

April 4, 2023

Seward County Board of Commissioners

State of Nebraska)
County of Seward) ss.

A regular meeting of the Seward County Board of Commissioners was convened in open and public session at 8:30 a.m. on April 4, 2023 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board and on the Commissioner's Room door. The agenda for all meetings is kept continually current and is available for public inspection at the County Clerk's Office during normal business hours. The agenda is held open until one business day prior to the meeting for appearance before the Board. The Board of Commissioners has the right to modify the agenda to include items of an emergency nature only at such public meeting.

The Seward County Board of Commissioners convened on April 4, 2023 at 8:30 a.m.

Present: Chairperson: John Culver

Members: Misty Ahmic, Ken Schmieding, Darrell Zabrocki

County Clerk: Sherry Schweitzer

Absent: Member: Raegan Hain

The Chairperson noted that the public meeting information is posted as required by law and available for public distribution if requested.

The Pledge of Allegiance was recited.

Since it was the 1st meeting of the month, with various Dept. Heads and Supervisors in attendance, Chairman Culver led discussion and gave information about budget recommendations. He said that he is asking everyone to try to keep their budget, other than salaries and the expenses related to salaries, at 0%. He stated that with the Legislature in session, some legislation has been introduced that may make a big impact on county funds. Commissioner Ahmic stated that as far as salaries, those employees who did not get their wages reviewed by information from a salary study, will be reviewed this year.

Harrison Helmer gave an update of activities of the Seward County Chamber & Development Partnership organization.

Laurie Sherman, Executive Director of BRIDGES, updated the Commissioners on activities of her organization.

Those officials also updating the Commissioners on the activities of their department were Jake Zlatkovsky, Kathy Ruzicka, Mike Vance, Eric Hofer, Matt Starkey, Gary Petersen, Emily Manning, Carina Sanchez, Becky Paulsen and Sherry Schweitzer.

Moved by Schmieding and seconded by Zabrocki to approve the minutes for March 21, 2023.

Affirmative Vote: Schmieding, Zabrocki, Ahmic, Culver

Motion Carried

Moved by Zabrocki and seconded by Ahmic to approve the minutes of March 28, 2023.

Affirmative Vote: Zabrocki, Ahmic, Schmieding, Culver

Motion Carried

Commissioners Reports:

Commissioner Ahmic reported she attended the retirement reception for Milford Police Chief Forrest Siebken. She participated in the National Drug Endangered Children Awareness Training webinar, will be participating in a virtual walk fundraiser for CASA, is exploring new internet for the West Wing, and is working with JEO Engineers on the proposed new zoning regulations. She contacted the State Dept. of Roads on permit

issues/traffic studies, met with the Highway Supt. on job descriptions and checked on every project on the 1 & 6 Year Road Plan.

Commissioner Culver reported he dealt with various correspondences, is working on switching the financial bookkeeping for Seward/Saline Solid Waste Agency, reviewed projects on the 1 & 6 Year Road Plan, and will be participating with interviews for the Public Defender.

Commissioner Schmieding reported he will be participating in the Public Defender interviews in the near future and reviewed some projects on the 1 & 6 Year Road plan. He also reported on information about the Visitors Committee and will participate in a retreat in Goehner for that organization. He will participate in Arbor Day activities at the end of the month.

Commissioner Zabrocki reported he attended the retirement reception for Milford Police Chief Forrest Siebken, looked at all projects on the 1 & 6 Road Plan, attended the Utica Village Trustee Meeting last night and has a Seward City Council meeting this evening.

Sherry Schweitzer gave information on the bids opened last week for the mowing of abandoned cemeteries in Seward County.

Moved by Ahmic and seconded by Zabrocki to award the bid for mowing of abandoned cemeteries in Seward County to Anton Buresh D/B/A Express Lawn Care who bid \$700 per mowing.

Affirmative Vote: Ahmic, Zabrocki, Schmieding, Culver Motion Carried

Moved by Zabrocki and seconded by Schmieding to authorize the Chairman to sign the Contract for Mowing the Abandoned Cemeteries with Anton Buresh D/B/A Express Lawncare.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Culver Motion Carried

Matt Starkey, Veteran's Service Office/Public Transit Director, presented an application for the Fiscal Year 23-25 Public Transit 5311 Operating Assistance.

Moved by Zabrocki and seconded by Ahmic to adopt Resolution No. 3745 in regard to authorizing the Chairman to sign the application for the Fiscal Year 2023-2025 Public Transit 5311 Operating Assistance.

