

August 22, 2023

Seward County Board of Equalization

State of Nebraska)
County of Seward) ss.

A regular meeting of the Seward County Board of Equalization was convened in open and public session at 8:30 a.m. on August 22, 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 Equalization has the right to modify the agenda to include items of an emergency nature only at such public meeting.

The Seward County Board of Equalization convened on August 22, 2023 at 8:30 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Raegan Hain, Ken Schmieding, Darrell Zabrocki
County Clerk: Sherry Schweitzer
Deputy County Assessor: Tanya Woolsey

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.

Moved by Schmieding and seconded by Hain to approve the minutes of August 8, 2023.

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

Woolsey updated the Commissioners on activity of the Assessor's Office.

Known items on the agenda for Board of Equalization on September 12, 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 August 22, 2023
4. Discuss/Action – Assessor Information Update

Moved by Zabrocki and seconded by Hain to adjourn the Seward County Board of Equalization meeting at 8:35 a.m.

Affirmative Vote: Zabrocki, Hain, Ahmic, Schmieding, 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 12th day of September 2023.

County Clerk

Chairperson

August 22, 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 9:00 a.m. on August 22, 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 August 23, 2023 at 9:00 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Raegan Hain, 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.

Motion by Zabrocki and seconded by Hain to approve the minutes of August 15, 2023.
Affirmative Vote: Zabrocki, Hain, Schmieding, Ahmic, Culver Motion Carried

Terry Wicht, Highway Supt. updated the Commissioners on activities of his department.

Commissioners Reports:

Commissioner Ahmic reported she worked with Commissioner Hain on getting a quote from a mover for the reorganization/moving of offices, received correspondences about a road project near Milford, attended the Planning Commission meeting, and is inquiring for information on artwork at the Justice Center.

Commissioner Hain reported she followed up on report of a dumping issue, met with an employee at the Detention Center, attended a round table discussion at the Detention Center on programming services for inmates, met with the Aging Services Office personnel about their office move to the West Wing, met with Sheriff/Jail Office personnel about ambulance costs for inmates, picked up work apparel for the Road Dept. and gave information about a mobile sign on the courthouse lawn.

Commissioner Culver reported he attended a Blue Valley Community Action (BVCA) meeting, worked on questions that have risen with the Milford Road Project including meeting with the construction company personnel of the project, attended the Planning Commission meeting and worked with various correspondences.

Commissioner Schmieding reported he attended the Visitors meeting and checked roads.

Commissioner Zabrocki reported he attended the Seward City Council meeting, the 4th of July Committee meeting, attended a meeting with the new auditor for Seward County, dealt with a constituent about his driveway in regard to the East Seward Road Project, received an email about using a texting service, is attempting to address a problem with an ambulance billing sent to the Detention Center, and will attend a Nebraska Local Technical Assistance Program (LTAP) in Kearney on Wednesday and a Nebraska Intergovernmental Risk Management Association (NIRMA) 3rd quarter meeting in Broken Bow Thursday and Friday.

Katie Webster of the Seward County Attorney's Office was present to request permission to display pinwheels and signs on the Courthouse lawn for Suicide Awareness Month from 9/8/2023-9/22/2023.

Moved by Hain and seconded by Ahmic to grant the request to display pinwheels and signs on the Courthouse lawn for Suicide Awareness Month from 9/8/2023-9/22/2023.

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

The Commissioners discussed renaming a portion of East Seward Road to Prairie Flower Road. Commissioner Zabrocki led discussion and gave information about the request. In the future, due to development in the region, East Seward Road may be extended in a different direction. A small portion of the current named road will need to be renamed because of this. It was suggested by the City of Seward representatives that the name be changed to Prairie Flower Road. There was consensus with the Board of Commissioners to agree with the name change and directed the Deputy County Attorney to draw up a resolution indicating the name change.

Moved by Hain and seconded by Schmieding to accept the Zoning Administrator's Fee Report for July 2023 in the amount of \$1,200.00.

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

Carrie Rodreguez, Chief Probation Officer of the 5th Judicial District, and Jeff Banholzer, Chief Deputy Probation Officer, were present to give information about the services the probation office provides to Seward County.

