

May 11, 2021
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 May 11, 2021 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 May 11, 2021 at 8:30 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Bob Vrbka, Ken Schmieding, Darrell Zabrocki
County Clerk: Sherry Schweitzer
County Assessor: Marilyn Hladky

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 Vrbka to approve the minutes of April 27, 2021.

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

Moved by Vrbka and seconded by Zabrocki to approve Tax List Correction 183-20P.

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

Hladky then updated the Commissioners on activities of her office.

Known items on the agenda for Board of Equalization on May 25, 2021 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of May 11, 2021
4. Discuss/Action – Assessor Information Update

Moved by Vrbka and seconded by Ahmic to adjourn at 9:00 am

Affirmative Vote: Vrbka Ahmic Zabrocki Schmieding Culver

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 25th day of May 2021.

County Clerk

Chairperson

May 11, 2021

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 May 11, 2021 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 May 11, 2021 at 9:00 a.m.

Present: Chairperson: John Culver
Members: Misty Ahmic, Bob Vrbka, 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 Vrbka and seconded by Ahmic to approve the minutes of May 4, 2021.

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

Moved by Zabrocki and seconded by Vrbka to approve the claims through April 30, 2021

SEWARD COUNTY CLAIMS THROUGH APRIL 30, 2021

ADVANCED OFFICE AUTOM	SU	\$251.57	UPS	SE	\$13.36
AMERITAS LIFE INS CORP	FE	\$17,395.17	US BANK EQUIP FINANCE	FE	\$142.50
ASSOCIATED PSYCH	SE	\$375.00	USPS	SU	\$10,000.00
CAMPBELL CLEANING	SE	\$2,655.00	VERIZON WIRELESS	UT	\$2,297.31
CITY OF SEWARD	UT	\$9,054.71	VIGILNET	SE	\$41.70
CLERK OF DIST CRT	SE	\$197.71	VISA	FE	\$149.90
DELL MARKETING L P	SE	\$1,539.88	VOSS LIGHTING	SE	\$260.90
DES MOINES STAMP	SU	\$49.55	WELLS FARGO FIN LEAS	FE	\$198.15
E 911	FE	\$36,687.33	WINDSTREAM	UT	\$848.17
EAKES OFFICE PLUS	SU	\$1,599.50	AFFORDABLE INT SOL	SE	\$74.99
KARL EICKHOFF	SE	\$422.81	KENNETH PANKOKE	SE	\$114.80
ENGINEERED CONTROLS	EQ	\$6,080.00	BLACK HILLS ENERGY	UT	\$610.22
FARMERS COOP	SU	\$540.49	CROSS AND SONS INC	SE	\$185.00
GALLS LLC	SE	\$348.66	DALE JOHNSON ENT	SU	\$690.03
GREAT PLAINS UNIFORMS	SE	\$121.98	FAST MART INC	SU	\$22.00
HALL COUNTY SHERIFF	SE	\$56.67	INDOFF INC	SU	\$41.97
HOMETOWN LEASING	FE	\$495.09	JEO CONSULTING GRP	SE	\$369.88
JANA S WURM	SE	\$162.50	MEDICAL ENTERPRISES	SU	\$210.00
JONES BANK	SE	\$300.00	MILLER SEED	SU	\$1,035.00
JONES BANK (FICA)	FE	\$17,381.27	NE EQUIPMENT INC	SU	\$76.01
KIRBY ROTH INSURANCE	FE	\$50.00	NE PUB POW DIST	UT	\$95.92
KONICA MINOLTA	SE	\$131.48	OVERHEAD DOOR	SE	\$274.78
LEE'S REFRIGERATION	SE	\$1,262.82	SEWARD CO TREASURER	FE	\$10.00
LINCOLN RADIOLOGY GRP	SE	\$22.00	SEWARD ELECTRONICS	SE	\$141.38
MAXIMUS INC	SE	\$2,600.00	SHAFFER COMM	SE	\$1,456.98
REBECCA MCKAY	SE	\$43.12	SUNBELT RENTALS	SE	\$191.22
MCKESSON MED SURG	SU	\$1,118.86	BURDEN SALES CO	SU	\$9.50
MEMORIAL CLINIC	SE	\$104.50	UTICA PARTS & SERVICE	SE	\$101.12
MID AMERICAN BENEFITS	FE	\$114.75	VERMEER HIGH PLAINS	SE	\$61.80

