

February 11, 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 9:00 a.m. on February 11, 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 Equalization convened on February 11, 2025 at 9:00 a.m.

Present: Chairperson: Misty Ahmic
Members: Scott Pekarek, Ken Schmieding, Darrell Zabrocki
Deputy County Clerk: Brandy Johnson
Absent Member: Raegan Hain

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.

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

- a. Minutes of February 4, 2025
- b. Zoning Fee Report for January 2025 - \$1,125.00
- c. County Clerk Fee Report for January 2025 - \$37,850.42
- d. District Court Fee Report for January 2025 - \$8,267.54

Affirmative Vote: Zabrocki, Schmieding, Pekarek, Ahmic

Motion Carried

Moved by Zabrocki and seconded by Pekarek to approve claims through January 31, 2025.

ACCURATE CONTROLS	EQ	\$1,856.36	VERIZON WIRELES SERV	UT	\$1,624.39
ADAMS CO SHERIFF	SE	\$19.00	VIRTUAL IMPRESSIONS	SE	\$36.00
ALLO COMM	UT	\$5,423.34	VISA	FE	\$188.29
AMERITAS LIFE INS	FE	\$21,644.08	VISUAL EDGE IT	SE	\$44.94
BECKY BAKER	SE	\$50.00	VOSS LIGHTING	SE	\$268.86
BENCHMARK GOV SOL	SE	\$45.80	WATER ENGINEERING	SE	\$210.00
BLUE360 MEDIA	SU	\$99.95	WYTHERS LAW	SE	\$10,698.50
BRENNAN,NIELSEN LAW	SE	\$20,042.26	BAUER BUILT	EQ	\$1,435.55
CENTEC CAST METAL	SU	\$1,736.12	BEATRICE CONCRETE	SU	\$20,001.92
CENTURY BUSIN PROD	SU	\$100.84	BEAVER HARDWARE	SU	\$7.27
CITY OF SEWARD	UT	\$14,063.30	BLACK HILLS ENERGY	UT	\$2,154.66
CLERK OF DIST CRT	SE	\$257.00	CROUCH'S HARDWARE	SU	\$593.10
CRAFTMASTER HRDWR	SU	\$2,534.00	EQUIPMENT BLADES	EQ	\$5,578.30
DICKSON LAW GRP	SE	\$2,462.50	KV ENTERPRISES	SE	\$219.50
DIVERSIFIED DRUG TEST	SE	\$55.00	HEARTLAND TIRES	EQ	\$642.00
E 911	SE	\$39,183.83	HYDRAULIC EQUIP SERV	SE	\$139.49
EAKES OFFICE PLUS	SU	\$1,215.59	KERFORD LIMESTONE	SU	\$7,779.10
ENGINEERED CONTROLS	EQ	\$6,675.00	LARSEN LIGHTS	SU	\$945.24
FOXSTER OPCO	EQ	\$6,570.00	MEYER AUTOMOTIVE	SE	\$75.00
SIDNEY FREY	SE	\$125.00	MIDWEST AUTO PARTS	SE	\$378.61
GALLS LLC	SE	\$124.32	NE PUBLIC POWER DIST	UT	\$214.67

