

# Seward County Board of Commissioners

## August 19, 2014

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 August 19, 2014 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 19, 2014 at 9:00 a.m.

Present:	Chairman:	Darrell Miller
	Members:	Mike Luebbe, Scott Stuhr, Mary Koci
	County Clerk:	Sherry Schweitzer
Absent:	Member:	Diana Garske

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 Luebbe to approve the minutes of August 12, 2014.  
Affirmative Vote: Koci, Luebbe, Stuhr, Miller Motion Carried

### **Commissioners Reports:**

Commissioner Luebbe reported he visited the County Shop and saw the new Excavator. He also worked at the Garland Shop area, talked with Kirkham Michael about a road project, and attended the Construction Manager Selection meeting.

Commissioner Stuhr reported he received some constituent phone calls, attended the Construction Manager meeting, and gave an update for the Cordova road project. He stated the Corp of Engineers is requiring Seward County to have a study for the barrow they are using for the project. He stated the study would cost an additional \$3,000 – \$4,000.

Commissioner Koci reported she attended a BRIDGES meeting, an Economic Development meeting, and an RD&C meeting the past week.

Commissioner Miller reported he received a constituent call about roads and will attend a 4 Corners Health Board meeting this evening.

Wendy Elston, County Attorney led discussion on the Sub-Grant Agreement for Child Support and Equitable Sharing Agreement subjects on the agenda.

Moved by Koci and seconded by Luebbe to authorize the Chairman to sign the Sub Grant Agreement for Child Support Enforcement Services for the County Attorney.  
Affirmative Vote: Koci, Luebbe, Stuhr, Miller Motion Carried

Moved by Stuhr and seconded by Koci to authorize the Chairman sign the Equitable Sharing Agreement and Certification for the Seward County Attorney, Fiscal Year ending 6/30/2014.  
Affirmative Vote: Stuhr, Koci, Luebbe, Miller Motion Carried

Sandy Morrissey and Scott Stemper of Region V Systems along with Sam Johnson of BRIDGES gave the annual report of the Regional Prevention Coalition Program.

Commissioner Garske is present at 9:28 a.m.

Mike Pflughaupt presented an idea for the Board to possibly consider in regard to having a portion of Holdrege Road between Highway 15 and Ruby paved. He stated there is a lot of traffic to the Coop in Ruby and presented a petition of approximately 60 signatures that would like to see the road paved. Chairman Miller said the Board would consider adding it to the 1 & 6 Year Road Plan.

Moved by Koci and seconded by Stuhr to authorize the Chairman to sign the EMP Grant for the Emergency Manager Office.

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

The Board discussed the Budget and visited with the County Attorney again about her budget.

The Commissioners recessed at 10:00 a.m.

The Commissioners re-convened at 10:13 a.m.

The Board discussed the items on the agenda in regard to the Justice Center. Lauren Wismer of Gilmore and Bell, Legal Counsel and John Owens of Edward Jones were present to discuss the details of the resolution for the purpose of seeking financing for the Justice Center. The Commissioners asked several questions of them in regard to the date of issuing bonds, using other means to pay for a portion of the bonds (such as the Inheritance Fund) and other details. The Resolution is non-binding, but necessary for the rating of the bond issue. Larry Goldberg of Goldberg Group Architects was also present to discuss the project. He stated that currently, the project will be for 45 to 60 beds.

Moved by Stuhr and seconded by Garske to adopt Resolution No. 3119 in regard to the Justice Center.

**BEFORE THE BOARD OF COMMISSIONERS  
OF THE COUNTY OF SEWARD, NEBRASKA**

**A RESOLUTION DECLARING THE INTENT )  
OF THE BOARD OF COMMISSIONERS OF )  
THE COUNTY OF SEWARD, NEBRASKA )  
WITH RESPECT TO THE ISSUANCE OF ) RESOLUTION NO. 3119  
BONDS, NOTES OR OTHER OBLIGATIONS )  
OF THE COUNTY TO PROVIDE FINANCING )  
FOR THE JUSTICE CENTER OF THE )  
COUNTY; AND RELATED MATTERS )**

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE  
COUNTY OF SEWARD, NEBRASKA:**

**Section 1.** The Board of Commissioners (the “**Board**”) of The County of Seward, Nebraska (the “**County**”) hereby finds and determines as follows:

(a) The County has undertaken the completion of the Seward County Justice Center that will (1) contain County and District court facilities, County Attorney, Public Defender, Probation, E-911 Communications, Sheriff, and activity center for the inmates, (2) expand the current jail facility to accommodate 45 to 60 inmates with provisions for future expansion if necessary (3) remodel the existing jail into jail support space, (4) construct a new emergency operating center and public storm shelter facilities, and (5) relocate the Seward County Extension offices (collectively, the “**Project**”).