MID-AMERICAN INS GRP	FE	\$35,662.91	VILLAGE OF UTICA	SE	\$55.28
MIPS INC	SE	\$2,241.29	CHAPTERS BOOKS & GIFTS	SU	\$59.16
NE ASSN OF CNTY EXT BRD	FE	\$100.00	SUE IMIG	SE	\$94.95
NE COUNTY ATTORNEYS ASSN	FE	\$2,113.00	RED PATH GALLERY	FE	\$60.00
NEBR PUB HLTH ENVL LAB	SE	\$420.00	SCCDP	FE	\$200.00
NEBRASKA STATE BAR ASSOC	FE	\$300.00	911 CUSTOM	SE	\$513.44
OFFICE DEPOT	SU	\$32.08	BIZCO INC	SU	\$16,039.16
OFFICENET	SU	\$189.50	CORI J STAVA	SE	\$429.50
ONESOURCE	SE	\$387.00	CULLIGAN	SE	\$7.75
OWENS EDUC SERVICES	SE	\$1,009.52	RELENTLESS LLC	SE	\$750.00
PETTY CASH FUND	FE	\$12.75	JONES AUTOMOTIVE	SE	\$478.47
PLANET TECHNOLOGIES	SE	\$35.20	RAY ALLEN MFG	EQ	\$207.83
POTTER REPAIR	SE	\$71.47	SHINETECH SOFTWARE	SU	\$2,904.00
QUADIENT LEASING	FE	\$86.98	VIGILANT SOLUTIONS	SE	\$4,420.00
SECRETARY OF STATE	FE	\$30.00	SEWARD AGING SERV	SE	\$198.21
SEWARD CO COURT	SE	\$1,250.00	LINDNER PAINTING	SE	\$9,839.00
SEWARD CO HLTH CLM FND	FE	\$384,915.84	RUMERY LAWN	SU	\$445.00
SEWARD CO INDEPENDENT	SE	\$937.75	GEOCOMM INC	UT	\$1,011.00
SEWARD CO PUBLIC TRANSIT	SE	\$6.00	SALARIES		\$253,981.23
SEWARD LUMBER	SU	\$44.02	GROSS SALARIES INCLUDE DEDUCTIONS TO:		
SOARIN GROUP, LLC	SE	\$7,695.25	COLONIAL SUPPLEMENTAL INSURANCE		
ST OF NE DAS COMM	SE	\$1,152.00	MID AMERICAN CO WISCONSIN		
SUMMIT FOOD SERVICE	SE	\$3,230.14	DELTA DENTAL		
UNIVERSAL SUPPLIES	SU	\$350.00	VSP VISION		
UNIVERSITY OF NEBR	SE	\$5,937.04	WADDELL & REED		

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

Motion Carried

Commissioners Reports:

Commissioner Ahmic reported she attended the Milford City Council Meeting, a Region V meeting, a Four Corners Health District meeting, Seward County Chamber Development Partnership meeting and received a call about a road subject.

Commissioner Vrbka reported he attended a motor grader demonstration and received calls from constituents.

Commissioner Culver reported he had a meeting with the E911 Budget sub-committee, talked with Commissioner Schmieding and updated him on recent Commissioner activities and received various correspondences.

Commissioners Schmieding was present via Zoom and thanked everybody for helping take care of things while he is ill.

