

July 23, 2019

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 July 23, 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 Equalization convened on July 23, 2019 at 8:30 a.m.
Present: Chairperson: John Culver
Members: Mike Mundhenke, Bob Vrbka, Ken Schmieding, Becky Paulsen
County Clerk: Sherry Schweitzer
County Assessor: Marilyn Hladky

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 Paulsen and seconded by Mundhenke to approve the minutes of July 16, 2019.
Affirmative Vote: Paulsen, Mundhenke, Vrbka, Culver
Abstain: Schmieding as he was not in attendance at said meeting. Motion Carried

Moved by Mundhenke and seconded by Vrbka to approve Tax List Corrections # 44-09C, 45-10C, 46-11C, 47-12C, 48-13C, 49-14C, 50-15C, 51-16C & 52-17C.
Affirmative Vote: Mundhenke, Vrbka, Schmieding, Paulsen, Culver Motion Carried

Moved by Vrbka and seconded by Mundhenke to authorize the County Assessor to send out the following County Board of Equalization Notices:

July 23, 2019

CBOE Change of Valuation Notices

<u>Parcel #</u>	<u>Name</u>	<u>Legal Description</u>	<u>Reason</u>
800040597	Heath/Donald L	29-11-3 #N 1/2 E 1/2 W 1/2 SE 1/4 10 ac	Recnt to add add'l excs farmsite acres
800202716	Ihde/Lloyd & Mary	Tamora IOLL MH on Lts 13-14 Mowry's & OT	Change cond after owner req inspect
800202694	Ihde/Lloyd & Mary	Tamora IOLL MH on Lts 16-18 Mowry's & OT	Change cond after owner req inspect
800206827	Ihde/Lloyd & Mary	Tamora IOLL MH on #TL 25 in SE 1/4	Change cond after owner req inspect
800207564	Ihde/Lloyd & Mary	Tamora IOLL MH on Lts 17-18 Blk 14 Daileys & OT	Change cond after owner req inspect
800017579	Ramirez/Richard	13-9-3 Tract in W 1/2 SW 1/4 4.25 ac	Correcting market adjustment
800108000	Wilson/Sean & Georgia	13-11-4 #SE 1/4 NE 1/4 20 ac	Correcting classification of house

07/23/2019

Date

/s/ John K. Culver

Chairperson, Seward County Board of Equalization

Affirmative Vote: Vrbka, Mundhenke, Paulsen, Schmieding, Culver Motion Carried

Hladky then updated the Commissioners on activities of her office.

Known items on the agenda for Board of Equalization on August 13, 2019 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of July 23, 2019
4. Discuss/Action – Assessor Information Update

Moved by Vrbka and seconded by Paulsen to adjourn at 8:48 a.m.

Affirmative Vote: Vrbka, Paulsen, Schmieding, Mundhenke, 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 13th day of August 2019.

County Clerk

Chairperson

July 23, 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 9:00 a.m. on July 23, 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 July 23, 2019 at 9:00 a.m.

Present: Chairperson: John Culver

Members: Mike Mundhenke, Bob Vrbka, Ken Schmieding, Becky Paulsen,

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.

Moved by Vrbka and seconded by Paulsen to add to the agenda as an Emergency Item an Executive Session to discuss Pending Litigation.

Affirmative Vote: Vrbka, Paulsen, Mundhenke, Schmieding, Culver

Motion Carried

Moved by Paulsen and seconded by Vrbka to approve the minutes of July 16, 2019

Affirmative Vote: Paulsen, Vrbka, Mundhenke, Culver

Abstain: Schmieding as he was not in attendance at said meeting.

Motion Carried

Commissioners Reports:

Commissioner Mundhenke reported he checked roads.

Commissioner Vrbka reported he attended an Aging Services Committee meeting and checked roads.

Commissioner Culver reported he attended a Local Emergency Planning Committee meeting and a Planning and Zoning Meeting and dealt with various correspondences.

Commissioner Schmieding reported he had received concerns on the Farmers Market around the courthouse.

Commissioner Paulsen reported she attended a BRIDGES meeting and dealt with various correspondences.

Moved by Paulsen and seconded by Mundhenke to approve the Surplus Property Disposal Request from the County Clerk.

Affirmative Vote: Paulsen, Mundhenke, Vrbka, Schmieding, Culver Motion Carried

Moved by Vrbka and seconded by Mundhenke to approve the Surplus Property Disposal Request from the Treasurer.

Affirmative Vote: Vrbka, Mundhenke, Schmieding, Paulsen, Culver Motion Carried

Moved by Paulsen and seconded by Vrbka to go into Executive Session at 9:08 a.m. to discuss pending litigation.

Affirmative Vote: Paulsen, Vrbka, Schmieding, Mundhenke, Culver Motion Carried

The Chairman reiterated the reason for Executive Session was for pending litigation.

Moved by Vrbka and seconded by Culver to go out of Executive Session at 9:26 a.m.

Affirmative Vote: Vrbka, Schmieding, Paulsen, Mundhenke, Culver Motion Carried

Chairman Culver stated that while in Executive Session pending litigation was discussed and no action was taken.