(b) The Board has considered the options available to it under the Nebraska constitution and statutes to finance the costs of the Project, which may include the use of existing funds of the County.

**Section 2.** Without limiting its ability to pursue other courses of action as it may determine to be in the best interest of the County and its residents, the Board hereby declares its current intentions with respect to financing the Project as follows:

(a) to use the 5.2 cent levy specified in § 23-120(3)(b), Nebraska Revised Statutes (Reissue 2012), as amended (“§ 23-120”), to pay the debt service on any obligations of the County issued to pay all or a portion of the costs of the Project.

(b) to issue an initial series of bonds prior to December 31, 2014 in a principal amount to be determined at a later date having a maturity which takes into account the twenty-year limitation on the levy permitted by § 23-120.

(c) to finance any costs of the Project remaining after the issuance of the bonds referred to in clause (b) above through any means legally available to the County, including, without limitation, (1) use of available County funds, which may include the County’s Inheritance Tax Fund, (2) issuance of additional bonds of the County payable from the levy permitted under § 23-120, (3) entering into short-term bridge or construction loans payable from the levy permitted by § 23-120, or (4) such other method as may be determined by the County Board at such time.

**Section 3.** The intentions stated herein (a) are solely and only for the purpose of providing direction and certainty to the entities and person employed by the County to finance the Project, and (b) are not intended, nor should it be construed to be, final approval of the issuance of any bonds or a commitment of any kind on the part of the County or any official or officer thereof to issue the bonds.

**DATED this 19<sup>th</sup> day of August, 2014** at Seward, Seward County, Nebraska  
AYES: Scott Stuhr, Diana L. Garske, Michael Luebbe, Mary Koci  
Chairman of the Board, Darrell Miller

ATTEST: Sherry Schweitzer, Seward County Clerk

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

Motion Carried

The Commissioners discussed the Questionnaire for Federal Tax Certificate in regard to the bonding.

Moved by Koci and seconded by Luebbe to authorize the Chairman to sign the Questionnaire for Federal Tax Certificate in regard to bonding for the Justice Center.  
Affirmative Vote: Koci, Luebbe, Garske, Stuhr, Miller

Motion Carried

The Commissioners then discussed the Preliminary Official Statement needed to issue bonds for the project.

Goldberg then updated the Commissioners on recent details of the Justice Center project. He stated that the Construction Manager Selection Committee met and described their process for evaluating each submission with a rating process. He also stated that the Extension Office plans for relocation are becoming final.

The Commissioners recessed at 11:37 a.m.  
The Commissioners re-convened at 11:47 a.m.

Larry Goldberg and Derek Ptomey of Goldberg Group architects were present to give more information to the Justice Center Update item on the agenda. Extension Office relocation, courthouse offices relocation, and other various offices were discussed.

Garske is absent at 12:42 p.m.

Known items on the agenda for Board of Equalization on August 26, 2014 are as follows:

- 8:30 a.m. Convene and announce Open Meetings Law
- Pledge of Allegiance
- Discuss/Action - Approve minutes of August 12, 2014
- Discuss/Action - Assessor Information Update

Known items on the agenda for Board of Commissioners on August 26, 2014 are as follows:

- 9:00 a.m. Convene and announce Open Meetings Law
- Pledge of Allegiance
- Discuss/Action - Approve minutes of August 19, 2014
- Discuss/Action – Approve Claims for August 2014
- Other Business Matters to Address When Time Allows**
- Discuss/Action – Public/Officials/Boards
- Commissioners Reports
- Right of Way Request(s): None
- Discuss/Action – Res. – Allow Cattle National Bank to Pledge Securities
- Discuss/Action – Res. - Allocate Levy Authority to Misc. Districts of Seward County
- Discuss/Action - Budget
- Discuss/Action – Justice Center Update
- 9:30 a.m. Discuss/Action – Seward County Agricultural Society – Misc. Levy Authority Request

Moved by Koci and seconded by Luebbe to adjourn at 1:27 p.m.

Affirmative Vote: Koci, Luebbe, Stuhr, 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 26<sup>th</sup> day of August 2014.

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County Clerk

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Chairman