

**NOTICE OF PUBLIC MEETING OF
SEWARD COUNTY BOARD OF COMMISSIONERS
TUESDAY, DECEMBER 2, 2025**

Notice is hereby given that a meeting of the Seward County Board of Commissioners will be held at 8:30 a.m. on Tuesday, December 2, 2025 in the County Board Meeting Room, Room 303 on the 3rd Floor of the of the Seward County Courthouse in Seward, Nebraska. The meeting is open to the public. The agenda for the meeting is kept continuously current and is available for public inspection at the office of the County Clerk in the Seward County courthouse, Seward, Nebraska.

Brandy M. Johnson, Seward County Clerk

This is an Open Meeting of the Seward County Commissioners. Seward County abides by the Nebraska Open Meetings Act in conducting business. A copy of the Nebraska Open Meetings Act is displayed on the back wall of this meeting room as required by law. Presenters shall state their name for the Clerk's record and are asked to limit remarks to five minutes. All remarks shall be directed to the Chair who shall determine by whom any appropriate response shall be made. Seward County reserves the right to adjust the order of items on this Agenda if necessary and may elect to take action on any of the items listed.

Known items on the agenda for Board of Commissioners on December 2, 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 November 25, 2025
4. Discuss/Action – Claims for the period through November 21, 2025
5. Discuss/Action – Public/Organizations/Officials

Other Business Matters to Address When Time Allows

6. Commissioner Reports
7. Discuss/Action – Approve SouthEast Nebraska Development District (SEND) interlocal agreement and bylaws
8. Discuss/Action – Authorize Chair to Sign Surplus Property Disposal Requests for Detention Center
9. Discussion Only – Nesbitt & Associates' Sheriff's Office Report
10. Discuss/Action – Agenda for December 9, 2025

9:15 a.m. Discuss/Action – Christmas Eve Hours for Seward County

Discuss/Action – Request Hiring Bonus for Detention Center Corrections Officer

Discuss/Action – Request Callback Pay for Detention Center

ABOVE AGENDA IS OPEN UNTIL 24 HOURS PRIOR TO THE MEETING AND IS SUBJECT TO CHANGE TO INCLUDE EMERGENCY ITEMS. THE OFFICIAL AGENDA IS KEPT AT THE SEWARD COUNTY CLERK'S OFFICE. PLEASE CONTACT THEM AT 402-643-2883 FOR ANY QUESTIONS PERTAINING TO THE AGENDA AS LISTED ABOVE.

[Seward County Government Home Page](#)

Posted 12/01/2025

Seward County Clerk

Seward County Clerk
P.O. Box 190
Seward, Nebraska 68434
Phone 402-643-2883
Fax 402-643-2228

December 2, 2025

I, BRANDY JOHNSON, SEWARD COUNTY CLERK, DO HEREBY CERTIFY THAT THE FOLLOWING AMOUNTS HAVE BEEN ALLOWED BY THE SEWARD COUNTY COMMISSIONERS AND THEY HAVE AUTHORIZED PAYMENT OF SAME FROM THE IMPREST FUND.

THE FOLLOWING AMOUNTS BY FUND ARE CERTIFIED AS NEEDED FOR THE MONTH OF:

