

February 7, 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 February 7, 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 February 7, 2023 at 8:30 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.

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

Lauri Sherman, Executive Director of BRIDGES, updated the Commissioners on their activities this month.

Those officials who updated the Commissioners on the activities of their office were Kathy Ruzicka, Ann Dobesh, Brittney Emerson, Carrie Gottschalk and Sherry Schweitzer.

Moved by Zabrocki and seconded by Ahmic to approve the minutes of January 31, 2023.

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

Motion Carried

Commissioners Reports:

Commissioner Ahmic helped the Highway Supt. connect to a person that can help with tree trimming, watched Legislative hearings, attended the NIRMA Roundtable webinar, met with representatives of Maenelli Wagner & Associates with the Highway Supt., and received calls from constituents.

Commissioner Hain reported she checked out a road project on Bluff Road regarding trees, met with Road Dept. personnel during meeting, met with the Highway Supt and foremen and three school supts. She also is doing research on the County Safety Manual in regard to safety vests, etc. and she participated in a Zoom session with NIRMA and Continuum'.

Commissioner Culver reported he met with a Dept. head on legislative issues, gave information about some bills in the legislature, worked with our IT representative on a phone system proposal and a new panic button system, and will attend a meeting with auditors this coming week.

Commissioner Schmieding reported he met with the HR Director on a county matter, checked out some road conditions and has an Extension Board meeting this Wednesday. He also mentioned updates for the Arbor Day celebration.

Commissioner Zabrocki reported he attended the NIRMA Roundtable webinar, spent time with the Asst. Road Supt., checked on a road matter involving trees, attended a Highway Dept. Meeting, and will attend a Seward City Council meeting this evening.

Terry Wicht, Highway Supt., was present to ask the Board to consider an agreement for a road project.

Moved by Hain and seconded by Zabrocki to adopt Resolution No. 3734 in regard to authorizing the Chairman to sign the Preliminary Engineering Services Agreement for Project BRO-7748 (1) Beaver Crossing Southeast for an increase of costs in the amount of \$2,541.68.

Moved by Hain and seconded by Zabrocki to amend the previous motion to include the total amount of the project now being \$160,264.62.

Affirmative Vote on the amendment: Hain, Zabrocki, Schmieding, Ahmic, Culver
Motion Carried

RESOLUTION
PRELIMINARY ENGINEERING SERVICES AGREEMENT – BK1704
SUPPLEMENTAL AGREEMENT NO. 1

SEWARD COUNTY
Resolution No. 3734

Whereas: Seward County and JEO Consulting Group, Inc. have previously executed a Preliminary Engineering Services agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds; and

Whereas: Seward County understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and

Whereas: Seward County and JEO Consulting Group, Inc. wish to enter into a supplemental Preliminary Engineering Services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

Be It Resolved: by the Board of Commissioners of Seward County, Nebraska that:

John Culver, Chair of the Seward County Board of Commissioners, is hereby authorized to sign the attached Preliminary Engineering Services Supplemental Agreement No. 1 between Seward County and JEO Consulting Group, Inc.

Seward County is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Agreements.

NDOT Project Number: BRO-7748(1)
NDOT Control Number: 13363
NDOT Project Description: Beaver Crossing South

Adopted this 7th day of February 2023 at Seward Nebraska.

Ayes: Raegan Hain, Misty Ahmic, Ken Schmieding, Darrell J. Zabrocki,

John K. Culver, Chair of the Board

Board/Council Member Hain
Moved the Adoption of said resolution
Member Zabrocki Seconded the Motion
Roll Call: 5 Yes 0 No 0 Abstained 0 Absent
Resolution adopted, signed and billed as adopted

Attest: Sherry Schweitzer, County Clerk

Affirmative Vote on the motion as amended: Hain, Zabrocki, Ahmic, Schmieding, Culver
Motion Carried

The Sheriff Fee Report for November 2022 will be on the agenda next week.

Moved by Schmieding and seconded by Ahmic to accept the County Clerk's Fee Report for January 2023 in the amount of \$50,028.55.

