

September 5, 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 September 5, 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 September 5, 2023 at 8:30 a.m.

Present: Chairperson: John Culver

Members: Misty Ahmic, Raegan Hain, Ken Schmieding, Darrell Zabrocki

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.

Jonathan Jank, Executive Director of Seward County Chamber & Development Partnership, updated the Commissioners on activities of his organization.

Those officials present for the first meeting of the month with the Commissioners were Spencer Conradt, Terry Wicht, Emily Manning, and Roxanne Knutson.

Moved by Schmieding and seconded by Zabrocki to approve the minutes of August 29, 2023.

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

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

Affirmative Vote: Zabrocki, Schmieding, Culver

Abstain: Ahmic, Hain

Motion Carried

Commissioner Reports:

Commissioner Ahmic reported she had an Allo meeting about gathering phone information, has been working on preparation for the new Veterans Service Officer, thanked the State of Nebraska for loaning the County signs for the 238th Road project, attended County Attorney's picnic and thanked the Board for the opportunity for department team building activities.

Commissioner Hain reported she attended the Four Corners Health Department budget meeting, inspected three of the four roads in the county that have been treated with DustLock with Commissioner Culver, continues to reach out to individuals regarding Aging Services Advisory Board, is working with UNL Extension on grant writing webinar, and met with the Human Resources Director regarding personnel.

Commissioner Culver reported he inspected roads, visited with the highway superintendent and a constituent who had some road concerns, and handled some correspondence with the 911 Board.

Commissioner Schmieding reported he will be attending a Region Five meeting and a Visitors Bureau meeting.

Commissioner Zabrocki reported he attended the emergency board meeting held August 31st to transfer funds to the Aging Service Fund to pay obligations for the month of August, worked with Human Resources, and inspected the East Seward Road project.

Zabrocki led the discussion on renaming a portion of East Seward Road. He stated that, due to projected growth in the region, the City of Seward may extend East Seward Road in a different direction. Because of this, a small portion of the road needs to be renamed from East Seward Road to Prairie Flower Road.

Moved by Zabrocki and seconded by Hain to adopt Resolution No 3776 in regard to renaming a portion of East Seward Road to Prairie Flower Road.

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

RESOLUTION NO. 3776
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, pursuant to Neb. Rev. Stat. §39-1402, the Seward County Board of County Commissioners ("Board") holds the responsibility for overseeing public roads in Seward County ("County"), including creating, improving, maintaining, and discontinuing these roads, and enforcing relevant laws;

WHEREAS, Seward Street is a public street that begins in the City of Seward and continues into the unincorporated portion of Seward County to the east;

WHEREAS, a plat was approved by the Seward City Council and filed on September 7, 2022, for a subdivision east of Seward named "Prairie View Addition";

WHEREAS, in anticipation of this subdivision, the City has paved a portion of East Seward Road;

WHEREAS, East Seward Road mainly runs east-west, except at its eastern end where a T-intersection leads it south to meet Highway 34/McKelvie Road (see Exhibit "A");

WHEREAS, the t-intersection and southern portion of East Seward Road lie in the County's unincorporated area and is therefore under the County's jurisdiction;

WHEREAS, the subdivision's plat suggests renaming the southern portion of East Seward Road to "Prairie Flower Street";

WHEREAS, the Board wishes to rename the southern portion of East Seward Road to align with the subdivision's vision;

WHEREAS, in accordance with Seward County Zoning Regulations, the road's name should conclude with "Road";

NOW, THEREFORE, BE IT RESOLVED by the Board that the portion of road at East Seward Road's eastern end which veers south to meet Highway 34, as shown in Exhibit "A," shall be renamed "Prairie Flower Road."

Dated this 5th day of September 2023.

Moved by: Zabrocki Seconded by: Hain

Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic, Raegan Hain,
John K. Culver, Chair of the Board

Attest: Brandy M. Johnson, Deputy County Clerk

Exhibit A



Eric Hofer, Building & Grounds Superintendent, provided the Commissioners with a list of surplus items available for potential auction. Hain stated that there are some departments that are still going through the process of looking at what they have available. Potential dates for a surplus auction/sale were discussed, as well as details such as pricing of items and what fund(s) those proceeds would go to. It was decided that Hofer will reach out to departments and ask them to put a price on their available surplus items and submit those to him by September 21st. The proposed date of the sale will be Saturday, October 21st. Ahmic suggested letting the proceeds of the sales go to each department's sinking funds. Hain said she is also in favor of the departments putting the proceeds in their sinking funds.

