

October 27, 2020

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 October 27, 2020 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 October 27, 2020 at 8:30 a.m.

Present: Chairperson: John Culver
Members: 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 Schmieding to approve the minutes of October 13, 2020.
Affirmative Vote: Paulsen, Schmieding, Vrbka, Culver Motion Carried

Moved by Vrbka and seconded by Schmieding to approve Tax List Corrections 180-19P and 318-19R.
Affirmative Vote: Vrbka, Schmieding, Paulsen, Culver Motion Carried

Moved by Vrbka and seconded by Paulsen to approve the County Board of Equalization Change of Value notices as listed below:

27-Oct-20		2020 CBOE Change of Valuation Notices		
Years	Parcel #	Name	Legal Description	Reason
2020	800218159	Mountain Tower & Land	25-10-3-Cell Strinz Subdiv in N 1/2	Omitted equip,bldng,fence,concrete
2020	800218574	Mountain Tower & Land	5-10-1-Viaero subd in NE 1/4 NW 1/4	Omitted equip,bldng,fence,concrete
2020	800226445	Mountain Tower & Land	Sew Evang Free Ch Add Lot A Admin. Replat of Lot 6	Omitted equip bldng,fence,concrete & Correct land value for all

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

Hladky updated the Commissioners on activities of her office.

Known items on the agenda for Board of Equalization on November 10, 2020 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of October 27, 2020
4. Discuss/Action – Assessor Information Update

Moved by Schmieding and seconded by Vrbka to adjourn at 10:45 a.m.

Affirmative Vote: Schmieding, Vrbka, Paulsen, 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 November 10, 2020

County Clerk

Chairperson

October 27, 2020 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 October 27, 2020 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 October 27, 2020 at 9:00 a.m.

Present: Chairperson: John Culver
Members: 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 Paulsen and seconded by Schmieding to approve the minutes of October 20, 2020.
Affirmative Vote: Paulsen, Schmieding, Vrbka, Culver Motion Carried

Moved by Schmieding and seconded by Vrbka to approve the claims through October 16, 2020 as listed below:

SEWARD COUNTY CLAIMS THROUGH OCTOBER 16, 2020					
ADP LLC	SE	\$2,495.70	NEBR RURAL RADIO ASSOC	SE	\$350.00
ADVANCED CORRECTL HLTH	SE	\$331.20	NEBRASKA INTERACTIVE	SE	\$8.00
ADVANCED OFFICE AUTOM	SU	\$127.46	NORRIS PUB POW DIST	UT	\$592.83
AGING SERVS FUND	FE	\$30,375.00	OREILLY AUTOMOTIVE	SU	\$39.21
AMERITAS LIFE INS	FE	\$17,787.13	PAC N SAVE	SU	\$354.77
BAUER BUILT INC	SE	\$1,488.23	PAPER TIGER SHRED	SE	\$161.00
BLACK HILLS ENERGY	UT	\$777.97	PETTY CASH FUND	FE	\$156.57
BLUE VALLEY BEHAV HLTH	SE	\$292.50	POTTER REPAIR	SE	\$660.35
BLUESTEM NETWORK	UT	\$110.00	QUADIENT, INC	SE	\$1,174.80
BUTLER CO LANDFILL	SE	\$273.78	RADAR SHOP INC	EQ	\$936.00
CAPITAL BUSINESS SYS	SU	\$13.34	RAY ALLEN MFG	SE	\$280.89
CATERPILLAR FINANCIAL	EQ	\$56,149.73	SACK LUMBER	SU	\$319.48
CENTRAL SAND & GRAVEL	SU	\$60,298.42	SEILER INSTRUMENT	EQ	\$6,350.00
CENTRAL STATES HYDRAUL	SE	\$824.52	SEWARD AGING SERV	SE	\$1,921.10
CHILD HOSP & MED CENT	SE	\$100.00	SEWARD CO CHAMBER	FE	\$1,000.00
CLERK OF THE DIST COURT	SE	\$450.00	SEW CO HLTH CLM FUND	FE	\$39,842.33
CONNER PSYCH SERV	SE	\$365.00	SEW CO INDEPENDENT	SE	\$541.15
GREGORY C. DAMMAN	SE	\$1,283.50	SEWARD CO SHERIFF	SE	\$33.73
DOUGLAS CO SHERIFF	SE	\$20.21	SEW CO SINKING FND	FE	\$20,000.00