Commissioner Zabrocki attended the Seward City Council meeting, a meeting with the Seward City Administrator, attended a motor grader demonstration and met with the Clerk of the County Court.

Carol Albrecht, representing the Farmers Market, requested the Farmers Market vendors be able to use the Courthouse lawn for their Wednesday and Saturday events. She stated they would like to start May 19, 2021 and will follow the USDA regulations as far as social distancing.

Moved by Vrbka and seconded by Zabrocki to allow the Farmers Market to use the Courthouse Square for the 2021 Farmers Market.

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

Motion Carried

The Commissioners discussed the proposed Interlocal with the City of Seward and Seward County in regard to a possible East Seward Road Paving Project. Zabrocki said the cost would be a 50/50 split. Zabrocki led discussion and said the project would be a 50/50 and that professional services are ready to be started. He said the City of Seward has already started some engineering services and the County would be obligated to pay their share of those. The actual construction cost could not be determined at this time. Zabrocki will have the Attorney's Office draw up a resolution for the Engineering Services.

Gary Petersen, Seward/York Emergency Manager, was present to discuss the proposed safe-rooms for the West Wing Building. Petersen stated that engineering costs and processes are making this project more difficult to get underway and discussion led to whether going through the grant was worthwhile. It was decided that even though the grant application is getting more difficult, financially, it would be in the best interest of the County to go through the grant process to attain the safe rooms.

Moved by Vrbka and seconded by Zabrocki to open bids at 9:37 a.m. for gravel.
 Affirmative Vote: Vrbka, Zabrocki, Schmieding, Ahmic, Culver Motion Carried

Bids were received from:
 Kroeger Sand & Gravel, Johnson Sand and Gravel, Dale R Johnson Enterprises and Central Sand and Gravel.

Moved by Vrbka and seconded by Ahmic to award bids to all bidders: Kroeger Sand & Gravel, Johnson Sand and Gravel, Dale R Johnson Enterprises and Central Sand and Gravel.

BIDDERS	Johnson Sand & Gravel	Central Sand & Gravel	Dale R. Johnson Enterprises	Kroeger Sand
Pit Site Pick Up	\$12.25	\$14.00	\$12.41	\$14.00
Delivered-Garland	no bid	25.43	\$23.36	no bid
Delivered-Grover	no bid	26.29	no bid	no bid
Delivered-Missile Base	\$21.40	\$23.77	no bid	\$28.00
PIT LOCATION	Columbus	Columbus	Columbus	Schuyler

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

Moved by Zabrocki and seconded by Vrbka to open bids for culverts at 9:47 a.m.
 Affirmative Vote: Zabrocki, Vrbka, Schmieding, Ahmic, Culver Motion Carried

Bids were received from Midwest Service & Sales, Ace Eaton Metals, Metal Culverts and Contech Engineered Solutions. Bids will be awarded next week.

The Commissioners recessed at 9:56 a.m.
 The Commissioners re-convened at 10:00 a.m.

Moved by Vrbka and seconded by Zabrocki to adopt Resolution No. 3591 in regard to allowing Jones bank to withdraw pledged securities.

**RESOLUTION NO. 3591 OF THE
 SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, the Jones Bank desires to withdraw the following security:

<u>DESCRIPTION</u>	<u>CUSIP#</u>	<u>MARKET VALUE</u>
ORD NE	685746PV5	\$ 205,000.00

WHEREAS: County will still be fully protected. THEREFORE, LET IT BE RESOLVED, the above withdrawal by the Jones Bank is approved by this County Board.

Moved by: Vrbka Seconded by: Zabrocki 05/11/21
 Ayes: Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki, Ken Schmieding
John K. Culver, Chair of the Board
 Attest: Sherry Schweitzer, Seward County Clerk

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

Moved by Vrbka and seconded by Ahmic to open motor grader bids at 10:01 a.m.

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

Bids were received from Nebraska Machinery Company and Murphy Tractor. Bids will be awarded next week.

