

Seward County Board of Commissioners

April 21, 2015

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 21, 2015 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 21, 2015 at 9:00 a.m.

Present: Chairman: Roger E. Glawatz
Members: Mike Luebbe, Diana Garske, Gene Gausman,
Whitney Fleischman
County Clerk: Sherry Schweitzer

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 Fleischman and seconded by Garske to approve the minutes of April 14, 2015.

Affirmative Vote: Fleischman, Garske, Gausman, Luebbe, Glawatz Motion Carried

Commissioners Reports:

Commissioner Luebbe reported he attended the Pre-Bid meeting for the Justice Center, the SE District NACO meeting, a Planning and Zoning Board meeting, met with Kirkham Michael and Speece Lewis representatives about road projects, and did some work at the Road Dept.

Commissioner Garske attended the Pre-Bid meeting, visited the Extension Office, and received constituents concerns

Jeff Baker, Public Transit Director presented grant papers for the Commissioners consideration.

Moved by Garske and seconded by Luebbe to adopt Resolution No. 3169 in regard to the funding request for Public Transit for 2015 – 2016.

RESOLUTION NO. 3169 SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, There are federal funds available under Section 5311 of the Federal Transit Act (FTA) and for Nebraska Public Transportation Act Funds, and

WHEREAS, Seward County Public Transit desires to apply for said funds to be used to provide public transportation in Seward County with special emphasis on meeting the needs of the elderly and disabled of Seward County.

NOW THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners hereby instructs the Seward County Public Transit Director to apply for the above mentioned funds. Said funds are to be used for the Seward County Public Transit operations in FY 2015-2016 and Seward County hereby pledges up to \$35,911.00 to meet its local match obligations.

Dated this 21st day of April, 2015.

Motion by: Garske

Seconded by: Luebbe

Aye: Diana Garske, Michael Luebbe, Whitney Fleishman, Eugene Gausman & Roger Glawatz

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Garske, Luebbe, Gausman, Fleischman, Glawatz Motion Carried

Moved by Garske and seconded by Fleischman to authorize the Chairman sign a Right of Way Easement with Great Plains Communications for cable lines on the County Courthouse property.

Affirmative Vote: Garske, Fleischman, Gausman, Luebbe, Glawatz Motion Carried

Commissioner Gausman reported he attended the Pre Bid Meeting for the Justice Center, the SE District NACO meeting, and the Planning and Zoning meeting. He visited a road shop and road personnel and received a constituent call about road. Commissioner Fleischman attended the Pre-Bid meeting for the Justice Center, a Personnel Board meeting, a Fair Board meeting and met with York County Road Dept. personnel.

Commissioner Glawatz reported he attended the SE District NACO meeting, met with the County Clerk, Clerk of the District Court, County Court Clerk magistrate and received many emails and phone calls about county business.

Barbara Bird was present to ask permission to place a sign on the courthouse lawn to advertise the Relay for Life event.

Moved by Fleischman and seconded by Gausman to grant permission to place a mobile sign on the southeast corner of the Courthouse lawn from May 8 – 16, 2015 advertising a Relay for Life event.

Affirmative Vote: Fleischman, Gausman, Luebbe, Garske, Glawatz Motion Carried

Moved by Garske and seconded by Luebbe to award the rental rates for Seward County as recommended by Road Dept. personnel and listed below.

EQUIPMENT	SPECIFICATIONS	MONTHLY RATE				WEEKLY RATE			
		Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents	Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents
Skid Steer Loader	50 HP; 1,700 lb Bucket Capacity		\$1,010.00				\$405.00		
Trencher	45 HP; 4 Wheel Drive w/Blade				\$2,467.00				\$863.00
Gravel Trailer	20 Cu Yd Capacity; 2 or 3 axle	No bid was received							
Vibratory Roller	10,000 lb; 70 HP Pad Foot; 48" Drum w/Blade		\$3,300.00				\$1,320.00		
Vibratory Roller	15,000 lb; 100 HP Pad Foot; 60" Drum w/Blade			\$3,870.00				\$1,280.00	
Tractor Loader Backhoe	15,000 lb; 75 HP; 1.25 Cu Yd Loader Bucket; 2 Wheel Drive	No bid was received							