December 2, 2025					
			TRANSFER	REG. MTHLY AMT	TOTAL
GENERAL FUND 100			\$45,440.17	\$238,076.94	\$283,517.11
ROAD FUND 300				\$69,609.35	\$69,609.35
ROAD BUYBACK FUND 650				\$0.00	\$0.00
SPECIAL ROAD FUND 700				\$56,107.56	\$56,107.56
DEBT SERVICE FUND - JUSTICE CENTER 900				\$593,105.00	\$593,105.00
SINKING FUND 0950				\$0.00	\$0.00
VISITORS PROMOTION FUND 990				\$3,948.14	\$3,948.14
VISITORS IMPROVEMENT FUND 995				\$0.00	\$0.00
ASSESSOR REAPPRAISAL 1100				\$0.00	\$0.00
REGISTER OF DEEDS FUND 1150				\$0.00	\$0.00
HEALTH CLAIM FUND 1250				\$0.00	\$0.00
VETERANS AID FUND 1900				\$0.00	\$0.00
AGING SERVICE FUND 2250				\$3,600.60	\$3,600.60
DRUG LAW ENFORCE FUND 2360				\$3,720.03	\$3,720.03
PROBLEM SOLVING COURT 2390				\$0.00	\$0.00
CO ATTY FED DRUG LAW ENF FUND 2410				\$0.00	\$0.00
CO ATTY TREASURY FUND 2411				\$0.00	\$0.00
TREASURY FUNDS (SHERIFF DRUG) 2412				\$0.00	\$0.00
JUSTICE FUNDS 2414				\$0.00	\$0.00
HOUSE ARREST FUND 2435				\$0.00	\$0.00
ATTORNEY GRANT FUND 2500				\$0.00	\$0.00
EMERGENCY MGR GRANT FUND 2501				\$0.00	\$0.00
E911 GRANT FUND 2502				\$0.00	\$0.00
ROAD GRANT FUND 2503				\$0.00	\$0.00
MISC GRANT FUND 2504				\$0.00	\$0.00
AMERICAN RELIEF FUND 2580				\$0.00	\$0.00
INHERITANCE TAX FUND 2700				\$8,526.25	\$8,526.25
E911 FUND 2910				\$13,055.76	\$13,055.76
911 WIRELESS SERVICE 2913				\$1,016.00	\$1,016.00
911 WIRELESS SERVICE 2914				\$923.88	\$923.88
COMMISSARY FUND 2965				\$10,448.91	\$10,448.91
			\$45,440.17	\$1,002,138.42	<u>\$1,047,578.59</u>
TOTAL IMPREST FUND					

Dated this ____ day of _____, 20__.

BRANDY JOHNSON

(SEAL)

Seward
County Clerk

Seward County Clerk
P.O. Box 190
Seward, NE 68434
Phone 402-643-2883
Fax 402-643-2228

December 2, 2025

I, BRANDY JOHNSON, SEWARD COUNTY CLERK, DO HEREBY CERTIFY THAT THE FOLLOWING AMOUNTS HAVE BEEN ALLOWED BY THE SEWARD COUNTY COMMISSIONERS AND THEY HAVE AUTHORIZED PAYMENT OF SAME FROM THE IMPREST FUND.

THE FOLLOWING AMOUNTS BY FUND ARE CERTIFIED AS NEEDED FOR THE MONTH OF:

December 2, 2025			REG. MTHLY AMT	TOTAL
GENERAL FUND 100			\$281,267.98	\$281,267.98
ROAD FUND 300			\$62,236.90	\$62,236.90
ROAD BUYBACK FUND 650			\$0.00	\$0.00
SPECIAL ROAD FUND 700			\$0.00	\$0.00
DEBT SERVICE FUND - JUSTICE CENTER 90			\$0.00	\$0.00
SINKING FUND 950			\$0.00	\$0.00
VISITORS PROMOTION FUND 990			\$0.00	\$0.00
VISITORS IMPROVEMENT FUND 995			\$0.00	\$0.00
ASSESSOR REAPPRAISAL FUND 1100			\$0.00	\$0.00
REGISTER OF DEEDS FUND 1150			\$0.00	\$0.00
HEALTH CLAIM FUND 1250			\$0.00	\$0.00
VETERANS AID FUND 1900			\$0.00	\$0.00
AGING SERVICE FUND 2250			\$2,611.37	\$2,611.37
DRUG LAW ENFORCE FUND 2360			\$0.00	\$0.00
PROBLEM SOLVING COURT 2390			\$0.00	\$0.00
CO ATTY FED DRUG LAW ENF FUND 2410			\$0.00	\$0.00
CO ATTY TREASURY FUND 2411			\$0.00	\$0.00
SHERIFF FED DRUG LAW ENF FUND 2412			\$0.00	\$0.00
SHERIFF FED DRUG ENFORCE FUND 2414			\$0.00	\$0.00
HOUSE ARREST FUND 2435			\$0.00	\$0.00
ATTORNEY GRANT FUND 2500			\$3,057.79	\$3,057.79
EMERGENCY MGR GRANT FUND 2501			\$0.00	\$0.00
E911 GRANT FUND 2502			\$0.00	\$0.00
ROAD GRANT FUND 2503			\$0.00	\$0.00
MISC GRANT FUND 2504			\$0.00	\$0.00
AMERICAN RELIEF FUND 2580			\$0.00	\$0.00
INHERITANCE TAX FUND 2700			\$0.00	\$0.00
E911 FUND 2910			\$30,566.99	\$30,566.99
911 WIRELESS SERVICE 2913			\$0.00	\$0.00
911 WIRELESS SERVICE 2914			\$0.00	\$0.00
COMMISSARY FUND 2965			\$0.00	\$0.00
TOTAL PERSONNEL IMPREST FUND			\$379,741.03	<u>\$379,741.03</u>

Dated this ____ day of _____, 20____.

