

September 7, 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 8:30 a.m. on September 7, 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 September 7, 2021 at 8:30 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.

Those officials present for their meeting with the Commissioners were: Matt Starkey, Marilyn Hladky, and Sherry Schweitzer.

Jonathan Jank, Executive Director of Seward County Chamber and Development Partnership (SCCDP), updated the Commissioners on activities of his organization.

BRIDGES Executive Director, Harrison Helmer, updated the Commissioners on activities of his organization.

Moved by Vrbka and seconded by Zabrocki to approve the minutes of August 31, 2021.
Affirmative Vote: Vrbka, Zabrocki, Schmieding, Ahmic, Culver Motion Carried

Commissioners Reports:

Commissioner Ahmic reported she met with JEO Consulting Group in regard to the use of ARPA funds.

Commissioner Vrbka met with CASA representatives and checked roads.

Commissioner Culver reported he addressed several emails and checked roads.

Commissioner Schmieding reported he received a call about concerns of the Road Dept.

Commissioner Zabrocki reported he went to a meeting with the 911 Director and the County's IT company, met with the Highway Supt., had a series of meetings with highway dept employees, and checked some abandoned cemeteries.

During discussion of American Rescue Plan Act (ARPA) funds, Vrbka reported CASA has some expenses they would like to use ARPA funds to pay for. Ahmic reported on some information about premium pay. She reached out to other counties who have used it. She stated there are a number of ways to issue premium pay to employees. Information such as Supplemental pay, issuing the funds in more than one pay period, paying benefits such as SS and retirement was discussed. Matt Starkey asked about

payroll benefits of the premium pay. Also mentioned was hiring G-Works for helping in creating new Election Districts.

Inventories that were submitted as per statute were distributed to the Commissioner liaisons so that they can be verified.

Moved by Vrbka and seconded by Zabrocki to accept the Sheriff Fee and Mileage Report for July 2021 in the amount of \$1,473.50 and \$793.52.

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

Moved by Zabrocki and seconded by Ahmic to accept Clerk of the District Court Fee Report for August 2021 in the amount of \$3,022.68.

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

Moved by Schmieding and seconded by Vrbka to accept the County Clerk Fee Report for August 2021 in the amount of \$33,032.25.

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

Moved by Zabrocki and seconded by Schmieding to adopt Resolution No. 3629 in regard to allowing Jones Bank to withdraw pledged securities.

Resolution No. 3629 of the
Seward County Board of Commissioners

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

DESCRIP	CUSIP#	MARKET VALUE
GRETNA NE	3978902LX5	\$200,000.00

TOTAL RELEASED: \$200,000.00

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: Zabrocki Seconded by: Schmieding 09/07/21

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, Schmieding, Ahmic, Vrbka, Culver Motion Carried

Ann Dobesh, Extension Educator, gave a demonstration on using "Owl" video conferencing equipment. The equipment includes a microphone and can give a 360° view of the room. Ahmic will research costs and specifics about it.

The Commissioners recessed at 9:28 a.m.

The Commissioners re-convened at 9:30 a.m.

Mr. and Mrs. Tim Curtis were present to request an address change where they reside on 210th Road. Because there are two residences on his property, the word "Unit" has been given to each of the properties. He is asking that they be changed to two separate addresses rather than using unit numbers. Becky Paulsen, Weed/Zoning Administrator, explained that because new zoning regulations did not address those who want to change their address number, the old regulations need to be used. Barb Armstead also gave information on the subject. A resolution giving all this information will be drawn up for consideration in the future.

Carina Sanchez, HR Director, was present to give information about the Public Defender, Andrew Penry. She stated he would like to resign as Public Defender and be reassigned as *Deputy* Public Defender. It was stated he is feeling overwhelmed as a new attorney and would like to change his role in the Public Defender's Office.

Armstead gave information on the subject of trying to hire a Public Defender and court appointments of attorneys in general.