Tractor Loader Backhoe	15,000 lb; 75 HP; 1.25 Cu Yd Loader Bucket; 4 Wheel Drive; Extendable Stick		\$1,900.00				\$800.00		
Portable Air Compressor	150-175 CFM with 75' Air Hose				\$800.00				\$250.00
Rubber Tired Loader	28,000 lb; 145 HP; 3.25 Cu Yd Bucket		\$4,100.00				\$1,650.00		
Rubber Tired Loader	36,000 lb; 170 HP; 4 Cu Yd Bucket		\$5,075.00				\$2,050.00		
Track Type Loader	31,000 lb; 120 HP; 2.25 Cu Yd Bucket		\$4,400.00				\$1,800.00		
Motor Grader	28,000 lb; 150 HP; 14' Blade		\$5,500.00				\$2,500.00		
Motor Grader	32,000 lb; 185 HP; 14' Blade		\$5,500.00				\$2,500.00		
Track Type Excavator	36,000 lb; 95 HP; 30" to 36" Bucket		\$3,925.00				\$2,000.00		
Track Type Excavator	45,000 lb; 125 HP; 42" to 45" Bucket		\$4,200.00					\$1,640.00	
Elevating Scraper	33,000 lb, 180 HP; 11 Cu Yd Capacity				\$10,450.00				\$3,500.00
Track Type Tractor	42,000 lb; 175 HP; Semi U Blade		\$6,800.00				\$3,000.00		
Self Propelled Sweeper	7' Broom; 75 HP; Water Sprinkler System				\$2,275.00				\$820.00
Construction Disc	10' Width; 28" to 30" Blades	No bid was received							
Material Handler	Rough Terrain; All Wheel Drive; 6,000 lb Capacity; 20' Reach Forks; 1.5 Cu Yd Bucket				\$2,275.00				\$800.00
EQUIPMENT	SPECIFICATIONS	Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents	Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents
Jack Hammer	Air Operated with Chisel and Spade Points				\$205.00				\$81.00
Dirt Tamper	Air Operated				\$225.00				\$105.00
Twin Engine Scraper	22 cubic yd. Capacity				\$22,800.00				\$7,700.00
Tree Chipper	PTO Drive or Self Contained unit				\$1,420.00				\$475.00
Water Truck	3000 Gallon	\$4,000.00				\$1,500			
Tar Applicator	230 Gallon	\$3,750				\$1,250			
Dump Truck	10 CU Yrd., 54,000lbs				\$2,300.00				\$875.00

MACHINE MODEL

EQUIPMENT	SPECIFICATIONS	Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents
Skid Steer Loader	50 HP; 1,700 lb Bucket Capacity		318E		
Trencher	45 HP; 4 Wheel Drive w/Blade				RT45
Gravel Trailer	20 Cu Yd Capacity; 2 or 3 axle	No bid was received			
Vibratory Roller	10,000 lb; 70 HP Pad Foot; 48" Drum w/Blade		Hamm 3205p		

Vibratory Roller	15,000 lb; 100 HP Pad Foot; 60" Drum w/Blade			Bomag	
Tractor Loader Backhoe	15,000 lb; 75 HP; 1.25 Cu Yd Loader Bucket; 2 Wheel Drive	No bid was received			
Tractor Loader Backhoe	15,000 lb; 75 HP; 1.25 Cu Yd Loader Bucket; 4 Wheel Drive; Extendable Stick		310SK OR 310SL		
Portable Air Compressor	150-175 CFM with 75' Air Hose				D185DP
Rubber Tired Loader	28,000 lb; 145 HP; 3.25 Cu Yd Bucket		624K		
Rubber Tired Loader	36,000 lb; 170 HP; 4 Cu Yd Bucket		644K		
Track Type Loader	31,000 lb; 120 HP; 2.25 Cu Yd Bucket		655K		
Motor Grader	28,000 lb; 150 HP; 14' Blade		670G		
Motor Grader	32,000 lb; 185 HP; 14' Blade		670G		
Track Type Excavator	36,000 lb; 95 HP; 30" to 36" Bucket		180G		
Track Type Excavator	45,000 lb; 125 HP; 42" to 45" Bucket				
Elevating Scraper	33,000 lb, 180 HP; 11 Cu Yd Capacity				613
Track Type Tractor	42,000 lb; 175 HP; Semi U Blade		850K		
Self Propelled Sweeper	7' Broom; 75 HP; Water Sprinkler System				CR-350
Construction Disc	10' Width; 28" to 30" Blades	No bid was received			
Material Handler	Rough Terrain; All Wheel Drive; 6,000 lb Capacity; 20' Reach Forks; 1.5 Cu Yd Bucket				TL-642
EQUIPMENT	SPECIFICATIONS	Rose Equipment	Murphy Tractor	Scott Van Keppel	Nebraska Rents
Jack Hammer	Air Operated with Chisel and Spade Points				
Dirt Tamper	Air Operated				
Twin Engine Scraper	22 cubic yd. Capacity				627
Tree Chipper	PTO Drive or Self Contained unit				
Water Truck	3000 Gallon				
Tar Applicator	230 Gallon	Climeline 230			
Dump Truck	10 CU Yrd., 54,000lbs				FORD F-750 (5/6 yd)

