

April 30, 2013

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 30, 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 30, 2013 at 9:00 a.m.

Present: Chairman: Darrell Miller  
Members: Mike Luebbe, Diana Garske, Scott Stuhr, Mary Koci  
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 Koci and seconded by Stuhr to approve the minutes of April 23, 2013.

Affirmative Vote: Koci Stuhr Garske Luebbe Miller

**Commissioners Reports:**

Commissioner Luebbe reported he had a meeting with the Road Dept.; the Zoning Administrator and looked into a road concern.

Commissioner Garske reported she worked with SCEDC and CASA. She had some concerns reported to her in regard to the HR Position decision made last week and also worked with the Last Mile Networks on IT issues.

Commissioner Stuhr reported he had a meeting with the Road Dept. and the Zoning Administrator and worked on several road concerns. He also has a Region V conference call later today.

Commissioner Koci reported she attended the BRIDGES meeting last week.

Commissioner Miller had no report.

Moved by Stuhr and seconded by Koci to approve the right of way request for Northern Natural Gas in the SW ¼ of Section 31, Township 10, Range 4 from the NW ¼ of Section 6 Township 9 North, Range 4 East of the 6<sup>th</sup> p.m.

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

Moved by Garske and seconded by Koci to hold the Farmers Market on the Courthouse Square.

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

Daehling stated that there were 2 sites discovered where trenching across a county road without a permit happened. There were also 2 pivot pads poured which do not meet Zoning Regulations. The Commissioners stated that there is a safety factor when trenching is done and no one knows how deep the electrical line is. They suggested contacting the landowner and starting all over with the right of way permit

process to make sure that trenching is done as a permit requires. The pivot pads need to be removed so that they comply with the Zoning Regulations. Waiving the damage deposit was also discussed. The County Attorney will be involved with the future of right of way permits.

Moved by Stuhr and seconded by Koci to adopt Res. 3020 in regard to allowing Jones National Bank pledge additional securities.

**RESOLUTION NO. 3020**

**WHEREAS**, the Jones National Bank & Trust Company desires to pledge the following to cover seasonal tax receipts as is in the following:

CUSIP	Description	Par Value	Coupon
079212S31	Bellevue	100,000.00	1.8%
840380BM0	So. Sioux City	200,000.00	2.4%
3136G1E62	FNMA	1,100,000.00	.6%

**THEREFORE, LET IT BE RESOLVED**, the Jones National Bank & Trust Company be allowed to make the above additional pledging of securities.

Dated this 30<sup>th</sup> day of April 2013

AYES: Scott Stuhr, Mary Koci, Diana L. Garske, Michael Luebbe

Darrell Miller, Chairman of the Board

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Motion Carried

Moved by Koci and seconded by Garske to adopt Res. 3021 in regard to allowing Cattle National Bank to pledge additional securities.

**RESOLUTION NO. 3021**

**WHEREAS**, the Cattle National Bank desires to pledge the following to cover seasonal tax receipts as is in the following:

Description	Date Purchased	Market Value
FHLMC GOLD J11075	4/10/2013	499,801.76
GNMA 2 4548	4/12/2013	574,907.44
GNMA 2 5023	2/05/2013	412,976.92
FNMA AB2133	2/11/2013	422,831.74

**THEREFORE, LET IT BE RESOLVED**, the Cattle National Bank & Trust Co. be allowed to make the above additional pledging of securities.

Dated this 30<sup>th</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

Moved by Stuhr and seconded by Koci to adopt Res. 3022 in regard to the approval of Prochaska Addition located in the E ½ NE ¼ of Section 18, Township 12 North, Range 2 East of the 6<sup>th</sup> p.m. with the correction of "him" in the resolution is changed to "her."

**RESOLUTION NO. 3022**

**WHEREAS**, Janet Prochaska has applied for a Short Form Plat Subdivision of property owned by her, and described as a tract in the E1/2 of the NE1/4, Section 18, Township 12N, Range 2E, Seward County, Nebraska, and

**WHEREAS**, The subdivision shall be called Prochaska Addition, and

**WHEREAS**, The Seward County Planning Commission held a meeting on April 22, 2013 to consider the Short Form Plat, and

**WHEREAS**, the Planning Commission recommended Approval of the Prochaska Addition Short Form Plat with a vote of 6 For, 0 against, and 3 Absent and Not Voting, and

**WHEREAS**,

No one appeared to oppose the subdivision

Individuals appeared to oppose the subdivision

No one appeared to support the subdivision

Individuals appeared to support the subdivision

Individuals appeared without commitment, and

**THEREFORE BE IT RESOLVED** that the Seward County Board of Commissioners do hereby approve the Prochaska Addition Short Form Plat with Resolution NO. 3022.

Dated this 30<sup>th</sup> day of April 2013

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

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Motion Carried

The Commissioners discussed the compensation for combining the Weed and Zoning Administrator's Position. Commissioners Stuhr stated that the combination of the 2 with the job descriptions that the current salary compensation is reasonable. Hansen, the current Zoning Administrator wanted to voice his concerns to the whole Board. The committee of Commissioner Stuhr and Luebbe stated that they gave consideration to comparable job descriptions in other counties.

Moved by Garske and seconded by Luebbe to make the wage for the current weed and zoning position at \$17.95 an hour.

Commissioner Luebbe withdraws his second.

Commissioner Garske withdraws her motion.

Moved by Garske and seconded by Luebbe to direct the liaison to advise the current employee that the wage for the Weed and Zoning position will remain the same.

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

Motion Carried

Moved by Stuhr and seconded by Koci to go into Executive Session at 9:58 a.m. to discuss personnel, it being necessary to protect the reputation of the individual(s).

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

Motion Carried

The Chairman re-stated that the reason for the Executive Session was to discuss personnel, it being necessary to protect the reputation of the individual(s).

Those included in Executive Session other than the Board members was the County Attorney.

Moved by Stuhr and seconded by Garske to go out of Executive Session at 10:33 a.m.

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

Motion Carried

The reiterated that the reason for Executive Session was for personnel, it being necessary to protect the reputation of the individual(s).

Known items on the agenda for Board of Commissioners on May 7, 2013 are as follows:

- 8:30 a.m. Convene and announce Open Meetings Law
  - Pledge of Allegiance
  - Discuss/Action – Public/Officials/Boards
  - Other Business Matters to Address When Time Allows**
  - Discussion/Action- Approve minutes of April 26 & 30, 2013
  - Commissioners Reports
  - Right of Way Request(s): Windstream – Bet Sec. 25 & 36 of T9N R4E
  - Discuss/Action – Review of Correction Action Plan of Employee
- 9:15 a.m. Discuss/Action – Report on IT Services
- 10:00 a.m. Alex Shada – Food Bank of Lincoln – Info about Food Bank

Moved by Stuhr and seconded by Luebbe to adjourn at 10:36 a.m.

Affirmative Vote: Stuhr, Luebbe, Garske, Koci, 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 7<sup>th</sup> day of May 2013.

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

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Chairman