

# Seward County Board of Commissioners

## April 18, 2017

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 9:00 a.m. on April 18, 2017 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 18, 2017 at 9:00 a.m.

Present: Chairman: Roger E. Glawatz  
Members: John Culver, Whitney Fleischman, Eugene Gausman,  
Diana Garske  
County Clerk: Sherry Schweitzer

The Chairman 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.

Moved by Culver and seconded by Gausman to approve the minutes of April 11, 2017.

Affirmative Vote: Culver, Gausman, Garske, Fleischman

Abstain: Glawatz as he was not in attendance at said meeting Motion Carried

Mike Janssen, Supt. of Buildings and Grounds notified that he ordered some supplies for the Justice Center and has nowhere to store it. He also said that he needs to know what to do with the surplus property from the construction site.

Jacque Stewart, Clerk of the District Court stated that she will start advertising for a position for her office.

Leann Suellwold from Probation was present to notify the Commissioners that the Probation Office is going to move April 26 & 27. The Fire Marshall will be doing final inspection on April 25. Danielle Graybill from Probation asked questions about moving of their furniture into the Justice Center.

Joe Yocum, Sheriff reported on activities of his office. He also reported that he had sent out a new template for Emergency Action Plans for the various County offices to use.

Jane Haefner was present to ask permission to place a sign on the courthouse lawn for the Relay for Life event.

Moved by Garske and seconded by Fleischman to give permission to place a sign on the Courthouse lawn April 18-22, 2017 for the Relay for Life event.

Affirmative Vote: Garske, Fleischman, Gausman, Culver, Glawatz Motion Carried

### **Commissioners Reports:**

Commissioner Culver reported he did some work for the Seward/Saline Solid Waste Organization and he went to the Planning & Zoning Meeting.

Commissioner Fleischman reported she has been working on Justice Center items and dealt with various correspondences.

Commissioner Gausman reported he attended the Computer Same Page meeting, an Extension Board meeting, participated in a 4 Corners Health Dept. conference call, and visited the Road Dept. about various issues.

Commissioner Garske reported she attended the Seward County Chamber Development & Partnership Board meeting, met with various offices, and worked on moving details of various offices into the Justice Center, briefly attended the Computer Same Page meeting and visited with HR and the County IT person.

Commissioner Glawatz reported he met with Commissioner Garske with various concerns.

Commissioner Garske led discussion on the clarification for salary and budget recommendations for 2017-2018 item on the agenda. She stated that Dept. Heads could give their employees a maximum of a step or 2 %. When the subject was on the agenda a couple of weeks ago, Garske stated a question arose about those employees who fell in-between the step. She stated after a meeting of the salary committee, they decided 2 different options could be chosen for those employees. They could be moved up to the next step or the Dept. Head could give the employee a full 2%. She stated that a new salary study will be done in the next year. Fleischman recommended that Dept. Heads be allowed to give a full 2 % because it would be the most fair. Garske agreed. Garske reminded everybody that the amount of raise you give is dependent upon their evaluation. She also stated that budget wise, up to a 2% increase in salaries should be figured, but 0% for the rest and no Cost Of Living Adjustment is going to be given. Maria Hatfield said that because the jail may be taking in new inmates, holding a budget to 0% will be hard. Garske said there will be exceptions.

Moved by Garske and seconded by Fleischman that Dept. Heads may move an employee who falls between steps on the step plan can move a full 2 % and those that are on a step, can move to the next step.

Affirmative Vote: Garske, Fleischman, Gausman, Culver, Glawatz Motion Carried

Maria Hatfield led discussion on the Longevity Plan for Employees. She said that there are many offices that have a problem with employees with wages of new employees and employees that have some longevity with the County. Commissioner Garske said she will take note of it. Commissioner Glawatz stated that longevity is very important and there should be a longevity plan too. Yocum stated there are 2 areas of concern. He stated that there should be a way to incorporate better pay for employees and for longevity. Fleischman stated that with a salary study coming, there can be a solution for all the concerns. Jacque Stewart said that she felt that those with longevity took a hard hit last year when getting employees up to the minimum salary according to the salary study. She said the issue needs to be addressed this year. Schweitzer said she will look to see if a survey has been completed by other County Clerks for information on the subject.