Note: Monthly Rental Rate Based on 120 Hours of Usage

Weekly Rental Rate Based on 30 Hours of Usage

Above Rates Subject to Machine Availability

Affirmative Vote: Garske, Luebbe, Gausman, Fleischman, Glawatz Motion Carried

Becky Paulsen, Weed/Zoning Administrator was present to discuss the Flood Plain Manager for Butler County. Butler County has expressed a desire to have Paulsen be

their Flood Plain Administrator and an Interlocal possibly be made. She stated that each County has to have a Flood Plain Manager and explained the duties. The Commissioners asked if this would be too much for her realizing she has many duties already. Paulsen said that she could include these duties within the hours of her job if Seward County would get a benefit from it. The Commissioners stated they felt that her job duties were enough and that taking on more responsibility would be too much for her position.

Moved by Fleischman and seconded by Luebbe to decline the offer from Butler County for Becky Paulsen to be Flood Plain Manager for Butler County.

Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

Chairman Glawatz led discussion on the Committee for the Justice Center. He stated that the members of the Committee will be Commissioner Fleischman, (Commissioner Garske as an alternate), Sheriff Yocum, (Chief Deputy Hejl as his alternate), Maria Hatfield, Terry Kamprath, Jacque Stewart, Sheila Beins & Patrick Calkins (Wendy Elston as his alternate.) Yocum stated that the committee will meet weekly during construction and report to the Board. Details about what day and time the meeting will take place, etc. were also discussed.

Matt Wullenwaber and Lee Johnson of Mid-American Benefits were present to give their recommendation for the renewal of health insurance. They went through the various details that make up costs for premiums for the Partially Self-Funded Insurance Program that Seward County has.

Moved by Garske and seconded by Fleischman to accept the quote from Berkley Accident and Health for the health insurance for Seward County effective 6/1/15 to 5/31/16 per the recommendation of Mid-American Benefits

Affirmative Vote: Garske, Fleischman, Luebbe, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Gausman to authorize the Chairman to sign the Disclosure Document with Berkley Accident and Health for the health insurance for Seward County.

Affirmative Vote: Fleischman, Gausman, Garske, Luebbe, Glawatz Motion Carried

Moved by Fleischman and seconded by Garske to continue, as in the previous year, and have Mid-American Benefits, Inc. prepare the Summary of Benefits and Coverage and fulfill the requirements for the Transitional Reinsurance Fee and filing.

Affirmative Vote: Fleischman, Garske, Gausman, Luebbe, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to accept the recommendation from Mid-American Benefits for accepting the bid from Lincoln Financial Group for the Life Insurance portion of the insurance package.

Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

The Commissioners recessed at 11:20 a.m.

The Commissioners reconvened at 11:25 a.m.

Moved by Luebbe and seconded by Garske to open the public hearing at 11:27 a.m. for a request to rezone from the A-1 District to TA-1 District -a tract in the NW ¼ of Section 35, Township 12 North, Range 4 East of the 6th p.m.

Affirmative Vote: Luebbe, Garske, Gausman, Fleischman, Glawatz Motion Carried

Paulsen was present to give details about the request and the recommendation of the Planning and Zoning Board.

No one was present to give support or oppose said request.

Moved by Fleischman and seconded by Gausman to close the public hearing at 11:30 a.m.

Affirmative Vote: Fleischman, Gausman, Garske, Luebbe, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to adopt Resolution No. 3170 in regard to the approval of a Zoning Request to rezone from the A-1 District to TA-1 District a tract in the NW ¼ of Section 35, Township 12 North, Range 4 East of the 6th p.m.

RESOLUTION NO 3170 SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, Randy Tonkinson has applied for a Zoning District change for a tract of land from A-1 to TA-1, and

WHEREAS, The tract is described as a tract in the NW1/4, Section 35, Township 12N, Range 4E, Seward County, Nebraska, and

WHEREAS, the owner of record is Randy Tonkinson, and

WHEREAS, The described tract meets all the criteria to be classified as Transitional Agriculture, and

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

WHEREAS, the Planning Commission held a public hearing on the Zoning District change on March 23, 2015, and

WHEREAS, the Planning Commission had a recommendation to approve with a vote of 4 in favor, 3 against, and 0 absent and not voting.