EAKES OFFICE PLUS	SU	\$279.64	SHINETECH SOFTWARE	EQ	\$6,364.00
ELECTION SYS & SFTWR	SU	\$10,774.15	SID DILLON	SE	\$1,195.16
EQUIFAX WORKFORCE	SE	\$90.45	SITE ONE LANDSCAPE	SE	\$108.21
KEARNEY HOSPITALITY	SE	\$314.85	SOARIN GROUP	SE	\$7,446.00
FARMERS COOP	SU	\$1,021.97	ST OF NE DAS STATE ACCTNG	FE	\$650.00
FASTENAL CO	SU	\$182.89	SUMMIT FOOD SERVICE	SE	\$2,182.96
FEDEX	SE	\$89.16	THE HOME DEPOT PRO	SU	\$208.84
FIRST WIRELESS	UT	\$430.00	THOMSON REUTERS-WEST	SE	\$317.81
FOXSTER OPCO	EQ	\$31,765.00	TIME WARNER CABLE	UT	\$346.74
G & P DEVELOP LANDFILL	SE	\$15.30	TWIN RIVERS HLTH CARE	SE	\$30.00
CHAD GERDIN	SE	\$275.00	UNL PRINT AND COPY SERV	SU	\$27.81
GREAT PLAINS COMM	UT	\$628.95	UPS	SE	\$8.80
HELMINK PRINTING	SU	\$619.00	UTICA AGING SERVICE	SE	\$1,661.70
KEARNEY INVESTMENT	SE	\$269.85	VERIZON CONNECT NWF	UT	\$834.15
HOMETOWN LEASING	FE	\$171.78	VERIZON WIRELESS	UT	\$1,037.86
HOTSY EQUIPMENT CO	EQ	\$541.43	VIRTUAL IMPRESSIONS	SE	\$20.00
INDOFF INC	SU	\$374.97	VISA	FE	\$4,786.05
JOHNSON SAND & GRAVEL	SU	\$30,418.35	WATCH GUARD VIDEO	SE	\$304.95
JONES BANK (FICA)	FE	\$19,785.63	WHITNEY,NEWMAN...	SE	\$456.00
KACH 510 INVESTMENTS	FE	\$2,500.00	WINDSTREAM	UT	\$10,282.07
LA QUINTA INN & SUITES	TR	\$617.70	SALARIES		\$259,152.20
LANCASTER CO SHERIFF	SE	\$37.22	GROSS SALARIES INCLUDE DEDUCTIONS TO:		
MEMORIAL CLINIC	SE	\$34.00	COLONIAL SUPPLEMENTAL INSURANCE		
MILFORD AGING SERV	SE	\$1,765.00	MID AMERICAN CO WISCONSIN		
MILLER SEED & SUPPLY	SU	\$700.00	DELTA DENTAL		
NE HHS SYSTEMS	SE	\$90.00	VSP VISION		
			WADDELL & REED		

Affirmative Vote: Schmieding, Vrbka, Paulsen, Culver

Motion Carried

Schweitzer updated the Commissioners on activities of her office.

Commissioners Reports:

Commissioner Vrbka reported he checked on roads and reported information to County Officials.

Commissioner Culver reported he attended a Blue Valley Community Action meeting via Zoom, helped with a personnel matter, checked on 2 cemeteries, and will have a Seward Saline Solid Waste meeting this coming week.