Moved by Schmieding and seconded by Vrbka to accept the resignation of Andrew Penry as Public Defender and be re-assigned as the *Deputy* Public Defender.
Affirmative Vote: Schmieding, Vrbka, Zabrocki, Ahmic, Culver Motion Carried

The Commissioners recessed at 9:54 a.m.
The Commissioners re-convened at 10:00 a.m.

Moved by Zabrocki and seconded by Vrbka to open a Public Hearing at 10:01 a.m. for an application to re-zone the NE ¼ in H Precinct – from A-1 District to TA-1 District in Section 11, Township 11 North, Range 4 East of the 6th p.m.
Affirmative Vote: Zabrocki, Vrbka, Schmieding, Ahmic, Culver Motion Carried

Becky Paulsen, Weed/Zoning Administrator, gave information about the vote of the Planning Commission which voted to deny said request.

Matthew Schrader spoke via Zoom against said application.
Brian Nelson also spoke in opposition of it.
Cathy Luebbe spoke in opposition to it.
Stephanie Luebbe also spoke in opposition.

Commissioner Ahmic gave information about questions brought up during discussion in the Public Hearing.

Moved to Ahmic and seconded by Zabrocki close the public hearing at 10:15 a.m.
Affirmative Vote: Ahmic, Zabrocki, Schmieding, Vrbka, Culver Motion Carried

Paulsen then helped the Commissioners complete the Findings of Fact document for this re-zone application.

Moved by Vrbka and seconded by Ahmic to adopt Resolution No. 3630 in regard to denying the application to re-zone the NE ¼ in H Precinct – from A-1 District to TA-1 District in Section 11, Township 11 North, Range 4 East of the 6th p.m.

**RESOLUTION No. 3630 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Greenleaf Land and Cattle Company, Owner Josh Delcamp has applied for a Zoning District change for a quarter section of land from A-1 Agricultural Preservation District to TA-1 Transitional Agriculture, and

WHEREAS the land is described as a tract in the North ½ of the East ½ of the Northeast ¼ of, Precinct H. Section 11, Township 11N, Range4E, Seward County, Nebraska, and

WHEREAS, the owner of record is Josh Delcamp, and

WHEREAS Notice of Public Hearing by the Seward County Planning Commission was published in the Seward County Independent, and was posted on the property, and

WHEREAS the Planning Commission held a public hearing on the Zoning District change on August 9th, 2021, and

WHEREAS, the Planning Commission had a recommendation to Deny with a vote of 6 in favor, 0 against, and 2 absent and not voting.

WHEREAS The Seward County Board of Commissioners held a public hearing on the Zoning Change on September 7th, 2021, and

WHEREAS Notice of Public Hearing by the Seward County Board of Commissioners was published in the Seward County Independent and

WHEREAS ___ No one appeared to oppose said amendment
 X Individuals appeared to oppose said amendment
 X No one appeared to support said amendment
 ___ Individuals appeared to support said amendment
 X Individuals appeared without commitment, and,

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby adopt Resolution 3630 to approve_____, denyX the Zoning District Change from A-1 Agricultural Preservation District to TA-1 Transitional Agriculture.

Moved by: Vrbka Seconded by: Ahmic 09/07/21
Ayes: Robert Vrbka, Misty Ahmic, Ken Schmieding, Darrell J. Zabrocki
John K. Culver, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

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

The Zoning Fees for Seward County were discussed. The Commissioners have been discussed raising the fees and in research, Paulsen gave information about other county’s fees. The Commissioners will discuss it for later approval.

Known items on the agenda for Board of Equalization on September 14, 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 August 24, 2021
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on September 14, 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 September 7, 2021
4. Discuss/Action – Claims for the period through September 3, 2021

Other Business Matters to Address When Time Allows

5. Discuss/Action - Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Disbursement of American Rescue Act Funds
8. Discuss/Action – Agenda for September 21, 2021

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

Affirmative Vote: Zabrocki, Vrbka, 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 14th day of September 2021.

County Clerk

Chairperson