

March 18, 2025

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 March 18, 2025 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board, on the Commissioner's Room door, on the Seward County website: sewardcountyne.gov and published in the Seward County Independent and the Milford Times. 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 March 18, 2025 at 9:01 a.m.

Present: Chairperson: Misty Ahmic
Members: Raegan Hain, Darrell Zabrocki, Ken Schmieding, Scott Pekarek
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 Zabrocki and seconded by Pekarek to approve the consent agenda consisting of:

- a. Minutes of March 11, 2025
- b. Utility Permit – Mark Shonka – SE ¼ Section 23, Township 12 North, Range 1 East of the 6th p.m.

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

Commissioner Reports:

Commissioner Hain reported she met with one of the Deputy County Attorneys, attended the Nebraska Association of County Officials (NACO) Southeast District meeting, had a Zoom meeting with Youturn Health, had a Nebraska Department of Transportation infrastructure virtual meeting with Commissioner Ahmic, the Highway Superintendent and Road Department Administrative Assistant, and attended an Ag Society meeting.

Brandy Hafer, Public Transit Director, was present to discuss the Public Transit Grant Application for Nebraska Dept. of Transportation for 2026-2027.

Moved by Zabrocki and seconded by Hain to adopt Resolution No. 3837 in regard to authorizing the chair to sign the Public Transit Grant Application for Nebraska Department of Transportation for 2026-2027.

RESOLUTION NO. 3837
SEWARD COUNTY BOARD OF COMMISSIONERS

The Board of County Commissioners of Seward County, Nebraska, in regular session, assembled at the Seward County Courthouse at 529 Seward Ave, Seward NE 68434, this 18th day of March 2025, and hereby resolves as follows:

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act (FTA) and for Nebraska Public Transportation Assistance Program, and

WHEREAS, the Seward County Public Transit desires to apply for said funds to be used to provide public transportation in Seward County.

NOW THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners hereby instructs the Seward County Public Transit Director to apply for the above-mentioned funds and authorized the Seward County Chairman to sign said application document(s). Said funds are to be used for the Seward County Public Transit operations in FY 2025-2026 and FY 2026-2027 and Seward County hereby pledges up to \$236,788 to meet its local match obligations.

Moved by: Zabrocki Seconded by: Hain March 18, 2025
Ayes: Ken Schmieding, Scott Pekarek, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair of the Board
Attest: Brandy M. Johnson, Deputy County Clerk

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

Jon Regnier, Highway Superintendent, was present to discuss considering a dust control program for Seward County roads. Commissioner Ahmic and Regnier met with Platte River Dust Control representatives to obtain information on the program. Discussion was held regarding cost to the county and how residents would be able to apply to receive the product on their roads. The product would need to be applied twice a year at the residents' expense. The county Road Department would handle normal road maintenance and road preparation before the product is applied. In some instances, gravel may need to be brought in in some places for the road preparation process, but that would be the only cost to the county for the application of the product on the roads. The company can provide a free dust control application to a test site of the board's choosing, and constituents can then see if it's something they would be interested in having applied to roads near their homes. The Commissioners all gave their opinions on where the application test site should be, and all agreed upon the high traffic area near the Co-op in Ruby. Regnier was advised to contact the Ruby Co-op regarding this plan. It was also agreed that Commissioners Ahmic and Hain, along with Regnier, will work on establishing an application form for constituents to use to apply for dust control product to be applied to their roads.

Shelby Pedersen, Executive Director of Southeast Nebraska Court Appointed Special Advocates (CASA), was present to give details for the upcoming Child Abuse Prevention Month. In the past, pinwheels were placed on the courthouse lawn for this event, but they become difficult to mow around and maintain because of wind. This year, CASA would like to purchase blue light bulbs for all the lights for the courthouse windows instead of placing the pinwheels on the lawn. Ahmic asked if the front statue would be lit as well, as there are already lights on it and the colors can be changed. Pedersen stated that they'd also like to set a small table up at the entrance of the courthouse with some information out for people to see and take.