Commissioner Schmieding reported he attended a Visitors Committee meeting, a Farmers Appreciation event and the 4th of July Committee meeting during the week.

Commissioner Paulsen had no report.

Sheriff Vance was present to update the Commissioners on the Task Force. He stated that the lease for the building is being worked on; and the spare generator from the Road Dept. is being serviced and will be able to be hooked up to the building the Task Force will be working out of. He will be adding a member to the Task Force and so he will "back-fill" that position with a new employee in his office. The counties of Johnson, Otoe and Fillmore will be joining the Task Force but their members will not be working in Seward County. Remodeling of offices and installing of cameras are being done, with the Drug Fund paying all costs. He also reported that Homeland Security has asked that a member of his department travel and give information about a traffic stop which netted \$1.9 million, with costs to be paid by Homeland Security.

Moved by Vrbka and seconded by Paulsen to go into Executive Session to discussion potential litigation at 9:36 a.m.

Affirmative Vote: Vrbka, Paulsen, Schmieding, Culver

Motion Carried

The Chairman reiterated that the Executive Session is to discuss Potential Litigation.

Moved by Paulsen and seconded by Schmieding to go out of Executive Session at 9:48 a.m.

Affirmative Vote: Paulsen, Schmieding, Vrbka, Culver

Motion Carried

Chairman Culver stated that no action was taken during Executive Session.

Moved by Vrbka and seconded by Schmieding to authorize the Chairman to sign a Settlement and General Release Agreement between the County of Seward and Denise R. Janssen.

Affirmative Vote: Vrbka, Schmieding, Paulsen, Culver

Motion Carried

Moved by Vrbka and seconded by Schmieding to authorize the Chairman sign the Pre-Determination Settlement between the Nebraska Equal Opportunity Commission and Denise R. Janssen, Complainant, and Seward County, Respondent.

Affirmative Vote: Vrbka, Schmieding, Paulsen, Culver

Motion Carried

Brea Ehmen, HR Director, presented changes to current personnel policies that she is requesting to be approved. She gave information on the language she suggested for each policy.

Moved by Vrbka and seconded by Schmieding to approve the following policies:

BEREAVEMENT LEAVE

REVISED: 10/2020

Seward County recognizes that time off from work may be necessary due to a death of a family member. This includes family as defined below. Bereavement pay will be paid time and will not require an employee to use vacation or sick leave. Bereavement leave is only allocated and paid days that the employee is/was scheduled to work.

All full-time Seward County employees will be eligible for up to 40 hours leave with pay upon the death of an family member defined as: a spouse, domestic partner, parent, stepparent, parents-in-law, sibling, stepsibling, child, or stepchild. Funeral leave will need approval of the department head. Employees with a part-time status (half-time or more) will be eligible for up to 20 hours of leave with pay for the death of an immediate family member as defined above.

All full-time Seward County employees will be eligible for up to 24 hours leave with pay upon the death of a family member defined as: a grandparent, grandparent-in-law, brother/sister-in-law, son/daughter-in-law, or grandchild. Funeral leave will need approval of the department head. Employees with a part-time status (half-time or more) will be eligible for up to 10 hours of leave with pay for the death of a family member listed above.

All full-time and part-time (scheduled 20 hours or more) Seward County employees will be eligible for up to 8 hours of leave with pay upon the death of an employee's extended family member, with the approval of the department head. An extended family member is an aunt, uncle, or cousin.

Funerals that fall on holidays or regularly scheduled days off are not eligible for paid funeral leave. Bereavement leave is paid based on the employee's base rate at the time of the absence. Time off for bereavement leave will not be considered hours worked for purposes of performing overtime calculation.

Bereavement leave requests will be considered on a case-by-case basis by the employee's supervisor and Human Resources as to assure the absence would not significantly impact normal operations. Each request would follow the guidelines listed above. Seward County reserves the right to require verification of the need for leave.

