

# January 23, 2024

## Seward County Board of Equalization

State of Nebraska)  
County of Seward) ss.

A regular meeting of the Seward County Board of Equalization was convened in open and public session at 8:30 a.m. on January 23, 2024 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 Equalization 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 January 23, 2024 at 8:30 a.m.

Present: Chairperson: Misty Ahmic  
Members: Raegan Hain, John Culver, Ken Schmieding, Darrell Zabrocki  
County Clerk: Sherry Schweitzer  
County Assessor: Marilyn Hladky  
County Treasurer: Jake Zlatkovsky

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 Schmieding and seconded by Zabrocki to approve the minutes of January 9, 2024.  
Affirmative Vote: Schmieding, Zabrocki, Hain, Culver, Ahmic Motion Carried

Jake Zlatkovsky, County Treasurer, presented a vehicle tax exemption application from St. Patrick's Catholic Church of Utica for the Commissioners consideration.

Moved by Zabrocki and seconded by Hain to approve a tax exemption application from St. Patrick's Catholic Church of Utica for a 2005 Utility Landscape Trailer VIN# 4YMUL08165M024810.  
Affirmative Vote: Zabrocki, Hain, Culver, Schmieding, Ahmic Motion Carried

Hladky then presented 3 Tax List Corrections for the Commissioners consideration.

Moved by Hain and seconded by Culver to approve Tax List Corrections 428-23R for LDSM, LLC; 429-23R for Stock Ticker Properties, LLC and 430-23R for David and Geneva Steinbach.  
Affirmative Vote: Hain, Culver, Zabrocki, Schmieding, Ahmic Motion Carried

Hladky then updated the Commissioners on activities of her office.

### **Known items on the agenda for Board of Equalization on February 13, 2024 are as follows:**

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of January 23, 2024
4. Discuss/Action – Assessor Information Update

Moved by Zabrocki and seconded by Hain to adjourn at 8:49 a.m.

Affirmative Vote: Zabrocki, Hain, Culver, Schmieding, 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 13<sup>th</sup> day of February 2024.

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

\_\_\_\_\_  
Chairperson

## January 23, 2024 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 January 23, 2024 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 January 23, 2024 at 9:00 a.m.

Present: Chairperson: Misty Ahmic  
Members: Raegan Hain, John Culver, Ken Schmieding, Darrell Zabrocki  
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.

Moved by Culver and seconded by Hain to approve the minutes of January 16, 2024.

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

Jon Regnier, Highway Supt., updated the Board about activities of his office.

Sherry Schweitzer, County Clerk, updated the Commissioners about a quote for repairs to a county building due to a Seward County resident hitting the building.

Culleen and Alan Bauer, representing the 4<sup>th</sup> of July Committee, were present to ask permission to use the Courthouse lawn during the celebration. She also asks that restrooms be accessible.

Moved by Zabrocki and seconded by Hain to approve the 4<sup>th</sup> of July Committee request to use the Courthouse lawn on July 4, 2024 for the craft show and approval is contingent on receipt of the completed application and the proof of insurance.

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

### **Commissioners Reports:**

Commissioner Hain reported she met with the new Aging Services Director, was in contact with the Road Supt. and his office on road conditions and a community meeting, received computer files from Middle Creek Printing in regard to the logos, secured members for the Aging Services Advisory Board, attended the Utica Parks and Rec meeting and the Seward County Ag Society meeting.

Eric Hofer, Building and Grounds Supt., was present to discuss quotes he obtained for lighting the statues on the Courthouse Square. He had obtained two quotes for the Commissioners consideration.

Moved by Hain and seconded by Schmieding to approve the quote from Blue River Electric for installation and wiring for color changing lights for the two statues in front of the courthouse in the amount of \$5,002.00 with the funds coming from the American Rescue Plan Act (ARPA) fund.

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

Motion Carried

### **Commissioners Reports (Cont.):**

Commissioner Culver reported he attended a Blue Valley Community Action (BVCA) meeting and the Safety Committee meeting. He also reported he has been discussing current road conditions with constituents.

Commissioner Ahmic reported the Allo phones have been installed at the Justice Center, participated in a Safe Streets and Roads grant Webex, watched several legislative hearings and Nebraska Association of County Officials (NACO) board meeting, received a call with the North Platte City Administrator about gaming devices, attended a session of the Waters Leaders Academy, worked on the Community Outreach meeting, worked on legislative updates, attended the Board of Adjustment meeting and Planning Board meeting, and had conversations with JEO and Marvin Planning.

Commissioner Schmieding reported he attended the Extension Board meeting. He also talked to the Extension Educator about county matters. He will attend a Visitors Committee meeting later today and Region V meeting in the near future. He also checked roads from the recent snowstorms. He also thanked those rural residents who helped neighbors get out of their residences due to the recent snowstorms.

Commissioner Zabrocki reported he attended the Seward City Council meeting, BRIDGES Board meeting, 4<sup>th</sup> of July meeting, teleconference with Nebraska Public Agency Investment Trust (NPAIT) and had a meeting with the 911 Director.

The Commissioners recessed at 9:57 a.m.

The Commissioners re-convened at 10:01 a.m.