RESOLUTION NO. 3745

SEWARD COUNTY BOARD OF COMMISSIONERS

The Board of County Commissioners of Seward County, Nebraska, in regular session, assembled at the Seward County Courthouse at 529 Seward Ave, Seward NE 68434, this 4th day of April 2023, and hereby resolves as follows:

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act (FTA) and for Nebraska Public Transportation Assistance Program, and

WHEREAS, the Seward County Public Transit desires to apply for said funds to be used to provide public transportation in Seward County.

NOW THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners hereby instructs the Seward County public Transit Director to apply for the above-mentioned funds and authorized the Seward County Chairman to sign said application document(s). Said funds are to be used for the Seward County Public Transit operations in FY 2023-2024 and FY 2024-2025 and Seward County hereby pledges up to \$124,604.00 to meet its local match obligations.

Moved by: Zabrocki Seconded by: Ahmic April 4th 2023
Ayes: Ken Schmieding, Darrell J. Zabrocki, Misty Ahmic,

John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki, Ahmic, Schmieding, Culver

Motion Carried

Moved by Schmieding and seconded by Ahmic to adopt Resolution No. 3746 in regard to allowing Jones Bank to pledge additional securities.

**RESOLUTION NO. 3746 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS the Jones Bank & Trust desires to pledge the following securities:

<u>DESCRIP</u>	<u>CUSIP#</u>	<u>MARKET VALUE</u>
OTOE CNTY NE SCH DIST	68905WFN7	\$ 250,000.00
DOUGLAS CNTY NE SAN & IMPT DIS	25940ABU0	\$ 300,000.00

WHEREAS the County Deposits must be protected at all times.

LET IT BE RESOLVED that this County board accepts the above security pledging by the Jones Bank as of 04/04/2023.

Dated this 4th day of April 2023.

Moved by: Schmieding Seconded by: Ahmic
Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Schmieding, Ahmic, Zabrocki, Culver

Motion Carried

The Board recessed at 9:27 a.m.

The Board re-convened at 9:30 a.m.

Becky Paulsen, Weed/Zoning Administrator, gave the Board information about two Short Form Plat applications.

Moved by Schmieding and seconded by Ahmic to adopt Resolution 3747 in regard to approving the short form plat named Volzke Farms Subdivision in E Precinct in the SW ¼ of Section 4 Township 11 North, Range 1 East of the 6th p.m.

**RESOLUTION NO 3747 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Allyson Krohe and Devin Volzke have applied for a

Short Form Plat, and is described as a tract of land in the Southwest 1/4 of, Section 4, Township 11N, Range 1E, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called the VOLZKE FARMS SUBDIVISION Short Form Plat, and

WHEREAS The Planning Commission held a public meeting to consider the application at a regular meeting March 20, 2023, and

WHEREAS notice of the public meeting was published in the Seward County Independent, and

WHEREAS The Planning Commission recommended Approval of the Short Form Plat as presented, with a vote of 6 In Favor, 0 Against, and 3 Absent not voting, and

WHEREAS The Seward County Board of Commissioners held a public meeting to consider the application at a regular meeting April 4th, 2023, and

WHEREAS notice of the public hearing was published in the Seward County Independent, and

WHEREAS No one appeared to oppose said Conditional Use
 Individuals appeared to oppose said Conditional Use
 No one appeared to support said Conditional Use
 Individuals appeared to support said Conditional Use,
 Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve or Deny the VOLZKE FARMS SUBDIVISION Short Form Plat, with Resolution NO: 3747.

Moved by: Schmieding Seconded by: Ahmic April 4th 2023
Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Schmieding, Ahmic, Zabrocki, Culver Motion Carried

Moved by Zabrocki and seconded by Ahmic to adopt Resolution 3748 in regard to approving the short form plat named Platinum Ranch in J Precinct in the SW ¼ of Section 12 Township 10 North, Range 3 East of the 6th p.m.

