

# January 2, 2019

## 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 January 2, 2019 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 Commissioners convened on January 2, 2019 at 8:30 a.m. a.m.

Present:           Chairperson: Roger E. Glawatz  
                          Members: John Culver, Whitney Fleischman, Becky Paulsen,  
                          Gene Gausman  
                          County Clerk: Sherry Schweitzer

The Chairperson noted that the public meeting information is posted as required by law and available for public distribution if requested.

The Pledge of Allegiance was recited.

Those officials present during their monthly meeting with the Commissioners were Russ Frazey, Maria Hatfield, Marilyn Hladky, Mike Vance, Sherry Schweitzer & Casey Keim.

In regard to the Salary Study Update item on the agenda, Glawatz stated the there is nothing new to report about the salary study. Fleischman said a Longevity Policy is being planned as part of the Salary Study, which has been sent to the Personnel Board. Questions such as: Why have the Dept. Supervisors not been given a copy? What was the cost? Why wasn't there a contract for their service? Why did we hire Morrow and Associates instead of the company the County has had in the past? Fleischman stated that because they have not implemented the longevity salary into the Salary Study, it is taking longer than anticipated and Glawatz stated the cost was approximately \$20,000. Fleischman stated the Salary Study Committee has not met since October and does not have the actual document. Sheriff Elect Mike Vance stated there seems to be a lack of transparency. Maria Hatfield, Jail Administrator said she is short staffed because the salaries are not being addressed. Russ Frazey submitted a formal request for a copy of the Salary Study to Chairman Glawatz.

Moved by Gausman and seconded by Culver to approve the minutes of December 27, 2018.

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

### **Commissioners Reports:**

Commissioner Culver reported he attended the interviews for the HR position, worked with several officials and dealt with various correspondences.

Commissioner Fleischman reported she attended the HR interviews and dealt with various correspondences.

Commissioner Glawatz reported he worked on emails.

Commissioner Paulsen reported she met with Jonathan Jank in regard to a housing study and dealt with various correspondences.

Commissioner Gausman reported he completed a performance review, looked in on renovations in the Extension Office, and dealt with various correspondences.

Commissioner Paulsen removed herself from the Board at 9:09 a.m.

Becky Paulsen, Weed & Zoning Administrator explained the annual reports the Weed Supt. must submit to the Board for signatures and then to the State Dept. of Agriculture.

Moved by Culver and seconded by Gausman to authorize the Chairperson sign the 2018-2019 Yearly Report Documents of the Seward County Noxious Weed Control Dept.  
Affirmative Vote: Culver, Gausman, Fleischman, Glawatz      Motion Carried

Commissioner Paulsen rejoined the Board at 9:11 a.m.

Commissioner Culver reported on the Commissioner Room Remodel item on the agenda. He stated that the speakers used previously in the courtrooms can be used and explained planned placement of them. He said there will be training on the equipment.

Jonathan Jank, Executive Director of the Seward County Chamber Development and Partnership and Trey Ertmer from SENDD were in attendance to talk about the MOU with the Nebraska Dept. of Transportation for the CVA Project near Utica. They stated this is another part of the funding mechanism for the project.

Moved by Fleischman and seconded by Glawatz to authorize the Chairperson sign a Letter of Intent for the Nebraska Department of Transportation (NDOT) Economic Opportunity Program (EOP) Memorandum of Understanding (MOU) for resurfacing of County Road 448 to support the proposed development and operation of Central Valley Ag's Livestock & Feed Manufacturing Facility.  
Affirmative Vote: Fleischman, Glawatz, Culver, Gausman  
Voting No: Paulsen      Motion Carried

Casey Keim, Highway Supt. brought 3 agenda items for the Board to consider.

Moved by Fleischman and seconded by Culver to approve the right of way request for Verizon Wireless and Sam Mandolfo in the NW ¼ of Section 14 Township 9 North, Range 1 East of the 6th p.m.  
Affirmative Vote: Fleischman, Culver, Gausman, Paulsen, Glawatz      Motion Carried

Moved by Fleischman and seconded by Culver to adopt Resolution No. 3425 in regard to the Right of Way Permit Revision and Approval Authority.

## **RESOLUTION # 3425 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the Seward County Board of Commissioners adopted resolution 1989 approving the Director of the Seward County Department of Roads (now known as the Highway Superintendent) to use a standard application form for Right of Way applications and approvals.

