

Seward County Board of Commissioners

July 31, 2018

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 31, 2018 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 July 31, 2018 at 9:00 a.m.

Present: Chairperson: Roger E. Glawatz
Members: John Culver, Whitney Fleischman, Diana Garske
County Clerk: Sherry Schweitzer
Absent: Member: Gene Gausman

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 Culver and seconded by Fleischman to approve the minutes July 24, 2018.
Affirmative Vote: Culver, Fleischman, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Culver to approve the Special Claims as listed below:

SEWARD COUNTY CLAIMS		
AMERITAS LIFE INSURANCE CORPORATION	FE	\$354.20
JONES NATIONAL BANK TRUST COMPANY	FE	\$349.63
NATIONAL INSURANCE COMPANY OF WISCO	FE	\$16.08
PRINCIPAL LIFE GROUP VISION	FE	\$15.64
SEWARD COUNTY HEALTH CLAIM FUND	FE	\$437.95
SALARIES		4,570.39

Affirmative Vote: Fleischman, Culver, Garske, Glawatz Motion Carried

Commissioners Reports:

Commissioner Culver reported he reviewed claims, attended the Seward County Aging Services meeting and dealt with some emails.

Commissioner Fleischman reported she attended Utica days, worked on budget info, dealt with some road questions, will speak at the Livestock Friendly event at the County Fair, will be attending a Washington DC event for Nebraska Commissioners and worked on various emails.

Commissioner Garske reported she attended the Seward County Chamber Development and Partnership working group meeting and dealt with various correspondence. She also read the following statement:

I am submitting a letter of resignation effective Oct.1, 2018 with my last commissioner meeting being Sept. 25th. I do this so I can spend more time

with out of state family and also under the advice of my doctor and husband for health reasons, some of which have existed for a couple of years and some are more recent. Thank you for working with me to serve this county for almost 10 years. I am trusting that a qualified applicant will be selected to serve for the remainder of my term.

Commissioner Glawatz reported he worked on various correspondences.

Commissioner Culver reported there haven't been any new updates with the Commissioner Room remodel.

The Commissioners worked on budget items.

Kim Payne, Road Office Manager presented several documents for the Commissioners consideration.

Moved by Fleischman and seconded by Culver to approve the right of way request for Windstream between Section 21 & 28 Township 11 North, Range 4 East of the 6th p.m.

Affirmative Vote: Fleischman, Culver, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Culver to approve the right of way request for Windstream between Section 3 & 10 Township 9 Range 1 East of the 6th p.m.

Affirmative Vote: Fleischman, Culver, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Culver to authorize the Chairperson to sign the contract for Seward County Pavement Repair on Denton Road.

Affirmative Vote: Fleischman, Culver, Garske, Glawatz Motion Carried

Commissioner Glawatz led discussion on the Preliminary Engineering Report. He stated that this report is needed in order to be considered for a grant to help pay for improving 448th Road which will be needed for the CVA Feed Mill Project.

Moved by Fleischman and seconded by Culver to authorize the Preliminary Engineering Report for 448th Road in connection with the tentative CVA Feed Mill Project.

Affirmative Vote: Fleischman, Culver, Garske, Glawatz Motion Carried

Moved by Garske and seconded by Culver to adopt Resolution No. 3389 in regard to a Lease Purchase Agreement with Caterpillar Financial Services for an excavator.

RESOLUTION NO 3389 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, Seward County (the "Governmental Entity"), a body politic and corporate duly organized an existing as a political subdivision, municipal corporation or similar public entity of the State of Nebraska (the "State"), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, In order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

NOW THEREFORE, BE IT RESOLVED;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement an all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall

be approved by counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents require to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution.

Adopted this 31st day of July, 2018 at Seward, Nebraska

The Board of Commissioners of Seward County

Ayes: Diana L. Garske, Whitney Fleischman, John K. Culver, Roger E. Glawatz

Absent: Gausman

Board/County Member Garske moved the adoption of said resolution.

Member Fleischman Seconded the Motion

Roll Call: 4 Yes; 0 No; 0 Abstained; 1 Absent

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Culver, Fleischman, Glawatz

Motion Carried

Moved by Fleischman and seconded by Culver to go into Executive Session at 9:27 a.m. to discuss personnel, it being needed to protect the reputation of the individual(s), and also for pending/possible litigation.

Affirmative Vote: Fleischman, Culver, Garske, Glawatz

Motion Carried

The Chairman stated that the reason for Executive Session is for personnel and pending/possible litigation.

Moved by Fleischman and seconded by Garske to go out of Executive Session at 10:18 a.m.

Affirmative Vote: Fleischman, Garske, Culver, Glawatz

Motion Carried

The Chairman stated that in Executive Session, personnel and Pending/possible litigation was discussed and no action was taken.

The Commissioners worked on the budget.

Commissioner Fleischman is absent at 10:50 a.m.

Known items on the agenda for Board of Commissioners on August 7, 2018 are as follows:

8:30 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 July 27, 2018
5. Discuss/Action – Approve minutes of July 31, 2018

Other Business Matters to Address When Time Allows

6. Commissioner’s Reports
 7. Discuss/Action – Accept County Treasurer’s Corrected Unpaid Distress Warrant Report
 8. Discuss/Action – Designated Liquor License for Seward County Chamber Development & Partnership for an event on 9/15/2018
 9. Discuss/Action - Commissioner Room Remodel
- 9:00 a.m. Discuss/Action – IT Update
- 9:30 a.m. Discuss/Action – Aging Partners Annual Report and Budget Request
- 9:45 a.m. Discuss/Action - Authorize County Attorney to provide electronic signature to enter into a contract for Child Support Services sub-award with DHHS from October 1, 2018 – Sept. 30, 2019
- 10:00 a.m. Discuss/Action – Resolution – Short Form Plat to create the Indian Creek Subdivision in the W ½ SW ¼ of Precinct A, of Section 3, T9N R1E

Moved by Culver and seconded by Garske to adjourn at 1:18 p.m.

Affirmative Vote: Culver, Garske, 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 7th day of August 2018.

County Clerk

Chairperson