The next item on the agenda was the Lawn Use Policy. Zabrocki stated that he has made a few calls regarding the insurance for the use of the lawn. He has been in touch with Nebraska Intergovernmental Risk Management Association (NIRMA), the county's insurance provider, as well as Suhr & Lichty Insurance Agency. Although there may be options available, such as vendors buying insurance by-the-hour for events, one would need to be purchased for every event, including the weekly Farmers Market. After discussion, Hofer was asked to revise rule #6 of the policy from "Any individual or group using the courthouse grounds *shall* provide the County with proof of an insurance liability policy naming Seward County as an additional insured in an amount of at least \$1 million" to "Any individual or group using the courthouse grounds *is encouraged to* provide the County with proof of an insurance liability policy naming Seward County as an additional insured in an amount of at least \$1 million."

Becky Paulsen, Zoning Administrator, gave information on a Conditional Use Permit for an Accessory Building in A Precinct in the S 1/2 NE 1/4 of Section 25, Township 12N, Range 4 East of the 6th p.m. This item had been discussed and tabled previously, because the person who applied for the permit and the owner were two different individuals. Because a public hearing had already taken place for this permit, another one is not required. Ahmic stated that she would like the conditions set by the Planning Commission (no living quarters and no residence on property) listed on the Resolution.

Moved by Ahmic and seconded by Zabrocki to adopt Resolution No. 3777 in regard to approving the Conditional Use Permit for an Accessory Building in A Precinct in the S 1/2 NE 1/4 of Section 25, Township 12N, Range 4 East of the 6th p.m., with no living quarters and no residence on the property, as conditions set by the Planning Commission.

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

**RESOLUTION NO 3777 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS RATHE have applied for a Conditional Use Permit for an accessory building on 3 acres, and

WHEREAS the property is described as a tract in the South 1/2 of the Northeast 1/4 of, Section 25, Township 12N, Range 4E, Seward County, Nebraska, and

WHEREAS The Planning Commission held a public hearing to consider the application at a regular meeting on July 17th, 2023, and

WHEREAS notice of the public hearing was published in the Seward County Independent, and

WHEREAS The Planning Commission recommended Approval of the Conditional Use Permit and finding of facts presented, with a vote of 7 In Favor, 0 Against, and 2 Absent not voting, and

WHEREAS The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting August 22nd, 2023, and

WHEREAS notice of the public hearing was published in the Seward County Independent, and

WHEREAS x No one appeared to oppose said Conditional Use
 Individuals appeared to oppose said Conditional Use
 x No one appeared to support said Conditional Use
 Individuals appeared to support said Conditional Use,
 Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County board of Commissioners do hereby approve X or deny the Conditional Use Permit for an accessory building on 3 acres at the described location. Parcel ID of 800023668 on a tract of ground located in the South 1/2 of the Northeast 1/4 of, Section 25, Township 12N, Range 4E Seward County Nebraska.

*No living quarters

No residence on property <conditions as set by planning commission

Moved by: Ahmic Seconded by: Zabrocki September 05, 2023

Ayes: Darrell J. Zabrocki, Ken Schmieding, Misty Ahmic, Raegan Hain, John K. Culver, Chair of the Board

Attest: Brandy M. Johnson, Deputy County Clerk

Terry Wicht, Highway Superintendent, said he has started checking into the purchase of sign boards for the Road Department. He stated that the price can range anywhere from \$20,000-\$30,000, depending on what kind of sign it is. For the construction project on 238th Road, the County is borrowing signs from the State of Nebraska. If the County were to purchase signs, they could be used to notify people of various Road projects. Zabrocki suggested applying for a NIRMA safety grant and stated that American Rescue Plan Act (ARPA) funds could be used for the remaining balance if the grant did not cover the total cost. After discussion, the Commissioners stated that they would like signs capable of displaying multiple lines. Wicht stated he would do more research on cost.

The Commissioners recessed at 10:11 a.m.
The Commissioners reconvened at 10:16 a.m.

