

November 16, 2021

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 November 16, 2021 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 16, 2021 at 9:00 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Bob Vrbka, 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.

Terry Wicht, Highway Supt., and Sherry Schweitzer, County Clerk, updated the Commissioners on activities of their offices.

Moved by Vrbka and seconded by Zabrocki to approve the minutes of November 9, 2021.

Affirmative Vote: Vrbka, Zabrocki, Ahmic, Culver

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

Commissioners Reports:

Commissioner Ahmic reported she attended the Seward County Chamber & Development Partnership meeting, did work on the premium pay proposal using ARPA funds, and worked with Aging Services information.

Commissioner Vrbka reported he corresponded with the Village of Cordova in regard to ARPA funds and received calls on roads.

Commissioner Culver reported he worked with the Village of Garland on ARPA funds, attended the Planning & Zoning meeting, and received various correspondences.

Commissioner Schmieding reported he attended the Extension Board meeting and will go to a Visitors Committee meeting and Chamber luncheon.

Commissioner Zabrocki reported he has attended interviews for the E911 Director and continues to help at the 911 Center, attended a Visitors Committee meeting, attended a meeting with City of Seward representatives in regard to a handicapped parking stall around the courthouse, the East Seward Project and E911 Director position.

Andrew Penry, Deputy County Public Defender, was present to ask the Board to increase his wage until a new Public Defender is hired. Seward County has been without a Public Defender for quite some time and Penry has been doing the job as Public Defender while the position is vacant. Barb Armstead, Deputy County Attorney, suggested appointing him Interim Public Defender.

Moved by Zabrocki and seconded by Ahmic to appoint the current Deputy Public Defender, Andrew Penry, as Interim Public Defender with the wage of the Public Defender effective September 7, 2021.

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

The Board discussed the National Opioid Settlement. Armstead stated she suggested accepting the national settlement. If Seward County did not go with the national settlement, the County would have to file suit.

Moved by Ahmic and seconded by Zabrocki to participate in the National Opioid Settlement.

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

Moved by Ahmic and seconded by Zabrocki to allow Barb Armstead, Deputy County Attorney, to be the authorized signer for the National Opioid Settlement Agreements for Seward County.

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

Moved by Vrbka and seconded by Zabrocki to contribute Seward County's direct share of the National Opioid Settlement to Nebraska's Opioid Recovery Fund for use within our Behavior Health Region.

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

Laura McDougall, Executive Director for the Four Corners Health District, was present to ask that a Dentist be approved for the Four Corners Health District Board. The current dentist member has resigned and according to statues, there needs to be a dentist member on the Board. She recommended Dr. Elizabeth Papineau and gave information about her. Also attending and giving information was the President of the Four Corners Health District Board, Margaret Brink.

Moved by Vrbka and seconded by Ahmic to appoint Dr. Elizabeth Papineau as the Dentist member on the Four Corners Health Dept.

Affirmative Vote: Vrbka, Ahmic, Schmieding

Voting no: Zabrocki, Culver

Motion Carried

Becky Paulsen, Weed/Zoning Administrator, presented two resolutions for the Commissioners' consideration.

Moved by Vrbka and seconded by Ahmic to adopt Resolution No. 3644 in regard to the approval of the Revocation of the Anderson-Foltz Subdivision in Precinct N in the SW ¼ of Section 17 Township 9 North, Range 2 East of the 6th p.m.

**RESOLUTION NO 3644 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Owner Blaine Anderson has applied for a Revocation to VACATE the ANDERSON-FOLTZ SUBDIVISION Short Form Plat, described as a tract of land in the Southwest ¼ of Section 17, Township 9N, Range 2E, Seward County, Nebraska, and

WHEREAS The Seward County Planning Commission held a meeting on October 18th, 2021, to consider the Revocation of the ANDERSON-FOLTZ SUBDIVISION Short Form Plat, and

WHEREAS the Planning Commission recommended approval of the Revocation to VACATE the ANDERSON-FOLTZ SUBDIVISION Short Form Plat with a vote of 6 For, 0 against, and 2 Absent and Not Voting, and

WHEREAS X No one appeared to oppose the subdivision

 Individuals appeared to oppose the subdivision

X No one appeared to support the subdivision
 Individuals appeared to support the subdivision
 Individuals appeared without commitment, and

THEREFORE, BE IT RESOLVED that the Seward County Board of Commissioners do hereby X , Deny the Revocation of the ANDERSON-FOLTZ Subdivision Short Form Plat with Resolution NO: 3644.

Moved by: Vrbka Seconded by: Ahmic 11/16/2021
Ayes: Darrell J. Zabrocki, Robert Vrbka, Misty Ahmic, Ken Schmieding
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

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

The Commissioners also considered changing the fees for the Zoning Dept.

Moved by Zabrocki and seconded by Vrbka to adopt Resolution No. 3645 in regard to amending the Seward County Zoning Fees.