Emily Manning of the Extension Office and Christine Haney, a member of the Extension Board, presented a new Constitution and Bylaws document for the Commissioners' consideration.

Moved by Schmieding and seconded by Ahmic to accept the Seward County Extension Office's new Constitution and Bylaws.

CONSTITUTION

Art. I: Name

The name of this organization shall be Nebraska Extension in Seward County.

Art. II: Purpose

The purpose of this organization shall be to establish, maintain, and provide direction to the Nebraska Extension program in Seward County, Nebraska, in order to aid in diffusing among the people of such county, useful and practical information on priority issues identified by the executive board (here after referred to as the "Extension Board"), program participants of the county extension organization, county residents, and further, to encourage the application of such information. The program shall be carried on in each county or group of counties under the direction of the Extension Board of the extension organization of the county in such manner as may be mutually agreed upon by the County Board and the Extension Board of such county or counties provided for in Neb. Rev. Stat. §2-1602, R.R.S. 1943, as amended, and the Regents of the University of Nebraska through their duly appointed Extension representatives. The Extension Board is a unit of the county government and shall be granted such powers and authority as bestowed upon it by the county.

Art. III: Scope

The Nebraska Extension program, a collaborative effort of federal, state, and county governments, conducts programs in priority issue areas that include Beef & Livestock Systems, Water & Integrated Cropping Systems, Agricultural Profitability, 4-H Youth Development, Food Nutrition & Health, Horticulture, Landscape, & Environmental Systems, Rural Prosperity Nebraska, and Early Childhood; which have been identified by the Extension Board, program

participants of the county extension organization, county residents, and Nebraska Extension, which also facilitates extension engagement programs with other appropriate units of the University as deemed necessary.

Art. IV: Participation

The programs shall be widely available to people residing in the county. No one's participation in the Extension Programs shall be illegally discriminated against based upon race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation. Extension shall comply with all applicable federal, state and local non-discrimination laws. In order to ensure that the residents of the county are offered the opportunity to participate in the planning and operations related to the activities of Extension, the Extension Board meetings shall be conducted in conformity with Neb. Rev. State. §§84-1407 through 84-1414, as amended, and any other applicable Public Meetings Laws.

Art. V: Extension Board

Section 1. Extension Board

The governing power of the organization shall be vested in an Extension Board, the members of which shall be selected in a manner and to be representative of the county, as delineated in this Constitution, the Bylaws, and a written interlocal agreement between the County Board(s) and the Board of Regents of the University of Nebraska.

Section 2. Officers and Responsibilities

At the first meeting after January 1 each year, the Extension Board shall choose from its members, a President, a Vice-President, a Secretary and a Treasurer, and other ad-hoc positions as needed. Officers shall serve until their successors are selected, qualified and installed.

The duties of the officers shall be such as defined in the Bylaws.

Section 3. Duties

The responsibilities of the Extension Board will be to develop extension program objectives, goals and needs. In order to facilitate such development, the Extension Board shall:

I. PROGRAMMING

- a) Evaluate the program's ability to meet objectives and engage in strategic planning in order to facilitate improvements.
- b) Convene appropriate Program Advisory Committees to establish and support extension program direction.
- c) Where appropriate, engage in collaborative efforts with the executive boards of other county extension organizations, in order to more efficiently and effectively meet those program needs that cross over more than one extension organization's geographic boundaries.

II. PROPERTY AND RESOURCE MANAGEMENT

- a) Provide facilities adequate to accomplish program objectives.
- b) After carefully considering the input of Nebraska Extension, and County Board guidance, and in collaboration with the Lead Extension Educator and Engagement Zone Coordinator, develop and approve an annual program budget realistically designed to accomplish the goals of the program and submit a

request to the County Board to fund the budget, in accordance with state statutory requirements and the requirements of the County Board relating to timely budget requests.

c) Monitor, and/or approve claims within the budget following approval of said budget by the County Board. Prior to the Extension Board's application for grant funds or other similar kinds of restricted gifts, the Extension Board will fully inform Nebraska Extension of the grant and its applications. Prior to submitting any such grant application, Nebraska Extension and the Extension Board will mutually agree upon the use and administration of the funds.