**RESOLUTION NO 3748 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Brock T. Henderson and Joshua D. Delcamp have applied for a Short Form Plat, and is described as a tract of land in the Southwest 1/4 of, Section 12, Township 10N, Range 3E, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called the PLATINUM RANCH Short Form Plat and

WHEREAS The Planning Commission held a public meeting to consider the application at a regular meeting March 20, 2023, and

WHEREAS notice of the public meeting was published in the Seward County Independent, and

WHEREAS The Planning Commission recommended Approval of the Short Form Plat as presented, with a vote of 6 In Favor, 0 Against, and 3 Absent not voting, and

WHEREAS The Seward County Board of Commissioners held a public meeting to consider the application at a regular meeting April 4th, 2023, and

WHEREAS notice of the public hearing was published in the Seward County Independent, and

WHEREAS No one appeared to oppose said Conditional Use
 Individuals appeared to oppose said Conditional Use
 No one appeared to support said Conditional Use
 Individuals appeared to support said Conditional Use,
 Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve or Deny the PLATINUM RANCH Short Form Plat, with Resolution NO: 3748.

Moved by: Zabrocki Seconded by: Ahmic April 4th 2023
Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki, Ahmic, Schmieding, Culver Motion Carried

The Commissioners then discussed a Conditional Use Permit Review for an application in Precinct J in the NW ¼ of Section 25 Township 10 North, Range 3 East of the 6th p.m.

Paulsen explained that a Conditional Use Permit was given last year for this construction area and there was an issue with traffic, equipment back-up alarms, etc. by those living in the area. Each year a Conditional Use Permit has to be renewed and because of comments received and also the construction plant working in the evening this year, it is being reviewed. The Planning Commission reviewed the permit and found it still in compliance. Terry Wilhelm from Warner Construction Company was present to answer questions. He stated a contact number/person has been given to the area residents if they have concerns. They will also place additional signage and have measures in place for their truck drivers to assure safety when entering/exiting the construction site.

Highway Supt., Terry Wicht explained the suggested Snow and Ice Removal Policy.

Moved by Schmieding and seconded by Zabrocki to adopt Resolution No. 3749 in regard to the new Snow and Ice Removal Policy.

**BEFORE THE BOARD OF COMMISSIONERS
OF SEWARD COUNTY, NEBRASKA**

AUTHORIZING THE SNOW AND ICE REMOVAL)
POLICY OF RURAL ROADS IN) RESOLUTION NO. 3749
SEWARD COUNTY)

WHEREAS, in the judgement of the Seward County Board of Commissioners, it is deemed advisable that the Snow and Ice Removal Policy be updated and changed for Seward County Roads.

THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Seward County, Nebraska, that authorization is hereby given to adopt the new snow removal policy of rural roads.

Moved by: Schmieding Seconded by: Zabrocki Dated: April 4, 2023
Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Snow and Ice Removal Plan for Seward County Rural Roads

The plan for snow and ice removal on Seward County Rural Roads addresses the procedures that are to be followed in the event of a winter snow or ice storm. The plan is a guide only and may be deviated from at the discretion of the County Highway Superintendent, after consultation with the Assistant Highway Superintendent and Foreman. It is the County's policy to make the best possible use of the County personnel and equipment in the administration of this service. It is not the intent of Seward County to have a "bare road" policy, but rather to use its personnel and equipment according to this plan.

It is the County's intent to open all roads in a consistent and timely manner. The Highway Superintendent, after consultation with the Assistant Highway Superintendent and Foreman in charge, will dispatch snow removal crews and equipment when snow accumulation is at a measurable depth and it is safe to do so. The goal is to restore usual traffic as soon as possible after snow removal operations have begun and will be accomplished with expanded hours, if feasible given the weather conditions. Snow, wind, and visibility conditions will determine when plowing operations may begin or proceed.

Sanding and clearing of snow will be done for the movement of traffic and to provide as much traction as possible to motorists. There will be times that roads are very slick and snow-covered. In the case of a severe storm, roads may be completely blocked by heavy drifts or severe ice. Those

roads will be cleared as soon as weather and time permit. They may have one-lane traffic for long periods of time before clearing is feasible. In those situations, motorists must exercise caution in operating their vehicle. Any vehicle that becomes stalled or abandoned on the county road system during snow or ice is the responsibility of the owner.

Routes designated as Other Arterial and Collector roads will be plowed first with other areas or less traveled roads following.

Each operator will be furnished a map of their area showing the priority roads.

Operator schedules will be adjusted as needed for initial snow removal. Expanded snow removal will primarily be done during normal working hours. Emergency plowing or sanding for Emergency Services and Utility Services will be done by the designated operator. Gravel roads will not be sanded or salted under any conditions. Hard surfaced roads will be sanded and/or salted in the following areas as needed, or at the discretion of the Highway Superintendent or Assistant Highway Superintendent: curves, hills, stop signs, intersections, bridges.

Operators of snow equipment will have at least one meeting in September of each year to outline their duties. They will be furnished a map of their area of responsibility along with a copy of the current snow plan.

