



Fillmore County Board Minutes



October 12, 2021

The Fillmore County Board of Supervisors convened in open and public session at 9:10 a.m., October 12, 2021, in the Boardroom of the Courthouse in Geneva, Nebraska with Chairman Neiman presiding. Members present were Noel, Graham, Sluka, Cerny, and Lightwine. Harre attended a portion of the meeting via zoom (did not vote). 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 11:57 a.m.

MINUTES APPROVED

Chairman of the Board, Neiman declared the minutes from the September 28, 2021, meeting approved as presented.

UPDATE FROM GLENWOOD REGARDING NEBRASKA BROADBAND BRIDGE PROGRAM APPLICATION

Jennifer Reiman, Director of Business Development with Glenwood Telecommunications informed the Board that they had submitted the application by the October 1st deadline. The application also included the Village of Shickley adding fiber to the Village limits. Glenwood employees went door to door to have residents submit a speed test along the proposed route to verify their case for underserved residents and found some that are not getting any internet service within Fillmore County.

DISCUSSION REGARDING THE SPEED LIMIT ALONG 4TH STREET ON THE SOUTH SIDE OF GENEVA

Terry Heironymus requested that the speed limit along 4th Street on the south side of Geneva be lowered from 50 MPH to 30 MPH.

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

RESOLUTION 2021 – 38

WHEREAS, The Fillmore County Board of Supervisors directed the County Highway Superintendent to make a study of use of 4th Street, within Section 1, Stanton Township and to submit within sixty (60) days a written report of recommendation of speed limit.

Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the resolution adopted.

ANNUAL CERTIFICATION OF YEAR END REPORT

Lightwine moved and Noel seconded the motion to approve the annual certification of year end report for period of July 1, 2020 and ending June 30, 2021. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE TO NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS

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



Fillmore County Board Minutes



October 12, 2021

RESOLUTION 2021 – 39

WHEREAS: State of Nebraska Statutes, sections 39-215, 39-2119, 39-2120, 39-2121, and 39-2510(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 included 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, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the resolution adopted.

ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE TO NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS 2021

After discussion, Sluka moved and Cerny seconded the motion to approve the County Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2021 as follows:

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the County of Fillmore hereby certifies that it:

- ✓ Has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ Meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, and streets.
- ✓ Expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ Uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ Uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ Uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ Uses an accounting system that tracks equipment operation costs;
- ✓ Has included in its public records the information required under subsection (2) of section 39-2510; and
- ✓ Has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the County Board Chairperson

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

MOTOR GRADER BIDS

Opened the following bids for a motor grader at 9:45 a.m. as advertised:

BIDDER:
NMC, Inc.

MAKE/MODEL:
2022 Caterpillar 140

PRICE:
\$284,320.00 and \$229,045.00



Fillmore County Board Minutes



October 12, 2021

with trade-in

Murphy Tractor & Equipment Co.

2021 John Deere 670GP

\$280,565.00 and \$236,565.00

with trade-in

MOTOR GRADER

After discussion, Graham moved and Lightwine seconded the motion to accept all bids and award to Murphy Tractor & Equipment Co. for \$280,565.00 adding additional warranty to 7 years/7000 hours for \$4,500.00 with no trade-in. Upon roll call, the vote was as follows:

Ayes: Cerny, Graham, Lightwine, and Noel

Nays: Neiman and Sluka

The Chairman declared the motion carried.

SURPLUS EQUIPMENT

After discussion, Cerny moved and Graham seconded the motion to surplus three (3) drags and to sell on either Big Iron or Auction Time. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

OTHER ROAD DISCUSSION

Highway Superintendent, Pat Halbur requested the purchase of a mulcher that would mount to a grader. After discussion regarding warranty and shipping charges, the Board approved the purchase.

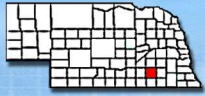
Discussion regarding a bridge located on Road 10, between Road Q and Road R that the township would like to be replaced with culverts. After discussion, the Board requested that this wait until all bridges in the County are rated.