Moved by Pekarek and seconded by Hain to allow CASA to provide blue lights for the courthouse windows and to light the statue in front blue for Child Abuse Prevention month for the month of April.

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

Commissioner Reports, continued:

Commissioner Zabrocki reported he attended the Nebraska Association of County Officials (NACO) Southeast District Meeting, met with Commissioner Ahmic and the Public Transit Director, had a Nebraska Public Agency Investment Trust (NPAIT) audit meeting, attended a Nebraska Intergovernmental Risk Management Assn. (NIRMA) search committee meeting, and met with Gary Jewell of the American Legion Post

#4775 regarding the flag burning ceremony to be held on the courthouse lawn later this month.

Commissioner Ahmic reported she had been in contact with Felsburg, Holt & Ullevig (FHU) and Kirkham Michael to set up a meeting, met with the Highway Superintendent and his Administrative Assistant regarding the potential scrap tire event to be held in May, met with the Highway Superintendent & the dust control representative discussed earlier, submitted testimony and participated in an Inheritance Tax legislative hearing, finished working on Zoning regulations, met with Commissioner Zabrocki and the Public Transit Director, attended the Nebraska Association of County Officials (NACO) Southeast District meeting, attended a planning commission meeting, attended a meeting with the broadband office, and attended a Nebraska Department of Transportation infrastructure virtual meeting with Commissioner Hain.

Commissioner Schmieding reported he will attend a Visitors Bureau meeting and a Blue Valley Community Action meeting and reminded the other board members of the wellness center open house, which he plans to attend as well.

Mike Vance, Sheriff, was present to discuss the use of the Seward County patrol office for criminal interdiction training through the company Desert Snow. Commissioner Hain led the discussion, stating that she and Commissioner Pekarek recently visited the task force building that houses the Sheriff's Department. When they arrived, they were told of a recent Desert Snow training. Hain stated that she wasn't aware of a contract or certificate of insurance for a training. When asked the date of the last training, Vance stated that it was in October of 2024, and there had not been one in February. They do have K9 training once or twice a month, but that is not done through Desert Snow. Vance stated that if Seward County hosts Desert Snow trainings, there is no cost for the Seward County deputies to attend. Hain asked if Desert Snow has provided proof of liability insurance for the trainings hosted at the patrol building and if it had been filed in the County Clerk's Office, as all certificates of insurance are filed with the County Clerk in case there is an accident and an insurance claim needs to be filed by them. Vance noted that everyone who attends has to sign a waiver and Desert Snow provides insurance, but he was not aware it needed to be filed in the County Clerk's Office and will do that in the future. Discussion was held regarding whether any employees of Desert Snow currently have an office at or store vehicles at the Sheriff's Office. Vance reported that approximately 3 or 4 of his employees do contract work for Desert Snow when they are off duty. Zabrocki asked if any contracted employees have a financial interest in Desert Snow, beyond their contract, to which Vance stated he has one deputy who is involved in an ownership role. Zabrocki stated that he looks at this as a conflict of interest. Extensive discussion was held, including discussion on the seized vehicles at the task force building that are used for training, as well as why various invoices have been paid by the county to Desert Snow for workshop registrations if Seward County deputies attend at no cost. The invoices don't specify who they are for, but Sheriff Vance noted that the forfeiture funds have paid for attendees from other agencies that did not have the funding to send their employees in the past. Hain asked Sheriff Vance to obtain copies of the registrations and follow up on this.

The Commissioners Recessed at 10:26 a.m.
The Commissioners Reconvened at 10:30 a.m.

Commissioners Reports, continued:

Commissioner Pekarek reported he met with the Emergency Management Director and Veterans Service Officer, attended a Bee Village board meeting, attended a Pleasant Dale village board meeting, attended a Veterans Service Committee meeting, attended the Nebraska Association of County Officials (NACO) Southeast District meeting, had a CASA Zoom meeting, talked with the Veterans Service Officer regarding County Government Day, and attended a Planning Commission meeting.