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

Moved by Zabrocki and seconded by Schmieding to accept the Clerk of the District Court Fee Report for January 2023 in the amount of \$30,621.13.

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

Moved by Zabrocki and seconded by Ahmic to authorize the Chairman sign the Compliance letter for the Seward County 2021-2022 Audit.

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

Clark Kolterman, Chairman of the Seward County Visitors Bureau presented information on the organization and how they promote Seward County for visitors with advertising and grants for local businesses/organizations.

Commissioner Hain led discussion on the letter of Support for Civic & Community Center Financing Fund Grant. Hain said this was for the Village of Staplehurst is going to apply for a grant for a Recreation Center and has asked for a letter of support.

Commissioners discussed the letter of support.

Moved by Ahmic and seconded by Zabrocki to approve signing a letter of support for a Civic & Community Center Financing Fund (CCCFF) Grant for a recreation center for the Village of Staplehurst.

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

The Commissioners recessed at 9:57 a.m.

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

Lindsay Swanson and Scott Barnett of Windstream were present to give an updated proposal for a new updated phone system.

Moved by Hain and seconded by Zabrocki to accept the Corrective Action Plan for the Seward County 2021-2022 Fiscal Year audit.

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

The Commissioners discussed addressing for Bamboo Trail. Ahmic led discussion that in a previous resolution adopted last week, the numbering system for an address was incorrect. Due to that, a resolution needs to be adopted amending the previous resolution.

Moved by Zabrocki and seconded by Ahmic to adopt Resolution No. 3735 in regard to amending Resolution No. 3733 pertaining to an address change.

RESOLUTION NO. 3735
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, on January 31, 2023, the Seward County Board of Commissioners passed Resolution No. 3733 regarding renaming a portion of 210th Road to Bamboo Trail;

WHEREAS, due to a numbering error in the unit numbers, Resolution 3733 needs to be amended;

WHEREAS, this Amended Resolution No. 3735 replaces Resolution No. 3733 in its entirety;

WHEREAS, the street address for the properties located in Section 32 Township 10 North, Range 4 East of the 6th p.m. taking access off of 210th Road were assigned the street address of "766 - 210th Road," with each residence being assigned a separate unit number as follows:

766- 210th Road, Unit 10, Milford, Nebraska
766- 210th Road, Unit 20, Milford, Nebraska

WHEREAS, on September 7, 2021, the current property owners of the residences at those addresses requested that the Seward County Board of Commissioners ("Board") rename the addresses to "Bamboo Trail"; however, the Board took no action on the request;

WHEREAS, on or about February 2, 2022, the Seward County E-911 Center and the Seward County Assessor were erroneously notified by the Seward County Zoning Administrator that the street name to the above properties had been changed to "Bamboo Trail," with each address being assigned a number:

766- 210th Road, Unit 10, was changed to 750 Bamboo Trail, Milford, Nebraska
766- 210th Road, Unit 20, was changed to 766 Bamboo Trail, Milford, Nebraska

WHEREAS, the E911 Center and Seward County Assessor updated the addresses accordingly and modified their records to reflect the Bamboo Trail addresses, and have been utilizing them since that time;

WHEREAS, in approximately March 2022, the owner(s) of the above properties notified the United States Postal Service of the above address reassignments. USPS changed the addresses without notification from the proper authorities and has been utilizing the new addresses;

WHEREAS, the property owners have changed all of their personal and official correspondence and documentation to the Bamboo Trail addresses, and have mapped the Bamboo Trail address to Google;

WHEREAS, given the period of time during which these addresses have been used in official capacities and because a portion of the change was made due to the actions of an official with Seward County, although erroneously, Seward County recognizes that it would be burdensome to and cause undue confusion and expense to revert to the prior addresses;

WHEREAS, the Seward County Zoning Regulations that were in place immediately prior to the current zoning regulations were adopted in 1996 and contained a section entitled "E-911 Addressing," which sets out the naming scheme for roads in Seward County;

