

April 9, 2013
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 April 9, 2013 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 April 9, 2013 at 9:00 a.m.

Present:	Chairman:	Darrell Miller
	Members:	Mike Luebbe, Diana Garske, Mary Koci
	County Clerk:	Sherry Schweitzer
Absent:	Member:	Scott Stuhr

The Chairman 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 Garske and seconded by Koci to approve the minutes of April 2, 2013.

Affirmative Vote: Garske, Koci, Miller

Abstain: Luebbe due to his absence at the meeting

Motion Carried

Russ Daehling, Highway Supt. and Mike Janssen, Maintenance Supervisor updated the Commissioners on activities of their departments.

Commissioners Reports:

Commissioner Luebbe reported he attended a Community, Communication Club Group meeting and a Sheriff's Office Security Training. He also attended a Blue Valley Community Action meeting, a Weed Control training, and worked on an abandoned cemetery issue. He noted that there are some cattle crossing road signs that he is investigating to see if they are needed.

Moved by Koci and seconded by Garske to open the abandoned cemetery bids at 9:15 a.m.

Affirmative Vote: Koci, Garske, Luebbe, Miller

Motion Carried

Only one bid was received which was from Niemann Mowing.

Moved by Garske and seconded by Luebbe to award the mowing of abandoned cemeteries to Niemann Mowing for the mowing of 15 of 17 abandoned cemeteries for \$697.00 each mowing.

Affirmative Vote: Garske, Luebbe, Koci, Miller

Motion Carried

Commissioners Reports: (Cont.)

Commissioner Garske reported she had worked on a vehicle log issue, visited with the Highway Supt about road improvements for a local business that could correlate with the Seward County Economic Development Corp.

Commissioner Koci reported she attended the Four Corners Annual meeting and informed those present that the Nebraska Environmental Trust awarded a grant to BRIDGES.

Commissioner Miller reported he attended the Four Corners Annual meeting and a Security Training provided by the Sheriff Joe Yocum.

Moved by Luebbe and seconded by Koci to authorize the chairman to sign the Izaak Walton Road Semi-Annual Federal Financial Report (SF-425) for period ending 3/31/13 and Cover Letter to EDA.

Affirmative Vote: Luebbe, Koci, Garske, Miller

Motion Carried

Moved by Garske and seconded by Koci to approve the right of way request from Barry and Lanny Stauffer in the NE ¼ of Section 33, Township 10 North, Range 2 East of the 6th p.m.

Affirmative Vote: Garske, Koci, Luebbe, Miller

Motion Carried

Larry Miller was present from Nebraska Machinery and visited with the Commissioners about the Nebraska Machinery Rebuild program. Daehling gave information on some of the motor graders that Seward County currently owns and the amount of hours each has. Some of these motor graders will be considered to be re-built rather than purchasing brand new machines.

Moved by Garske and seconded by Koci to accept the recommendation of the Highway Supt. to have seven 140H Caterpillar motor graders rebuilt in the next 3 budget cycles from the Nebraska Machinery Rebuild Program.

Affirmative Vote: Garske, Koci, Luebbe

Voting No: Miller

Motion Carried

Don Jirsa was present to request a portion of Saltillo Road, that is adjacent to land owned by him, be vacated. He stated that the road is a dead-end and Seward County currently maintains it. Daehling stated what the vacating process is and said that it may have to be investigated due to it being on the Seward/Saline County line. Daehling will look into the matter and will proceed with the vacating barring any complications due to it being on the County line.

James Noe and Zac Ocken of Last Mile Networks were present to explain their services. After much discussion, it was decided that more information is needed, such as number of computers each office has, type of programs used by each office, training needed, etc. They suggested having this information so that an RFP can be issued for IT Services for Seward County.

The Commissioners recessed at 10:35 a.m.

The Commissioners re-convened at 10:40 a.m.

The Commissioners continued discussing IT Services.

Moved by Garske and seconded by Koci that we move forward in an agreement with Last Mile Networks to put RFP information together and to ask the State Patrol to do a background check on their employees and also employ Last Mile Networks to do IT Services for Seward County until the RFP is ready.