Commissioner Garske led discussion about the Office and Storage Space item on the agenda. She stated that the County Treasurer has requested more office space and some furniture from other offices. Yocum indicated that he was not going to have an office in the courthouse and Garske asked if he could empty that office of its furniture. The security camera computers are in it and he said he would talk to the IT person for the County to see what can be done. She also asked if the Probation Office is going to move their files which are in the storage room adjacent to the Commissioner's

Room. Graybill said they would not be moving the files they have in the storage space. Sheila Beins, County Court Clerk Magistrate reported she is taking files and leaving filing cabinets. Jacque Stewart, Clerk of the District Court stated she is taking both the files and the filing cabinets. The County Attorney will be moving hopefully the end of April, and the County Treasurer has asked for 2 of the desks she is not moving and he has also asked for 1 desk from the Public Defender. Glawatz said that HR stated they had talked to the Extension Office and could move temporarily move into the East Side of West Wing until the courts move. Schweitzer asked about her election equipment which is in storage in another room adjacent to the Commissioner's Room. Marilyn Hladky, Assessor said her storage in the former storage room on the first floor could be used for the Clerk's equipment. Glawatz stated that he would like the Assessor, Treasurer, Clerk to make a plan and contact other offices if necessary, in order to make a solid plan for the efficiency of the courthouse work environment.

Commissioner Garske also said a decision needs to make a decision on the Emergency Manager's Office. He would like to stay at the West Wing while the Extension Office would like to use his area. Glawatz stated that with the type of job he has, it's good for him to be in a location where he can leave quickly, has area for emergency supplies, etc. Gausman and Culver reiterated those considerations.

Moved by Culver and seconded by Gausman to leave the Emergency Management Office in the West Wing.

Affirmative Vote: Culver, Gausman, Garske, Glawatz

Voting No: Fleischman

Motion Carried

Commissioners Garske said that the Public Defender is not moving May 2. She said that Probation is planning to move April 25 & 26. Maria Hatfield, Detention Director said she did not feel that the 1<sup>st</sup> floor that Probation is going to be on is ready yet. She stated that it was hectic and chaotic when Sheriff, Jail, and 911 offices moved because things were not ready and she feels that other offices should not have to go through that. Especially since the Fire Marshall is not completing his walk-thru until the April 25th, it might be wise to hold off until everything is ready. Probation said they can change dates if needed. It was decided to hold off moving Probation until the building is more complete and ready.

Georgia Stockley, Interim Highway Supt. present 2 documents for the Commissioners consideration.

Moved by Garske and seconded by Fleischman to adopt Resolution No. 3301 in regard to adopting the 2017 Seward County 1 & 6 Road Plan.

### **RESOLUTION NO. 3301 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, The Public Notice of a Public Hearing on Seward County's proposed One (1) and Six (6) Year County Highway Program held in the County Commissioner's Room in the Seward County Courthouse, Seward, Nebraska, on Tuesday, April 11, 2017 at 9:45 a.m., was published in the Seward County Independent for over ten days prior to the hearing date; that a copy of said legal notice was posted in three public places in the County where it was likely to attract attention and the news media and the area was informed that a public hearing was to be held.

WHEREAS, the above mentioned public hearing was held in the County Commissioner's Room at 9:45 a.m., Tuesday, April 11, 2017.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of Seward County, Nebraska, that plans of the proposed One (1) and Six (6) Year County Highway Program, attached hereto as Exhibit A and incorporated herein by this reference as if fully set forth herein, is hereby approved and adopted.

Motion by: Garske                      Seconded by: Fleischman  
Ayes: Diana L. Garske, Whitney Fleischman, John K. Culver,  
Eugene Gausman, Roger Glawatz, Chairman, Board of Commissioners  
Dated: April 18, 2017    ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Fleischman, Gausman, Culver, Glawatz    Motion Carried

Moved by Garske and seconded by Gausman to authorize the Chairman to sign the Surplus Property Disposal Request from the Road Dept.

