

November 6, 2023

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 November 6, 2023 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 November 6, 2023 at 8:30 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Raegan Hain, Ken Schmieding, Darrell Zabrocki
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 who updated the Commissioners on activities of their offices were Marilyn Hladky, Sandy Shaw and Sherry Schweitzer.

Moved by Zabrocki and seconded by Schmieding to approve the minutes of October 31, 2023.

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

Moved by Hain and seconded by Ahmic to approve the claims for the period through October 27, 2023.

SEWARD COUNTY CLAIMS THROUGH OCTOBER 27, 2023

ACCURATE CONTROLS	EQ	\$1,856.36	STATE OF NE DEPT CORR.SERV	SE	\$1,987.70
ADVANCED CORR HLTHCR	SE	\$4,557.47	SUMMIT FOOD SERVICE	SE	\$7,084.46
ADVANCED OFFICE AUTOM	SU	\$133.32	SVEHLA LAW OFFICES	SE	\$2,113.00
ALL COPY PRODUCTS	SU	\$21.14	THE HOME DEPOT PRO	SU	\$133.25
AMAZON CAPITAL SERV	SE	\$24.44	US BANK EQUIP FINANCE	EQ	\$167.99
AMERITAS LIFE INS	FE	\$20,314.85	VERIZON WIRELESS SERV	UT	\$3,008.38
ASSN FLOODPLAIN MGRS	FE	\$180.00	VISA	FE	\$550.00
BLACK HILLS ENERGY	UT	\$906.55	WINDSTREAM	UT	\$181.70
CAMPBELL CLEANING	SE	\$4,425.00	CHEMSEARCH	SE	\$2,853.90
CAPITAL BUSINESS SYS	SU	\$664.93	DALE JOHNSON ENT	SU	\$47,427.90
COAST TO COAST COMPUTER	SU	\$139.99	KV ENTERPRISES	SU	\$50.83
COMFORT INN	TR	\$107.00	HEARTLAND TIRES	SU	\$2,339.44
CONNER PSYCH SERV	SE	\$425.00	MAINELLI WAGNER	SE	\$62,685.20
GREGORY L MUELLER	SE	\$1,010.00	MIDWEST UNLIMITED	SE	\$44.75
CROWNE PLAZA KEARNEY	TR	\$853.65	MILLER SEED	SU	\$200.00
E 911	SE	\$44,869.17	SID DILLON	EQ	\$1,366.13
EAKES OFFICE PLUS	SU	\$110.80	SIGN SOLUTIONS USA	SU	\$711.81
EATON CORP	SE	\$126.00	SUMMIT FIRE PROTECTION	SE	\$55.50
EGAN SUPPLY	SU	\$116.48	VILLAGE OF GARLAND	UT	\$104.70
EMBLEM ENTERPRISES	SU	\$459.99	VILLAGE OF UTICA	UT	\$56.12
FARMERS COOP	SU	\$13,153.30	JOHNSON SAND & GRAVEL	SU	\$13,068.98
SIDNEY FREY	SE	\$233.50	SUE IMIG	SE	\$180.00
GARCIA CLINICAL LAB	SE	\$61.50	KOLTERMAN, CLARK	SE	\$180.00
HERPOLSHEIMERS	SE	\$96.90	DELTA DENTAL OF NEBR	FE	\$234.53
HOBSON AUTO AND TIRE	SE	\$144.45	VSP INSURANCE	FE	\$15.57
HOMETOWN LEASING	EQ	\$263.23	MILFORD AGING	SE	\$1,873.50