GREAT PLAINS					
UNIFORMS	SE	\$206.32	NEXTLINK AIS	SE	\$54.19
HAMPTON INN	TR	\$999.60	PAC N SAVE	SU	\$131.11
HOMETOWN LEASING	EQ	\$588.20	POMP'S TIRE SERVICE	SE	\$2,065.94
SUE IMIG	SE	\$394.18	POWERPLAN	SE	\$157.93
JONES BANK (FICA)	FE	\$21,616.70	SAPP BROS PETROLEUM	SU	\$21,339.06
MATTHEW KOSMICKI	SE	\$250.00	SHAFFER COMMUNIC	EQ	\$52.50
LYNELLE KRIZ	SE	\$250.00	SOUTHWEST GRAVEL	SU	\$12,162.46
LANCASTER CO SHERIFF	SE	\$41.02	TRUCK EQUIP SERV	SE	\$461.40
MATTSON RICKETTSLAW	SE	\$260.78	VILLAGE OF GARLAND	UT	\$80.56
MID-AMERICAN INS	FE	\$46,229.27	VILLAGE OF UTICA	UT	\$54.56
MIPS INC	SE	\$11,864.53	DALE JOHNSON ENT	SU	\$15,716.80
MARK MOORE	SE	\$8,414.27	BIZCO TECHNOLOGIES	EQ	\$22,874.85
MORROW, POPPE	SE	\$1,261.04	KOLTERMAN, CLARK	SE	\$250.00
NAYLOR & RAPPL LAW	SE	\$5,512.50	NE NATL GRD MUSEUM	SE	\$195.98
PAT OHLMANN	SE	\$50.00	NE TOURISM COMMISS	SE	\$360.00
ONESOURCE	SE	\$237.50	PIZZA KITCHEN	SU	\$225.10
OREILLY AUTOM	SU	\$24.27	SEWARD CHAMBER	SE	\$400.00
ORKIN LLC	SE	\$147.00	SEWARD CO AG SOC	SE	\$1,000.00
CA MARKETING	SE	\$320.98	SEWARD ROTARY CLUB	SE	\$2,500.00
POINT C HEALTH	FE	\$387.50	CENTRALSQUARE TECH	EQ	\$6,432.14
POLLACK & BALL	SE	\$7,106.25	CORI J STAVA	SE	\$182.00
QUADIENT LEASING USA	EQ	\$270.00	GREAT PLAINS COMM	UT	\$629.89
REDWOOD TOX LAB	SE	\$278.75	WILLIAM GUGENHAM	SE	\$495.00
BECKY REISINGER	SE	\$50.00	HERPOLSHEIMERS	EQ	\$966.52
SEC OF ST - ELECTIONS	SU	\$10.00	MIDWEST AUTOM	EQ	\$2,122.43
SEW CO HLTH CLM FND	FE	\$241,233.38	DILLON WILLIAMS	SE	\$505.00
SEW CO INDEPENDENT	SE	\$57.09	MARVIN PLANNING	SE	\$1,500.00
SEWARD CO SHERIFF	SE	\$6.50	SPORTS EXPRESS	SU	\$25.00
SEWARD CO TREASURER	SE	\$10.00	UPPER BIG BLUE NRD	UT	\$223.13
JOY SHIFFERMILLER	SE	\$2,502.00	NE ASSN CO OFFICIALS	FE	\$3,000.00
SOARIN GROUP	SE	\$1,614.00	ST OF NE DAS ST ACCNT	SE	\$115.00
ST OF NE DAS COMMUN	SE	\$1,382.40	NATL EMRG NMBR ASSN	FE	\$160.00
STEPHANIE FLYNN LAW	SE	\$2,701.00	FIBER PLATFORM	SE	\$327.00
STERICYCLE	SE	\$55.59	CENTURYLINK	UT	\$4,586.11
SHARILYN K STEUBE	SE	\$250.00	CIDNET	SE	\$2,860.27
SUMMIT FIRE PROTECT	SE	\$227.65	MY CENTRAL SUPPLY	SU	\$80.60
SUMMIT FOOD SERV	SE	\$9,555.59	SALARIES		\$306,880.52
SUE SYLWESTER	SE	\$100.00	GROSS SALARIES INCLUDE DEDUCTION TO:		
THOMSON REUTERS	SE	\$558.00	AMERITAS DENTAL		
CHRISTINA THORNTON	SE	\$374.00	AMERITAS VISION		
THYSSENKRUPP ELEVAT	SE	\$7,913.45	COLONIAL SUPPLEMENTAL INSURANCE		
UNL AEM BUSINES CNTR	SE	\$11,251.44	MID AMERICAN WISCONSIN		
US BANK EQUIP FINANCE	EQ	\$167.99	POINT C FSA		
VANGUARD APPRAISALS	SE	\$2,959.00	WADDELL & REED		

Affirmative Vote: Zabrocki, Pekarek, Schmieding, Ahmic

Motion Carried

Jon Regnier, Highway Superintendent, and Marcus Kallhoff, Weed Superintendent, updated the Commissioners on activities of their departments.

Commissioner Reports:

Commissioner Zabrocki reported he participated in two broadband meetings, attended a meeting with the Seward Police Department, participated in a Nebraska Intergovernmental Risk Management Association (NIRMA) Roundtable meeting, attended an Apace meeting, attended a Region V meeting, met with a Sheriff's Department Captain, met with the Emergency Management Director, received a phone call from a constituent, and attended a Seward City Council meeting.

Moved by Pekarek and seconded by Zabrocki to open a Public Hearing at 9:15 a.m. for Alltel Communications/AT&T 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: Pekarek, Zabrocki, Schmieding, Ahmic

Motion Carried

Marissa Pfile, Zoning Administrator, explained the request to upgrade equipment for an existing tower and gave information about it.

No one was in attendance to oppose or make any statement in favor of such permit.

Moved by Zabrocki and seconded by Pekarek to close the Public Hearing at 9:18 a.m.
Affirmative Vote: Zabrocki, Pekarek, Schmieding, Ahmic Motion Carried

The Commissioners completed the Findings of Facts form for the permit.

BEFORE THE SEWARD COUNTY NEBRASKA COUNTY COMMISSIONERS

IN THE MATTER OF EQUIPMENT MODIFICATIONS/UPGRADES AT EXISTING SITE

REQUESTED USE: EQUIPMENT MODIFICATION/UPGRADE PERMIT TU-01-2025

APPLICANT: Alltel Communications

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 11th day of February 2025. Notice of said hearing was publicized on the 29th day of January 2025.

