Quarter of the Southwest Quarter of Section 24, Township 7 North, Range 1 West of the 6th P.M., Fillmore County, Nebraska being described as follows: commencing at the Southwest corner of the Northwest Quarter of the Southwest Quarter, this being the point of beginning; thence N88°15'40"E, (assumed bearing) on the South line of said Northwest Quarter of the Southwest Quarter; a distance of 433.00 feet; thence N05°48'18"W, a distance of 615.64 feet; thence S88°15'40"W, parallel with the South line of said Northwest Quarter of the Southwest Quarter, a distance of 388.00 feet to the West line of said Northwest Quarter of the Southwest Quarter; thence S01°50'46"E on said West line a distance of 650.00 feet to the point of beginning containing 6.13 acres, more or less, including 0.49 acres, more or less, of 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.

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

RESOLUTION #2021 – 24

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.



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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.

RELEASING PLEDGE SECURITY

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

RESOLUTION #2021 – 25

RESOLVED, that the York State Bank & Trust Co. of York, Nebraska, be allowed to release the following security held by FNMA Remic Trust to-wit:

CUSIP #3136ALK83 in the amount of \$75,000.00

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.

BRYANT TOWNSHIP CLAIM

Sluka moved and Graham seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$10,457.50 (short paying bill due to budget) 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

Harre moved and Sluka seconded the motion to approve the claim from Fillmore County Road Department in the amount of \$11,055.00 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.

EXECUTIVE SESSION

Sluka moved and Lightwine 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



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The Chairman declared the motion carried and requested that the County Sheriff and County Clerk remain. Executive session began at 11:31 a.m.

RETURN TO REGULAR SESSION

Graham moved and Lightwine seconded the motion to return to open session at 11:53 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.

SOUTHEAST NEBRASKA ADULT DRUG COURT

Christina Reece gave an update to the Board (via zoom) and budget request of \$3,103.64 for fiscal year 2021/2022. Currently they have forty-four (44) 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, Graham moved and Noel seconded the motion to approve and sign the Interlocal Agreement with Southeast Nebraska Adult Drug Court beginning July 1, 2021 and ending June 30, 2022 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.

ADJOURN

As there was no other business to come before the Board, Graham moved and Lightwine seconded the motion to adjourn until 9:05 a.m., July 13, 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