WHEREAS, the Right of Way application form is outdated and the Seward County Board of Commissioners desires to delegate the approval process of the Right of Way permits to the Highway Superintendent within the parameters set forth in the updated application form.

NOW THEREFORE, BE IT RESOLVED: that the Seward County Highway Superintendent shall be authorized to approve Right of Way applications.

FURTHER, the prior Right of Way application form shall be updated to allow approval by the Highway Superintendent.

Moved by: Fleischman      Seconded by: Culver      Dated: 01/02/19

Ayes: Whitney M. Fleischman, John K. Culver, Becky Paulsen, E. Guasman, Roger E. Glawatz, Chair of the Board      Attest: Sherry Schweitzer, County Clerk

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

Keim also reported that NIRMA, the County insurance company has approved the repairs to the Utica Shop from the hail damage this past summer.

Wendy Elston, County Attorney, led discussion on the resolution involving the Supplemental Payments for an employee of her office. She stated that this is in regard to extra pay for the Diversion Director. Elston stated the amount of extra pay is built into the interlocals for the costs to run the Butler and Jefferson County Diversion and Truancy programs. The payments received from these interlocals also offset the cost of Seward County programs. She feels that the extra responsibilities warrant extra pay. She prepared resolutions with 2 options – to continue the interlocals and pay the Diversion Director extra pay or give Butler and Jefferson County notice that Seward County wishes to terminate the interlocals. Fleischman asked how many positions these interlocals affect and Elston replied potentially 3. Culver stated he feels that the County Attorney has not complied with the Personnel Policy. Gausman stated if the Diversion Director is salaried (not hourly), they should not get additional pay. Elston said this was started in 2013. Culver stated the issue should have been addressed at that time. Paulsen read a portion of the Personnel Policy which stated the procedure for changing a job description and asking for additional pay. Elston stated the auditors are wanting some written documentation pertaining to permission for this supplemental pay. Paulsen brought up the fact that the audit report also reported payments to employees from the County Attorney's Grant Fund that were not paid appropriately. Elston replied that those employee issues have been dealt with. Schweitzer spoke during the discussion and said neither the programs nor the Diversion Director are the problem. The problem is that the County Attorney is not complying with the Personnel Policy as other offices have been required to do.

Moved by Fleischman and seconded by Glawatz to adopt Resolution No. 3526 in regard to the Interlocal Agreements with Jefferson County and Butler County for Diversion Services and allow for additional compensation of the Diversion Director to perform duties required for the Interlocal agreements.

Chairperson Glawatz withdrew his second.

Moved by Paulsen and seconded by Fleischman to table the subject "Interlocal Agreements with Jefferson County and Butler County for Diversion Services and allow for additional compensation of the Diversion Director to perform duties required for the Interlocal agreements" to next week.

Affirmative Vote: Paulsen, Fleischman, Gausman, Glawatz

Voting No: Culver

Motion Carried

Moved by Fleischman and seconded by Culver to go into Executive Session at 10:42 a.m. to discuss personnel, it being necessary to protect the reputation of the individual(s).

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

Glawatz stated that Executive Session was for Personnel issue.

Moved by Fleischman and seconded by Gausman to go out of Executive Session at 10:55 a.m.

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

Glawatz stated that while in Executive Session, personnel was discussed and no action was taken.

Known items on the agenda for Board of Equalization on January 8, 2019 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Re-organizational Meeting
4. Discuss/Action – Election of Chairman and Vice Chairman
5. Discuss/Action - Approve minutes of December 27, 2018
6. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on January 8, 2019 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Re-organizational Meeting
4. Discuss/Action – Election of Chairman and Vice Chairman
5. Discuss/Action – Appoint Office Liaisons and make Committee Appointments
6. Discuss/Action - Approve minutes of January 2, 2019

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

7. Discuss/Action - Public/Officials/Boards
8. Commissioners Reports
9. Discuss/Action - Commissioner Room Remodel

10:00 a.m. Discuss/Action – Res. - Interlocal Agreements with Jefferson County and Butler County for Diversion Services and allow for additional compensation of the Diversion Director to perform duties required for the Interlocal Agreements.

Moved by Fleischman and seconded by Culver to adjourn at 10:55 a.m.

Affirmative Vote: Fleischman, Culver, Paulsen, Gausman, 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 8<sup>th</sup> day of January 2019.

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

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Chairperson