

March 4, 2025

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 March 4, 2025 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board, on the Commissioner's Room door, on the Seward County website: sewardcountyne.gov and published in the Seward County Independent and the Milford Times. 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 March 4, 2025 at 8:30 a.m.

Present: Chairperson: Misty Ahmic
Members: Raegan Hain, Darrell Zabrocki, Ken Schmieding,
Scott Pekarek
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.

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

John Regnier, Highway Supt., was present to update the Commissioners on the activities of his department.

Sherry Schweitzer, County Clerk updated the Commissioners on activities of her department.

Moved by Hain and seconded by Zabrocki to approve the consent agenda consisting of:

1. Minutes of February 25, 2025
2. Utility Permit for Black Hills Nebraska Gas, LLC to expand DRS Firegate Regulator Station from 10' x 50' to 10' x 70' located in the SW ¼ SW ¼ of Section 33, Township 11 North Range 3 East of the 6th P.M.

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

Commissioner's Reports:

Commissioner Hain reported she attended the Four Corners Health District meeting and reported information about possible funds for a project where grant funds are not enough to cover total costs.

Commissioner Zabrocki reported he attended the SouthEast Nebraska Development District (SEND) meeting, worked with the Public Transit Director and the 911 Director about a bill that needs to be paid for towing, reported on the Public Transit vehicle that was damaged in an accident and that the other party's insurance will take care of it, reported to Bergren Architects about the decision for a repair project involving tax credits. He also met with a representative of the City of Seward about the fairgrounds road, reported he will attend a Region V and Apace meeting next week.

The Board of Commissioners recessed at 9:14 a.m.

The Board of Commissioners re-convened at 9:15 a.m.

Moved by Hain and seconded by Schmieding to open bids at 9:15 a.m. for a Road Dept. Belly Dump Trailer.

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

Bids were received from: RDO Truck Center and Active Trailers.

Moved by Hain and seconded by Pekarek to adopt Resolution # 3836 regarding the adoption of the 1- & 6-Year Road Program for Seward County.

RESOLUTION NUMBER 3836
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, Neb. Rev. Stat 39-2115 through 39-2119 require annual development and filing with the Nebraska Board of Public Roads Classifications and Standards (NBCS) a One- and Six-Year Plan of highway, road, and street improvements based on a priority of needs and calculated to contribute to the orderly development of an integrated statewide system of highway, roads, and streets.

WHEREAS, a One- and Six-Year Plan was prepared and proposed to the governing body.

WHEREAS, an advanced notice was published in the local newspaper, stating that a public hearing will be held on the proposed One- and Six-Year Plan, was held in the County Commissioner's Room in the Seward County Courthouse, Seward, Nebraska, on Tuesday, February 25th, 2025, at 9:30 a.m.

WHEREAS, an advanced notice was posted at the following places where it was likely to attract attention: Seward Post Office, Seward County Courthouse, Seward City Hall, and the Seward Memorial Library.

WHEREAS, a public hearing was conducted on the proposed One- and Six-Year Plan, as stated in the advance notices, on Tuesday, February 18th, 2025, at 9:30 a.m.

THEREFORE, BE IT RESOLVED by the Board of Commissioner's of Seward County, Nebraska, that the aforementioned approved One- and Six-Year Plan is hereby adopted for submittal to the Nebraska Board of Public Roads Classifications and Standards (NBCS).

Adopted this 4th day of March 2025 at Seward, Nebraska.

Moved by: Hain Seconded by Pekarek

Ayes: Ken Schmieding, Scott Pekarek, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair of the Board
Sherry Schweitzer, Seward County Clerk

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

Commissioner Hain led discussion on the 420th Road Paving Project. She stated both Kirkham Michael and Felsburg, Holt & Ullevig (FHU) have worked on the road project. Kirkham Michael has done some work that was not included in their contract and FHU was contracted to do it. Kirkham Michael has asked for a supplemental contract for the work they have done.

Regnier was present to discuss a utility permit for Charter/Spectrum Communications. Regnier said a motor grader operator reported there was utility work being done on a road where there was no permit on file. After contacting Charter/Spectrum, they were

acting on a Lancaster County permit. Ryan Galyen of Charter/Spectrum was present and said they believed they could work on their permit. Commissioner Ahmic noted each county has their own permit process and that they need to contact each county they are working in.

Moved by Hain and seconded by Pekarek to approve the Utility Permit for Charter Communications/Spectrum to bore an open trench for fiber optic line crossing along the NE edge of Section 13, Township 11 North, Range 4 East of the 6th P.M. and crossing under Waverly Road into the SE ¼ of Section 12 Township 11 Range 4 East of the 6th P.M.

