

April 6, 2021

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 6, 2021 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 6, 2021 at 8:30 a.m.

Present: Chairperson: John Culver

Members: Misty Ahmic, Bob Vrbka, Ken Schmieding, Darrell Zabrocki

County Clerk: Sherry Schweitzer

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.

Those officials present for their time on the agenda with the Commissioners were Gary Petersen, Matt Starkey, Marilyn Hladky, Terry Wicht and Sherry Schweitzer.

Jonathan Jank, Executive Director of the Seward County Chamber & Development Partnership, updated the Commissioners on activities of the organization.

Moved by Vrbka and seconded by Zabrocki to approve the minutes of March 30, 2021.
Affirmative Vote: Vrbka, Zabrocki, Schmieding, Ahmic, Culver Motion Carried

Commissioners Reports:

Commissioner Ahmic reported she participated in a Four Corners Health District Zoom call.

Commissioner Vrbka reported he received calls from constituents in regard to roads and also checked on several of them.

Commissioner Culver reported he checked on abandoned cemeteries and roads, participated in a webinar for NIRMA, a Four Corners Health District Zoom call, received phone calls and sent a note to the Governor and Senator about new regulations.

Commissioner Schmieding reported he worked on the new tree project for the Arbor Day celebration. He also participated in phone calls about various county business.

Commissioner Zabrocki reported he participated on the Four Corners Health District Zoom call. He met with the Veteran's Service Officer about medallions for grave sites and also received a phone call about a resolution in regard to support for the 2nd amendment.

Moved by Ahmic and seconded by Vrbka to adopt Resolution No. 3576 in regard to allowing Seward County to exceed 50% of capital and surplus, if need be, in any of the designated depositories due to the funds received from the American Rescue Plan Act.

RESOLUTION No. 3576 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS

Whereas: Seward County will be receiving a large amount of funds from the American Rescue Plan Act.

And, whereas, the deposit of said funds into one or possibly two county banks may raise the amount of county funds to a level exceeding 50% of capital and surplus in one or more county banks.

And, whereas to do so takes, by statute 77-2318, a resolution adopted by the County Board allowing the County Treasurer to do so.

Therefore, if need be, let it be resolved the Seward County Treasurer may have County deposits exceeding 50% of capital and surplus in the following banks: Cattle National Bank & Trust Co., Jones Bank, Farmers & Merchants Bank of Milford, the First Bank of Utica, and Union Bank of Seward if the aforementioned institutions are willing to pledge the necessary securities to cover County deposits.

Moved by: Zabrocki Seconded by: Vrbka 04/06/2021
Ayes: Darrell Zabrocki, Robert Vrbka, Misty Ahmic, Ken Schmieding,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

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

Moved by Schmieding and seconded by Ahmic to authorize the Chairman to sign the Surplus Property Disposal Request from the County Clerk.

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

Moved by Vrbka and seconded by Zabrocki to adopt Resolution No. 3557 in regard to allowing Jones Bank to pledge additional securities.

**Resolution No. 3577 of the
Seward County Board of Commissioners**

WHEREAS, the Jones Bank desires to pledge the following security:

DESCRIP	CUSIP#	AMNT PLEDGE
DOUGLAS CO SAN DIST	25932NBT5	250,000.00

Whereas: the county funds need to be protected at all times. Therefore, let it be resolved, the above pledging is approved by this County Board.

Moved by: Vrbka Seconded by: Zabrocki 04/06/2021
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

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

Moved by Vrbka and seconded by Zabrocki to open a public hearing at 9:27 a.m. for a recommendation for a Class D Liquor License for Western Oil LLC D/B/A Speedee Mart #2737 at 930 280th Road, Seward, NE.

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

No one appeared to support or oppose said liquor license request.

Moved by Vrbka and seconded by Vrbka to close the public hearing at 9:28 a.m.

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

Moved by Zabrocki and seconded by Schmieding to recommend approval for a Class D Liquor License for Western Oil LLC D/B/A Speedee Mart #2737 at 930 280th Road, Seward, NE.

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

Gary Petersen, Seward/York Emergency Manager, presented information for the purchase of four handheld radios utilizing Emergency Performance Grant Funds. The Commissioners discussed the possible uses and who would "own" the radios.

Moved by Zabrocki and seconded by Vrbka to authorize the purchase of four handheld portable radios from First Wireless in the amount of \$27,783.32 utilizing Emergency Management Performance Grant Funds.

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

Becky Paulsen, Weed/Zoning Administration, presented Brent Schluckebier as a member of the Planning and Zoning Commission.

Moved by Vrbka and seconded by Ahmic to appoint Brent Schluckebier as a member of the Planning and Zoning Commission.

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

The Commissioners recessed at 9:42 a.m.
The Commissioners re-convened at 9:45 a.m.

Terry Wicht, Highway Supt., brought two resolutions in regard to bridge projects for the Commissioners' consideration.

Moved by Zabrocki and seconded by Schmieding to adopt Resolution No. 3578 in regard to the approval of Preliminary Plans for a Bridge Replacement for Seward Northwest Project # BRO-7080 (54).