The Grant Writer Contract with 11th House item was put on the agenda from a previous discussion, but as there is no funding available at this time, Ahmic stated that she would like this to be tabled until infrastructure funding becomes available.

Ahmic led discussion on the update on the Daughters of the American Revolution and their work with abandoned cemeteries. Representatives from their organization will be coming back to the board with their plan for work on each of the abandoned cemeteries. Last year, there was vandalism at one of the cemeteries, and it brought up the topic of what is the correct way to take care of those. There are grant opportunities available that could potentially work for abandoned cemetery projects, and the Daughters of the American Revolution organization could help apply for the grant and look for others in the future. Ahmic asked Pekarek to find out when they intend to come back and give an update.

The Commissioners discussed their assignments for abandoned cemeteries. Each year, the 17 abandoned cemeteries are mowed by a contracted mowing business. Every year, the Commissioners assign cemeteries for each to monitor for mowing and maintenance.

In order to be able to operate or provide service in Seward County, Spectrum/Charter Communications has to have a signed franchise agreement between themselves and the county. This agreement was reviewed and modified by the Deputy County Attorney.

Moved by Zabrocki and seconded by Hain to authorize the chair to sign the franchise agreement between Seward County and Spectrum Mid-America, LLC.

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

Ahmic led discussion on the letter of support for Nebraska Department of Transportation. This letter is in regard to the Commissioners' support in funding the transportation infrastructure hub.

Moved by Hain and seconded by Schmieding to authorize the board to sign letter of support for the Nebraska Department of Transportation 2024 America's Award Program.

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

During the Legislative Update, Ahmic reported on bills regarding broadband, Inheritance Tax and Telecommunication.

The Commissioners recessed at 11:07 a.m.

The Commissioners reconvened at 11:24 a.m.

Moved by Hain and seconded by Pekarek to enter into Executive Session to discuss strategy at 11:24 a.m.

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

The chairperson reiterated that the Executive Session is for strategy.

Commissioner Schmieding is absent at 11:40 a.m.

Commissioner Zabrocki is absent at 12:55 p.m.

Moved by Hain and seconded by Pekarek to come out of Executive Session at 1:12 p.m.

Affirmative Vote: Hain, Pekarek, Ahmic Motion Carried

Known items on the agenda for Board of Equalization on March 25, 2025 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of March 11, 2024
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on March 25, 2025 are as follows:

9:00 a.m.

5. Convene and announce Open Meetings Law
6. Pledge of Allegiance

- 7. Discuss/Action - Approve minutes of March 18, 2025
- 8. Discuss/Action - Claims for the period through March 14, 2025

Other Business Matters to Address When Time Allows

- 1. Discuss/Action - Public/Organizations/Officials
- 2. Commissioners Reports
- 3. Discuss/Action – Future Funding for Remainder of 420th Road Paving
- 4. Discuss/Action - Legislative Update
- 5. Discuss/Action - Agenda for April 1, 2025

- 9:05 a.m. Discuss/Action - Veteran of the Month
- 9:15 a.m. Discuss/Action - Authorize Chair to Sign 457(b) Deferred Compensation Plan Contract with Spectrum/WealthPlan Partners
- 9:30 a.m. Discuss/Action - Open Abandoned Cemetery Mowing Bids
- 9:45 a.m. Discuss/Action - Martin Schildt/GBE CPA – 2023-2024 Fiscal Year Audit Report and Request for Board Approval to Submit to State Auditor’s Office
- 10:00 a.m. Discuss/Action - Executive Session – Personnel/Strategy

Moved by Pekarek and seconded by Hain to adjourn at 1:17 p.m.
Affirmative Vote: Pekarek, Hain, Ahmic 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 25th day of March 2025.

County Clerk

Chairperson