WHEREAS, The Seward County Board of Commissioners held a public hearing for the Zoning District Change on April 21, 2015, and

WHEREAS, Notice of Public Hearing by the Seward County Board of Commissioners was published in the Seward County Independent, the Milford Times, and was posted on the property, and

WHEREAS, No one appeared to oppose said amendment

Individuals appeared to oppose said amendment

No one appeared to support said amendment

Individuals appeared to support said amendment

Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby adopt Resolution 3170 to approve , deny the Zoning District Change.

Dated this 21st day of April, 2015.

Motion by: Fleischman

Seconded by: Luebbe

Aye: Whitney Fleishman, Michael Luebbe, Eugene Gausman, Diana Garske & Roger Glawatz

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Fleischman, Luebbe, Gausman, Garske, Glawatz Motion Carried

Chad Marsh of Kirkham Michael was present to discuss various road projects that they have engineered plans for Seward County. He specifically talked about a Beaver Crossing Project of paving a road from Highway 34 south to the Beaver Crossing Exit. Dave Moody was also present to speak about the road.

Marsh also talked about a Wetland Mitigation Supplemental Agreement for the Seward Northeast Bypass Project. He stated that some wetlands will be taken away by the project and that the County needs to replace them with twice the amount of land.

Moved by Fleischman and seconded by Luebbe to authorize the Chairman to sign the Wetland Mitigation Supplemental Agreement for the Seward Northeast Bypass Project #C-80(539) starting in Section 13, Township 11 North, Range 3 East of the 6th p.m. then 2 miles South to Section 24 Township 11 North, Range 3 East of the 6th p.m.
Affirmative Vote: Fleischman, Luebbe, Gausman, Garske, Glawatz Motion Carried

Georgia Stockley, Road Dept. Administrative Assistant brought 2 right of way requests for the Commissioners consideration.

Moved by Fleischman and seconded by Luebbe to approve the right of way request from Gale Simonsen between the NE ¼ of Section 29 and the NW ¼ of Section 28 of Township 11 North, Range 1 East of the 6th p.m.
Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to approve the right of way request from Eugene Hladky between the NE ¼ of Section 3 and the NW ¼ of Section 2 Township 11 North, Range 1 East of the 6th p.m.
Affirmative Vote: Fleischman, Luebbe, Gausman, Garske, Glawatz Motion Carried

Moved by Luebbe and seconded by Garske to authorize the Chairman sign the letter to the Nebraska Dept. of Roads requesting them to be the Responsible Charge (RC).
Affirmative Vote: Luebbe, Garske, Gausman, Fleischman, Glawatz Motion Carried

Clerk Schweitzer led discussion on Continuing Disclosure requirements for the Justice Center Bond Issue. Quotes had been received from 2 companies to do the work necessary. She stated that she would try to complete the requirements herself and save the County money.

Known items on the agenda for Board of Equalization on April 28, 2015 are as follows:

- 8:30 a.m. Convene and announce Open Meetings Law
- Pledge of Allegiance
- Discuss/Action - Approve minutes of April 14, 2015
- Discuss/Action – Decision on Intent to Tax Protests from City of Seward
- Discuss/Action - Assessor Information Update

Known items on the agenda for Board of Commissioners on April 28, 2015 are as follows:

- 9:00 a.m. Convene and announce Open Meetings Law
- Pledge of Allegiance
- Discuss/Action - Approve minutes of April 21, 2015
- Discuss/Action – Approve Claims for April 2015

Other Business Matters to Address When Time Allows

- Discuss/Action – Public/Officials/Boards
- Commissioners Reports
- Right of Way Request(s): None
- Discuss/Action – Justice Center Update
- 9:15 a.m. Discuss/Action - Jeff Fleishman/Road Dept. – Removal of Underground Storage Tanks in regard to the Atlas Missile Base Silo

9:30 a.m. Discuss/Action – Res. – Short Form Plat to create the Daniel Addition in the SE ¼ of Section 27, T9N R4E

Discuss/Action – Res. – Short Form Plat to create the Ruck Addition in the SW ¼ of Section 24, T12N R1E

Discuss/Action – Res. – Short Form Plat to create Lindau Acres, an Administrative Replat of Lot 8 Timberline Estates Replat in the SW ¼ of Section 29, T11N R4E

Discuss/Action – Res. – Short Form Plat to create the R.F. Novak Addition in the NW ¼ of Section 26, T9N R4E

1:00 p.m. Discuss/Action – Open bids for the Seward County Justice Center at the Cattle National Bank Community Room

Moved by Fleischman and seconded by Garske to adjourn at 12:37 p.m.

Affirmative Vote: Fleischman, Garske, Luebbe, Gausman, Glawatz 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 28th day of April 2015.

County Clerk

Chairman