Affirmative Vote: Garske, Gausman, Fleischman, Culver, Glawatz    Motion Carried

Moved by Garske and seconded by Fleischman to go into a hearing to consider re-zoning the E½ NW ¼ of Section 22 Township 11 North Range 2 East of the 6th p.m. from A-1 to TA-1.

Affirmative Vote: Garske, Fleischman, Culver, Gausman, Glawatz    Motion Carried

Becky Paulsen gave information about it and said the Planning and Zoning Committee recommended not approving said request.

Tim Meinberg gave information in favor of said re-zoning.

No one spoke in opposition of it.

Moved by Garske and seconded by Gausman to close the public hearing.

Affirmative Vote: Garske, Gausman, Culver, Fleischman, Glawatz    Motion Carried

Joe Dalton, Deputy Co Attorney said that he did attend the Planning and Zoning Committee hearing and said that if approved, it would be considered "spot zoning."

Moved by Garske and seconded by Culver to adopt Resolution No. 3302 to deny re-zoning the E½ NW ¼ of Section 22 Township 11 North Range 2 East of the 6th p.m. from A-1 to TA-1 because it would fail to comply with zoning regulations and state law.

**RESOLUTION NO. 3302 OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS**

**WHEREAS**, Tim Mienberg has applied for a Zoning District change for a tract of land from A-1 Agricultural Preservation District to TA-1 Transitional Agriculture, and

**WHEREAS**, The land is described as a tract in the East 1/2 of the North West 1/4 of, Precinct K. Section 22, Township 11N, Range 2E, Seward County, Nebraska, and

**WHEREAS**, the owner of record is Tim Mienberg, and

**WHEREAS**, Notice of Public Hearing by the Seward County Planning Commission was published in the Seward County Independent, the Milford Times, and was posted on the property, and

**WHEREAS**, the Planning Commission held a public hearing on the Zoning District change on March 20, 2017, and

**WHEREAS**, the Planning Commission had a recommendation to Deny with a vote of 0 in favor, 5 against, and 2 absent and not voting.

**WHEREAS**, The Seward County Board of Commissioners held a public hearing on the Zoning Change on April 18, 2017, and

**WHEREAS**, Notice of Public Hearing by the Seward County Board of Commissioners was published in the Seward County Independent, the Milford Times, and was posted on the property, and

**WHEREAS,**  No one appeared to oppose said amendment  
 Individuals appeared to oppose said amendment  
 No one appeared to support said amendment  
 Individuals appeared to support said amendment, and

**NOW, THEREFORE BE IT RESOLVED** that the Seward County Board of Commissioners do hereby adopt Resolution 3302 to approve\_\_\_\_\_, deny\_XX\_ the Zoning District Change from A-1 to TA-1.

Motion by: Garske                      Seconded by: Culver  
Ayes: Diana L. Garske, John K. Culver, Whitney Fleischman,  
Eugene Gausman, Roger Glawatz, Chairman, Board of Commissioners  
Dated: April 18, 2017    ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Culver, Gausman, Fleischman, Glawatz    Motion Carried

Moved by Garske and seconded by Gausman to go into public hearing to consider re-zoning the S½ SW ¼ of Section 30 Township 10 North Range 2 East of the 6th p.m. from A-1 to TA-1.

Affirmative Vote: Garske, Gausman, Fleischman, Culver, Glawatz    Motion Carried

Paulsen gave information for the request. She stated the Planning and Zoning Committee voted to recommend approval.

No one spoke in favor of it or in opposition of it.

Moved by Fleischman and seconded by Garske to close the public hearing.

Affirmative Vote: Fleischman, Garske, Culver, Gausman, Glawatz    Motion Carried

Moved by Fleischman and seconded by Garske to adopt Resolution No. 3303 approving the re-zoning the S½ SW ¼ of Section 30 Township 10 North Range 2 East of the 6th p.m. from A-1 to TA-1.

