

April 1, 2025

Seward County Board of Commissioners

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 1, 2025 in the Commissioner's room at the Seward County Courthouse. Notice of the meeting was posted on the Courthouse bulletin board, on the Commissioner's Room door, on the Seward County website: sewardcountyne.gov and published in the Seward County Independent and the Milford Times. 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 1, 2025 at 8:30 a.m. a.m.

Present: Chairperson: Misty Ahmic
Members: Raegan Hain, Darrell Zabrocki, Ken Schmieding, Scott Pekarek
County Clerk: Sherry Schweitzer

The Chairperson 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.

Jonathan Jank, Executive Director of Seward County Chamber & Development Partnership (SCCDP), updated the Commissioners on events of his organization.

Marilyn Hladky and Sherry Schweitzer updated the Commissioners on activities of their offices.

Moved by Hain and seconded by Zabrocki to approve the consent agenda consisting of:

- a) Minutes of March 25, 2025
- b) Sheriff's Fee and Mileage Reports for January 2025 in the amount of \$1017.00 and \$653.53 respectively
- c) Utility Permit for South Bow LP to bore electrical line for a remote mainline valve for the Keystone Pipeline under Rokeby Road located in the SW ¼ of Section 28 to the NW ¼ of Section 33 all in Township 9 North, Range 3 East of the 6th P.M.
- d) Utility Permit for Charter Communications to run fiber optic conduit on Old Mill Road going west for 1,275 feet in Section 1, Township 11 North, Range 4 East of the 6th P.M.

Affirmative Vote: Hain, Zabrocki, Schmieding, Pekarek, Ahmic

Motion Carried

Commissioners Reports:

Commissioner Hain reported information about services for mental health for inmates, assisted with a Road Dept. lunch in thanking them for their help during the storm, shared information about a piece of real estate owned by the county in a village, worked with BRIDGES about grants, re-sent the survey related to the juvenile services, received a lot of comments about road conditions after the recent storm, attended the ribbon cutting ceremony for the new City of Seward Wellness Center, met with Sheriff Vance, the County Attorney and Commissioner Pekarek about an upcoming agenda item.

Commissioner Zabrocki reported he worked on employee reviews, gathered data about the storm damage and followed up on potential risks with the Nebraska Intergovernmental Risk Management Assn. (NIRMA) about any liability Seward County would have with the Sheriff Posse.

Commissioner Ahmic reported she attended a ribbon cutting for Main Street Market in Milford, had a meeting with the Nebraska Intergovernmental Risk Management Assn. (NIRMA) Rep, and attended the Road Dept. Lunch. She is working on a Veteran of the Month article, attended the Seward/Saline Solid Waste Meeting, asked to join a Nebraska Association of County Officials (NACO) Committee, spoke with the Assessor about tax exemptions for nursing homes, met with the Highway Supt. about dust control on roads, gathered information about storm damage, received request from NextLink for support for a project that they will inform the Commissioners about at a later date.

Commissioner Schmieding reported he will have an Extension Board meeting and had discussions with various constituents.

Commissioner Pekarek reported he met with the Veterans Service Officer, will meet with the Veterans Service Committee at a later date, discussed with constituents about storm damage, met with Commissioner Hain, the County Attorney and Sheriff on a county matter, reached out to the Nebraska Dept. of Roads on road issues, and talked to a representative at the Nebraska Emergency Management Agency about storm damage reporting.

Moved by Zabrocki and seconded by Hain to open bids for Bridge C-80 (677) Bridge Deck Replacement on Bridge #8011235 on Branched Oak Road East of 266th Road.
Affirmative Vote: Zabrocki, Hain, Pekarek, Schmieding, Ahmic Motion Carried

Bids were received from:

Herbst Construction, Constructors Inc, KEA Constructors, Highway Heavy Repair LLC, General Excavating, JJK Construction.

The bid will be awarded in two weeks.

There was discussion of future funding for the remainder of 420th road paving. Commissioner Hain led discussion about the grants received and grants denied. She met with NDOT about future funding. The project is estimated to be \$4 Million dollars short. Hain stated that there needs to be a plan about funding. She stated she received many complaints about it these past weeks since the storm. She stated the road is used by many residents. Discussion was held about using the Inheritance Fund, and if the State of Nebraska might help with funding and contacting our representatives in Congress and the Senate.

Carol Albrecht representing the Farmers Market vendors was present to request the use of the courthouse lawn for the Farmers Market this summer.

Moved by Zabrocki and seconded by Schmieding to approve holding Farmers Market on the courthouse lawn from May 17, 2025 to October 29, 2025 including use of power outlets controlled by the county.

Affirmative Vote: Zabrocki, Schmieding, Pekarek, Hain, Ahmic Motion Carried

Moved by Hain and seconded by Pekarek to authorize the Chair to sign the Janssen Road Dam Agreement with Lower Platte South Natural Resources District for Project C-80(721) located on Waverly Rod between 179th and 182nd Rd.

Affirmative Vote: Hain, Pekarek, Schmieding, Zabrocki, Ahmic Motion Carried

Moved by Hain and seconded by Zabrocki to open the public hearing at 9:47 a.m. on regard to a permit to upgrade/modify existing equipment on a Wireless Tower in O Precinct in Section 9 Township 9 North Range 3 East of the 6th P.M.

Affirmative Vote: Hain, Zabrocki, Schmieding, Pekarek, Ahmic Motion Carried

Marissa Pfile, Zoning Administrator gave details about the permit and that the Planning and Zoning Commission in favor of said permit by a vote of 6 for; 0 opposed & 3 absent and not voting.