RESOLUTION 3578
APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS, AND
ESTIMATES
(PS&E)

County of Seward
Resolution No. 3578

Whereas: County of Seward and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project.

Whereas: The State or the design consultant has developed the project plans to the point where they are ready to submit to State's PS & E Section for final edits for a bid letting.

Whereas: The LPA Program Agreement requires the County to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage.

Whereas: County wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the County Board of the County of Seward that:

The Chairperson, John Culver, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County's approval of the preliminary PS & E package.

NDOR Project Number: BRO-7080(54)
NDOR Control Number: 13362
NDOR Project Description: Northwest of Seward

Adopted this 6th day of April 2021 at Seward Nebraska.

Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki

County Board Member Zabrocki

Moved the adoption of said resolution

Member Schmieding Seconded the Motion

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed, and billed as adopted

County of Seward

John K. Culver, Chairperson

Attest: Sherry Schweitzer, County Clerk

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

Moved by Vrbka and seconded by Schmieding to adopt Resolution No. 3579 in regard to the approval of Preliminary Plans for a Bridge Replacement for Beaver Crossing South Project # BRO-7748 (1).

RESOLUTION 3579
APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS, AND
ESTIMATES
(PS&E)

County of Seward
Resolution No. 3579

Whereas: County of Seward and State entered into an LPA Program Agreement for State to assist County in the development and construction of an LPA Federal-aid transportation project.

Whereas: The State or the design consultant has developed the project plans to the point where they are ready to submit to State's PS & E Section for final edits for a bid letting.

Whereas: The LPA Program Agreement requires the County to review the preliminary PS & E package and either request modification or approve them as acceptable at this stage.

Whereas: County wishes to approve the preliminary PS & E package as prepared.

Be It Resolved by the County Board of the County of Seward that:

The Chairperson, John Culver, is hereby authorized to sign the bottom of this resolution and submit it to the State signifying the County's approval of the preliminary PS & E package.

NDOR Project Number: BRO-7748(1)

NDOR Control Number: 13363

NDOR Project Description: Beaver Crossing South

Adopted this 6th day of April, 2021 at Seward Nebraska.

Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki

County Board Member Vrbka

Moved the adoption of said resolution

Member Schmieding Seconded the Motion

Roll Call: 5 Yes 0 No 0 Abstained 0 Absent

Resolution adopted, signed, and billed as adopted

County of Seward

John K. Culver, Chairperson

Attest: Sherry Schweitzer, County Clerk

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

The Commissioners recessed at 9:58 a.m.
The Commissioners re-convened at 10:00 a.m.

Becky Paulsen, Weed/Zoning Administrator, brought a short form plat for the Commissioners' consideration.

Moved by Vrbka and seconded by Ahmic to adopt Resolution No. 3580 in regard to approving a short form plat to create Tannahill Addition located in J Precinct in E ½ SW ¼ Section 11 Township 10 North Range 3 East of the 6th p.m.

**RESOLUTION NO 3580 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Wayne Tannahill owns 80.0 acres and has applied for a Short Form Plat Subdivision, and described as a tract of land in the East 1/2 of the South West ¼ of, Section 11, Township 10N, Range 3E, Seward County, Nebraska, and

WHEREAS, the subdivision shall be called the TANNAHILL ADDITION SHORT FORM PLAT, and

WHEREAS, The Seward County Planning Commission held a meeting on March 15th, 2021 to consider the Short Form Plat, and

WHEREAS, the Planning Commission recommended approval of the TANNAHILL ADDITION Short Form Plat with a vote of 7 For, 0 against, and 0 Absent and Not Voting, and

WHEREAS, X No one appeared to oppose the subdivision

___ Individuals appeared to oppose the subdivision

X No one appeared to support the subdivision

___ Individuals appeared to support the subdivision

___ Individuals appeared without commitment, and

THEREFORE, BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve X, Deny _____ the TANNAHILL ADDITION Short Form Plat with Resolution NO: 3580.

Moved by: Vrbka Seconded by: Ahmic 04/06/2021
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, County Clerk

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

The Commissioners recessed at 10:08 a.m.
The Commissioners re-convened at 10:16 a.m.

The Commissioners discussed the placement of a FEMA Reimbursement received from a 2015 Flood Event. Money had been received by the County Treasurer and because information was not received about what fund to place the money in, the County Treasurer placed it in the Inheritance Fund. Wicht was present to say the expenses recovering from the flood came from the Road Dept. and asked that the reimbursement be put in the Special Road Fund.

Moved by Zabrocki and seconded by Ahmic to transfer \$192,440.82 from the FEMA Reimbursement recently received for the 2015 Flooding event from the Inheritance Fund to the Special Road Fund.

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

Known items on the agenda for Board of Equalization on April 13, 2021 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 23, 2021
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on April 13, 2021 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of March 6, 2021

Other Business Matters to Address When Time Allows

4. Discuss/Action - Public/Officials/Boards
5. Commissioners Reports
6. Discuss/Action – Agenda for April 20, 2021

Moved by Vrbka and seconded by Schmieding to adjourn at 10:29 a.m.

Affirmative Vote: Vrbka, Schmieding, Zabrocki, 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 13th day of April 2021.

County Clerk

Chairperson