

September 19, 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 9:00 a.m. on September 19, 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 19, 2023 at 9:00 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.

Moved by Schmieding and seconded by Zabrocki to approve the minutes of September 12, 2023.

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

Motion Carried

During public comments, Dave Pankoke expressed concerns regarding an incident with a motor grader operator.

Commissioner Reports:

Commissioner Ahmic reported on the recent move of some of the county departments to different offices and thanked the moving company & Soarin' Group for their help, she had a call with the Nebraska Association of County Officials (NACO) and its current district president to talk about a new potential project that would allow them to provide grant writing services throughout the state, completed inventories, had a weekly call with Allo and stated that the west wing transition from Windstream to Allo for phone service will take place on September 25th, met with a representative from Mainelli Wagner and Associates along with Commissioner Hain, worked on grants, attended the NACO district meeting, sat in on Public Transit Director interviews, and asked the rest of the Commissioners to also share Broadband Task Force information as she shares it in various places such as social media and the newspaper.

Joan Shurtliff was present to discuss the disposal and storage of historical records that may be of interest to researchers. She shared information on the various places where historical records are kept throughout the county. She stressed the importance of preserving historical records and suggested the Commissioners look into an archive where all of the records could be housed and accessed more easily.

Matt Kasik & Sarah Kramer from Region V Services spoke regarding the upcoming rebranding and name change from Region V Services to Apace. Kasik stated that their name is similar to Region V Systems, therefore causing confusion amongst people seeking Developmental Disability provider services. He explained the process of the name change and rebranding leading up to this point, stating that the Region V Services board had already voted to approve the name change and move forward with the process, but requested approval from the Commissioners for the name change as

well, along with an amendment to the interlocal agreement to reflect the change. Discussion was held, including questions about the steps that were taken leading up to this point, such as when the name change was presented to the internal staff and overall cost of rebranding. Ahmic asked if the rebranding/name change was shared at the Region V Services general board meeting held in May, and stated that she would like a copy of the minutes from that meeting. The Commissioners asked many questions and stated their Region V Services Board representative voted in opposition of the name change.

Moved by Zabrocki and seconded by Ahmic to deny the Region V Services request for name change, due to lack of transparency and opposition to the money being spent on rebranding.

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

Sheriff Mike Vance and Detention Center Director, Maria Hatfield were present to discuss ambulance billing for the Detention Center. Zabrocki stated that the City Council previously voted to allow their fire/rescue service to bill for their services. The county has received two bills for transportation of prisoners from the Detention Center. Hain commented that she would like city and county to work together for a resolution on this. Hatfield reported she had reached out to another county and that county has an agreement with the city that they aren't charged for prisoner transportation from the Detention Center, unless they are transporting out of town. Culver recommended Vance approach the city to see if they will work with the county and make a plan for billing. Zabrocki will visit with the City Administrator as well.

The Commissioners recessed at 10:39 a.m.

The Commissioners reconvened at 10:45 a.m.

Donna Hendrickson from the Seward Chamber was present to request permission to install a sound system downtown. The sound system will be located on the City's light poles, but the connection would be on the northwest corner of the courthouse square. They have received funding from a donation for the project, along with money raised during Seward County Gives week and a Visitors Bureau grant, and now they are in the process of establishing the next step. Seward Electronics gave the Chamber a quote for the cost. This will need to go through City Council before it can begin.

Moved by Zabrocki and seconded by Schmieding to approve the Seward Chamber's request for permission to install the downtown Seward sound system.

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

The next item on the agenda was the Christmas Festival Committee's request for permission to use the north lawn of the courthouse from November 1-17, 2023 for decorating the Christmas tree

Moved by Schmieding and seconded by Hain to approve the request from the Christmas Festival Committee to use the north lawn of the courthouse from November 1-17 for decorating the Christmas tree.

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

The Christmas Festival Committee also requested the use of the courthouse lawn for activities on November 25, 2023, such as live reindeer, tree lighting, and Santa's house, as well as the courthouse public restroom. They asked that the restrooms be open from 8:00 a.m. to 6:30 p.m. for the activities and parade.

Moved by Ahmic and seconded by Zabrocki to approve the Christmas Festival Committee's request to use the courthouse lawn for activities on November 25, 2023 such as live reindeer, tree lighting and Santa's house, as well as the courthouse public restrooms from 8:00 a.m. to 6:30 p.m.

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

Human Resources Director, Roxanne Knutson led the discussion on appointing a Grievance Board member. Spencer Conradt, E911 Director, has taken another

employment opportunity and there will be a vacancy on the board when he leaves. The term is a 5-year term. Zabrocki suggested the Commissioners reach out to the different departments and try to find someone willing to serve. This will be on the agenda next week.

The next item on the agenda was the discussion of the Public Defender position and compensation. It was made clear when the incoming Public Defender accepted the position that compensation could not be changed. Ahmic stated that the offer cannot be rescinded after it was made. She has asked NACO for their assistance. Deputy County Attorney, Barb Armstead advised that it can be presented to him that he can withdrawal his acceptance of the position if he chooses. Culver stated to let the incoming Public Defender know that the board chooses not to meet his demands. Hain stated that she is extremely disappointed by this situation because the position was filled, therefore stopping the search for other potential candidates.

Building & Grounds Superintendent, Eric Hofer brought the updated Courthouse Lawn Policy for the Commissioners' consideration. Previously, it was decided to change the verbiage on one line of the policy to read that people are "encouraged" to provide the county with proof of an insurance policy, rather than to read that people "shall" provide the county with proof of an insurance policy.

Molly Bargmann, a member of the public, asked if the policy would be available for the public to review prior to board approval. Ahmic stated that the policy has been available at multiple meetings prior to this meeting, as this item has been discussed several times. Hain stated that it would be helpful to have all of the information that is going to be discussed at the meetings available online with the agenda, prior to the meeting. Deputy County Clerk, Brandy Johnson stated that the agenda is kept current in the County Clerk's office at all times, and the public is welcome to see the documentation with the agenda requests at any time. She also noted that the agenda is available online as a courtesy, but is not required to be posted online. Time was allowed for Ms. Bargmann to review the policy.

Moved by Zabrocki and seconded by Schmieding to approve the courthouse lawn policy for use of the courthouse grounds and the accompanying application for use.

RULES FOR USE OF SEWARD COUNTY COURTHOUSE GROUNDS

1. Use of the courthouse grounds requires submission of an application and approval of the Board of Commissioners after consideration at a public meeting. The application shall be signed by the responsible party and will include an acknowledgment of responsibility for the payment for any damages occurring to the courthouse grounds during the event.
2. The courthouse grounds shall not be used for any unlawful purpose.
3. The use of the courthouse grounds shall not interfere with normal county government operations or with normal public access to the courthouse during business hours (Monday through Friday, 8:00 a.m. until 5:00 p.m.)
4. Nothing shall be placed on or attached to the courthouse grounds or building that could be harmful to grass, trees, statues, or sprinkler system, including placing stakes in the lawn unless previously approved by the Board of Commissioners.
5. The applicant is responsible for cleaning the courthouse grounds and returning it to its pre-event condition immediately after the event.
6. 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.
7. Any individual or group using the courthouse grounds shall be responsible to reimburse the County for any and all damages occurring during the event.

8. The Board of Commissioners reserves the right to refuse use of the courthouse grounds for any event that may compromise the security of the courthouse or the safety of courthouse employees or the general public.
9. Only vehicles with turf tires allowed on the lawn. (No cars or trucks.)
10. Only events that are advertised as being open to the public, without advance registration required, will be approved.
11. Violation of any of these rules may cause for the County to deny an application for future use of the courthouse grounds by the same group or individual.
12. No electricity will be supplied by the county and diverting electricity from county property is prohibited.
13. No alcohol is permitted on or around courthouse grounds.