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:

Applied Connective Technologies	Uti	485.34
Bear Graphics, Inc.	Sup	1,202.09
Bi-Versal Services, LLC	Ser	470.72
Black Hills Energy	Uti	98.35
Jerry Chapman	Mile	40.32
City of Geneva	Uti	1,682.05
Clearly	Uti	395.60
Cornerstone Bank	SS	5,383.13
Gaylord Craddock	Mile	19.04
Crossroads Awards	Sup	16.00
Jill R. Cunningham	Rent	183.34
Diane Deepe	Ser	120.00
Dollar General – Regions 410526	Sup	78.60
Eakes Office Solutions	Sup	1,327.83
Erdkamp Motors	Main, Rep	102.75
Farmer & Son Funeral Home	Ser	775.25
Fillmore County Clerk of the District Court	Fees	107.00



Fillmore County Board Minutes



October 12, 2021

Fillmore County Treasurer	Transfer, Misc	200,020.00
First Concord Group, Inc.	Insur	295.19
Gage County Clerk	budget request	4,309.38
Geneva Building Supply	Rep	142.79
Geneva Home Center	Sup	30.96
Geneva Parks & Recreation Dept.	Ser	156.00
Geneva Tire and Auto, Inc.	Rep, Main	2,279.38
Glenwood Telecommunications	Uti	219.50
Dawn M. Henry	Rent	183.33
Kimberly J. Hirth	Rent	183.33
The Home Depot Pro	Sup	918.21
Hometown Leasing	Ser	1,518.51
Justice Data Solutions, Inc.	Ser	1,500.00
Kelch Plumbing Heating & Refrigeration, Inc	Rep	131.25
Kopchos Sanitation, Inc.	Uti	169.75
Stephen J. Kraviec	Ser, Post	1,778.76
Latimer Reporting	Ser	117.21
Lichti Oil	Fuel	12.91
Madison National Life Insurance Co.	Insur	146.68
Maverick Industries, Inc.	Main	515.00
MIPS, Inc.	Ser	3,115.36
Murray Law PC, LLO	Ser	313.50
The Nebraska Signal	Ads, Pro	814.42
Nebraska Weed Control Association	Wksh	120.00
Nick's Farm Store	Main	44.24
PurFoods, LLC	Meals	264.44
Quadient Finance USA, Inc.	Post	700.00
Retirement Plans Division of Ameritas	Ret	5,155.95
Blaine Richards	Mile	26.88
State of Nebraska State Patrol Interagency	Ser	112.00
Thayer County Treasurer	Ser	234.82
US Bank CPS	Post, Mile, Sup, Fuel, Lodging	300.94
Van Diest Supply Company	Sup	865.68
Brandy VanDeWalle	Uti, Lodging, Wksh	539.95
Gary Warren	Mile	33.60
What's Happening	Ad	15.00
Windstream	Uti	146.51
Woodward's Disposal Service, Inc.	Ser	40.00
Payroll	Salaries	77,480.84

ROAD/BRIDGE FUND:

Action Auto Supply	Sup	52.79
Auto Value Parts Stores	Parts, Main, Sup	1,037.59
Paul Bauer	Ser	475.00
Beatrice Concrete Co., Inc.	Gravel	13,664.08
Bi-Versal Services, LLC	Ser	1,133.58
Black Hills Energy	Uti	59.90
Carquest Geneva	Main, Sup	171.50
City of Geneva	Uti	67.05
Farmers Cooperative	Fuel	6,080.40
Cornerstone Bank	SS	2,706.26
Geneva Building Supply	Sup	156.12
Geneva Super Foods	Sup	5.49
Geneva Tire and Auto, Inc.	Tires, Rep	6,131.17
Geneva Welding & Supply, Inc.	Equip	158.56
Glenwood Telecommunications, Inc.	Uti	80.00
Grafton Oil, Inc.	Fuel	1,641.12
Kopchos Sanitation, Inc.	Uti	55.00
Lawson Products, Inc.	Sup	389.38