d) As required by Neb. Rev. Stat. §§2-1606 and 2-1607, R.R.S., file with the county clerk of the County on or before January 1 of each year (1) a report of program work during the preceding year; (2) a sworn itemized statement of expenditure during the preceding year, and (3) a budget or estimate of funds necessary for the carrying on of such work during the ensuing year. Such report shall also be provided at the same time to the Nebraska Extension.

e) Submit such reports as requested or required by the County Board, Nebraska Extension, the National Institute of Food and Agriculture, and the United States Department of Agriculture.

f) Provide as requested program reports to the County Board relative to the accomplishments of the extension program in the area.

III. PERSONNEL

a) Provide office support staff and County funded Extension Assistants, in numbers and qualifications commensurate with the realistic needs of the program, after careful consideration of the recommendations and input of Nebraska Extension.

b) Work collaboratively with and provide advice and direction to the Lead Extension Educator (i.e. University of Nebraska-Lincoln employee appointed to oversee daily operations) in the areas of budget, personnel and programming.

c) Provide Nebraska Extension with feedback or input regarding the hiring, termination and performance of its employees (i.e. Extension Educators and Extension Assistants) providing services to the County extension program. The Extension Board may participate in any interview process associated with the appointment of a new Extension Educator or Extension Assistant in its program, in order to provide a meaningful input to Nebraska Extension.

An Executive Committee will be the elected officers of the Board approved to perform duties delegated by the Extension Board.

Art. VI: Meetings

The Extension Board shall meet at least six times a year. In the months that the Extension Board does not meet, the officers (or Executive Committee) may meet to transact that business for which they (or it) have authority to transact. These meetings shall be held at a time and place to be determined by the Extension Board.

A special meeting of the Extension Board may be called by the President or by written notice signed by four members of the Extension Board. This written notice may be in an electronic format, but any decision or discussion of the special meeting topic in advance of or at this special meeting must take place at a public meeting, publicized in advance. All Extension Board meetings shall be conducted in conformity with Neb. Rev. Stat. §§84-1407 through 84-1414, as amended, and any other applicable Public Meetings Law.

Art. VII: Notice of Meetings

All Extension Board meetings shall be conducted in conformity with Neb. Rev. Stat. §§84-1407 through 84-1414, as amended, and any other applicable Public Meetings Laws, including the required publication of the meeting time, place, and agenda. Except as otherwise provided by law, the minutes of the meetings, kept by the secretary or other designee, shall be a public record open to inspection by the public upon request during normal business hours.

Art. VIII: Quorum

Four Extension Board members shall constitute a quorum for transacting business at all regular and special Extension Board meetings. Members of the Extension Board shall be entitled to one vote per member on any action put to vote. A vote carrying a majority of a quorum shall be deemed the action of the Extension Board.

Art. IX: Location of Extension Office

The office of Seward County Extension shall be located at 322 South 14th Street, Seward, NE 68434.

Art. X: Amendments

This Constitution may be amended at any regular or special meeting of the Extension Board, by a favorable vote of two-thirds of the total Extension Board membership.

BYLAWS

Art. I: Extension Board

Section 1. Membership

The County Board by resolution will adopt the number of Extension Board members. The Extension Board will be composed of six registered voters in the county, appointed by the County Board to assure equitable representation of the organization's population.

A director shall be appointed by county commissioners to represent each of the following county commissioner districts: (Contact County Clerk or Seward County Government website for most current District representation.)

District

I

II

III

IV

V

At Large

Section 2. Candidates for Appointment

Interested potential candidates will be identified through an open nomination process, as specified in a written interlocal agreement between the County Board and the Board of Regents of the University of Nebraska.

Section 3. Term of Service

All terms of service shall begin on January 1 of each year. All persons serving as officers or members of the Extension Board shall continue to serve until a successor is appointed and accepts the position. All persons appointed shall serve three-year terms. In order that some continuity within the Extension

Board is preserved, staggered appointments should be used. No person shall serve more than two consecutive terms.