Affirmative Vote: Garske Koci Luebbe Miller

Moved by Garske and seconded by Luebbe to approve the Worksite Nursing Mother Policy formerly known as the Breastfeeding Policy.

Worksite Nursing Mothers Policy

The Patient Protection and Affordable Care Act ("Affordable Care Act") amended [section 7 of the Fair Labor Standards Act](#) ("FLSA") to require employers to provide a

reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk. Employers are also required to provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. Seward County subscribes to the following policy:

1. Employee Notification to Supervisor

An employee who has a child up to one year of age shall notify their immediate supervisor that they would like to express their breast milk during work hours.

2. Employees shall be provided a place to express breast milk.

A private space (not a toilet stall or restroom) will be available for an employee to express milk using a breast pump. The space will have:

- a. Electrical outlet
- b. Table and chair
- c. Nearby sink for washing hands and rinsing pump parts
- d. A lock on the door

Employees may use their *private* office area for milk expression, if applicable. The supervisor shall notify the employee of the area designated to express breast milk. The supervisor shall have the assistance of the County Board in designating the location, if needed.

3. A refrigerator will be available for safe storage of expressed breast milk.

Employees may temporarily store their breast milk on the premises. A refrigerator will be available for safe storage of breast milk. Employees should provide their own containers, clearly labeled with name and date. Employees may store milk in their own cooler/ ice chest. Employees using the refrigerator are responsible for keeping it clean.

4. Flexible breaks to accommodate milk expression.

A breastfeeding employee shall be provided a flexible schedule for expressing breast milk for the child. A flexible schedule shall include consideration for the frequency of breaks and duration of each break for each time the employee needs to express the milk. Any *paid* break time shall not exceed 15 minutes for a break. If additional time is needed (above and beyond break time), the supervisor and employee shall coordinate a plan which may include the employee using vacation time, coming into work earlier, or leaving later.

5. Coworkers are expected to provide support for breastfeeding employees.

Coworkers of the breastfeeding employee shall provide an atmosphere of support for breastfeeding employees.

6. Notification to new and current employees

The Nursing Mothers Policy will be communicated to current staff via written addendum to the Employee handbook. New employees will be notified of the policy via the Employee Handbook.

7. Applicability

The Nursing Mothers Policy will be applicable to exempt and non-exempt employees.

Dated this 9th day of April 2013

AYES: Diana L. Garske, Michael Luebbe, Mary Koci
Darrell Miller, Chairman of the Board

ABSENT: Scott Stuhr

ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Luebbe, Koci, Miller

Motion Carried

Moved by Garske and seconded by Koci to accept the Clerk of the District Court Fee Report for March 2013 in the amount of \$1,732.00.

Affirmative Vote: Garske, Koci, Luebbe, Miller

Motion Carried

Moved by Koci and seconded by Luebbe to accept the County Clerk Fee Report for March 2013 in the amount of \$23,327.50.

Affirmative Vote: Koci, Luebbe, Garske, Miller

Motion Carried

Moved by Luebbe and seconded by Koci to have an extra Commissioner Meeting on April 26, 2013 to approve April claims.

Affirmative Vote: Luebbe, Koci, Garske, Miller

Motion Carried

Known items on the agenda for April 16, 2013 are as follows:

9:00 a.m. Convene and announce Open Meetings Law

Pledge of Allegiance

Discuss/Action – Public/Officials/Boards

Discussion/Action- Approve Minutes of April 9, 2013

Other Business Matters to Address When Time Allows

Commissioners Reports

Right of Way Request(s): Tony Beckler between Section 4 & 9 T9N R1E

Discuss/Action – Cost of Living

Discuss/Action –LB 57- Environmental Trust Activity– Authorize the Chairman to sign communication

Discuss/Action – HR Director

Moved by Koci and seconded by Luebbe to adjourn at 11:08 a.m.

Affirmative Vote: Koci, Luebbe, Garske, Miller

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 16th day of April 2013.

County Clerk

Chairman