Definitions

One Lane - A single pass with equipment to remove snow to allow one opened lane of traffic.

Emergency- An event of an urgent nature that would require immediate snow removal intervention to respond to a specific location.

Normal Working Hours – 7:00am to 3:30pm Monday through Friday.

Other Arterial and Collectors – Entrance and Exit roads to a town; Highway to highway access; Emergency response personnel; Traffic emergency alternatives routes; Potentially high risk access/evacuation areas (i.e. chemical spill, electrical stations); School bus and postal routes.

Bare Road – Road surface totally free of snow and ice.

Affirmative Vote: Schmieding, Zabrocki, Ahmic, Culver

Motion Carried

Commissioner Ahmic led discussion on the Infrastructure Grants item on the agenda. She stated there has been information released again on more grants which could possibly help with the planning portion of a project. She would like to collaborate with SCC and the City of Milford for a planning grant for a bypass around Milford. She will look into the grant application.

Moved by Zabrocki and seconded by Schmieding to open the public hearing at 10:00 a.m. for the Seward County 1 & 6 Year Road Plan.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Culver

Motion Carried

Highway Supt., Terry Wicht went through the different projects on the plan.

Dave Wagner spoke about wanting to get the roads back to better conditions.

Moved by Zabrocki and seconded by Ahmic to close the Public Hearing for the 1 & 6 Year Road Plan at 10:16 a.m.

Affirmative Vote: Zabrocki, Ahmic, Schmieding, Culver

Motion Carried

During discussion after the hearing, Commissioners asked questions about different projects in the plan not previously discussed.

Spencer Conradt, E911 Director, was present to ask that the limit on his department credit card be raised. He said he and his staff will be using the card when going to trainings in the next 6 months and the present limit of \$2,000 is not adequate. He asked that it be raised to \$6,000 until 10/1/2023.

Moved by Zabrocki and seconded by Schmieding to allow the E911 Department credit card limit to be raised to \$6,000 until 10/31/2023.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Culver

Motion Carried

Conradt also discussed the computer in the Emergency Operation Center (EOC) in the Justice Center. He didn't know who/what department had first placed the computer there but it is outdated and is wondering about replacement. Maria Hatfield, Detention Center Director, said it was an extra computer from the Sheriff's Office when the Detention Center was built. There was discussion about what budget a new computer would be funded by.

Conradt also told the Commissioners about National Telecommunicators Week which is April 9-15.

Known items on the agenda for Board of Equalization on April 11, 2023 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of March 28, 2023
4. Discuss/Action – Assessor Information Update
5. Discuss/Action – Real Estate Property Tax Refund Request for Imogene Hegeholz
6. Discuss/Action – Tax List Corrections 402-20R, 403-21R & 404-22R

8:35 a.m.

- Public Hearing – Permissive Exemption Applications for St. Patrick's Catholic Church & Hillcrest Evangelical Free Church
Discuss/Action – Permissive Exemption Applications for St. Patrick's Catholic Church & Hillcrest Evangelical Free Church

Known items on the agenda for Board of Commissioners on April 11, 2023 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of April 4, 2023
4. Discuss/Action – Claims for the period through March 31, 2023

Other Business Matters to Address When Time Allows

1. Discuss/Action - Public/Officials/Boards
2. Commissioners Reports
3. Discuss/Action – Infrastructure Related Grants
4. Discuss/Action – Agenda for April 18, 2023

9:30 a.m.

- Public Hearing – Conditional Use Permit for the installation and operation of a 1MW Solar Array energy production for Todays Power, Inc. located in the NW ¼ of Section 22, Township 10 North, Range 3 East of the 6th p.m.
Discuss/Action – Resolution/Finding of Facts – Conditional Use Permit for the installation and operation of a 1MW Solar array energy production for Todays Power Inc located in the NW ¼ of Section 22, Township 10 North, Range 3 East of the 6th p.m.

10:00 a.m. Discuss/Action – Open bids for the Task Force Building Renovation

Moved by Zabrocki and seconded by Schmieding to adjourn at 11:25 a.m.

Affirmative Vote: Zabrocki, Schmieding, Ahmic, Culver

Motion Carried

State of Nebraska)

County of Seward) ss.

I, Sherry Schweitzer, the undersigned County Clerk of Seward County, Nebraska do hereby certify the foregoing minutes are true and are part of the official records of this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 11th day of April 2023.

County Clerk

Chairperson