Section 4. Vacancies

In the event a vacancy on the Extension Board exists because of death, resignation, incapacity, relocation outside of the region the member was appointed to represent, or other reason, the County Board shall appoint a replacement to fill the unexpired term. At any time, the County Board may remove a member of the Extension Board, if it determines that the member's participation or lack of participation is not in the best interest of the Extension program.

Section 5. Compensation

Extension Board members may receive compensation for the public service they provide. They may be reimbursed for mileage at the rate deemed permissible by the Internal Revenue Service and County Board.

Art. II: Duties of Officers

Section 1. President

The president of the organization shall:

- a) provide overall leadership of the Extension Board in relation to programming, finances, and operations of the county extension organization.
- b) act as official liaison for the Extension Board between the county extension organization, the County Board, and the University of Nebraska Board of Regents through its assigned representative.
- c) serve as presiding officer for all meetings of the organization.
- d) identify and appoint Program Advisory Committees.
- e) perform such other functions as are assigned by the Extension Board.

As required by Neb. Rev. Stat. §§2-1606 and 2-1067, as amended, the president shall join the secretary in filing with the county clerk of the County on or before January 1 of each year (1) a report of program work during the preceding year; (2) a sworn itemized statement of expenditures during the preceding year, and (3) a budget or estimate of funds necessary for the carrying on of such work during the ensuing year.

Section 2. Vice President

The vice-president shall assume the duties of the president in the absence of the president and perform such other functions as are assigned by the Extension Board.

Section 3. Secretary

The secretary of the organization shall keep on file in the Nebraska Extension Office in Seward County, copies of all minutes and any written agreements (contracts, grants, etc.) entered into by the Extension Board, send copies of such agreements to the County Board and Engagement Zone Coordinator, and perform such other functions as are assigned by the Extension Board. As required by Neb. Rev. Stat. §§2-1606 and 2-1607, as amended, the secretary shall join the president in filing with the county clerk of the County on or before January 1 of each year (1) a report of program work during the preceding year; (2) a sworn itemized statement of expenditures during the preceding year, and (3) a budget or estimate of funds necessary for the carrying on of such work during the ensuing year. Such report shall also be provided at

the same time to the Nebraska Extension Dean & Director. This office may be combined with that of Treasurer.

Section 4. Treasurer

The treasurer shall report to the Extension Board at each regular meeting, the financial standing of the organization. A financial report of all county funds shall be prepared annually for submission to the County Board and to the Dean and Director, Extension Division, Institute of Agriculture and Natural Resources, University of Nebraska. This office may be combined with that of the Secretary.

Art. III: Committees

The president, with the approval of the Extension Board, may appoint persons to the following committees:

Program Advisory Committee
Nomination Panel
Budget Committee
Others as needed

A. Program Advisory Committees shall be an integral part of the extension program's planning process. Program Advisory Committees shall consist of individuals in the County or region for the purposes of providing the Extension Board with specific advice, planning and evaluation of extension program needs, and to assist in identifying resources necessary to facilitate programming. Persons having specific interests or skills relating to program needs should be included in the Program Advisory Committee whenever possible. Program Advisory Committees shall provide regular progress reports to the Extension Board through a representative or staff member or as otherwise directed by the Extension Board. Family and Community Education Councils and 4-H Councils may also serve as Advisory Committees.

B. The Nomination Panel selected by the Extension Board from current Extension Board members and other citizens of the county will coordinate the nomination process and make recommendations to the County Board. The County Board will announce the opportunity to serve by providing notice of any vacancies. The Extension Board shall complete its nomination process by November 15 of each year, and the appointments shall be made by the County Board no later than the last scheduled County Board meeting of the calendar year. In making its recommendations, the Extension Board shall consider the following criteria for balance in representation: geographic location, program interest, leadership potential, possession of specifically needed skills, and cultural diversity (e.g. gender, race, etc).

C. The Budget Committee shall make budget recommendations, and with the assistance of the Lead Extension Educator, or their designee, prepare an annual budget for presentation to the County Board, as required herein.

Art. IV: Order of Business

At regular meetings of the Extension Board, the following order of business shall be observed. A consent agenda item may be used for routine, procedural, informational, and self-explanatory non-controversial items typically found in an agenda.