The Commissioners discussed a resolution in regard to the item on the agenda titled: Board of Adjustment Decision on Appeal of the Board of Commissioners' Denial of Rezone of land in B Precinct in the SE ¼ of Section 29, Township 12 North, Range 3 East of the 6th p.m. in Seward County from A-1 to TA-1. Previously, the Board of Commissioners had denied the application for re-zone. Commissioner Hain said she understood the reason for the resolution, but understands there are still residents who are worried about the availability of water in the area. Commissioners Culver, Zabrocki and Schmieding also agreed that there is a major concern for changing the zoning, felt that the public should be listened to and that the Board of Adjustment can change the Board of Commissioners decision. Chairman Ahmic said the Board of Adjustment doesn't hear the voice of the public at hearings such as this one when making their decision. She said the Board of Commissioners make their decisions based on actual zoning regulations and the public input.

Moved by Zabrocki and seconded by Schmieding to adopt Resolution 3797 in regard to the Board of Adjustment Decision on Appeal of the Board of Commissioners' Denial of Rezone of Land in B Precinct in the SE ¼ of Section 29, Township 12 North, Range 3 East of the 6th p.m. in Seward County from A-1 to TA-1.

RESOLUTION NO. 3797  
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, application was made by Nathan Merritt, Jesse Roberts, and Melinda Clarke ("Landowners") requesting that a tract of land in the Southeast 1/4 of Precinct B. Parcel ID: 800025911 Section 29, Township 12N, Range 3E, Seward County, Nebraska be rezoned from A-1 [Agricultural] to TA-1 [Transitional Agricultural];

WHEREAS, on November 21, 2023, the Seward County Board of Commissioners heard and voted to deny the application for rezone, as reflected in Seward County Board of Commissioners Resolution 3787;

WHEREAS, an application for an appeal was filed by the Landowners requesting review of the decision of the Board of Commissioners by the Seward County Board of Adjustment;

WHEREAS, the Seward County Board of Adjustment met to hear the appeal on January 18, 2024, at which time the record was received and argument was presented, and considered by the Board of Adjustment;

WHEREAS, the Board of Adjustment determined, by a vote of 4-1, that the rezone should have been granted by the Seward County Board of Commissioners and the rezone as requested by Landowners should be granted;

WHEREAS, pursuant to *Neb. Rev. Stat. §23-168.03*, the Board of Adjustment may reverse or affirm, in whole or in part, or may modify an order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as shall be proper, and to that end shall have the power of the officer or agency from whom the appeal is taken;

NOW, THEREFORE, BE IT RESOLVED that the tract of land in the Southeast 1/4 of Precinct B. Parcel ID: 800025911 Section 29, Township 12N, Range 3E, Seward County, Nebraska has been rezoned from A-1 [Agricultural] to TA-1 [Transitional Agricultural] by the Board of Adjustment and such shall be reflected in all necessary records of Seward County, Nebraska

DATED THIS 23rd day of January 2024.

Moved by: Zabrocki

Seconded by: Schmieding

Ayes: Darrell J Zabrocki, Ken Schmieding, John K. Culver, Misty Ahmic, Chair of the Board  
Voting No: Raegan Hain

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki, Schmieding, Culver, Ahmic

Voting No: Hain

Motion Carried

During the Grant Funds being sought by the County infrastructure related grants item on the agenda, Commissioner Ahmic reported news about the Safe Street and Roads grant that was applied for. She indicated that when the grant papers were completed, Seward County was told that a different option should be indicated on the grant portal. The grant project was then rejected based on the option that they told us to select. After conversing with the Safe Street and Road Committee, it was admitted they advised Seward County in error. They suggested applying for the grant again in February. The Board discussed that applying for grants takes a lot of time and knowledge and grant writers can be very costly. It was stated that another county did employ a grant writer and the grant applied for was not awarded. Sharon Powell, a Utica Village Trustee, commented and said the Village of Utica is also discussing that grants are being missed because they take a lot of work for which they do not have anyone trained. An idea of a "county grant writer" was discussed for the future.

It was mentioned the Bridge Investment Program community meeting is tonight at the Staplehurst Community Hall. The meeting is to collect data for the grant that is applied for. Commissioner Hain led discussion about this grant and said she also felt frustration in applying for this grant and the time and money that has been spent on it.

During the Legislative Update item on the agenda, Ahmic reported that she has been keeping track of the bills introduced and has conversed with Senator Hughes. She has listened to a hearing already dealing with fiber for broadband. Priority bills are being heard first at the Legislature and giving input to the Legislative Committee on those bills were discussed. Several legislative bills were cited, and Commissioners' comments will be submitted.

**Known items on the agenda for Board of Commissioners on January 30, 2024 are as follows:**

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Approve minutes of January 23, 2024
4. Discuss/Action – Claims for the period through January 19, 2024

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

5. Discuss/Action – Public/Officials/Boards
6. Commissioners Reports
7. Discuss/Action – Grant Funds being Sought by Seward County
8. Discuss/Action – Legislative Update
9. Discuss/Action – Jail Inspection
10. Discuss/Action – Agenda for February 6, 2024

9:15 a.m. Discuss/Action – Appoint members to the Seward County Aging Advisory Board

Moved by Zabrocki and seconded by Hain to adjourn at 11:17 a.m.

Affirmative Vote: Zabrocki, Hain, Culver, Schmieding, 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 30<sup>th</sup> day of January 2024.

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County Clerk

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Chairman