Fillmore County Board Minutes



October 12, 2021

Lichti Oil	Fuel	4,139.03
McCormick's Heating & A/C, Inc.	Rep	2,905.00
MIPS, Inc.	Ser	142.92
The Nebraska Signal	Ads	332.23
Nichols Construction	Gravel	63,887.95
Nick's Farm Store Co.	Rep, Sup	152.11
Perennial Public Power District	Uti	58.57
NMC Exchange, LLC	Rep, Main, Ser, Equip	195,882.63
Power Plan	Rep, Parts	1,471.59
Retirement Plans Division of Ameritas	Ret	2,398.99
Speece Lewis Engineers	Ser	9,440.00
US Bank, CPS	Post, Uti	2.35
Village of Exeter	Uti	22.25
Village of Fairmont	Uti	19.94
Village of Grafton	Uti	42.63
Village of Milligan	Uti	28.76
Village of Ohioa	Uti	30.00
Village of Shickley	Uti	26.59
Windstream	Uti	174.33
Payroll	Salaries	36,117.26

REGISTER OF DEEDS PRESERVATION FUND:

MIPS, Inc.	Ser	145.48
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911 EMERGENCY MANAGEMENT FUND:

Glenwood	Uti	64.00
Windstream	Uti	1,945.21

HOSPITAL OPERATING FUND:

Fillmore County Hospital	Sept. taxes	3,975.58
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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, Lightwine, Neiman, Noel, and Sluka
Nays: None

The Chairman declared the motion carried.

FEE REPORTS FOR SEPTEMBER 2021

After review, Noel moved and Sluka seconded the motion to accept the fee reports for September 2021 as follows:

County Clerk \$8,045.34 (State \$3,759.11 & County \$4,286.23)
Clerk of the District Court \$3,026.97
County Sheriff \$1,695.84

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

CERTIFICATE OF COST ALLOCATION PLAN WITH MAXIMUS



Fillmore County Board Minutes



October 12, 2021

After discussion, Lightwine moved and Graham seconded the motion to approve the certificate of cost allocation plan with Maximus to establish cost allocations or billings for fiscal year ending June 30, 2020. Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

ROIT SUBDIVISION

Zoning Administrator, Jennifer Slezak submitted the Roit Subdivision located in the NE ¼, Section 24, Chelsea Township.

After discussion, Sluka moved and Noel seconded the motion to approve the Roit Subdivision located in the NE ¼, Section 24, Chelsea Township with the following legal description, a tract of land located in the Northeast Quarter of Section 24, Township 6 North, Range 2 West of the 6th p.m., Fillmore County, Nebraska being described as follows: commencing at the Northeast corner of said Section 24, this being the point of beginning; thence S89°02'39"W (assumed bearing) on the North line of the Northeast Quarter of said Section 24, a distance of 410.00 feet; thence S00°57'21"E, perpendicular to said North line, a distance of 380.94 feet; thence N88°13'11"E, perpendicular to the East line of said Northeast Quarter, a distance of 415.44 feet to said East line; thence N01°46'49"E, on said East line, a distance of 375.00 feet to the point of beginning containing 3.58 acres, more or less, including 0.57 acres, more or less of County road right-of-way.

Upon roll call, the vote was as follows:

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

The Chairman declared the motion carried.

QUARTERLY MEETING WITH APPOINTED DEPARTMENT HEADS

Todd Boller, Noxious Weed Superintendent; Richard Ellison and Gregg Smidt, Custodians; Jennifer Slezak, Planning and Zoning Administrator and Assistant to Veterans Service; update from Brenda Motis, Senior Services Director submitted to Supervisor Graham who reported; and Jean Engle, Emergency Manager met with the Board for their quarterly meeting.

EXECUTIVE SESSION

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

The Chairman declared the motion carried and requested that the Sheriff Burgess, Deputy Smith, and County Clerk remain. Executive session began at 11:24 a.m.

RETURN TO REGULAR SESSION

Lightwine moved and Graham seconded the motion to return to open session at 11:55 a.m. Upon roll call, the vote was as follows:

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



Fillmore County Board Minutes



October 12, 2021

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., October 26, 2021. Upon roll call, the vote was as follows:

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

Nays: None

The Chairman declared the motion carried.

Attest

Chairman