Chairman Culver stated that the 9:15 agenda item "Discuss/Action – Terminate Diversion/Truancy Interlocals with Butler County" will not be discussed due to pending litigation.

Moved by Vrbka and seconded by Mundhenke to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on August 10, 2019.

Affirmative Vote: Vrbka, Mundhenke, Schmieding, Paulsen, Culver Motion Carried

Moved by Paulsen and seconded by Vrbka to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on August 24, 2019.

Affirmative Vote: Paulsen, Vrbka, Schmieding, Mundhenke, Culver Motion Carried

Moved by Mundhenke and seconded by Schmieding to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on September 8, 2019.

Affirmative Vote: Mundhenke, Schmieding, Paulsen, Vrbka, Culver Motion Carried

Moved by Vrbka and seconded by Paulsen to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on September 14, 2019.

Affirmative Vote: Vrbka, Paulsen, Mundhenke, Schmieding, Culver Motion Carried

Moved by Schmieding and seconded by Vrbka to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on September 17, 2019.

Affirmative Vote: Schmieding, Vrbka, Mundhenke, Paulsen, Culver Motion Carried

Moved by Paulsen and seconded by Mundhenke to authorize the Chairman sign the Special Designated Liquor Permit for JUNTO LLC for an event on September 22, 2019.

Affirmative Vote: Paulsen, Mundhenke, Vrbka, Schmieding, Culver Motion Carried

Casey Tiemann of the County Attorney's Office presented 4 grant awards for the Commissioners' consideration. She explained information about each grant.

It was asked if funds from the grants go into the General Fund. Tiemann stated they go into a separate fund. Wendy Elston, County Attorney stated that the funds cannot be comingled so they can't go into the General Fund.

Commissioner Paulsen stated that the motion to approve an *application* for these grants did not pass with a unanimous vote on March 5, 2019.

The Commissioners asked various questions about the grants such as where the fees for the Diversion and Attendance Support (Truancy) programs are deposited, what programs the grant is helping, how many employees (2 ³/₄ positions) are funded through these grants, etc.

Josh Fields, Seward School Supt., made a statement that the grants being considered benefit the school district.

Sheila Beins, County Court Magistrate, asked how many juveniles were in the Truancy Program. Tiemann stated there are 22 from Seward County and 17 from Butler County.

Elston gave some information about the grants if the Interlocal with Butler County is terminated.

Moved by Paulsen and seconded by Mundhenke to not vote to approve the Grant Award and Special Conditions for Butler County Attendance Support Program and to not proceed due to possible litigation.

Affirmative Vote: Paulsen, Mundhenke, Vrbka, Schmieding, Culver Motion Carried

Moved by Paulsen and seconded by Vrbka to not vote to approve the Grant Award and Special Conditions for Seward and Butler County Diversion Programs and to not proceed due to possible litigation.

During discussion time, Elston asked, "Did you get outside legal advice that this is addressing pending litigation because you are potentially costing taxpayers and a lot of other funding sources a lot of money without getting legal advice on whether or not this is involved?"

Affirmative Vote: Paulsen, Vrbka, Schmieding, Mundhenke, Culver Motion Carried

Moved by Paulsen and seconded by Mundhenke to not vote to approve the Grant Award and Special Conditions for Seward County Community Based Grant and to not proceed due to pending litigation.

Elston stated, "To advise that there are possible expensive monies that will not be able to be in the use of the taxpayers and request that you seek legal counsel prior to denying that; and you have not sought legal counsel in making this decision."

Moved by Paulsen and seconded by Mundhenke to amend the previous motion to table action until the Board gets attorney representation.

During discussion, Elston stated that a deadline is being missed and asked until when it is being tabled. Culver stated they received information late yesterday about pending litigation and have not been able to seek legal advice.

It was asked if there was a timeline to approve these grant awards and Tiemann replied that the grant needs to be approved today.

Known items on the agenda for Board of Commissioners on July 26, 2019 are as follows:

8:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Claims for July 2019

Known items on the agenda for Board of Commissioners on July 30, 2019 are as follows:

9:00 a.m.

4. Convene and announce Open Meetings Law
5. Pledge of Allegiance
6. Discuss/Action - Approve minutes of July 23, 2019
7. Discuss/Action – Approve minutes of July 26, 2019

Other Business Matters to Address When Time Allows

8. Discuss/Action - Public/Officials/Boards
9. Commissioners Reports
10. Discuss/Action – Executive Session – Pending Litigation
11. Discuss/Action – Agenda for August 6, 2019

9:15 a.m. Discuss/Action – Ext. Office - Report of 4-H Projects/Abandoned Cemeteries

Commissioner Paulsen re-joined the Board at 2:44 p.m.

Moved by Vrbka and seconded by Schmieding to adjourn at 2:46 p.m.

Affirmative Vote: Vrbka, Schmieding, Paulsen, Mundhenke, 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 30th day of July, 2019.

County Clerk

Chairman