1. Call to Order
2. Approval of minutes of prior meetings
3. Financial Reports
4. Committee Reports
5. Unfinished Business
6. New Business

7. Updates from Councils/Boards/Staff
8. Adjournment

Art. V: Parliamentary Authority

Robert's Rules of Order shall be the authority in matters not covered by the constitution or bylaws.

Art. VI: Amendments

These Bylaws may be amended at any regular or special meeting of the Extension Board, by a favorable vote of two-thirds of the total Extension Board membership.

This Constitution and these Bylaws were adopted at a meeting of the Seward County Extension Board held at

_____ on _____.

John K. Culver, County Board Chairman August 22, 2023

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

The Commissioners recessed at 9:55 a.m.

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

Moved by Zabrocki and seconded by Hain to open a public hearing at 10:02 a.m. for a Conditional Use Permit for an Accessory Building in A Precinct in the S 1/2 NE 1/2 of Section 25 Township 12 North, Range 4 East of the 6th p.m.

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

Zoning Administrator Becky Paulsen gave information about the Conditional Use Permit and the Planning Commission recommendation of approval with stipulations.

No one spoke in favor of said request.

Gerald Green spoke and asked questions about the request and zoning of the area.

Russell Priess also spoke and asked questions about the request.

Moved by Zabrocki and seconded by Schmieding to close the public hearing at 10:16 a.m.

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

Commissioner Ahmic asked that the permit be tabled since the person who applied for the permit and the owner are two different individuals. The Deputy County Attorney will look into the situation and report back to the Board at a later date.

Paulsen then gave information about a short form plat.

Moved by Hain and seconded by Ahmic to adopt Resolution No. 3770 in regard to approving a short form Plat for Popken Addition in A Precinct in the South 1/2 of Section 8 Township 12 North Range 4 East of the 6th p.m.

**RESOLUTION NO 3770 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Patricia Popken owns 100.5 acres of land and has applied for a Short Form Plat, and described as a tract of land in the South 1/2 of, Section 8, Township 12N, Range 4E, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called the POPKEN ADDITION Short Form Plat and

WHEREAS The Seward County Planning Commission held a meeting on July 17th, 2023, to consider the Short Form Plat, and

WHEREAS, the Planning Commission recommended approval of the POPKEN ADDITION Short Form Plat, with a vote of 7 For, 0 Against, and 2 Absent Not Voting, and

WHEREAS No one appeared to oppose the subdivision.

Individuals appeared to oppose the subdivision

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 or Deny the POPKEN ADDITION Short Form Plat, with Resolution NO: 3770.

Moved by: Hain Seconded by: Ahmic 08/22/2023

Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic, Raegan Hain,
John K. Culver, Chair of the Board

Attest: Sherry Schweitzer, Seward County Clerk

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

Paulsen then gave information to the Commissioners about her office activities.

Moved by Ahmic and seconded by Zabrocki to adopt Resolution No. 3771 in regard to authorizing the Chairman to sign an agreement with the Nebraska Dept. of Transportation concerning the use of Izaak Walton Road as a detour during road closures on Highway 15.

**Resolution # 3771 of the
Seward County Board of Commissioners**

Exhibit "C" to US-34 North and South-State Highway Detour Agreement

WHEREAS, the State of Nebraska ("State") intends to improve State Highway N-15 starting approximately 100' south of the Burlington Northern Santa Fe Railroad Crossing at MM 66+23 and extending north just beyond the intersection of N-15 and North Avenue at MM 67+32, located in Seward County;

WHEREAS, Seward County ("County") recognizes that the State had statutory authority under *Neb. Rev. Stat. § 39-1346* to designate County Roads as a detour for the State Highway System;

WHEREAS, the State has determined under the authority of *Neb. Rev. Stat. § 39-1346* and *39-1347* it is necessary to establish a detour during the construction of the above project on designated county roads;

WHEREAS, the proposed detour route will include State Highway Us-34, 294th Rd., Izaak Walton Road and State Highway N-15;

WHEREAS, terms of the proposed detour are memorialized in a separate agreement to be signed by representatives for both parties, herein referred to as US-34 North and South-State Highway Detour Agreement;

WHEREAS, this resolution will be attached to the Agreement as Exhibit "C";

THEREFORE, LET IT BE RESOLVED the Chairperson of the Seward County Board of Commissioners, or the Vice-Chair in his absence, is authorized to sign the US-34 North and South-State Highway Detour Agreement on behalf of the County;

Dated this 22nd day of August 2023.