BRANDY JOHNSON
SEWARD COUNTY CLERK

(SEAL)

**INTERLOCAL COOPERATION AGREEMENT
TO JOIN
SOUTHEAST NEBRASKA DEVELOPMENT DISTRICT**

WHEREAS, the many local governments, including municipalities and counties in the Southeastern Nebraska region and specifically the area included within Butler, Fillmore, Gage, Jefferson, Johnson, Lancaster, Nemaha, Otoe, Polk, Pawnee, Richardson, Saline, Saunders, Seward, Thayer and York Counties in the State of Nebraska, form one regional community with a citizenry bound together physically, socially and economically and serviced by not just one unit of local government but by the many; and,

WHEREAS, the Interlocal Cooperation Act, Sections 13-801 through 13-827, Nebraska revised Statutes (Reissue 1997 and Supp. 2002), authorize the joint exercise of powers, privileges and authority by agreement of two or more public agencies of any power common to them; and,

WHEREAS, notwithstanding any language herein, it is the intention of Seward County to become a member of a Development District created under authority of Sections 13-1901 to 13-1907, Nebraska Revised Statutes (Reissue 1997) (hereinafter referred to as the Development District Act); and

WHEREAS, expansion of the concept of cooperation among local government while strengthening local home rule is the best solution for dealing with regional challenges beyond individual capabilities; and,

WHEREAS, the Southeast Nebraska Development District, hereinafter referred to as SENDD, provides the political subdivisions of Seward County an opportunity to participate with other local governments in the region to resolve problems and develop policies and plans that are common and regional in nature; and,

NOW, THEREFORE BE IT RESOLVED, in consideration of the covenants contained herein, the signing party agrees:

1. That there has been formed SENDD, a Development District created to serve a 16-county area of Southeastern Nebraska and which is formed, financed, organized and shall operate and may be dissolved in accordance with the provisions of this Agreement and its Bylaws.

2. That the effective date for formation of SENDD shall be the same as the date on which Bylaws were first adopted and shall remain in effect for an initial term of one year from such date. The term shall thereafter be perpetual in the sense that there is no established termination date as it is the intent of the signatory parties that SENDD be a permanent organization. Such permanent existence is subject to the statutory requirements of the Development District Act which imposed certain minimum requirements on the membership composition of a Development District.

3. That SENDD was created as an organization of units of general purpose local governments; that memberships shall be open to all counties and municipalities in the 16-county region which meet the terms and conditions of this Agreement and the organization's bylaws; and, that each member unit of government shall be represented by its chief elected official in the determination of general policy of SENDD while specific policy and staff matters shall be determined by a Board of Directors whose membership shall be constituted as specified in the Bylaws of the organization.

4. That Bylaws have been adopted which effectively establish the operational terms of this Agreement.

5. **That SENDD shall have the following purposes and powers:**

- A. To serve as a mutual forum to identify, discuss, study, and bring into focus regional challenges and opportunities.
- B. To serve as a vehicle for the collection and exchange of information of regional interest
- C. To provide a continuing organizational machinery to ensure effective communication and coordination among governments and agencies.
- D. To foster, develop and review policies, plans and priorities for regional growth, development and conservation.
- E. To facilitate agreements and cooperative action proposals among member governments for specific projects or other inter-related development needs and for the adoption of common policies and plans with respect to common regional challenges.
- F. To maintain liaison with members, governmental units and groups or organizations and to serve as regional spokesman for local government.
- G. To furnish general and technical aid to member governments to promote and accomplish agency approved agreements, policies and plans.
- H. To review and coordinate federal, state and local programs of regional importance.
- I. To sponsor programs and projects in the interest of promoting the above purposes.
- J. *To rent, lease, purchase, own, sell or otherwise acquire or dispose of both real and personal property in the manner of acquiring, holding and disposing of said real and personal property as determined by SENDD.*
- K. *To create a nonprofit organization that reflects a regional focus and allows for the pursuit of additional financial resources.*
- L. *To enter into any contracts, agreements, documents, instruments, notes, deeds, mortgages, deeds of trust, or other documents of conveyance or indebtedness, with the approval of the majority of the Board of Directors.*
- M. *To engage in any lawful act or activity not inconsistent with the Interlocal Cooperation Act as the same is now in effect or as may be hereafter amended.*