**RESOLUTION NO 3645 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Fees for Zoning Administration have been deleted from Section 16 of the Seward County Zoning Regulation, and

WHEREAS Seward County Board of Commissioners desires to adopt a fee structure to support Zoning Administration, and

WHEREAS the schedule of fees contained herein shall be titled and referred to as 'Schedule of Zoning Fees-2021'.

All Non-farm Buildings & Structures, 64 square foot or more	
Zoning Permit for new Homes	\$ 75.00
Zoning Development Permit	\$ 75.00
Zoning Accessory Permit	\$ 75.00
Conditional Use Permit	\$ 600.00
Sign Permit	\$ 75.00
Short Form Plat Application	\$ 300.00
Kennel Permit	\$ 75.00
Variance Permit	\$ 600.00
Rezone	\$ 600.00
Application to the Board of Adjustment	\$ 600.00
Replat/Vacate	\$ 600.00
Conditional Use Permit-Wireless	\$2000.00
Communications Tower Development Permit	\$1000.00
Wireless upgrade or equipment add on existing structure	\$ 600.00

WHEREAS non-farm buildings and structures are any building except those buildings utilized for agriculture purposes on a farmstead of twenty acres or more which produces one thousand dollars or more of farm products each year.

WHEREAS the schedule of fees is established as: Schedule of Zoning Fees-2021. All Seward County Fees are non-refundable.

WHEREAS Changes to the 'Schedule of Zoning Fees-2021' may be amended upon request of the Seward County Zoning Administrator, or the Seward County Board of Commissioners may amend upon its own motion; The County Board may request a recommendation on any proposed change, from the Planning Commission prior to adoption of said revisions, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby approve Resolution NO 3645.

Moved by: Zabrocki Seconded by: Vrbka 11/16/2021
Ayes: Darrell J. Zabrocki, Robert Vrbka, Misty Ahmic, Ken Schmieding,
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

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

The Commissioners discussed the cost for the Commissioners room project involving audio and visual equipment which will be paid with American Rescue Plan Act (ARPA) funds. The purchase of the "Owl" for the audio portion of the project was at a lower price when considering the costs. The total price approved was \$6,848.00 and now the price for the equipment is \$6,998.00.

Moved by Ahmic and seconded by Vrbka to amend the prior motion for the disbursement of ARPA funds for the Commissioner Room Audio/Visual Project from \$6,848.00 to \$6,998.00.

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

The Commissioners recessed at 9:58 a.m.
The Commissioners re-convened at 10:00 a.m.

Kathy Ruzicka, Seward County Aging Services Director, was present to request the signing of a Subaward Agreement with the City of Lincoln for Aging Services.

Moved by Vrbka and seconded by Zabrocki to authorize the Chairman to sign the Subaward with the City of Lincoln for Aging Services.

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

The Commissioners discussed the proposed application for ARPA funds. Commissioner Ahmic made a template for the requested information that will be required in order to consider a request for funds. All Commissioners suggested changes and those entities that will ask for funds will be asked to complete it. It will also be on the County's website.

Eric Hofer, Building and Grounds Supt., was present to ask for permission to purchase a pickup. Prior, he asked for permission to purchase a pickup and was granted permission. After contacting the dealership about it, they informed him that they were no longer taking orders for government entities. He now received three quotes for a new pickup from local dealerships.

Moved by Schmieding and seconded by Zabrocki to accept the quote from Herpolsheimer's for \$42,500.00 for a 2022 Ram 2500 pickup for the Buildings and Grounds Department.

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

The Commissioners discussed the agreements for the Cities of Milford and Seward which had ARPA funds previously obligated from the Seward County.

Moved by Ahmic and seconded by Zabrocki to approve the agreements for ARPA funds for the City of Milford and City of Seward.

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

The Commissioners discussed any updates for ARPA funds. Commissioner Culver stated he had two villages request funds and so the application will be submitted to them. Commissioner Ahmic reported on a project involving premium pay for Seward County residents such as Volunteer Fire Depts., Nursing Home Staff, Home Health Care Workers, Meal/Food Delivery Services, and Behavioral Health Services. She has done extensive research on the issue and has met with a few of the Fire Department Chiefs in Seward County in regard to the issue. The Commissioners will consider this again next week.

Known items on the agenda for Board of Commissioners on November 19, 2021 are as follows:

8:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Approve claims through the period of Nov. 12, 2021

Known items on the agenda for Board of Equalization on November 23, 2021 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of November 9, 2021
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on November 23, 2021 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of November 16, 2021
4. Discuss/Action – Approve minutes of November 19, 2021

Other Business Matters to Address When Time Allows

5. Discuss/Action - Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Res. – Set New Commissioner Districts due to the 2020 Census
8. Discuss/Action – Disbursement of American Rescue Plan Act (ARPA) Funds
9. Discuss/Action – Agenda for November 30, 2021

9:15 a.m. Discuss/Action – Appoint Planning Commission Member

Moved by Vrbka and seconded by Zabrocki to adjourn at 10:41 a.m.

Affirmative Vote: Vrbka, Zabrocki, Ahmic, Schmieding, 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 23rd day of November 2021.

County Clerk

Chairperson