

# Seward County Board of Commissioners

## April 5, 2016

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 8:30 a.m. on April 5, 2016 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 5, 2016 at 8:30 a.m. a.m.

Present:	Chairman:	Roger E. Glawatz
	Members:	Mike Luebbe, Diana Garske, Eugene 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 Luebbe and seconded by Garske to add, as an emergency item at 10:00 a.m.: "Discuss/Action – Open bids for the Mowing of Abandoned Cemeteries".  
Affirmative Vote: Luebbe, Garske, Gausman, Fleischman, Glawatz Motion Carried

Those officials present for their monthly meeting with the Commissioners were: Gary Petersen, Kathy Ruzicka, Shelly Stitt, Curt Parrack, Barb Liska, Michaela Tuttle, Joe Yocum, Wendy Elston, Jeff Baker and Sherry Schweitzer.

Wess Robotham of Southeast Nebraska CASA also updated the Commissioners on his organization.

Moved by Gausman and seconded by Luebbe to approve the minutes of March 22, 2016 with the correction of the word "protest" to "protect" in the March 22, 2016 minutes.  
Affirmative Vote: Gausman, Luebbe, Garske, Fleischman, Glawatz Motion Carried

### **Commissioners Reports:**

Commissioner Luebbe reported he attended the 911 Board Meeting, Justice Center meeting with the architects, the NACO Southeast District meeting and talked with engineers of a Road Project and with Emrich Construction in regard to the Missile Base project.

Commissioner Garske reported she attended the IT Same Page meeting, a web page planning meeting, an Open House for a Seward Chamber Director, a Southeast NACO meeting, a Justice Center meeting, a BRIDGES Board meeting and worked with new organizational processes of the new Seward County Chamber.

Commissioner Gausman reported he attended the NACO Southeast Meeting and also visited with a Hall County Official.

Commissioner Fleischman reported she attended the NACO Southeast meeting, a Justice Center meeting, a meeting with the Justice Center architect, met with various supervisors and dealt with various correspondence.

Commissioner Glawatz reported he attended the 911 Board meeting, the NACO Southeast meeting, and dealt with various correspondence.

Moved by Garske and seconded by Fleischman to accept the Sheriff Fee and Mileage Report for February 2016 in the amount of \$1,175.00 and \$585.17 respectively.  
Affirmative Vote: Garske, Fleischman, Gausman, Luebbe, Glawatz

Moved by Fleischman and seconded by Gausman to accept Clerk of the District Court Fee Report for March 2016 in the amount of \$6,918.03.  
Affirmative Vote: Fleischman, Gausman, Luebbe, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to accept the County Clerk Fee Report for March 2016 in the amount of \$19,275.35.  
Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to recommend approval for an addition to the Junto LLC Liquor License.  
Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to approve the Special Designated Liquor License for Junto LLC for an event on June 25, 2016.  
Affirmative Vote: Fleischman, Luebbe, Gausman, Garske, Glawatz Motion Carried

Moved by Fleischman and seconded by Garske to approve the Special Designated Liquor License for Junto LLC for an event on July 1, 2016.  
Affirmative Vote: Fleischman, Garske, Gausman, Luebbe, Glawatz Motion Carried

Jeff Baker, Public Transit Director, along with employees of the Public Transit office were present to give information about their services and ask the Commissioners to sign a proclamation.

Moved by Fleischman and seconded by Luebbe to authorize the County Board to sign the Proclamation naming the week of April 10-16, 2016 as Public Transit Week.  
Affirmative Vote: Fleischman, Luebbe, Garske, Gausman, Glawatz Motion Carried

Moved by Fleischman and seconded by Luebbe to allow the placing of signs for Public Transit Week at the Courthouse, West Wing, Extension Office and the Sheriff's Office.  
Affirmative Vote: Fleischman, Luebbe, Gausman, Garske, Glawatz Motion Carried

Tina Marroquin, Public Defender was present to give information about a contract for a Deputy Public Defender.

Moved by Fleischman and seconded by Garske to authorize the Public Defender's Office to go into contract negotiations for a Deputy Public Defender.  
Affirmative Vote: Fleischman, Garske, Gausman, Luebbe, Glawatz Motion Carried

The Commissioners recessed at 9:37 a.m.  
The Commissioners re-convened at 9:45 a.m.

The Commissioners considered leasing a new mini-excavator. Jeremy Cruze of Nebraska Machinery gave information about the lease.