6. That the members of SENDD shall pay an annual fee for the maintenance of an annual budget. Said fee shall be determined by the Board of Directors following approval of the proposed budget and work program for the succeeding year; and, SENDD shall be entitled to receive gifts, grants and bequests to assist in its maintenance.

7. That SENDD, to effectively pursue its purposes, shall maintain a staff, one of which shall be an Executive Director who may, on behalf of the organization, enter into agreements for grants and gifts from public and private sources for implementation of the organization's adopted work program.

8. This Agreement shall be terminated by failure to pay the annual contribution as asked by SENDD or by resolution submitted to the Board of Directors by the signing political subdivision.

9. That assets accumulated by SENDD shall be distributed evenly between the members in good standing at the time and in the event SENDD is dissolved.

10. Any signatory party, not having withdrawn from this agreement, may request an amendment to this agreement. Any such amendment, or amendments, will not be effective unless, and until, all signatory parties who are members at the time the amendment or amendments are proffered, agree, in writing, to such amendment or amendments.

11. Seated members of the SENDD Board of Directors may, by a simple majority vote of those members, adopt a resolution recognizing a county as a non-member. Such status shall only be granted when the requesting county declines to become a member in good standing and when such decision represents an obstacle to attaining or maintaining continuity of county boundaries as may be required by certain Federal and State regulations. Any county seeking such status shall do so by resolution submitted to the Board of Directors. Any county granted status shall enjoy no rights or privileges of membership.

12. This agreement, or any amendment to this agreement, may be signed in any number of counterparts, each of which will be an original, but all of which when taken together will constitute one agreement, or amendment to the agreement as the case might be.

13. That the effective date of this agreement shall be the same as the date when first executed by the Presiding Supervisor of the Seward County Board of Supervisors.

AND BE IT FURTHER RESOLVED, by the Board of Supervisors of Seward County, Nebraska on this _____ day of _____, 20____.

Presiding Supervisor, County Board of Supervisors
Seward County.

ATTEST:

County Clerk

DISCUSSION/ACTION ITEM

Date: September 10, 2025

Prepared by:



Tom Bliss
Executive Director

Reviewed by:



Kelly Gentrup
Director of Development Services

ISSUE

Presently, the Southeast Nebraska Development District (SEND) "District" cannot acquire, own, or sell property. SEND's legal counsel determined that as a development district created under the Nebraska Interlocal Cooperation Act, the District cannot participate in these activities unless they are specifically mentioned in organization documents – bylaws and Interlocal Cooperation Agreements (ICA). Based on guidance from SEND's legal counsel, staff are proposing to revise the District's bylaws and ICA's to include the acquisition, ownership, and selling of property. Additionally, as a quasi-governmental entity, SEND is limited on funding opportunities. Staff are working with our counsel to determine if SEND can create a 501c organization consisting of the District's Board of Directors to expand eligibility for new financial resources. Both actions would require revisions to SEND's bylaws and ICAs.

BACKGROUND

The Interlocal Cooperation Act (Act) that established Nebraska's nine development districts (SEND's 16 counties include Regions 6 and 7). This enabling statute includes the purpose, duties, powers, and a process for forming a district; however, the Act did not specifically include acquiring, owning, or selling property. As such, districts/councils of governments/regional planning commissions have used a variety of avenues to address this "challenge" regarding real estate or investments.

These approaches differ by state. For example, in Missouri, councils of governments (COG) establish 501c3's to own property. The 501c's are responsible for maintaining buildings and the COGs pay rent. The organizations share a board of directors with the same membership but have different officers, bylaws, and financials. Districts can be creative in how they use this status. One instance is the North Central Regional Planning Commission in Kansas that owns and operates an Internet Service Provider (ISP). In St. Joseph, I opened a small business incubator that offered space to start-up businesses, that covered operating costs.