AGREEMENT

STATE OF NEBRASKA, DEPARTMENT OF TRANSPORTATION
COUNTY OF SEWARD
PROJECT NO. STP-15-2(117)
CONTROL NO. 12080
US-34 NORTH AND SOUTH-STATE HIGHWAY DETOUR

THIS AGREEMENT is between the County of Seward ("County") and the State of Nebraska, Department of Transportation ("State") collectively referred to as the "Parties".

WITNESSETH:

WHEREAS, the State intends to improve State Highway N-15 ("N-15"), at the location shown on Exhibit "A"; and

WHEREAS, State has determined under the authority of Neb. Rev. Stat. §39-1346 and 39-1347 it is necessary to establish a detour during the construction of the above said project on designated county roads, as shown on Exhibit "B"; and

WHEREAS, County Board has authorized the Chairperson to sign this agreement, as evidenced b the Resolution of the County Board, as shown on Exhibit "C".

NOW THEREFORE, in consideration of these facts and the mutual promises of the Parties hereto, the Parties agree as follows:

SECTION 1. PROJECT IMPROVEMENTS

State has plans to make improvements to N-15 located in the City of Seward, in Seward County, at the location shown in Exhibit "A", attached and incorporated herein by this reference. This project will reconstruct 1.09 miles and resurface 0.37 miles of N-15. The reconstruction segment will start approximately 100' south of the Burlington Northern Santa Fe Railroad crossing at MM 66+23 and extend north to just beyond the intersection of N-15 ad North Avenue at MM 67+32. The resurfacing segment of this project will start at MM 67+32 and extend to MM 67+69, where the existing pavement changes from concrete to asphalt. Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

SECTION 2. STATE'S AUTHORITY

County recognizes that the State has statutory authority under Neb. Rev. Stat. §39-1346 to designate County Roads as a detour for the State Highway System.

SECTION 3. STATE HIGHWAY DETOUR

The proposed detour route will include State Highway US-34 (US-34), 294th Rd., Izaak Walton Rd. and N-15, as shown in Exhibit "B", attached and incorporated herein by this reference. The Project will be phased, and the County Road detour will be in Phase 1, as shown on Exhibit "B". Phase 1 improvements will necessitate the closure of N-15, from MM 66+23 to MM 66+46, to all traffic from approximately April 1, 2024 to July 1, 2024. Local traffic will have access from the south on N-15 to Burlington Northern Santa Fe Railroad crossing at MM 66+23, during the detour. The detour also includes a segmented reconstruction

of US-34 and N-15 intersection that will necessitate the use of said County roads from July 7, 2024 to approximately August 7, 2024.

SECTION 4. PRECONSTRUCTION INSPECTION

The Parties agree the Nebraska Department of Transportation and County Representatives will inspect and document the conditions of the county road to be designated as a state highway detour prior to their use as a detour route.

SECTION 5. TRAFFIC CONTROL

State agrees to erect and maintain road closure and detour signing. All signing shall be in conformance with the Manual of Uniform Traffic Control Devices (MUTCD), current version.

SECTION 6. POST CONSTRUCTION INSPECTION

Upon completion of State's project, the Nebraska Department of Transportation and County Representatives will inspect the condition of the surfacing of that part of Izaak Walton Road and 294th Road within the County's jurisdiction that was used for State's detour to determine deterioration from the pre-detour condition that warrants repair. State agrees to compensate County for damages along the proposed detour route caused by the normal use of the detoured State highway traffic. County will submit an invoice for the agreed upon reimbursable costs to State's District 1 Project Manager. State will make every effort to reimburse County within 4 days of the invoice submittal. After construction of State's project, County will continue to have jurisdictional responsibility for Izaak Walton Road and 294th Road located within County.