Moved by Fleischman and seconded by Luebbe to adopt Resolution No. 3234 in regard to leasing of a Mini Excavator.

RESOLUTION NO 3234 OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, Seward County (the "Governmental Entity"), a body politic and corporate duly organized and existing as a political subdivision, municipal corporation or similar public entity of the State of Nebraska (the "State"), is authorized by the laws of the State to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into contracts with respect thereto; and

WHEREAS, In order to acquire such equipment, the Governmental Entity proposes to enter into a lease-purchase transaction pursuant to that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar Financial Services Corporation, the form of which has been presented to the governing body of the Governmental Entity at this meeting;

NOW THEREFORE, BE IT RESOLVED;

Section 1. Approval of Documents. The form, terms and provisions of the Agreement and all other schedules and exhibits attached thereto are hereby approved in substantially the form presented at this meeting, with such insertions, omissions and changes as shall be approved by counsel of the Governmental Entity or other members of the governing body of the Governmental Entity executing the same, the execution of such documents being conclusive evidence of such approval; and the persons holding the titles listed below or any other officer of the Governmental Entity who shall have the power to execute contracts on its behalf are hereby authorized and directed to execute, acknowledge, countersign and deliver the Agreement and all exhibits attached thereto, and the Secretary/Clerk of the Governmental Entity is hereby authorized to attest to the foregoing and affix the seal of the Governmental Entity to such documents.

Section 2. Other Actions Authorized. The officers and employees of the Governmental Entity shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

Section 3. No General Liability. Nothing contained in this Resolution, the Agreement, or any other instrument shall be construed with respect to the Governmental Entity as incurring a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, nor shall the breach of any agreement contained in this Resolution, the Agreement, or any other instrument or document executed in connection therewith impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement.

Section 4. Authorized Signatories. Following are the true names, correct titles and specimen signatures of the incumbent officers referred to in the foregoing resolution:

Motion Made by: Fleischman      Seconded by: Luebbe  
Affirmative Vote: Whitney Fleischman, Eugene Gausman, Michael Luebbe,  
Diana L. Garske, Roger E. Glawatz, Chairman Board of Commissioners

Dated this 5<sup>th</sup> day of April, 2016.

Attest: Sherry Schweitzer, County Clerk

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

Moved by Garske and seconded by Fleischman to authorize the Chairman to sign the renewal of a lease agreement for a Caterpillar Mini Excavator from Nebraska Machinery Company.

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

Moved by Garske and seconded by Luebbe to approve the right of way request from Seward County Public Power District between the NW ¼ of Section 3 and the NE ¼ of Section 4, Township 10 North Range 4 East of the 6th p.m.

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

Moved by Fleischman and seconded by Garske to approve the right of way request from Seward County Public Power District between the NW ¼ of Section 27 and the SW ¼ of Section 22, Township 12 North Range 2 East of the 6th p.m.

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

Moved by Fleischman and seconded by Luebbe to approve the right of way request from Windstream between Section 1 and 12, Township 12 North Range 1 East of the 6th p.m.

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

Moved by Garske and seconded by Fleischman to approve the right of way request from Windstream in the S ½ of Section 9, Township 9 North Range 4 East of the 6th p.m.

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

Moved by Fleischman and seconded by Gausman to approve the right of way request for Keith Richert in the NW ¼ of Section 9, Township 12 North, Range 1 East of the 6th p.m.

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

Curt Parrack, Highway Supt. was present and gave his recommendations for the awarding the equipment rental rates and the culvert bids.

After discussion, it was decided that awarding the Equipment Rental Rate bids will take place next week.

Moved by Garske and seconded by Fleischman to award the culvert bids, based on quality, free delivery, and prior experience with the company, to Contech as per the recommendation of the Highway Supt. as follows:

**2-2/3" x 1/2" RIVETED**

Size	Gage	CONTECH	CONTECH	CONTECH
		Price Per foot	Price 1' band	Price 2' band
18"	16	\$ 10.90	\$ 20.71	\$ 28.34
24"	16	\$ 13.88	\$ 26.37	\$ 36.09
30"	14	\$ 21.30	\$ 40.47	\$ 55.38
36"	14	\$ 25.56	\$ 48.56	\$ 66.46
42"	12	\$ 38.80	\$ 73.72	\$ 100.88
48"	12	\$ 44.20	\$ 83.98	\$ 114.92
54"	12	\$ 49.60	\$ 94.24	\$ 128.96
60"	10	\$ 69.00	\$ 131.10	\$ 179.40
72"	10	\$ 82.40	\$ 156.56	\$ 214.24

21x15	16	\$ 11.35	\$ 21.57	\$ 29.51
28x20	16	\$ 14.45	\$ 27.46	\$ 37.57
35x24	14	\$ 22.20	\$ 42.18	\$ 57.72
42x29	14	\$ 26.64	\$ 50.62	\$ 69.26
49x33	12	\$ 40.50	\$ 76.95	\$ 105.30
57x58	12	\$ 45.64	\$ 86.72	\$ 118.66
64x43	12	\$ 51.79	\$ 98.40	\$ 134.65
71x47	10	\$ 72.10	\$ 136.99	\$ 187.46
83x57	8	\$ 90.40	\$ 171.76	\$ 235.04

**2-2/3" x 1/2" HELICAL** with recorrugated ends

Size	Gage	<b>CONTECH</b>		
		Price Per foot	Price 1' band	Price 2' band
18"	16	\$ 9.30	\$ 17.67	\$ 24.18
24"	16	\$ 11.80	\$ 22.42	\$ 30.68
30"	14	\$ 18.70	\$ 35.53	\$ 48.62
36"	14	\$ 22.50	\$ 42.75	\$ 58.50
42"	12	\$ 35.64	\$ 67.72	\$ 92.66
48"	12	\$ 40.60	\$ 77.14	\$ 105.56
54"	12	\$ 45.60	\$ 86.64	\$ 118.56
60"	10	\$ 64.40	\$ 122.36	\$ 167.44
72"	10	\$ 76.88	\$ 146.07	\$ 199.89

21x15	16	\$9.75	\$18.53	\$25.35
28x20	16	\$12.40	\$23.56	\$32.24
35x24	14	\$19.60	\$37.24	\$50.96
42x29	14	\$23.50	\$44.65	\$61.10
49x33	12	\$36.80	\$69.92	\$95.68
57x58	12	\$41.90	\$79.61	\$108.94
64x43	12	\$47.10	\$89.49	\$122.46
71x47	10	\$66.45	\$126.26	\$172.77
83x57	8	\$89.90	\$170.81	\$233.74

**3" x 1" HELICAL** with recorrugated ends

Size	Gage	<b>CONTECH</b>	
		Price Per foot	Price 2' band
60"	14	\$ 58.90	\$ 153.14
72"	12	\$ 96.80	\$ 251.68
84"	12	\$ 112.60	\$ 292.76
96"	12	\$ 129.20	\$ 335.92
108"	10	\$ 185.60	\$ 482.56

66x51	14	\$ 60.90	\$ 158.34
81x59	12	\$ 99.90	\$ 259.74
95x67	12	\$ 116.40	\$ 302.64
112x75	12	\$ 133.70	\$ 347.62

128x83	10	\$ 192.00	\$ 499.20
142x91	10	\$ 212.90	\$ 553.54
120"	10	\$ 205.90	\$ 535.34

**5" x 1" HELICAL** with recorrugated ends

Size	Gage	<b>CONTECH</b>	
		Price Per foot	Price 2' band
60"	14	\$ 44.30	\$ 115.18
60"	12	\$ 60.70	\$ 157.82
72"	12	\$ 72.60	\$ 188.76
72"	10	\$ 92.40	\$ 240.24
84"	12	\$ 84.50	\$ 219.70
84"	10	\$ 108.20	\$ 281.32
96"	12	\$ 90.40	\$ 235.04
96"	10	\$ 124.00	\$ 322.40
108"	10	\$ 141.20	\$ 367.12
108"	8	\$ 170.00	\$ 442.00
120"	10	\$ 155.00	\$ 403.00
120"	8	\$ 188.00	\$ 488.80

66x51	12	\$63.10	\$164.06
81x59	12	\$75.40	\$196.04
95x67	12	\$87.70	\$228.02
95x67	10	\$112.30	\$291.98
112x75	12	\$100.70	\$261.82
112x75	10	\$128.80	\$334.88
128x83	10	\$144.50	\$375.70
128x83	8	\$175.40	\$456.04
142x91	10	\$161.00	\$418.60
142x91	8	\$196.00	\$509.60

**END SECTIONS**

Size	Gage	<b>CONTECH</b>	
		Price	
18"	16	\$64.00	
24"	16	\$98.00	
30"	14	\$170.00	
36"	14	\$250.00	
42"	12	\$490.00	
48"	12	\$570.00	
54"	12	\$730.00	
60"	12	\$1,040.00	
72"	12	\$1,290.00	

21x15	16	\$61.00
28x20	16	\$98.00
35x24	14	\$152.00
42x29	14	\$230.00
49x33	12	\$386.00
57x58	12	\$580.00
64x43	12	\$590.00
71x47	12	\$750.00
83x57	12	\$1,110.00

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

Maria Hatfield, Detention Center Director was present to give her recommendation for awarding the Proposal for Inmate Food Services.

Moved by Fleischman and seconded by Gausman to award the bid for Inmate Food Services to CBM Managed Services upon the recommendation of the Detention Center Director.

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

Shelly Stitt, Seward County Extension Educator presented 2 Interlocals for the Commissioners consideration for Extension Office staff. Commissioner Fleischman led discussion about the pros and cons of having the 2 staff positions employed through the University of Nebraska vs. the County of Seward. Jeff Bassford, IANR Finance and Personnel Asst. Vice Chancellor answered questions about the issue. The employees are already Seward County employees and if the Commissioners would choose to enter into the Interlocal, these employees would keep their jobs but UNL would be their official employer.

Moved by Fleischman and seconded by Garske to enter into an Interlocal with UNL for the Extension Asst. full time position.

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

Moved by Fleischman and seconded by Garske to enter into an Interlocal with UNL for the .75 time for an Extension Office Asst.

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

Moved by Fleischman and seconded by Gausman to open the bids for the mowing of abandoned cemeteries in Seward County.

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

Bids were received from Bob Vrbka, Tim Herron, AJ Buresh, & Jeanne Niemann.

Awarding of the bids will take place next week.

Matt Robinette of Bluestem Energy Solutions was present to explain his project with the City of Seward. He explained that his company works with local redistribution of energy. He said that he is currently working on a 1-4 turbine project for renewable energy.

Dean Uhlenberg of Beckenhauer Construction presented a Change Request for the Justice Center Project for the Commissioners consideration.

Moved by Fleischman and seconded by Gausman to approve Change Request 19 for Custom Louver Color.

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

During Justice Center update, County Attorney Elston stated there are some delays because of some engineering issues. A 2<sup>nd</sup> and final opinion has been garnered and the County Attorney is working on a final plan to address and expeditiously keep the project on schedule while protecting the County.

Known items on the agenda for Board of Equalization on April 12, 2016 are as follows:

- 8:30 a.m. Convene and announce Open Meetings Law
- Pledge of Allegiance
- Discuss/Action - Approve minutes of March 22, 2016
- Discuss/Action - Assessor Information Update

Known items on the agenda for Board of Commissioners on April 12, 2016 are as follows:

9:00 a.m. Convene and announce Open Meetings Law  
Pledge of Allegiance  
Discuss/Action - Approve minutes of April 5, 2016

**Other Business Matters to Address When Time Allows**

Discuss/Action – Public/Officials/Boards

Commissioners Reports

Right of Way Request(s): None

Discuss/Action - Award Abandoned Cemetery Bids

Discuss/Action – Wage adjustment for 2016-2017 Year for County Employees

Discuss/Action – County Donation for Spring clean-up

Discuss/Action – Justice Center Update

Discuss/Action – Justice Center Change Requests:

GGA 01 – RFI 066 – Beam Deflection Repairs

GGA 02 – RFI 144 – Extra Detailing Vapor Barrier

GGA 03 – RFI 091 – Roof Slope Issues

GGA 04 – RFI 097 – Connection Repairs

GGA 05 – RFI 112 – Entry Column Repairs

GGA 06 – RFI 130 – Walls @ Pre-Trial Holding 171

GGA 07 – RFI 068 – Floor Leveling

GGA 08 – Extra Surveying Costs

9:30 a.m. Discuss/Action - Authorize Chairman to sign Interlocal for Extension Office 1 Fulltime staff position

Discuss/Action - Authorize Chairman to sign Interlocal for Extension Office .75 staff position

9:45 a.m. Discuss/Action – Award various Road Dept. Equipment Rental Rates for 2016

Moved by Fleischman and seconded by Gausman to adjourn at 11:40 a.m.

Affirmative Vote: Fleischman, Gausman, Garske, Luebbe, 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 12<sup>th</sup> day of April, 2016.

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

\_\_\_\_\_  
Chairman