JONES AUTOMOTIVE	EQ	\$130.00	MOMS MEALS	SE	\$137.50
JONES BANK (FICA)	FE	\$20,790.58	SEWARD AGING	SE	\$2,175.20
KONICA MINOLTA PREM FIN	EQ	\$131.48	UTICA AGING	SE	\$1,705.80
LA QUINTA INN & SUITES	TR	\$629.70	GREAT PLAINS UNIFORMS	SE	\$2,200.00
LEE'S REFRIGERATION	SE	\$1,620.47	COR THERAPEUTIC SERV	SE	\$78.24
MEMORIAL HOSPITAL	SE	\$145.20	CIVICPLUS	SE	\$6,391.00
MID-AMERICAN INS GRP	FE	\$47,765.84	CREATIVE PRODUCT SOURCING	SU	\$422.15
MIPS INC	SE	\$2,386.34	GREAT PLAINS COMMUN	UT	\$605.00
NE FSMA	FE	\$55.00	URIBE REFUSE SERV	SE	\$156.00
PETTY CASH FUND	FE	\$10.00	LAST MILE NETWORK	UT	\$870.00
PLATTE CO DETENTION FAC	SE	\$175.00	ST OF NE DAS ST ACCNTNG	SE	\$115.00
POSTMASTER	SU	\$310.00	SALARIES		\$288,144.07
QUADIANT, INC	SU	\$1,875.13	GROSS SALARIES INCLUDE DEDUCTIONS TO:		
REDIGER AUTOMOTIVE	SE	\$156.29	COLONIAL SUPPLEMENTAL INSURANCE		
REGION V SERVICES	SE	\$2,484.58	MID AMERICAN CO WISCONSIN		
SEWARD CO HLTH CLM FND	FE	\$101,796.84	DELTA DENTAL		
SOARIN GROUP	SE	\$1,534.10	VSP VISION		
ST OF NE DAS COMM	SE	\$1,382.40	WADDELL & REED		

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

Motion Carried

Commissioners Reports:

Commissioner Zabrocki reported he participated in a Nebraska Intergovernmental Risk Management Association (NIRMA) roundtable event via Zoom, attended an E911 Director interview and will have another interview today. He also had two meetings about a personnel matter.

Commissioner Schmieding reported he had a Visitors Committee meeting, noted he received a constituent compliment of the Treasurer's Office, will have a Region V meeting, received a comment about a City of Seward intersection, and will be attending a Nebraska Intergovernmental Risk Management Association (NIRMA) meeting in York.

Commissioner Culver reported he received emails about various road projects, talked to the Road Dept. about barricades at road projects, checked roads, and met with constituents near a road project.

Commissioner Hain reported she and Commissioner Ahmic participated in a call to Mainelli & Associates about a grant for a road project, reached out to Road Dept. personnel for accounting details, met with Senator Ben Hansen, went through applications for Aging Service Program Director, completed edits for team lead position, is working on a water event with Nebraska Department of Environment and Energy (NDEE) at the Seward Civic Center, sent information to Ag Society for Emergency Plan, worked on unsold items from surplus property, attended the GOP Gala Fundraiser and will be going to other entities about the NDEE item.

Terry Wicht, Highway Supt. presented a Surplus Property Disposal Request for the Commissioners consideration. He did not have an estimated value for the motor graders listed on the form, so the Commissioners will consider this next week when he obtains an appraisal for the equipment.

Commissioner Ahmic reported she received phone calls about a zoning information and water conservation event, received questions about road issues, updated the Commissioners about the purchase of a desk for the Veterans Service office, reported on an audit for Public Transit, attended a meeting with Senator Hansen, attended a League of Women Voters event, updated the Legislative idea for Nebraska Association of County Officials (NACO), reminded others of Operation Green Light, had a call with Mainelli & Associates with Commissioner Hain.

The Commissioners discussed the Highway Supt. interview process item on the agenda. HR Director, Roxanne Knutson gave information about the timeframe the position has been offered and number of applications received. Commissioner Culver suggested two Commissioners and HR conduct the interviews of those candidates that are picked for interviews. Commissioner Zabrocki said he felt the same and would not be in favor of having the interviews in front of the whole Board which would require publishing, etc.

Commissioner Hain said she would prefer involvement with all Commissioners. Ahmic said she would not be in favor of a public meeting and suggested having a meeting with two groups made up of HR staff and two Commissioners and having the candidate in front of each group for 30 minutes. The decision was to have each candidate interviewed by one group consisting of the HR Director and two Commissioners, and the other group consisting of the Asst. HR Director and two different Commissioners. Knutson will start to schedule the interviews immediately.

The Commissioners then discussed the "Audio Recordings on the County Website" item on the agenda. Commissioner Culver led discussion and said the consensus last week was that the way the motion was interpreted stated voice recordings shall be added to the county website for a period of 4 weeks. Barb Armstead, Deputy County Attorney said at previous meetings, when a motion is confusing or ambiguous, the context of the discussion should be considered. In this case, she felt the discussion was that the audio recordings should be on the website for one month *at a time*. After Culver made his statement, she said it was inconsistent with her legal opinion. Zabrocki stated he voted for the motion as stated. Hain said she has spent a lot of time on this subject. She said the motion was made April 25 and passed unanimously and ceased on July 11, 2023. She contacted Armstead for assistance with motion context. She offered to record meetings, as a Commissioner, to help relieve the undue burden on the Clerk's Office. She also said that she felt there is a duty to represent her constituents and provide the needs to the public.

Commissioner Culver stated there were many hours spent on this issue. He stated Hain could post it on her personal Facebook page. Armstead stated that her legal opinion was that the context of the motion was that the Commissioners meetings audio recordings would each be posted for a month and then it would drop off so there is a rotation of recordings. So that is why she felt the context means different than how the motion was stated. Zabrocki stated he is not opposed, but he wants to see it done correctly and with the right equipment and the right storage. Hain stated the microphone she purchased was a minimal expense and the cost would not be exorbitant. She also said she would donate the microphone. Ahmic said she was not in favor of having the Clerk's Office do extra work and she did not get any emails wanting the audio recording. Culver said he also did not get any emails from a constituent wanting this. Ahmic stated she did not feel it was in the best interest of the County Clerk's Office to spend time making sure the minutes match exactly with the audio recording.

Jason Schaefer, Danna Seevers, Kirk Hain and Tim Huntington spoke in favor of having audio recordings on the website.

Schweitzer commented that the minutes are posted on the county website soon after the meeting and that nobody has requested to have the audio recordings on the website.

Moved by Hain to upload the county commissioner audio recordings to the county website and that each audio recording be listed on the website for a minimum of one month.

Motion died for lack of a second.

The Commissioners then discussed recording meetings in the future.

Moved by Schmieding and seconded by Zabrocki to accept the Clerk of the District Court Fee Report for October 2023 in the amount of \$2,322.41.

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

Ahmic led discussion on the adding of a vehicle to the Seward County fleet for officials of the various offices to use for going to meetings, etc. She said there have been many instances where officials have wanted to use a vehicle, but one was not available. She said the two current vehicles are being used quite a bit by the bailiff and Public Transit, which is fine, but then other officials have to use their own vehicles. After discussion, it

was suggested that the county could use another SUV that is mid-size. Commissioner Ahmic will search for a vehicle and bring back ideas for the Board to consider.

The Commissioners discussed recommitting to Nebraska Intergovernmental Risk Management Association (NIRMA) for liability and workers compensation insurance.

Moved by Zabrocki and seconded by Hain to adopt Resolution No. 3786 in regard to recommitting to Nebraska Intergovernmental Risk Management Association (NIRMA) for liability and workers compensation insurance for a 3-year term.

RESOLUTION 3786
FOR AMENDMENT AND ADDENDUM TO
NIRMA/NIRMA II INTERGOVERNMENTAL/INTERLOCAL AGREEMENTS

WHEREAS, Seward County has previously entered into Intergovernmental/Interlocal Agreements with various other Nebraska Counties and other public agencies to form and participate in the Nebraska Intergovernmental Risk Management Association (NIRMA) and the Nebraska Intergovernmental Risk Management Association II (NIRMA II) as authorized by the Intergovernmental Risk Management Act (Neb. Rev. Stat. §44-4301 et seq.) and the Nebraska Interlocal Cooperation Act (Neb. Rev. Stat. §13-801 et seq.); and

WHEREAS, Counties and other Public Agencies as defined in Neb. Rev. Stat. §44-4303 are allowed to participate in said cooperative undertakings; and

WHEREAS, the Legislature has found that proper risk management requires the spreading of risk so as to minimize fluctuation in insurance needs and that benefits can be derived through the pooling of insurance purchasing by local government, and

WHEREAS, NIRMA and NIRMA II have provided coverages to the County in a cost effective way which meet and exceed that provided by standard insurance carriers; and

WHEREAS, NIRMA and NIRMA II provide risk management services such as loss prevention, safety audits and assessments, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from the sources; and

WHEREAS, these coverages and risk management services are essential for the continued effective and efficient use of county taxpayer dollars; and

WHEREAS, the current Intergovernmental/Interlocal Agreements will expire on June 30, 2024, and

NOW, THEREFORE, BE IT RESOLVED that the Seward County Board hereby:

1. Extends its commitment to participate in NIRMA and NIRMA II for the period July 1, 2024 through June 30, 2027; and
2. Declares that this Resolution shall serve as an amendment and addendum to the previous Intergovernmental/Interlocal Agreements entered into by the County Board, said Intergovernmental/Interlocal Agreements readopted by and incorporated herein by this reference as amended.

