

**April 23, 2013**  
**Seward County Board of Equalization**

State of Nebraska)  
County of Seward) ss.

A regular meeting of the Seward County Board of Equalization was convened in open and public session at 8:30 a.m. on April 23, 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 Equalization has the right to modify the agenda to include items of an emergency nature only at such public meeting.

The Seward County Board of Equalization convened on April 23, 2013 at 8:30 a.m.

Present:      Chairman:              Darrell Miller  
                 Members:                Mike Luebbe, Diana Garske, Scott Stuhr, Mary Koci  
                 County Clerk:         Sherry Schweitzer  
                 County Assessor:      Marilyn Hladky

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 Koci and seconded by Garske to approve the minutes of April 9, 2013.

Affirmative Vote: Koci, Garske, Luebbe, Miller

Abstain: Stuhr – due to his absence at said meeting.

Motion Carried

Moved by Koci and seconded by Stuhr to set the date for the permissive exemption hearings on May 14, 2013 at 8:35 a.m.

Affirmative Vote: Koci, Stuhr, Garske, Luebbe, Miller

Motion Carried

Moved by Stuhr and seconded by Koci to authorize the Assessor to advertise and notify the applicants that have applied for a permissive exemption.

Affirmative Vote: Stuhr, Koci, Luebbe, Garske, Miller

Motion Carried

Moved by Garske and seconded by Stuhr to approve a letter from Terry Richters requesting a refund for a portion of his 2011 real estate taxes.

Affirmative Vote: Garske, Stuhr, Koci, Luebbe, Miller

Motion Carried

Moved by Koci and seconded by Luebbe to approve Tax List Corrections 101-12P, 102-12P, 124-11R, 125-12R, and 126-11R.

Affirmative Vote: Koci, Luebbe, Garske, Stuhr, Miller

Motion Carried

Hladky then updated the Commissioners on activities of her office.

Known items on the agenda for May 14, 2013 as follows:

8:30 a.m. Convene and announce Open Meetings Law

Pledge of Allegiance

Discussion/Action- Approve minutes of April 23, 2013

Discussion/Action- Assessor Information Update

Moved by Koci and seconded by Luebbe to adjourn at 8:52 a.m.

Affirmative Vote: Koci, Luebbe, Garske, Stuhr, Miller

Motion Carried



Commissioner Miller reported he also attended the NIRMA training. He also reported he received a road complaint.

Daehling discussed the costs for inspections for underground fuel tanks at the road dept. The inspections aren't warranted until 2014 but wanted to discuss costs. The fuel tanks that were installed around 1980 and repairs for new liners, etc. vs. the costs for new above ground tanks were discussed.

Daehling then discussed acquiring quotes for a gravel retriever. He stated that he could organize a demonstration of the apparatus that would attach to a motor grader and retrieve gravel from the ditches. Daehling will attempt to get 3 quotes and come back to the Board with the information.

Moved by Stuhr and seconded by Luebbe to approve the right of way request for Burkey Farms Inc. in the NE ¼ of Section 34, from the SE ¼ of Section 27, Township 9 North, Range 2 East of the 6<sup>th</sup> p.m.

Affirmative Vote: Stuhr, Luebbe, Koci, Garske, Miller Motion Carried

Moved by Koci and seconded by Garske to adopt Res. 3018 in regard to the substitution of pledged securities of Jones National Bank.

#### **RESOLUTION NO. 3018**

WHEREAS, the Jones National Bank & Trust Co., desires to make the following substitution of securities;

Release: Butler, 1.60%, RCPT # 359000337, CUSIP #123529DU0- 100,000.00

And

Pledge: Otoe, 3.35%, 11/15/17, RCPT #457002360-CUSIP#68905FCY3-100,000.00

Dated this 23<sup>rd</sup> day of April 2013

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

ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Koci, Garske, Stuhr, Luebbe, Miller Motion Carried

Moved by Stuhr and seconded by Garske to accept the County Clerk's Surplus Property Disposal Request.

Affirmative Vote: Stuhr, Garske, Koci, Luebbe, Miller Motion Carried

Moved by Stuhr and seconded by Luebbe to accept the Seward County Treasurer's Investment Report.