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

Commissioners Reports: (Cont)

Commissioner Ahmic reported she received notification from UNL, that in regard to the Missile Silo Project; it is no longer going forward. She attended a virtual meeting with the new HUD contact person, had a call from the grant contact person for the Safe Street & Roads grant, spent time at the Capital in regard to legislative hearings, worked on Broad Band Task Force communication, met with a Saline and York County Commissioner on various topics, reminded other Commissioners that Department head evaluations need to be completed.

HR Director, Roxanne Knutson, Highway Supt., Jon Regnier and Emergency Manager, Gary Peterson were present to discuss the Department Closing Policy. Commissioner Ahmic led the discussion and said that previously, the personnel policy for emergency closures was not followed entirely. From now on, the Highway Supt. and a member of the Sheriff's Office will call the Emergency Manager, and they will make a collaborative decision. The Emergency Manager will call the Board Chair to give the information from a discussion with the Sheriff's Dept. and Highway Supt.

The next proposed change in the Personnel Policy was in the event a certain building/office had to close but other buildings/departments could stay open. The proposed change stated those who did not have to work would have to take vacation/comp time/unpaid leave. Sherry Schweitzer, County Clerk stated she did not feel it was fair for the county to close a certain building/office and penalize the employees in that building by making them take their personal leave.

Moved by Hain and seconded by Ahmic to approve the policy "Closure of County Offices Due to Declared Emergency" (Revised March 2025)

CLOSURE OF COUNTY OFFICES DUE TO DECLARED EMERGENCY REVISED: MARCH 4, 2025

- A. For purposes of this section, a declared emergency shall mean a declaration by the Chairperson of the Seward County Board of Commissioners that, due to adverse weather conditions or other emergency, all county offices are closed and nonessential employees are relieved of their duties, with pay, for the duration of the emergency. In the absence of the Chairperson, the Vice Chairperson shall make the declaration. In the event a potential emergency exists and the Chairperson and Vice Chairperson are both unavailable, Human Resources may contact one of the remaining commissioners to make a determination whether an emergency shall be declared. The procedure to declare an emergency shall follow the County Office Closing Procedure as approved by the Safety Committee.
- B. A formal declaration by the Chairperson of the County Board pursuant to this policy is the only way an office or department may be closed. However, if continuing specific services or activities poses safety concerns to employees or the public, a supervisor or

department head may suspend those services or activities. In such cases, the office must remain open to conduct other business and communicate with the public.

- C. As soon as is practicable after the emergency is declared, employees will be notified by the procedure adopted by the county for making such notifications.
- D. When county offices are closed due to a declared emergency, essential employees shall report to work per their scheduled work time, absent specific release from their immediate supervisor or department head. Failure to report to work as directed shall result in disciplinary action. Essential employees who work during the declared emergency shall be additionally compensated. Compensation shall be in the form of hours added to the employee's compensatory time leave bank. The rate of compensation shall be equivalent to the hours off with pay received by the non-essential employees, up to 8 hours per day, for the duration of the emergency.

Example: County offices close due to a snowstorm at 1:00 p.m. Nonessential employees are relieved from their duties and receive 4 hours off with pay. On the same day, an essential employee works a 12-hour shift starting at 6:00 p.m. The essential employee shall receive 4 hours added to their compensatory leave bank in addition to their regular pay for the shift.

- E. If a non-essential employee is instructed by their Department Head or the County Board to perform work totaling at least 1 hour during a declared emergency to support essential county functions that cannot be delayed until the next workday, that employee will receive compensatory leave equivalent to the actual hours worked.

Example: County offices are closed for the day due to a snowstorm. A non-essential employee of the Roads Department is directed by their Department Head to post online updates regarding road conditions throughout the day. The employee works for a total of 2 hours. The employee's time in ADP will be recorded as 2 hours worked and 6 hours of weather. In addition, the employee will receive 2 hours of leave in their comp time bank.

- F. If an emergency is declared by the board that requires the closing of one or more, but not all, county offices, the time absent from work shall be deducted from the affected employees' vacation or compensatory leave bank, at the employee's option. In the event of this partial closure:
 - If an employee's usual duties may be fulfilled by working remotely, the employee may work remotely with prior approval from their supervisor or department head.
 - If an office is closed for 4 hours or fewer, the supervisor or department head may allow an employee to flex the hours within the same pay period as the emergency.
 - Employees without sufficient vacation or compensatory leave may request an advance on future earned vacation or compensatory leave or opt that the compensation be deducted from their wages. Requests must be submitted to the Human Resources Director,

who will review and may explore alternative solutions to avoid wage deductions.