**RESOLUTION NO. 3303 OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS**

**WHEREAS,** David Pankoke has applied for a Zoning District change for a tract of land from A-1 Agricultural Preservation District to TA-1 Transitional Agriculture, and

**WHEREAS,** The land is described as a tract in the South 1/2 of the South West 1/4 of, Precinct K. Section 30, Township 10N, Range 2E, Seward County, Nebraska, and

**WHEREAS,** the owner of record is David Pankoke, and

**WHEREAS,** Notice of Public Hearing by the Seward County Planning Commission was published in the Seward County Independent, the Milford Times, and was posted on the property, and

**WHEREAS,** the Planning Commission held a public hearing on the Zoning District change on March 20, 2017, and

**WHEREAS,** the Planning Commission had a recommendation to Approve with a vote of 5 in favor, 0 against, and 2 absent and not voting.

**WHEREAS,** The Seward County Board of Commissioners held a public hearing on the Zoning Change on April 18, 2017, and

**WHEREAS,** Notice of Public Hearing by the Seward County Board of Commissioners was published in the Seward County Independent, the Milford Times, and was posted on the property, and

**WHEREAS,**  No one appeared to oppose said amendment

Individuals appeared to oppose said amendment

No one appeared to support said amendment

Individuals appeared to support said amendment, and

**NOW, THEREFORE BE IT RESOLVED** that the Seward County Board of

Commissioners do hereby adopt Resolution 3303 to approve XX, deny \_\_\_\_\_ the Zoning District Change from A-1 to TA-1.

Motion by: Fleischman                      Seconded by: Garske  
Ayes: Whitney Fleischman, Diana L. Garske, John K. Culver,  
Eugene Gausman, Roger Glawatz, Chairman, Board of Commissioners  
Dated: April 18, 2017    ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Fleischman, Garske, Gausman, Culver, Glawatz    Motion Carried

Casey Tiemann of the County Attorney's Office presented a grant document revision for the Commissioners approval.

Moved by Fleischman and seconded by Garske to authorize the Chairman sign the revised budget for the 2017-2018 Community Based Juvenile Service Grant.

Affirmative Vote: Fleischman, Garske, Gausman, Culver, Glawatz    Motion Carried

The Commissioners proceeded outside for a Public Transit Photo. Jeff Baker gave an update of activities of Public Transit Week.

Moved by Garske and seconded by Gausman to award the bid for the mowing of abandoned cemeteries to Grass Barbers at \$525.00 per mowing.

Affirmative Vote: Garske, Gausman, Culver, Glawatz

Abstain: Fleischman as she is employed with a partner involved with the awarded contractor

Motion Carried

Commissioner Garske led discussion about a donation for the Seward Spring Cleanup. In previous years, Seward County has always helped with \$500 in providing advertising for said event.

Moved by Garske and seconded by Fleischman to provide a \$500 donation to help pay for advertising for the Seward Spring Clean-Up.

Affirmative Vote: Garske, Fleischman, Culver, Gausman, Glawatz    Motion Carried

Moved by Fleischman and seconded by Culver to authorize the Chairman to sign the Furniture Terms and Conditions and the Proposal documents for the District and County Court Furniture.

Affirmative Vote: Fleischman, Culver, Garske, Gausman, Glawatz    Motion Carried

During Justice Center Update, Fleischman stated that the Nebraska Fire Marshall is coming April 25<sup>th</sup> to make the final inspection for the Justice Center. She stated the construction company is starting to have some of their labor force reduced.

Sheila Beins asked about deliveries and security. Fleischman stated there would be no problem with deliveries. Stewart asked about the drawer that is to be placed next to her office. Fleischman stated it has not been installed yet. Fleischman said that a storage area for the cleaning supplies and re-stock supplies needs to be decided yet.

Known items on the agenda for Board of Equalization on April 25, 2017 are as follows:  
8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve Minutes of April 11, 2017
4. Discuss/Action - Assessor Information Update

Known items on the agenda for Board of Commissioners on April 25, 2017 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 18, 2017
4. Discuss/Action - Claims for April 2017

**Other Business Matters to Address When Time Allows**

5. Discuss/Action – Public/Officials/Boards
6. Commissioner’s Reports
7. Discuss/Action - Justice Center Update

Moved by Fleischman and seconded by Gausman to adjourn at 11:14 a.m.  
Affirmative Vote: Fleischman, Gausman, Culver, Garske, Glawatz 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 25<sup>th</sup> of April 2017.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman