

February 23, 2021

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 February 23, 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 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 February 23, 2021 at 8:30 a.m.

Present: Chairperson: John Culver
Members: Bob Vrbka, Ken Schmieding, Darrell Zabrocki
Deputy County Clerk: Brandy Johnson
County Assessor: Marilyn Hladky

Absent: Member: Misty Ahmic

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 Vrbka to approve the minutes of February 9, 2021.
Affirmative Vote: Schmieding, Vrbka, Zabrocki, Culver Motion Carried

Known items on the agenda for Board of Equalization on March 9, 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 February 23, 2021
4. Discuss/Action – Assessor Information Update

Moved by Vrbka and seconded by Zabrocki to adjourn at 8:47 a.m.

Affirmative Vote: Vrbka, Zabrocki, Schmieding, Culver

Motion Carried

State of Nebraska)
County of Seward) ss.

I, Brandy Johnson, the undersigned Deputy 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 9th day of March 2021.

Deputy County Clerk

Chairperson

February 23, 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 9:00 a.m. on February 23, 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 February 23, 2021 at 9:00 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Bob Vrbka, Ken Schmieding,
Darrell Zabrocki
Deputy County Clerk: Brandy Johnson

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 Zabrocki to approve the minutes of February 16, 2021.
Affirmative Vote: Schmieding, Zabrocki, Ahmic, Vrbka, Culver Motion Carried

Commissioner Reports:

Commissioner Ahmic reported she met with the Highway Superintendent and a constituent.

Commissioner Vrbka reported he met with the Human Resources Director.

Commissioner Culver reported he attended a Blue Valley Community Action meeting, met with The Road Department and dealt with correspondence.

Commissioner Schmieding reported he had a Southeast Nebraska Development District (SEND) Meeting, dealt with email correspondence and received a compliment from a constituent on the county roads.

Commissioner Zabrocki reported he attended a Planning Commission Meeting, Seward City Council Meeting, and completed a module of the Nebraska Association of County Officials Training.

Commissioner Vrbka led discussion on amending the new Human Resources Director salary to reflect the proper position on the pay scale. He stated that a letter had been received by the County Attorney regarding the Human Resources Director position wages. He visited with Carina Sanchez, Human Resources Director, and collected a copy of the current wage plan. The wage that was originally offered to Sanchez is below the set minimum on said plan. Because of this, Vrbka proposed raising the salary to the closest step on the wage plan. Barb Armstead, Deputy County Attorney, stated that the reason for this item on the agenda was to have the Human Resources Director find comparable salaries and place the position on the wage study, as that had never been done in the past. She said that it does not affect the wage the current Human Resources Director was offered, but will ensure that if a new Human Resources Director is ever hired in the future, the starting wage range will be on the proper

grade and step. Maria Hatfield, Detention Center Director, spoke from the audience as a member of a previous Salary Study Committee, and said that she thinks there is an issue with the Human Resources Director being the one who places their own position on the wage plan, not just in Seward County but also in counties used for comparable data. Commissioner Zabrocki asked if the Board can leave the current wage as it was offered and request a market study be done in the future.

Moved by Vrbka to make the wage for HR Director \$29.89/hour, which is \$62,471/year.
Motion died for lack of a second.

Recessed at 9:25 a.m.
Reconvened at 9:30 a.m.

Eric Hofer, Building & Grounds Superintendent, was present for the awarding of the bid to prepare and paint the exterior of the Courthouse dome, corner domes and clocktower. He stated that he had reviewed the bid received from Lindner Painting, Inc., and the bid states that it is good for any color. Schmieding proposed a gold color.

Moved by Vrbka and seconded by Zabrocki to award the bid for preparation and painting of the exterior of the Courthouse dome, corner domes, and clocktower to Lindner Painting, Inc.,
Affirmative Vote: Vrbka, Zabrocki, Ahmic, Culver Motion Carried
Abstain: Schmieding

Recessed at 9:35 a.m.
Reconvened at 9:45 a.m.

Becky Paulsen, Zoning Administrator, gave information on the Conditional Use Permit to construct a new telecommunications tower for Viaero in K Precinct in the NW ¼ SE ¼ of Section 17, Township 10 North, Range 2 East of the 6th p.m. She noted that a public hearing for said Conditional Use Permit was held by the Village of Goehner on January 15, 2021. The issue was then discussed at the Planning Commission’s Meeting with a recommendation to approve the application with a vote of 5 in favor, 0 against, and 2 absent and not voting.

The Commissioners completed the Findings of Facts documentation in relation to the Conditional Use Permit.

BEFORE THE SEWARD COUNTY, NEBRASKA BOARD OF COMMISSIONERS

IN THE MATTER OF)
)
CONDITIONAL USE PERMIT)
)
) FINDINGS OF FACT
)
INDUSTRIAL TOWER WEST representing VIAREO Wireless)
APPLICANT

THIS MATTER came before the Village of Goehner Planning Commission on the request of the Applicant for a Conditional Use Permit. Public Hearing was held on 5th day of January 2021 with the Village of Goehner Trustees. Notice of said Hearing was publicized in the newspaper December 2020. The Seward County Planning Commission reviewed the recommendation, with the Findings of Facts, at a regular meeting on February 15th, 2021.

The Planning Commission recommended to approve the conditional use permit

THE Seward County Board of Commissioners recommended to

 X approve the conditional use permit

 deny the conditional use permit

UPON REVIEW of all necessary facts, the Seward County Board of Commissioners makes the following findings that:

1. Y The use, in all other respects, conforms to the applicable regulations of the district in which it is located.
This construction is in the 1-mile Extra Territorial Jurisdiction of the Village of Goehner.
2. Y The use has adequate water, sewer, and drainage facilities.
This is currently Agricultural land.
3. Y The use is in harmony with the character of the area and the most appropriate use of the land.
4. Y The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the county.
5. Y The use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
6. Y The use will not impede the normal and orderly development of the surrounding property for uses permitted in the district
7. Y The use has adequate utilities, access roads, and drainage facilities.
8. Y That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
9. Y The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.
10. Y The use does not involve any pollution of the air by fly-ash, dust, vapors or other substance which is harmful to health, animals, vegetation or other property or which can cause soiling, discomfort, or irritation.
11. Y The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
12. Y The use does not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.
13. Y The use does not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

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

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

WHEREAS, the Planning Commission recommended approval of the MCCARTY ADDITION Short Form Plat with a vote of 5 For, 0 against, and 2 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 CURTIS ADDITION Short Form Plat with Resolution NO: **3564** .

Moved by: Zabrocki Seconded by: Vrbka 02/23/21

Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki
John K. Culver, Chair of the Board

Attest: Brandy M. Johnson, Deputy County Clerk

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

Motion Carried

Paulsen gave information on a Short Form Plat application to create Daake Addition in L Precinct in the E 1/2 SW 1/4 and the SE 1/4 of Section 2 Township 10 North, Range 1 East of the 6th p.m.

Moved by Vrbka and seconded by Ahmic to Adopt Resolution No. 3565 in Regard to Approving a Short Form Plat to create Daake Addition in L Precinct in the E 1/2 SW 1/4 and the SE 1/4 of Section 2 Township 10 North, Range 1 East of the 6th p.m.

**RESOLUTION No. 3565 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Owner David Daake has applied for a Short Form Plat Subdivision, and described as a tract of land in the East 1/2 of the South West 1/4 & the South East 1/4 of, Section 2, Township 10N, Range 1E, Seward County, Nebraska, and

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

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

WHEREAS, the Planning Commission recommended approval of the DAAKE ADDITION Short Form Plat with a vote of 5 For, 0 against, and 2 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 DAAKE ADDITION Short Form Plat with Resolution NO: 3565 .

Moved by: Vrbka Seconded by: Ahmic 02/23/2021
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki
John K. Culver, Chair of the Board

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

Paulsen gave information on a Short Form Plat application to create Springer Addition in J Precinct in the NW ¼ NW ¼ of Section 33 Township 10 North, Range 3 East of the 6th p.m.

Moved by Ahmic and seconded by Schmieding to Adopt Resolution No. 3566 in Regard to Approving a Short Form Plate to create Springer Addition in J Precinct in the NW ¼ NW ¼ of Section 33 Township 10 North, Range 3 East of the 6th p.m.

**RESOLUTION No. 3566 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Owner Mr. and Mrs. Springer have applied for a Short Form Plat Subdivision, and described as a tract of land in the West 1240ft x 660ft of the North West ¼ on the North west side of, Section 33, Township 10N, Range 3E, Seward County, Nebraska, and

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

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

WHEREAS, the Planning Commission recommended approval of the SPRINGER ADDITION Short Form Plat with a vote of 5 For, 0 against, and 2 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 SPRINGER ADDITION Short Form Plat with Resolution NO: 3566 .

Moved by: Ahmic Seconded by: Schmieding 02/23/21
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki
John K. Culver, Chair of the Board

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

Carrie Rodriguez, District 5 Probation, was present to discuss the funding and claims process for Problem Solving Court. Brandy Johnson, Deputy County Clerk, stated that it had previously been discussed to create a new fund within the budget for next fiscal year. Rodriguez said in the other counties that have Problem Solving Court, they turn in claims to the County Attorney's Office to submit to the Clerk's Office for payment. Culver recommended addressing the issue more at budget time when the new fund is created.

Recessed at 10:10 a.m.

Reconvened at 10:15 a.m.

Casey Tiemann of the County Attorney's Office and Megan Kahler, Seward County Chamber & Development Partnership, were present to request the approval of the Seward and Butler County Comprehensive Juvenile Services Community Plan for 2021-2025. The Community Planning Committee has identified juvenile service priorities for both counties to be addressed in this time frame, as laid out in this plan.

Moved by Zabrocki and seconded by Ahmic to Approve the Seward and Butler County Comprehensive Juvenile Services Community Plan for 2021-2025.

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

Motion Carried

Recessed at 10:20 a.m.

Reconvened at 10:30 a.m.

Maria Hatfield, Detention Center Director, gave information on a contract with Adams County to house safekeep inmates in Seward County. Culver asked if there is enough Detention Center Staff accommodate this. Hatfield stated that they will turn inmates away if they do not have enough staff to take any more in, and this will not increase the number of staff needed currently.

Moved by Vrbka and seconded by Schmieding to Authorize the Chairman to Sign the Contract with Adams County to House Safekeep Inmates at the Seward County Detention Center.

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

Motion Carried

Hatfield presented the contract with Fillmore County to House Safekeep Inmates at the Seward County Detention Center.

Moved by Schmieding and seconded by Zabrocki to Authorize the Chairman to Sign the Contract with Fillmore County to House Safekeep Inmates at the Seward County Detention Center.

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

Motion Carried

Hatfield presented a resolution to establish the House Arrest fund. She stated that the Commissioners previously approved the contract with Vigilnet for the electronic monitoring equipment and accessories to allow inmates to participate in this program. Any money collected from the program will go into this fund and then the materials for the program will come out of it. Brandy Johnson, Deputy County Clerk, asked if the budget will need to be amended to add this fund now, or if it can wait until budget time at the end of the fiscal year. Hatfield said that for now, if any inmates need to use it, it can come out of the jail budget. Vrbka stated that he thinks it will be better to wait until the next budget year.

Moved by Zabrocki and seconded by Ahmic to Adopt Resolution No. 3567 in Regard to Creating the Seward County Detention Center House Arrest Fund.

Seward County Board of Commissioners

RESOLUTION NUMBER 3567

WHEREAS, *Neb. Rev. Stat. §23-106* provides that the County Board shall manage county funds and county business;

WHEREAS, the Seward County Detention Center is responsible for housing criminal defendants pretrial and post-sentencing;

WHEREAS, the Seward County Detention Center House Arrest program allows certain eligible defendants to serve all or a portion of their detention outside the detention facility;

WHEREAS, Seward County has a contract with Vigilnet to provide electronic monitoring equipment and accessories to allow for inmates to participate in the Seward County Detention Center House Arrest program in a

dedicated fund in order to effectively manage the fees and separate them from the Detention Center general budget;

THEREFORE, BE IT RESOLVED THAT the County Board of Commissioners approves the creation of the Seward County Detention Center House Arrest fund, which shall be utilized to deposit fees and pay for the costs of maintaining the Seward County Detention Center House Arrest program.

WHEREAS, DATED THIS 23RD DAY OF February 2021.

Moved by: Zabrocki Seconded by: Ahmic 02/23/21
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell Zabrocki
John K. Culver, Chair of the Board
Attest: Brandy M. Johnson, Deputy County Clerk

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

Recessed at 10:43 a.m.
Reconvened at 10:45 a.m.

Katrina Ramer of the County Attorney's Office presented the Interlocal Agreement with Butler County to continue Diversion and Truancy services. Culver asked if any taxpayer money is used to assist Butler County with this. Ramer noted that payment is received through Butler County and grant funds, and there is no cost to Seward County taxpayers.

Moved by Ahmic and seconded by Zabrocki to Authorize the Chairman to Sign the Interlocal Agreement with Butler County for Diversion and Truancy Services.

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

Known items on the agenda for Board of Commissioners on March 2, 2021 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Public/Officials/Boards
4. Discuss/Action - Approve minutes of February 23, 2021

Other Business Matters to Address When Time Allows

5. Commissioners Reports
6. Discuss/Action – Agenda for March 9, 2021

Moved by Schmieding and seconded by Zabrocki to adjourn at 10:50 a.m.

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

State of Nebraska)
County of Seward) ss.

I, Brandy Johnson, the undersigned Deputy 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 2nd day of March 2021.

Deputy County Clerk

Chairman