Moved by Zabrocki and seconded by Hain to close the Public Hearing at 9:50 a.m.
Affirmative Vote: Zabrocki, Hain, Schmieding, Pekarek, Ahmic Motion Carried

The Commissioners completed the Findings of Fact document.

BEFORE THE SEWARD COUNTY NEBRASKA COUNTY COMMISSIONERS

IN THE MATTER OF EQUIPMENT MODIFICATIONS/UPGRADES AT EXISTING SITE

REQUESTED USE: EQUIPMENT MODIFICATION/UPGRADE PERMIT TU-02-2025

APPLICANT: American Tower & Verizon Wireless

CURRENTLY ZONED: TA-1

This matter came before the Seward County Commissioners at the request of the applicant. A public hearing was held on the 1st day of April 2025. Notice of said hearing was publicized on the 26th day of March 2025.

The Seward County Commissioners recommend to:

 X Approve the Wireless Upgrade or Equipment Add on to Existing Structure

 Deny the Wireless Upgrade or Equipment Add on to Existing Structure

With a roll call vote of: 5 For 0 Against 0 Absent Not Voting

Upon review of all necessary facts, the County Commissioners make the following findings:

1. X The use, in all other respects, conforms to the applicable regulations of the district in which it is located.
2. X The use will have adequate water and sewer facilities.
3. X The use will be in harmony with the character of the area and the most appropriate use of the land.
4. X The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, moral, comfort, or general welfare of the county.
5. X The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood.
6. X The establishment of conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. X Adequate utilities, access roads, and drainage facilities have been or are being provided.
8. X That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
9. X The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled
10. X The use does not involve any pollution of the air by fly-ash, dust, vapors, or other substance which is harmful to health, animals,

WHEREAS X 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 X, Deny the Wireless upgrade or equipment add on to existing structure permit with Resolution NO: 3838.

Moved by: Zabrocki Seconded by: Hain April 1, 2025
Ayes: Ken Schmieding, Scott Pekarek, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair of the Board
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki, Hain, Schmieding, Pekarek, Ahmic Motion Carried

The Commissioners discussed the agenda item "Status of the Bylaws of Region V and Apace as they relate to the Interlocal". Commissioner Zabrocki stated that there were a few counties opposed to the current and updated bylaws. He stated the plan is to have new bylaws presented at their April meeting for representatives to take to their counties for them to look at and then at their May meeting, it will be voted on.

Joey Carter representing the "Seward Gives" organization is requesting permission to hold their "Lunch on the Lawn" event on the courthouse lawn on Tuesday, April 29, 2025 from 10 a.m. to 2 p.m.

Moved by Hain and seconded by Pekarek to approve the request from "Seward Gives" organization to hold their "Lunch on the Lawn" event on the courthouse lawn on Tuesday, April 29, 2025 from 10 a.m. to 2 p.m. with a rain date of April 30th.
Affirmative Vote: Hain, Pekarek, Zabrocki, Schmieding
Abstain: Ahmic as she is part of the Seward Gives organization Motion Carried

The Commissioners discussed awarding the bid for mowing abandoned cemeteries.

Moved by Pekarek and seconded by Schmieding to award the abandoned cemetery mowing to Buresh Lawn Care.
Affirmative Vote: Pekarek, Schmieding, Hain, Zabrocki, Ahmic Motion Carried

Moved by Pekarek and seconded by Hain to authorize the Chair to sign the abandoned cemetery mowing contract.
Affirmative Vote: Pekarek, Hain, Zabrocki, Schmieding, Ahmic Motion Carried

Commissioner Ahmic led discussion on legislative information.

The Commissioners proceeded over to the Detention Center for the jail inspection.

The Commissioners recessed at 10:15 a.m.
Commissioner Schmieding is absent at 10:15 a.m.

Known items on the agenda for Board of Equalization on April 8, 2025 at 8:30 a.m. are as follows:

- 8:30 a.m. Convene and announce Open Meetings Law
1. Pledge of Allegiance
 2. Discuss/Action - Approve minutes of March 25, 2025
 3. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on April 8, 2025 at 9:00 a.m. are as follows:

- 9:00 a.m. Convene and announce Open Meetings Law
4. Pledge of Allegiance
 5. Discuss/Action - Approve minutes of April 1, 2025
 6. Discuss/Action - Claims for the period through March 28, 2025

Other Business Matters to Address When Time Allows

7. Discuss/Action - Public/Organizations/Officials
8. Commissioner Reports

- 9. Discuss/Action – Authorize Chair to sign the NE Dept. of Agriculture Weed Report for 2024
- 10. Discuss/Action - Legislative Update
- 11. Discuss/Action – Agenda for April 15, 2025
- 9:30 a.m. Discuss/Action - NextLink request for support for the Nebraska BEAD Defined Project Area that will be impacted by NextLink’s Projects
- 9:45 a.m. Dan Policky – Request barricades and Road Closures on April 13, 2025 from 6:30 am to 11:30 am for the Bee Buzz Run for the following roads: 238th Rd and 252nd Rd from Agnew Rd to Rock Creek Rd and Agnew Rd to Rock Creek Rd from 238th Rd to 252nd Rd.

The Commissioners reconvened at 10:27 a.m. at the Detention Center.

Moved by Zabrocki and seconded by Hain to adjourn at 10:52 a.m.
Affirmative Vote: Zabrocki, Hain, Pekarek, Ahmic 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 8th day of April 2025.

County Clerk

Chairperson