SECTION 7. AUTHORITY TO SIGN

The County Board has authorized the Chairperson of the Board to execute this Agreement, as evidenced by the Resolution of the County Board, attached as Exhibit "C", and incorporated herein by this reference.

SECTION 8. SEVERABILITY

The invalidity or unenforceability of any such clause, provision, section, or part shall not affect the validity or enforceability of the balance of the Agreement, which shall be construed and enforced as if the Agreement did not contain invalid or unenforceable clause, provision, section or part.

SECTION 9. COMPLETENESS

This Agreement is the complete and exclusive statement of the arrangement between the parties, and supersedes all proposals, oral or written, and all other communications between the parties relating to the subject matter thereof. It may be amended from time to time in writing by the mutual consent of the Parties hereto.

IN WITNESS WHEREOF, the Parties hereby execute this Agreement pursuant to lawful authority as of the date signed by each party.

EXECUTED by the County this 22nd day of August 2023.

WITNESS:

Sherry Schweitzer, County Clerk

John K. Culver, Chairperson, County Board

EXECUTED by the State this _____ day of 2023.

STATE OF NEBRASKA
DEPARTMENT OF TRANSPORTATION
Mick Syslo, P.E.

Roadway Design Engineer

RECOMMENDED
Brandon Varilek, P.E.
Brandon Varilek 08/08/23
District 1 Engineer Date

Project No. STP-15-2(117)
Control No. 12080
County of Seward

Agreement No. XL2320





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

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

The Board also considered two Surplus Property Disposal Requests from the Road Dept.

Moved by Zabrocki and seconded by Schmieding to authorize the Chairman to sign the Property Disposal Requests from the Road Dept.

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

Roxanne Knutson, HR Director, introduced Public Defender, Matt Aerni. Barb Armstead, Deputy County Attorney, led discussion on the transition period. He has accepted court appointments in Seward and Lancaster County and questions arose when those appointments would end. His starting date is planned for October 2, 2023.

The Commissioners considered a quote for new chairs for the jury room in the Justice Center. The chairs currently used are from the original courtroom when it was in the Courthouse and are in poor condition.

Moved by Hain and seconded by Ahmic to approve the quote from Eakes in the amount of \$6,843.87 for new chairs in the jury room in the Justice Center to be paid out of the Inheritance Fund.

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

The Commissioners then discussed an offer for two chairs identified as surplus property of Seward County. The Commissioners considered a sale/auction for surplus items.

Moved by Hain and seconded by Schmieding to accept the offer for two chairs identified as Surplus Property in the amount of \$20 per chair.

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

During Infrastructure Related Grants discussion, Commissioner Ahmic said she had to re-submit forms to Safe Streets and Roads Grant. The grant is for \$200,000 and is a Planning Grant. Commissioner Hain also reported on some grant details.

The Commissioners discussed the proposed 2023-2024 Seward County budget.

Known items on the agenda for Board of Commissioners on August 29, 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 August 22, 2023
4. Discuss/Action – Claims for the period through August 18, 2023

Other Business Matters to Address When Time Allows

5. Discuss/Action – Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Res. – Renaming of Portion of East Seward Rd. to Prairie Flower Road
8. Discuss/Action – Infrastructure Related Grants
9. Discuss/Action – Budget discussion for the 2023-2024 Seward County Budget
10. Discuss/Action – Agenda for September 5, 2023

9:15 a.m. Discuss/Action – Authorize the Chairman to sign the Grant Award Contract for Acceptance of FY2024 County Justice Reinvestment Grant for the Detention Center

Discuss/Action – Authorize the Awarded Grant of \$5,495.00 to be Placed in the Commissary Fund

Discuss/Action – Authorize the Chairman to sign Amendment Two of Software License and Service Agreement with CenterSquare Technologies LLC

Moved by Zabrocki and seconded by Hain to adjourn the Seward County Board of Commissioners meeting at 12:05 p.m.

Affirmative Vote: Zabrocki, Hain, Ahmic, Schmieding, 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 29th day of August 2023.

County Clerk

Chairman