- G. This policy contemplates emergencies of short duration. In the event an emergency requires any office(s) to be closed for an extended period, the County Board will take the necessary action to ensure that county services are not disrupted.
- H. In the event county offices are not closed but an employee cannot report to work due to weather conditions or other emergency, the time absent from work shall be deducted from their vacation or compensatory leave banks, at the employee's option.

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

The Commissioners recessed at 10:14 a.m.
The Commissioners re-convened at 10:18

Brandy Hafer, Public Transit Director, presented a grant application for the Commissioners consideration. This grant helps fund the county public transit system and represents a 3% increase request. There were questions about if 3% was enough for things such as maintenance. The application will be looked at and put on the agenda at a later date.

Knutson and Regnier were present to discuss a potential Field Assistance Position in the Road Dept./Zoning Dept. Regnier gave an example of various issues such as irrigation pivot end guns causing road problems, taking care of the ROW or planting in the ROW. The zoning office also has problems having time to get out and check permits. Ahmic stated that another county has a part-time person that drives around and can report and handles complaints. She suggested maybe Seward County find someone that could help with these sorts of things. Hain suggested having a paid intern position may be what is needed. This position could be implemented because it is a safety issue. It could be a position basically in the summer months and not full-time. No action was taken at this time.

Blake Swicord of the Sheriffs Dept. was present to discuss a resolution. He would like to have the Board adopt authorizing the Chair to sign an agreement with the State of Nebraska to install, operate and maintain automated license plate readers. He explained that he would like to access the "Flock" database of their cameras that are in many cities through Nebraska and the United States. After contacting the company, they indicated cameras would need to be purchased from them in order to gain access to the database. Swicord said he has already purchased four cameras in December for \$12,000 and would like to put them at the entrances into Seward. Swicord said the City of Seward Planning and Zoning is already familiar with them because Flock has reached out to them, then Nebraska DOT would give permission to allow Flock to put them up. He would then become the administrator and train other deputies on the system. Commissioners asked questions about current cameras on the deputy's vehicles which are not these types of cameras and are more expensive.

City of Seward City Administrator, Greg Butcher and Seward Police Chief, Brian Peters were present and said there is already one installed on a light pole by the west entrance of Seward. They said the City of Seward has not given permission for the installation of the camera nor has their Planning and Zoning office approved this. Permission would have to come from the Seward City Council. Swicord said he directed Flock to install the camera on.

Regnier was present to discuss the Belly Dump Trailer Bids. He recommended the bid from a 2026 R Way Trailer T4625 Triaxle XE Crossgate for a for \$81,945.60 with a trade in of \$60,000 for a total of \$21,945.60 from RDO Truck Center

Schmieding is absent at 11:21 a.m.

Moved by Pekarek and seconded by Hain to approve the bid for a 2026 R Way Trailer T4625 Triaxle XE Crossgate for \$81,945.60 with a trade in of \$60,000 for a total of \$21,945.60 from RDO Truck Center.

Affirmative Vote: Pekarek, Hain, Zabrocki, Ahmic

Motion Carried

Commissioners Reports: (Cont.)

Commissioner Pekarek reported he met last week with District Court, met with the County Attorney, submitted comments for Legislative bills, reported CASA hired a new person and next week he will go to the Nebraska Association of County Officials (NACO) meeting. He will also attend the Garland Village Board meeting next week.

The Commissioners talked about a proposed Scrap Tire Clean-Up Day. Commissioners Ahmic and Hain gave information about the past two tire events held last year and suggested it would be a good idea to have it this year. The Commissioners decided this event would be worthwhile doing in the spring of 2025.

During the Legislative Update item on the agenda, Ahmic said she testified on LB 653 & LB 126 and gave information about its hearing. Ahmic also stated she sent online testimony for LB 636 which involves costs of medical expenses counties have to pay. Commissioner Hain gave information about LB 255.

Known items on the agenda for Board of Equalization on March 11, 2025 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of February 25, 2025
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on March 11, 2025 are as follows:

9:00 a.m.

5. Convene and announce Open Meetings Law
6. Pledge of Allegiance
7. Discuss/Action - Approve minutes of March 4, 2025
8. Discuss/Action – Claims for the period through Feb. 28, 2025

Other Business Matters to Address When Time Allows

9. Discuss/Action - Public/Organizations/Officials
10. Commissioner Reports
11. Discuss/Action - Authorize the County Clerk to advertise for the mowing of Abandoned Cemeteries
12. Discuss/Action - Legislative Update

Moved by Hain and seconded by Pekarek to adjourn 11:49 a.m.

Affirmative Vote: Hain, Pekarek, Zabrocki, Ahmic

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 11th day of March 2025.

County Clerk

Chairperson