If additional time off due to the death of an immediate family member is needed, an employee may request the use of vacation leave, comp time, or an unpaid leave of absence (if benefits are exhausted). The department head will do its best to accommodate the employee's request on a case-by-case basis. In some circumstances, FMLA guidelines may apply.

In the event that the death of a family member occurs while utilizing vacation or comp time, the employee should notify their immediate supervisor. The supervisor and/or department head will be authorized to grant bereavement leave consistent with the above guidelines in place of the scheduled vacation or comp hours.

PERSONNEL RECORDS

REVISED: 10/2020

Your personnel file contains important information such as your application, job description, and other such records and acknowledgements. It also includes your performance evaluation reports, warnings or other disciplinary notices, as well as your salary history. Personnel records are the property of Seward County and no information can be removed from the personnel records by any person including the employee for whom the file is kept. Such conduct will result in severe disciplinary or corrective action.

Information pertaining to benefits, FMLA, I-9 form, medical documentation, and background checks will be maintained in confidential files that are separate from the employee's personnel file. Only Human Resources has access to these files.

Personnel records are confidential. Only you, your supervisor, Department Head, Human Resources, and County Commissioners have access to them. You may view your personnel file upon written request. Personnel files will be viewed in the presence of a Human Resources representative. Personnel files may not leave the Human Resources department.

Requests for viewing of personnel files by current employees, past employees and supervisors/department heads will be reasonably accommodated. Requests for copies after review of a file shall be kept to the minimum need as to best control cost and labor. At the discretion of the Human Resources Director, copies of personnel file records of more than 75 pages will result in incurred charges of \$0.25 per additional page for the cost of paper and labor.

Past employees will be able to access their personnel file, upon written request, for up to 4 years after termination.

SEPARATION FROM EMPLOYMENT

REVISED: 10/2020

At any time, an employee has the right to terminate employment with the County, for any reason or for no reason, and Seward County retains the same right to terminate an employee for any lawful reason, as we are an "at-will" employer.

It shall be the responsibility of the County or the employee, as applicable, to provide notice of termination of employment as indicated below. Reasonable notice is necessary to minimize disruption of County service.

Reduction in Force

An employee may be laid off because of a reduction in required personnel, reorganization of a Department or Seward County function, a decrease in workload, or a lack of funds. Whenever

possible, employees who are to be laid off in one department shall be integrated into another department by transfer.

This policy applies to all employees who have successfully passed their initial introductory period with Seward County. Employees who have not completed their introductory period are generally the lesser senior with regards to their tenure with Seward County and will be first to be laid off.

For those employees who have completed their introductory period with Seward County, the following procedure, including, but not limited to the factors herein, will be utilized when a layoff is necessary:

1. The Department Head will determine how many employees are to be laid off from their department.
2. The Department Head will determine which employees will be laid off from their department based upon each employee's job duties, or multiple job duties recently currently being performed by the employee. This includes:
 - a) skill levels, work record and abilities of the employee
 - b) seniority and length of service
 - c) performance appraisal of employee, including recent or pending disciplinary actions of the employee
3. The Department Head will determine those employees who are in critical jobs, which are exempted from this procedure. A critical job is defined as one, which requires special skills, education, training or specialized knowledge.
4. The Department Head will review any lay-off determination with the County Commissioners prior to issuing formal notice to affected employees.
5. The employment policies and staffing needs of the department, together with contracts, ordinances and statutes related thereto;
6. Required federal, state, or local certificates or licenses.

Seward County will endeavor to give two (2) weeks' notice of a layoff. Formal written notice of the layoff will be issued by the Department Head and will contain the following information:

1. Notice of the last day to be worked.
2. Benefit coverage and date of expiration.
3. Reason for the layoff and anticipated length of the layoff.

Notices will be personally given to the affected employees by the Department Head and their immediate supervisor or will be sent to their last known address by certified mail.