Adopted by the Seward County Board of Commissioners the 19th day of September, 2023.

Procedure -- Courthouse lawn use application.

Acquire an application from county web site or from the County Clerk's office.

Complete and return application to Clerks office and request to be on agenda.

If approved, a copy of the application would be sent to Building and Grounds, Sheriff's Office, and E911 Communications.

APPLICATION FOR USE OF SEWARD COUNTY COURTHOUSE GROUNDS

Date(s) of use: _____

Time of use (start and end times): _____

Group Requesting Use: _____

Name of Person Responsible: _____

Address: _____

Telephone Number: _____ Fax Number: _____

E-mail address: _____

Name of Event: _____

Type of Event: _____

Specific areas of Courthouse grounds you request to use: _____

Is the event open to the general public? _____ yes _____ no

Were you supplied with a copy of Courthouse lawn policy _____ yes _____ no

Number of participants expected: _____

What equipment will be used on the grounds? _____

When will equipment be set up? _____

Is food served for a fee? _____ yes _____ no

If yes, has the appropriate Health Department permit been obtained? _____yes _____no

Has this group used Courthouse grounds for other events? _____yes _____no

A liability insurance policy naming the County as an "additional insured" is encouraged in the amount of at least \$1 million at the time of event. Does this group have liability insurance to cover this event? _____yes _____no

I have read the *Rules For Use of Courthouse Grounds*. I understand that Courthouse grounds will be left clean and neat condition after use. I am liable for all damages, expenses and loss caused by any person who attends or participates in this scheduled event. By signing this application, I agree to defend and hold harmless the County regarding any damage which may occur as a result of this scheduled function.

Signature of Responsible Person

Date

Please return application to: Seward County Clerk, PO Box 190, Seward, Ne 68434

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

Next, Hofer discussed the courthouse holiday lighting. He has reached out to Corey Mueller from Blue River Electric, who provided a quote for \$18,000 to install all new LED lights around the outside of the courthouse. Ahmic stated that she would like him to pursue uplighting the building from the ground as well, with the ability to change the colors of the uplighting. Ahmic asked Hofer to set up a meeting with Corey Mueller for the uplighting.

Moved by Hain and seconded by Ahmic to approve the bid for \$18,000 from Corey Mueller for the courthouse holiday lighting to be paid out of the inheritance fund.
Affirmative Vote: Hain, Ahmic, Zabrocki, Schmieding, Culver Motion Carried

Highway Superintendent, Terry Wicht, & Assistant Highway Superintendent, John Regnier were present to discuss the plan for the DustLock project for dust control on rural roads. They presented photos of roads that have had DustLock applied to them. Hain reported that she and Regnier had observed roads in other counties and locations that have had DustLock applied. She has spoken to the other counties and the supervisors reported that they are in favor of the product. Wicht has spoken with other highway superintendents who said that the roads have to be maintained, even after the DustLock application. Co-op currently uses mineral oil on the roads for dust control. It was suggested that Wicht reach out to them to see if they would be interested in exploring the DustLock product along with the county. Co-op could be asked to put funds toward it so they don't have to use mineral oil on the roads. The county would then be able to see what the effects are right in the county. Hain reported she would like to participate in the meeting with Wicht and the Co-op, at which time they can ask Co-op to pay the grant match amount.

Next, the Sunrise Road paving project C-80(591) was discussed. Wicht reported that he would like to start advertising for bids for the project on September 27th, 2023.