Affirmative Vote: Stuhr, Luebbe, Garske, Koci, Miller Motion Carried

The Commissioners recessed at 9:57 a.m.

The Commissioners reconvened at 10:05 a.m.

Moved by Stuhr and seconded by Koci to adopt Res. 3019 in regard to striking and voiding a Tax Sale Receipt on Non-Taxable Parcel.

#### **RESOLUTION NO. 3019**

**WHEREAS**, Property Described as Seward 32-11-3 Plaza South Subdivision in NE ¼, Block A, Parcel 4 of Lot 2, 0.3 of one acre is a public access road in front of McDonalds and Caseys and,

**WHEREAS**, taxes have been accruing to this property, and have been unpaid and,

**WHEREAS**, in 2010, a county tax sale certificate was placed on this property for the want of taxes - Certificate # 2020125 and,

**WHEREAS**, a public access road is not taxable and,

**THEREFORE, BE IT BE RESOLVED**, this County Board strikes taxes on parcel # 800221982 for tax years 2008 through 2012 in the amount of \$803.24 along with accrued interest and other related costs and,

**THEREFORE**, since this property was not taxable, tax sale certificate 2010125 is voided by this County Board.

Dated this 23<sup>rd</sup> day of April 2013

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

ATTEST: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Stuhr, Koci, Luebbe, Garske, Miller

Motion Carried

Commissioner Garske requested information regarding FMLA Leave and if an employee can request to work at home while on FMLA leave. Elston stated that it is allowable, but stated that details for accounting of the leave may be complicated depending if the employee is exempt or non-exempt. Commissioner Stuhr stated that he is opposed to having an employee work from home while on FMLA. Elston stated that communication is key when an official needs FMLA. She stated that when a person knows beforehand that they are going on FMLA, there should be some training of other office personnel to handle their workload.

The Commissioners then discussed approving an HR job description. Commissioners discussed different parts of the proposed job description. Commissioner Stuhr stated that the Personnel Board recommended hiring an HR person. He stated that this position would help all officials in their employee related issues. Commissioner Miller stated that he felt the position should be more related to the payroll processing. Elston stated that she reviewed many different HR job descriptions to come up with the suggested example. Bob Dahms, County Treasurer stated public perception was important. Jeff Baker, Veteran's Service Officer stated that he heard during discussion that consistency was important and that as a member of the Personnel Board, policy making has been an issue. He also stated that he thinks this person should work with the payroll aspect of employment.

Moved by Stuhr and seconded by Garske to approve the job description of the Seward County Human Resources and Legal Operations Assistant.

Affirmative Vote: Stuhr, Garske, Koci, Luebbe, Miller

Motion Carried

Moved by Stuhr and seconded by Garske to fill the HR position.

Affirmative Vote: Stuhr, Garske, Koci

Voting No: Luebbe, Miller

Motion Carried

Motion made by Koci and seconded by Garske to go into Executive Session at 11:33 am to discuss personnel, it being necessary to protect the reputation of the individual.

Affirmative Vote: Koci, Garske, Luebbe, Stuhr, Miller

Motion Carried

The Chairman re-stated that the reason for going into Executive Session was for personnel, it being necessary to protect the reputation of the individual.

Those present in Executive Session besides the members of the County Board were the Highway Supt. and the County Attorney.

Lisa Dey, Deputy County Clerk was present at 12:10 p.m.

Moved by Koci and seconded by Garske to go out of executive session at 12:12 p.m.  
Affirmative Vote: Koci, Garske, Stuhr, Luebbe, Miller Motion Carried

The Chairman reiterated that executive session was for personnel, it being necessary to protect the reputation of the individual.

Known items on the agenda for April 26, 2013 are as follows:

8:00 a.m. Convene and announce Open Meetings Law  
Pledge of Allegiance  
Discuss/Action –Claims for April 2013

Known items on the agenda for April 30, 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 23, 2013  
**Other Business Matters to Address When Time Allows**  
Commissioners Reports  
Right of Way Request(s): None

Moved by Stuhr and seconded by Koci to adjourn at 12:15 p.m.  
Affirmative Vote: Stuhr, 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 30<sup>th</sup> day of April 2013.

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman