

# Seward County Board of Commissioners

## August 2, 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 August 2, 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 August 2, 2016 at 8:30 a.m.

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

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.

Those officials present for their monthly meeting with the Commissioners were: Mike Janssen, Joe Yocum, Kathy Ruzicka, Carrie Gottschalk, Michaela Tuttle, Tina Marroquin & Sherry Schweitzer.

Moved by Luebbe and seconded by Gausman to approve the minutes of July 26, 2016.

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

Moved by Luebbe and seconded by Gausman to approve the minutes of July 27, 2016.

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

### **Commissioners Reports:**

Commissioner Luebbe reported he has spent time at the Road Dept. and informed the Board about an asbestos removal report for the current jail building.

Commissioner Fleischman reported she attended a jail meeting and received a lot of constituent communication.

Commissioner Gausman reported he checked roads for their conditions.

Commissioner Garske checked some county roads, worked with the company who supplies security for the courthouse and worked on budgets.

Moved by Fleischman and seconded by Luebbe to accept the June Sheriff Fees and Mileage Report in the amount of \$1,491.00 and \$926.06 respectively.

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

Moved by Fleischman and seconded by Gausman to approve a Special Designated Liquor License for JUNTO LLC for an event on 8/20/16.

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

Moved by Fleischman and seconded by Luebbe to approve a Special Designated Liquor License for JUNTO LLC for an event on 9/3/16.

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

Moved by Luebbe and seconded by Fleischman to approve a Special Designated Liquor License for JUNTO LLC for an event on 9/4/16.

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

Moved by Fleischman and seconded by Gausman to approve a Special Designated Liquor License for JUNTO LLC for an event on 9/13/16.

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

Moved by Fleischman and seconded by Luebbe to approve a Special Designated Liquor License for JUNTO LLC for an event on 9/17/16.

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

Moved by Fleischman and seconded Gausman to approve a Special Designated Liquor License for JUNTO LLC for an event on 9/24/2016.

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

Moved by Fleischman and seconded by Luebbe to authorize the Vice-Chairman to initial and sign documents for Windstream for the new County phone service contract.

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

Moved by Fleischman and seconded by Luebbe to allow the Seward County Ag Society to place a sign on the Southwest corner of the Courthouse lawn for the Seward County Fair from Aug 8-15, 2016.

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

Commissioner Fleischman updated other members of the Board about information on the Justice Center. She stated they have been working with the Furniture, Fixtures and Equipment (FFE) budget of the project.

The Commissioners recessed at 9:25 a.m.

The Commissioners re-convened at 9:30 a.m.

Moved by Fleischman and seconded by Luebbe to open bids for McKelvie Road Project C-80(603).

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

Bids were received from: Gana Trucking, Commercial Contractors, Hartman Construction, Commercial Construction, & Kohl Construction.

The awarding of the bid will be on next week's agenda.

Moved by Fleischman and seconded by Luebbe to approve the Right of Way request from Windstream in the NW ¼ of Section 8 Township 11 North Range 3 East of the 6th p.m.

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

Moved by Fleischman and seconded by Gausman to approve the Right of Way request from Windstream between Sections 10 & 15 and Sections 14 & 15 of Township 11 North, Range 4 East of the 6th p.m.

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

Moved by Luebbe and seconded by Fleischman to open a Public Hearing at 9:45 a.m. for a Conditional Use Permit to construct a Renewable Energy Installation and Operation of a 1700 KW/1.7 MW Wind Energy Conversion System on a tract of land

located in F Precinct in the NW ¼ of Section 27, Township 11 North, Range 2 East of the 6th p.m.

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

Matt Robinette from Blue Stem was present to answer questions about the installation of the Wind Energy System.

There were no other statements in favor of or against said request.

Motion by Fleischman and seconded by Luebbe to close the Public Hearing at 9:55 a.m.

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

The Commissioners then proceeded to complete the Finding of Facts for said Conditional Use Request.

Moved by Luebbe and seconded by Gausman to table the decision for a Conditional Use Permit to construct a Renewable Energy Installation and Operation of a 1700 KW/1.7 MW Wind Energy Conversion System on a tract of land located in F Precinct in the NW ¼ of Section 27, Township 11 North, Range 2 East of the 6th p.m. due to more information being needed from the Zoning Administrator who was not able to be present.

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

Moved by Fleischman and seconded by Luebbe to adopt Resolution No. 3256 in regard to approving the Short Form Plat for Tandy Industrial Park in the NE ¼ SE ¼ of Section 20, Township 10 Range 3 East of the 6th p.m.

**RESOLUTION NO 3256 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS**

**WHEREAS,** Joan Tanderup has applied for a Short Form Plat Subdivision of property owned by herself, and described as a tract of land in the North East 1/4 of the South East 1/4 of, Section 20, Township 10N, Range 3E, Seward County, Nebraska, and

**WHEREAS,** The subdivision shall be called TANDY INDUSTRIAL PARK, Short Form Plat and

**WHEREAS,** The Seward County Planning Commission held a meeting on July 18th, 2016 to consider the Short Form Plat, and

**WHEREAS,** the Planning Commission recommended Approval of the TANDY INDUSTRIAL PARK Short Form Plat with a vote of 7 For, 0 against, and 0 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 , Deny \_\_\_\_\_ the TANDY INDUSTRIAL PARK Short Form Plat with Resolution NO: 3256.

Motion by: Fleischman      Seconded by: Luebbe  
Ayes: Whitney Fleischman, Michael Luebbe, Eugene Gausman, Diana L. Garske,

Absent: Glawatz  
Dated: August 2, 2016

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Moved by Luebbe and seconded by Gausman to adopt Resolution No. 3257 in regard to David Segner Acres in the E ½ SE ¼ of Section 32, Township 9 North, Range 1 East of the 6th p.m.

**RESOLUTION NO 3257 OF THE SEWARD COUNTY  
BOARD OF COMMISSIONERS**

**WHEREAS, Wanda Segner** has applied for a Short Form Plat Subdivision of property owned by herself, and described as a tract of land in the, East 1/2 of the South East 1/4 of, Section 32, Township 9N, Range 1E, Seward County, Nebraska, and

**WHEREAS,** The subdivision shall be called the DAVID SEGNER ACRES, and

**WHEREAS,** The Seward County Planning Commission held a meeting on July,18th, 2016 to consider the Short Form Plat, and

**WHEREAS,** the Planning Commission recommended Approval of the DAVID SEGNER ACRES, Short Form Plat with a vote of 7 For, 0 against, and 0 Absent and Not Voting, and

**WHEREAS,** \_X\_No one appeared to oppose the subdivision

\_\_\_Individuals appeared to oppose the subdivision

\_\_\_No one appeared to support the subdivision

\_X\_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 \_X\_, Deny \_\_\_\_\_ the DAVID SEGNER ACRES Short Form Plat with Resolution NO: \_3257\_\_\_\_\_.

Motion by: Luebbe      Seconded by: Gausman

Ayes: Michael Luebbe, Eugene Gausman, Whitney Fleischman, Diana L. Garske,

Absent: Glawatz

Dated: August 2, 2016

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Moved by Fleischman and seconded by Luebbe to adopt Resolution No. 3258 in regard to approving the Short Form Plat for Burkey Addition in the NE ¼ of Section 25, Township 9 North, Range 2 East of the 6th p.m.

**RESOLUTION NO 3258 OF THE SEWARD COUNTY  
BOARD OF COMMISSIONERS**

**WHEREAS,** Timothy and Sidney Burkey have applied for a Short Form Plat Subdivision of property owned by both, and described as a tract of land in the North East 1/4, Section 25, Township 9N, Range 2E, Seward County, Nebraska, and

**WHEREAS,** The subdivision shall be called, BURKEY ADDITION Short Form Plat and

**WHEREAS,** The Seward County Planning Commission held a meeting on July 18th, 2016 to consider the Short Form Plat, and

**WHEREAS,** the Planning Commission recommended Approval of the

BURKEY ADDITION Short Form Plat with a vote of 7 For, 0 against, and 0 Absent and Not Voting, and

**WHEREAS,**   X  No one appeared to oppose the subdivision

      Individuals appeared to oppose the subdivision

  X  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   X  , Deny            the BURKEY ADDITION Short Form Plat with Resolution NO:   3258  .

Motion by: Fleischman      Seconded by: Luebbe

Ayes: Whitney Fleischman, Michael Luebbe, Eugene Gausman, Diana L. Garske,

Absent: Glawatz

Dated: August 2, 2016

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Dennis Richters was present to discuss questions unanswered regarding McKelvie Road and Central Valley Ag (Tamora) Road. He also discussed "Leadership regarding taxes" item on the agenda.

The Commissioners recessed at 10:40 a.m.

The Commissioners re-convened at 10:50 a.m.

The Commissioners discussed budgets.

The Commissioners recessed at 12:05 p.m.

The Commissioners re-convened at 12:45 p.m.

The Commissioners continued to discuss budgets.

Known items on the agenda for Board of Equalization on August 9, 2016 are as follows:

- 8:30 a.m.      1. Convene and announce Open Meetings Law  
                  2. Pledge of Allegiance  
                  3. Discuss/Action - Approve minutes of July 28, 2016  
                  4. Hearing – Permissive Exemption for Concordia University  
                  5. Discuss/Action - Decision of Permissive Exemption for Concordia University  
                  6. Discuss/Action - Assessor Information Update

Known items on the agenda for Board of Commissioners on August 9, 2016 are as follows:

- 9:00 a.m.      1. Convene and announce Open Meetings Law  
                  2. Pledge of Allegiance  
                  3. Discuss/Action - Approve minutes of August 2, 2016

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

4. Discuss/Action – Public/Officials/Boards  
5. Commissioners Reports  
6. Discuss/Action – 1% Increase Restricted funds for the 2016-2017 Fiscal Year  
7. Discuss/Action – Budget Discussion with Departments

- Discuss/Action – Procedures for Contracts for Seward County  
Discuss/Action - Procedures for Additional Phone Installation  
8. Discuss/Action – Justice Center Update  
9:30 a.m. Discuss/Action - Award bid for McKelvie Road Project C-80-(603)  
9:45 a.m. Discuss/Action - Conditional Use Permit to construct a Renewable Energy  
Installation and Operation of a 1700 KW/1.7 MW Wind Energy  
Conversion System on a tract of land located in F Precinct in the NW ¼  
of Section 27, Township 11 North, Range 2 East of the 6th p.m.

Moved by Fleischman and seconded by Gausman to adjourn at 4:17 p.m.  
Affirmative Vote: Fleischman, Gausman, Luebbe, Garske 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 9<sup>th</sup> day of August 2016.

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

\_\_\_\_\_  
Chairman