Resignation and Retirement

An employee, who desires to resign or retire from his/her position with Seward County in good standing, shall provide a written resignation, at least two weeks prior to the effective date to his/her Department Head, County Commissioners or appropriate authority stating the effective date of their resignation or retirement.

If you cease working for the county on or after age 55, you are considered "retired" for plan and policy purposes.

Exiting employment without giving two-week notice will generally result in ineligibility for rehire. The County Board may approve exceptions to this policy on a case-by-case basis, as recommended by the Department Head. Resignations will be effective at the end of the shift on the final day the employee is working for Seward County, as indicated in the resignation notice.

If an employee's decision to terminate employment is based on a situation that could be corrected, the employee is encouraged to discuss it with his/her department head or the Human Resource Director before making their decision.

Employees resigning must repay any salary received for sick leave drawn in excess of their total allowed accumulation. This repayment will be adjusted on their final paycheck.

At the discretion of the supervisor, new requests for vacation leave and compensatory time may be allowed during the two-week notice period. A request is not guaranteed to be granted if doing so is not in the best interest of the department staffing needs or workload. Only under extreme circumstances will vacation leave and compensatory time be allowed on the last day of active service. Pre-approved time off submitted prior to giving notice will generally be granted, unless circumstances would not allow. Compensation for earned and accrued vacation leave and compensatory time will be awarded to the employee on their final paycheck. This includes existing paid time banks and compensatory time banks for employees who had changed from full-time employment to part-time employment had ceased accruing benefits. Vacation and comp banks for employees who have since become an elected official will also be paid out upon resignation from the county, or election of another official leading to termination of employment with the county.

During an employee's two-week notice of resignation or retirement, any absence related to sickness for more than two days (consecutive or non-consecutive) must be supported by a physician's note documenting their sickness and need to be absent. Further absences, beyond two days (consecutive or non-consecutive) not supported with a physician's note may be supplemented with pay utilizing comp time, vacation time, or unpaid leave if requested. Sick time that is found to be fraudulently requested by an employee during an employee's two-week notice could be grounds for ineligibility for rehire, and may result in unpaid sick leave. Absences or sickness covered by such legal protection via law or statute (i.e. FFCRA, FMLA) or was approved sick leave prior to giving notice for a healthcare-related appointment will be exceptions to this policy.

For employees leaving voluntarily, an Exit Interview will be arranged on or prior to the employee's last day of active service. Exit interviews shall be conducted in person or can be mailed to the employee with a return envelope if the employee prefers. Exit interviews are confidential and shall be viewed only by Human Resources.

The employee will turn in all Seward County uniforms, equipment, key cards, ID badges, and materials issued during their employment on or before the last working day of their employment.

SOLICITATION REVISED 10/2020

Solicitation and distribution of literature or sale of items for charitable purposes or other reasons shall be allowed among or by County employees or non-employees during working hours and in working areas, unless such request is approved in advance by the County Commissioners. "*Working hours*" are any time during which an employee is expected to carry out their job duties. This definition excludes meal or rest breaks

Solicitation is any form of requesting money, support or participation for products, groups, organizations or causes which are unrelated to our company. These include but are not limited to:

- Seeking funds or donations for a non-profit organization
- Asking for signatures for a petition
- Selling merchandise or service
- Requesting support or funding for a political candidates or campaigns
- Engaging in religious proselytism
- Selling goods for personal profit.
- Unauthorized posting of non-work-related material on company bulletin boards.
- Solicitation or distribution of non-business literature towards customers, partners, and vendors.
- Proselytizing others to groups or initiatives that violate non-discrimination and equal opportunity policies

Non-employees are likewise prohibited from distributing material or soliciting employees on the County's premises that are not open to the general public at any time.

Violations of such prohibited activity may result in discipline, up to and including termination.

PEDDLING

REVISED 10/2020

Violations of such prohibited activity may result in discipline, up to and including termination.

Peddling is the act of engaging in the illegal, illicit sale of drugs or stolen items. Peddling is strictly prohibited and not allowed at any time.