A handful of districts have included language in their bylaws and ICAs that allow for the acquisition, ownership and selling of real estate. This allows for site control and does not require the creation of a separate entity. Staff is proposing the SEND Board of Directors consider this approach and revising our bylaws to include appropriate language for **property ownership**.

While this addresses the question of real estate ownership, outside of housing development, it does not generate new organization-wide funding opportunities. SEND staff are constantly searching for new programs and services to better serve the region, but due to our status as a quasi-governmental entity, we are ineligible for many of these prospects. Presently, the District uses "work arounds" by partnering with our affiliate 501c entities – SEND, Inc. and SENAHC. And while this allows for the organizations to pursue/generate new resources, SEND typically does not recognize financial gains and it requires action from at least two boards.

The Executive Committee and staff considered our partner non-profits, however, all three have different board composition requirements, terms, and SEND is the only one of the three that has to follow the Open Meetings Act. For example, as a Community Housing Development Organization (CHDO), SENAHC's Board's composition consists of low-income community reps, public institutions, religious organizations, and for-profit organizations,

plus Cass County is included in its footprint. This conflicts with SENDD's board structure – 51% elected, 35% non-government, and 14% at-large. Additionally, the Executive Committee recommended researching other types of nonprofits, such as foundations, trusts, LLCs, etc. Based on feedback from legal counsel, the 501c was encouraged.

Staff proposes the creation of a new 501c organization the mirrors either SENDD's Board of Directors or Executive Committee that would allow the District's Board to expand programs and services that align with their goals and mission. This would be contingent upon legal counsel's guidance.

This is a Discussion/Action Item. Based on the Board's decision, SENDD staff will work with legal counsel to revise ICAs and bylaws. Amended ICAs will allow for 1) property ownership, 2) the creation of a 501c, or 3) both #1 and #2. These will be presented to SENDD's county members (16) for consideration. The intent will be to present this to all counties prior to the December SENDD Board meeting. Concurrently, staff will modify the bylaws to reflect the Board's decision.

SYNOPSIS

Presently, SENDD cannot acquire, own, or sell property. Based on guidance from SENDD's legal counsel, staff are proposing to revise the District's bylaws and ICA's to include the acquisition, ownership, and selling of property. Additionally, as a quasi-governmental entity, SENDD is limited on funding opportunities. Staff suggest creating a new a 501c organization consisting of the District's Board of Directors to expand eligibility for new financial resources. Both actions would require revisions to SENDD's bylaws and ICAs and are contingent upon language provided by legal counsel.

RECOMMENDATIONS

Contingent on legal review, revise SENDD's Bylaws to allow for the acquisition, ownership, and selling of property; and pursue the creation of a 501c organization consisting of the District's Board of Directors to expand eligibility for new financial resources.

Surplus Property Disposal Request

Date: 11-24-25
Name of Office: Detention Center
Name of Dept. Head: Sara Stenger
Type of Personal Property or Mobile Equipment: Computer Equipment & TV

Estimated Value: 0

Disposal Method Type: (Circle One) Waste

Trade-In, Sale of Personal Property \$2,500 or more; Sale of Mobile Equip over \$5,000, Donation

Note: May use one sheet for multiple pieces of equipment but with the same *type* of Disposal Method. Please use a separate sheet for each different *type* of Disposal Method.

Information about Disposal:

Monitor
Scanner
T.V
Laptop
P.C

Please submit to the County Clerk (for agenda purposes) for submittal to the Board of Commissioners. A copy of this will be given to the Board of Commissioners for their consideration *prior* to said meeting.

Approved: _____
Chairman, Seward County Board of Commissioners

Date

Surplus Property Disposal Request

Date: 11-24-2025
Name of Office: Detention Center
Name of Dept. Head: Sara Steyer
Type of Personal Property or Mobile Equipment: Chairs

Estimated Value: 0

Disposal Method Type: (Circle One) Trash

Trade-In, Sale of Personal Property \$2,500 or more; Sale of Mobile Equip over \$5,000, Donation

Note: May use one sheet for multiple pieces of equipment but with the same *type* of Disposal Method. Please use a separate sheet for each different *type* of Disposal Method.

Information about Disposal:

Multiple Chair - Broken backs & arms

Please submit to the County Clerk (for agenda purposes) for submittal to the Board of Commissioners. A copy of this will be given to the Board of Commissioners for their consideration *prior* to said meeting.

Approved: _____
Chairman, Seward County Board of Commissioners

Date