No one was present for the 10:00 a.m. agenda item "Disposal and Storage of old Records that may be of Interest to Researchers."

Roxanne Knutson, Human Resources Director, was present for the Road Department Safety Apparel Policy discussion. She stated that the apparel item can be found under the "Safety" section of the personnel manual. Previously, the policy only included safety vests, rather than clothing. Knutson worked with the Deputy County Attorney to change the wording in the policy. Discussion was held on different options for apparel, being shirts, jackets or vests. Several road department employees have expressed that they do not want to wear the shirts, but the Commissioners would like them to wear the apparel for safety reasons, as well as to be easily identified as county employees. It was decided that if employees would choose not to wear the shirt, they would be required to wear a safety vest. Ahmic suggested having the Road Department logo applied to the safety vests already in use by employees.

Moved by Hain and seconded by Ahmic to approve the general safety guideline changes for safety clothing and vests as submitted by the county attorney's office.
Affirmative Vote: Hain, Ahmic, Zabrocki, Schmieding, Culver Motion Carried

GENERAL SAFETY

Safety

All employees shall participate in safety programs and meetings, wear protective equipment as provided, and as applicable, and follow safety rules. All employees are encouraged to promote safety awareness and bring forth safety suggestions to their Department Head. Employees shall observe prudent safety precautions at all times. Failure to follow safety rules or using poor safety judgement can result in disciplinary action and/or termination of employment. Each employee shall be trained to know what to do in case of fire or other disaster as well as the location and use of first aid supplies. Safety precautions include the observance of traffic regulations when driving or operating County vehicles and equipment. All employees who operate a County owned vehicle, or use a personal vehicle in conjunction with their employment, are required to wear safety belts.

a. Hard Hats:

All employees shall wear hard hats, as supplied by the County, whenever working in an environment where a blow to the head could occur. Specifically, County employees shall wear hard hats in the following activities:

- When cutting, trimming and/or loading trees, shrubs and overgrowth
- When working in or around an area where a jackhammer is being used to remove concrete;
- When working in or around an area where a backhoe or loader is to be used on the project;
- When working in or around an area where others are working overhead. For example, when working in a trench or pit or when working in or around scaffolding or buildings under construction or repair;
- When working in a bucket truck or digger derrick and when working as a ground man for linemen in a bucket truck;
- When working with underground electrical work.

Non-authorized persons shall not be allowed to be at a construction site or other area where hard hats are required.

b. Safety Clothing and Vests

To ensure safety for employees, high-visibility safety clothing shall be worn by Roads Department employees at all times while working on the roads or when exposed to traffic or construction equipment within a work area. Such high-visibility safety clothing, such as reflector vests and/or issued apparel, shall be provided by the County. If apparel has been issued to a Department of Roads employee, the employee shall wear that apparel unless inappropriate for the weather conditions. The issued apparel and vests shall be in addition to the necessary barricades and flashers used at a construction site. Sheriff Department personnel shall wear orange reflector vests when engaged in any traffic-related assignments.

The signage at the west wing discussion was tabled until next week.

Ahmic led discussion about Infrastructure Related Grants. The BIP Grant was discussed, as well as engaging with a firm other than Mainelli Wagner & Associates to assist with the said grant.

Moved by Hain and seconded by Schmieding to go into Executive Session at 10:49 a.m. for personnel, it being necessary to protect the reputation of the individual(s).

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

The Chairman re-stated the Executive Session is for Personnel.

Moved by Zabrocki and seconded by Hain to come out of Executive session at 12:03 p.m.

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

The Chairman stated personnel issues were discussed and the Liaison is authorized to take action discussed in executive session.

Known items on the agenda for Board of Equalization on September 12, 2023 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of August 22, 2023
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on September 12, 2023 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of September 5, 2023
4. Discuss/Action – Claims for the period through September 1, 2023

Other Business Matters to Address When Time Allows

1. Discuss/Action - Public/Officials/Boards
2. Commissioners Reports
3. Discuss/Action – Signage at West Wing
4. Discuss/Action – Infrastructure Related Grants
5. Discuss/Action – Agenda for September 19, 2023

Moved by Zabrocki and seconded by Hain to adjourn at 12:11 p.m.

Affirmative Vote: Zabrocki, Hain, 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 12th day of September 2023.

County Clerk

Chairperson