Violations of such prohibited activity may result in discipline, up to and including termination.

SMOKE-FREE WORKPLACE

REVISED: 10/2020

Smoking, including the use of electronic cigarettes by the public and County employees shall be prohibited in all Seward County buildings and Seward County vehicles. Smoking in outdoor areas shall not be done within 10 feet of any public entrance or exit to a Seward County building.

POLITICAL ACTIVITY

REVISED: 10/2020

No employee shall be prohibited from participating in political activities except during office hours or when otherwise engaged in the performance of his or her official duties. No employee shall engage in any political activity while wearing a uniform required by the County. Employees wishing to take part in political activities (other than voting exception below) during normal scheduled work hours must use vacation, comp time, or leave without pay (if no benefits available) to cover this period of absence.

All employees have the right of protection from political coercion of any type from any person. Employees may not be interrupted while on duty by political activities unless a safety concern exists. All employees have the right to vote as they choose and to express their opinions in an appropriately respectful and a non-disruptive manner on political subjects and candidates.

Voting

Most polling facilities for elections for public office have hours that are scheduled to accommodate working voters. Seward County, therefore, requests that employees schedule their voting for before or after their work shifts. Any registered voter who does not have two consecutive hours in the period of time between the opening and closing of polls shall be entitled on election day to be absent from employment for a period of up to two consecutive hours between the time of the opening and closing of polls. If the registered voter requests such leave prior to or on election day, the registered voter shall not be liable for any penalty or deduction in salary or wages. The employer may specify or schedule the hours during which the employee may be absent from their scheduled shift.

UNLAWFUL HARASSMENT

REVISED: 10/2020

Policy Statement. It is the policy of Seward County ("County") that all employees, including elected officials, shall treat their peers with respect. All County Employees are entitled to a workplace free of discrimination and harassment. Harassment in the workplace is a form of discrimination and is prohibited by state and federal law. All harassment complaints will be taken seriously and will be investigated appropriately. Corrective action will be taken as warranted. This policy applies to all County employees and elected officials, as well as members of the public, contractors, customers or other persons conducting business with the County or on County owned or leased property.

1. Definitions

Discrimination: Discrimination shall be defined as differential treatment on the basis of race, color, religion, sex, national origin, age, disability, medical condition, veteran status, citizenship, sexual orientation, gender identification, marital status, genetic information, or any characteristic protected by state or federal law. Sex-based Discrimination involves treating someone of either sex unfavorably in any aspect of employment due to that person's sex. Sex-based discrimination includes discrimination on the basis of pregnancy, gender identity, or sexual orientation.

Harassment: a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, religion, sex, national origin, age, disability or genetic information. Harassment becomes unlawful where (i) enduring the offensive conduct becomes a condition of continued employment, or (ii) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive. The complaining party may be anyone affected by the conduct of another and need not be the person to whom the conduct was addressed. Harassment includes, but is not limited to, conduct that is offensive, derogatory or shows hostility toward an employee due to race, color, religion, sex, national origin, age, disability, medical condition, veteran status, citizenship, sexual orientation, gender identification, marital status or any other characteristic protected by state or federal law. Petty slights, annoyances, and isolated incidents will generally not rise to the level of illegality. Some examples of such conduct violations include, but are not limited to: verbal harassment or abuse, posting or distributing derogatory bulletins, pictures, or cartoons, or offensive language, characterizations, or humor.

Sexual Harassment: a form of harassment that includes harassment on the basis of sex, or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. It shall include making unwelcome sexual advances, requesting sexual favors, and engaging in other verbal or physical conduct of a sexual nature if (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Examples of such conduct violations include, but are not limited to: or innuendos of sexual nature, physical contact such as patting, pinching or hugging, unwelcomed materials or photographs of a sexual nature in the workplace, and sexual comments of a provocative or suggestive nature.