Moved by Ahmic and seconded by Zabrocki to approve the request for the Highway Superintendent to solicit bids for the Sunrise Road paving project C-80(591) to be opened October 10th, 2023 at 9:30 a.m. and to be awarded on Oct 17th, 2023.
Affirmative Vote: Ahmic, Zabrocki, Schmieding, Hain, Culver Motion Carried

Commissioner Reports (cntd):

Commissioner Hain reported she assisted with the office move of some departments, worked with the interim Aging Services Director and Aging Partners to fill in the gaps through the transition, continues working on finding individuals to serve on the Aging Advisory Board, met with the E911 Director and some E911 employees to tour the dispatch center, attended a meeting with Commissioner Ahmic and a representative from Mainelli Wagner and Associates, attended the NACO fall meeting, completed

inventories, had a monthly meeting with the Detention Center Director, met with Commissioner Ahmic on infrastructure related grants, and communicated with the Highway Superintendent about a sign issue.

Commissioner Culver thanked Commissioners Hain and Ahmic for their help with the department moves, spoke with a constituent regarding zoning, reviewed E911 Director applications, worked on Blue Valley Community Action Committee items, finished inventories, and inspected roads.

Commissioner Schmieding reported he attended a Visitors Bureau meeting, met with the Extension Office, worked on inventories, and made visits to constituents.

Commissioner Zabrocki reported he attended the NACO district meeting, met with an employee, attended interviews for the Public Transit Director, spoke with a constituent, thanked Commissioners Hain and Ahmic on their help with the department moves, and had a phone meeting with the City of Seward Administrator.

Moved by Hain and seconded by Ahmic to accept the Sheriff fee and mileage reports for July 2023 in the amounts of \$1,504.00 and \$646.69 respectively.

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

Moved by Schmieding and seconded by Zabrocki to approve the inventories of Seward County.

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

Commissioners Recessed at 12:21 p.m.
Commissioners Reconvened at 12:29 p.m.

Ahmic discussed participating in Operation Green Light from November 6-12, 2023. She suggested placing green light bulbs in all the lights in the courthouse windows. She has asked the incoming Veterans Service Officer to ask the cities and villages to participate as well.

Moved by Ahmic and seconded by Zabrocki to participate in Operation Green Light from November 6-12, 2023.

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

During the Infrastructure Related Grants agenda item, Commissioner Ahmic reported that she and Commissioner Hain met with Mainelli Wagner and Associates in regard to the Bridge Investment Program grant. She also stated that she and Commissioner Hain are working with Human Resources on the county webpage to include "Current Commissioner Projects" to keep constituents informed. They sent Senator Fischer an email containing information about a potential road project and have worked on a potential opportunity for recreation & tourism funding.

During the American Rescue Plan Act (ARPA) discussion, Commissioner Hain reported that a pod in the Detention Center contained significant moisture due to humidity, and suggested possibly using ARPA funds to upgrade some of the heating & air units at the Justice Center to resolve the issue.

Known items on the agenda for Board of Commissioners on September 26, 2023 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Public Hearing for adoption of the Seward County 2023-2024 Budget

Known items on the agenda for Board of Equalization on September 26, 2023 are as follows:

Convenes as soon as the Budget Meeting is over

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of September 12, 2023
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on September 26, 2023 are as follows:

Convenes as soon as the Board of Equalization Meeting is over

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of September 19, 2023
4. Discuss/Action – Approve Claims through September 15, 2023

Other Business Matters to Address When Time Allows

5. Discuss/Action – POW/MIA Flag to be Flown Year-Round at Courthouse
6. Discuss/Action - Public/Officials/Boards
7. Commissioners Reports
8. Discuss/Action – Infrastructure Related Grants
9. Discuss/Action – Agenda for October 3, 2023

9:00 a.m. Discuss/Action – Appoint Grievance Board Member

9:15 a.m. Discuss/Action – Seward/York interlocal for District Judge Bailiff

Moved by Zabrocki and seconded by Ahmic to adjourn the September 19, 2023 Board of Commissioners meeting at 12:51 p.m.

Affirmative Vote: Zabrocki, Ahmic, Hain, 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 26th day of September 2023.

County Clerk

Chairperson