The Board of Commissioners recommends to:

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: 4 For 0 Against 1 Absent Not Voting

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

1. The use, in all other respects, conforms to the applicable regulations of the district in which it is located.
2. The use will have adequate water and sewer facilities.
3. The use will be in harmony with the character of the area and the most appropriate use of the land.
4. 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. 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. The establishment of conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. Adequate utilities, access roads, and drainage facilities have been or are being provided.
8. 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. The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled
10. The use does not involve any pollution of the air by fly-ash, dust, vapors, or other substance which is harmful to health, animals, vegetation, or other property or which can cause soiling, discomfort, or irritation.
11. The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
12. The use does not involve any direct or reflected glare, which is visible from any adjoining property or from any public street, road, or highway.

13. X The use does not involve any activity substantially increasing the movement of traffic on public streets unless procedures are instituted to limit traffic hazards and congestion.

14. X The use does not involve any activity substantially increasing the burden on any public utilities or facilities unless provisions are made for any necessary adjustments.

Further, the County Commissioners recommend the following specific conditions that are necessary or desirable to address the most appropriate use of the land, the conservation and stabilization of the value of property, the provision of adequate open space for light and air, concentration of populations, congestion of public streets, and the promotion of the general health, safety, welfare, convenience, and comfort of the public:

Permit to run with existing owner only. Transfer in Ownership to require a new permit.

Dated this 11th day of February 2025.

Darrell J. Zabrocki, Ken Schmieding, Scott Pekarek,
Misty Ahmic, County Commissioner Chair

Moved by Pekarek and seconded by Zabrocki to adopt Resolution No. 3835 in regard to a permit from Alltel Communications/AT&T 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.

**RESOLUTION NO 3835 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Fullerton Engineering, Alltel Communications, and AT&T have applied for a Wireless upgrade or equipment add on to an existing structure permit located in the Southwest Quarter of Section 9, Township 9N, Range 3E to install (3) AIR6472 B77G B77M Ericsson Antenna, (3) NNH4-65C-R6-V4 Ericsson Antenna, (3) 4494 B14/B29 RRU, (3) 4890 B25/B66, (1) DC50-48-60-96-50F Surge (Ground), (2) DC9-48-60-24-8C-EV surge protector, (1) 0.41" fiber, (3) 1.13" DC Trunk, (3) Baseband Units, (1) Vertiv 512-48/-58V Power plant, (8) Rectifiers, (8) Batteries, (1) SDC020 Generac Diesel Generator

WHEREAS The Seward County Planning Commission held a meeting on January 27, 2025, to consider the Wireless upgrade or equipment add on to existing structure permit, and

WHEREAS the Planning Commission recommended approval of the Wireless upgrade or equipment add on to existing structure permit with a vote of 7 For, 0 against, and 2 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 Wireless upgrade or equipment add on to existing structure permit with Resolution NO: 3835 .

Moved by: Pekarek Seconded by: Zabrocki February 11, 2025
Ayes: Ken Schmieding, Scott Pekarek, Darrell J. Zabrocki,
Misty Ahmic, Chair of the Board
Brandy M. Johnson, Deputy County Clerk

Affirmative Vote: Pekarek, Zabrocki, Schmieding, Ahmic

Motion Carried

Commissioner Reports, continued:

Commissioner Pekarek reported he attended a Garland Village Board meeting, visited with the Emergency Management Director, and informed the others about the available National Incident Management System courses he will be looking in to.

Ahmic led discussion on the grant writing contract service agreement with Eleventh House Grant Writing. She suggested tabling this item at the time, due to the current Executive Order involving federal funding.

The Four Corners Health District Board item was not acted on, as Commissioner Hain, the liaison to their board, was absent.

During the Legislative Update, Ahmic talked briefly about a few current bills she is following, including some regarding telecommunications and livestock.

Known items on the agenda for Board of Commissioners on February 18, 2025 are as follows:

9:00 a.m.

5. Convene and announce Open Meetings Law
6. Pledge of Allegiance
7. Discuss/Action - Approve minutes of February 11, 2025

Other Business Matters to Address When Time Allows

8. Discuss/Action – Public/Organizations/Officials
9. Commissioners Reports
10. Discuss/Action - Legislative Update

Moved by Zabrocki and seconded by Schmieding to adjourn at 10:57 a.m.

Affirmative Vote: Zabrocki, Schmieding, Pekarek, Ahmic

Motion Carried

State of Nebraska)

County of Seward) ss.

I, Brandy Johnson, the undersigned Deputy 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 18th day of February 2025.

Deputy County Clerk

Chairman