2. Discrimination and Harassment Prohibited

Any conduct which constitutes discrimination or harassment in the workplace or which contributes to the existence of a hostile working environment is prohibited. Any County employee who engages in such conduct shall be subject to disciplinary action including, but not limited to, suspension, demotion, or termination of employment.

Discrimination and harassment are not limited to the workplace itself. Either can occur

while on business travel, at business-sponsored events, or away from the workplace during non-work hours. Telephone calls, text messages, emails, and social media usage by employees can also constitute unlawful workplace harassment.

3. Reporting.

Individuals who believe they have experienced or witnessed discrimination, harassment, or related retaliation should report it to his/her supervisor or Department Head immediately. Individuals who do not feel comfortable reporting harassment to their supervisors or Department Head should report the discrimination, harassment or related retaliation to the Human Resources Director and County Legal Counsel. Complaints may be either written or verbal.

Allegations of discrimination, harassment, or related retaliation shall be investigated and dealt with in a fair, unbiased, and timely manner. If the complaint is found to be invalid, all involved parties will be so notified. If the complaint is found to have merit, corrective action will be implemented. Such action shall include, but is not limited to, eliminating any prohibited conduct or conditions and imposing appropriate disciplinary sanctions. Sanctions are action up to and including suspension, demotion, or termination of employment.

Duty to Report. Supervisors and administrators who knowingly condone, fail to report, or fail to take action to remedy incidents of harassment or retaliation may themselves be subject to discipline.

4. Confidentiality. Confidentiality is required so individuals feel free to come forward and so that reputations may be protected. Confidentiality is important to the fair investigation of a harassment complaint and all parties to the complaint are encouraged to maintain confidentiality at all times.

However, complete confidentiality cannot be guaranteed in all instances. In order to conduct an effective investigation and, when necessary, to impose appropriate sanctions, it may be necessary to reveal information regarding the complaint to the alleged harasser and potential witnesses. Appropriate supervisors will be informed about the progress of the complaint and/or investigation strictly on a need-to-know basis.

RETALIATION

Any retaliation in the form of adverse action against any employee because he/she files a complaint under this policy, cooperates with any investigation, or otherwise pursues his/her legal rights is unlawful and will not be tolerated. Retaliation need not be job-related or occur in the workplace in order to constitute unlawful retaliation.

Activity is protected under this policy when a person has:

- made a complaint of harassment, either internally or with any anti-discrimination agency;
- testified or assisted in a proceeding involving harassment under the Human Rights Law or other anti-discrimination law;
- opposed harassment by making a verbal or informal complaint to management, or by simply informing a supervisor or manager of harassment;
- reported that another employee has been harassed; or
- encouraged a fellow employee to report harassment.

If it is determined that any alleged harassment does not constitute a violation of this policy, the reporting individual is protected from retaliation if that person had a good faith belief that the practices were in violation of this policy. However, this is not intended to protect persons who make reports of harassment that he/she knows to be false.

PERFORMANCE EVALUATIONS

REVISED 10/2020

All employees, with the exception of elected officials, their deputies, and the 911 Director, shall receive a written evaluation from their Supervisor or Department Head after

completing their first year of employment (anniversary eval), and annually thereafter at the beginning the next budget year . Though documented evaluations under this policy are only done annually, it is encouraged that positive or negative performance, be addressed as issues are encountered or recognition is deserved. The annual evaluation will include areas of improvement and achievements related to the past 12 months of the employee’s work. The annual evaluation will, at a minimum, consider the following:

- 1.The quality of work performed as compared to other similar workers.
- 2.The quantity of work, where applicable.
- 3.General employment considerations (i.e. attitude, compliance with policies or procedures, disciplinary action within the past 12 months, record of absenteeism, etc.)

The immediate supervisor or department head in charge of the employee will complete a report and then review its contents with the employee, at which time the employee has the right to add comments. The employee will be given the opportunity to attach written comments within thirty (30) days of the date of the report, if desired.