WHEREAS, the current Seward County Zoning Regulations were adopted in 2007 and, whether by design or oversight, did not contain a section regarding scheme by which Seward County roads are to be named;

WHEREAS, the 2007 Zoning Regulations do not contain a section regarding addressing and do not contain a provision that repealed the 1996 E-911 Addressing section; therefore, the 1996 section still controls;

WHEREAS, as the current zoning regulations were silent on the issue of addressing and the existence of the current controlling section was not immediately apparent, the resulting address change was made out of compliance with the E-911 Addressing section, which provides:

Sec. 16: E-911 Addressing

1-1.2 Private Road Names All private roadways, that serve more than one residence, and that take direct access from a County Road will be designated a name or number, which shall end in "Drive" and be on a blue road sign.

1-1.2.3 All private roads that take access onto an East/West county road shall be given a number that will follow the County Road numbering sequence and end in "Drive."

1-1.2.4 All private roadways that take access onto a North/South county road shall be given a name that will end in "Drive."

WHEREAS, pursuant to the naming scheme, road names ending in "Circle, Lane, Trail, or Way" are reserved for private roadways that serve more than one residence and take access from a private roadway;

WHEREAS, the private roadway takes access off of 210th Road, which is North/South county road; therefore, the road should have been assigned a name ending in "Drive";

WHEREAS, Seward County recognizes that it would be burdensome to and cause undue confusion and expense to change the addresses to comply with the naming scheme;

NOW THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners hereby names the road taking access off 210th Road in Section 32 Township 10 North, Range 4 East of the 6th p.m. previously named 766 - 210th Road, as Bamboo Trail. The road name shall be posted by Seward County on a blue road sign and addresses for the existing properties are assigned as follows:

766 210th Road, Unit 10, is now 750 Bamboo Trail, Milford, Nebraska
766 210th Road, Unit 20, is now 766 Bamboo Trail, Milford, Nebraska

DATED THIS 7th day of February 2023.

Moved by: Zabrocki Seconded by: Ahmic
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: Zabrocki, Ahmic, Hain, Schmieding, Culver Motion Carried

In regard to the Infrastructure Related Grants, Ahmic stated she and the Highway Supt. worked together and did find grant(s) available. She stated there were bridges that were identified that would be good projects for these grants. There is one bridge that is on the Seward/Butler County line that needs to be replaced and could be a project for a grant. Ahmic also talked about the Broadband RFP that was recently issued and said only one company responded to it.

During the American Rescue Plan Act (ARPA) discussion, Ahmic said she talked to a Pleasant Dale representative and will hear back from them soon. They are about ready to open bids and will get on the Commissioners agenda after that time to ask for County ARPA funds.

Known items on the agenda for Board of Equalization on February 14, 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 January 24, 2023
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on February 14, 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 February 7, 2023
4. Discuss/Action – Claims for the period through February 3, 2023

Other Business Matters to Address When Time Allows

5. Discuss/Action - Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Accept Sheriff Fee & Mileage Report for November 2022 - \$1,303.00 and \$887.78
8. Discuss/Action – Infrastructure Related Grants
9. Discuss/Action – Disbursement of American Rescue Plan Act (ARPA) Funds
10. Discuss/Action – Jail Inspection
11. Discuss/Action – Agenda for February 21, 2023

9:05 a.m. Discuss/Action – Open bids for Paving Project C-80(687) South of Goehner on 364th Rd for 400 ft

9:15 a.m. Discuss/Action – Open bids for Paving Project C-80(676) South of Milford on 238th Rd to the County Line

9:30 a.m. Discuss/Action – Res. – Short Form Plat Comes Acres in Precinct F in the SW ¼ of Section 26 Township 11N Range 2 East of the 6th p.m.

Discuss/Action – Res. – Revocation of the Plat of Burkey 2nd Addition in the SE ¼ of Section 25 Township 9N Range 2 East of the 6th p.m.

10:00 a.m. Discuss/Action – Great Plains-New Phone System for Seward County

Moved by Zabrocki and seconded by Hain to adjourn at 11:43 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 14th day of February 2023.

County Clerk

Chairperson