Supervisors and department heads shall utilize the most recent version of the Seward County evaluation template or another comparable evaluation template that includes the minimum requirements for the evaluation as listed above.

The results of this review will be used to determine salary recommendations and support recommendations for promotion or discharge. Maximum wage increase allowances for employees will be approved by the County Commissioners annually during budget hearings. Wage adjustment recommendations are not automatic for every employee and may be awarded at a lesser rate based on the employee’s most recent annual evaluation. Any employee who fails to meet all expectations of their job description throughout the prior 12 months of work may not receive the full amount of the Board-approved recommended wage increase. This adjustment will be determined by the employee’s supervisor and/or department head through the evaluation process. Any wage adjustment for performance concerns must be communicated to Human Resources prior to the annual budget approval or the employee’s one-year anniversary date.

An employee who transfers into a different county position (including promotions, demotions, new job title or transfer to a different department) will be considered a “new” employee for the purposes of this policy. The employee’s first performance evaluation and eligibility for performance increase will be associated with the one-year anniversary of the date they changed their title, position, or department.

The evaluation will become an official part of the employee’s personnel record.

Affirmative Vote: Vrbka, Schmieding, Paulsen, Culver

Motion Carried

Moved by Vrbka and seconded by Paulsen to adopt Resolution No. 3544 in regard to recommitting to the Nebraska Intergovernmental Risk Management Association for liability and workers compensation insurance.

RESOLUTION No. 3544
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, claims and litigation management, and coverages tailored to address loss exposures counties and other related public entities face not economically available from other 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, 2021, 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 of July 1, 2021 through June 30, 2024; 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.

After motion duly made by member Bob Vrbka and seconded by member Becky Paulsen, the following members voted by roll call vote in favor of passage and adoption of said Resolution: Schmieding, Culver

The following members voted against the same: none

The following members were absent or not voting: none

PASSED AND APPROVED this 27th day of October, 2020

Attest: Sherry Schweitzer, County Clerk

Seward County Board by: John K. Culver, Chairperson/Presiding Officer

Affirmative Vote: Vrbka, Paulsen, Schmieding, Culver

Motion Carried

Moved by Schmieding and seconded by Paulsen to adopt Resolution No. 3545 in regard to allowing Jones Bank to withdraw pledged securities.

Resolution No. 3545 of the
Seward County Board of Commissioners

WHEREAS, the Jones Bank desires to withdraw the following securities:

DESCRIP	CUSIP#	MARKET VALUE
CEDAR BLUFFS REC	15005WAF9	190,000.00
TOTAL MARKET VALUE		190,000.00

Whereas: County will still be fully protected. Therefore, let it be resolved, the above withdrawal by the Jones Bank is approved by this County Board.

Moved by: Schmieding Seconded by: Paulsen
Date Adopted: 10/27/2020
Ayes: Robert Vrbka, Ken Schmieding, Becky Paulsen,
John K. Culver, Chair of the Board
Sherry Schweitzer, Seward County Clerk

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

Moved by Vrbka and seconded by Schmieding to accept the Certification of Distress Warrants to be Collected for Tax Year 2019 as submitted by the County Treasurer.

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

Known items on the agenda for Board of Commissioners on November 10, 2020 are as follows:

9:00 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 October 27, 2020
5. Discuss/Action – Claims for the period through October 30, 2020

Other Business Matters to Address When Time Allows

1. Discuss/Action - Public/Officials/Boards
2. Commissioners Reports
3. Discuss/Action – Discuss/Action – Authorize Chairman to sign the Seward County Certification of Cost Allocation Plan for Maximus
4. Discuss/Action – Agenda for November 17, 2020

Moved by Schmieding and seconded by Vrbka to adjourn at 10:40 a.m.

Affirmative Vote: Schmieding, Vrbka, Paulsen, 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 10th day of November 2020.

County Clerk

Chairman