Moved by Vrbka and seconded by Zabrocki to accept Clerk of the District Court Fee Report for April 2021 in the amount of \$4,850.30.

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

Moved by Zabrocki and seconded by Ahmic to accept County Sheriff's Fee and Mileage Report for March 2021 in the amount of \$1,584.00 and \$1,040.26 respectively.

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

Moved by Vrbka and seconded by Zabrocki to accept County Clerk Fee Report for April 2021 in the amount of \$37,998.00.

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

Moved by Vrbka and seconded by Zabrocki to open the Public Hearing at 10:15 a.m. for the application from KOLN/KGIN Television Inc. for a Development Permit to construct a tower in K Precinct in the SE 1/4 SE 1/4 and part of the N 1/2 SE 1/4 Section 27 Township 10 North Range 2 East of the 6th p.m.

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

Becky Paulsen, Seward Weed/Zoning Administrator, gave information about the application from KOLN/KGIN Television Inc. for a Development Permit to Construct a tower in K Precinct in the SE 1/4 SE 1/4 and part of the N 1/2 SE 1/4 Section 27 Township 10 North Range 2 East of the 6th p.m.

No one spoke as a proponent or opponent during the hearing.

Moved by Vrbka and seconded by Ahmic to close the Public Hearing at 10:17 a.m.

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

The Findings of Fact document was completed.

BEFORE THE COUNTY BOARD OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF)
CONDITIONAL USE PERMIT)
REQUEST BY:)
) FINDINGS OF FACT
GREY TELEVISION/KOLN-KGIN TV)
APPLICANT)

THIS MATTER came before the County Board of Commissioners on the request of the Applicant for a Development Permit to construct a Tower. Public hearing was held on the 11th day of May 2021. Notice of said hearing was publicized on the 27th day of April 2021.

THE Board of Commissioners recommended to

X approve the conditional use permit

_____ deny the conditional use permit

UPON REVIEW of all necessary facts, the Planning Commission makes the following findings that:

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 has adequate water, sewer, and drainage facilities.
3. X The use is 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 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 use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. X The use has adequate utilities, access roads, and drainage facilities.
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, vegetation or other property or which can cause soiling, discomfort, or irritation.
11. X The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
12. X 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.

Specific Findings of fact _____

FURTHER recommend 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. _____

DATED THIS 11th day of May 2021.

Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki, Ken Schmieding

John K. Culver, Board Chair

Moved by Vrbka and seconded by Ahmic to adopt Resolution No. 3952 in regard to approving the application from KOLN/KGIN Television Inc. for a Development Permit to Construct a tower in K Precinct in the SE ¼ SE ¼ and part of the N ½ SE ¼ Section 27 Township 10 North Range 2 East of the 6th p.m.

Moved by Vrbka and seconded by Ahmic to close the public hearing at 10:33 a.m.
Affirmative Vote: Vrbka, Ahmic, Zabrocki, Culver Motion Carried

The Findings of Fact document was completed.
BEFORE THE COUNTY BOARD OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF)
CONDITIONAL USE PERMIT)
REQUEST BY:)
) FINDINGS OF FACT
TILLMAN INFRASTRUCTURES INC)
APPLICANT)

THIS MATTER came before the County Board of Commissioners on the request of the Applicant for a conditional use permit/development permit to construct a tower. Public hearing was held on the 11th day of May 2021. Notice of said hearing was publicized on the 27th day of April 2021.

THE Board of Commissioners recommended to
 X approve the conditional use permit
_____ deny the conditional use permit

UPON REVIEW of all necessary facts, the Planning Commission makes the following findings that:

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 has adequate water, sewer, and drainage facilities.
3. X The use is 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 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 use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. X The use has adequate utilities, access roads, and drainage facilities.
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, 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. 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. 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.

Specific Findings of fact _____

FURTHER recommend 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. _____

DATED THIS 11th day of May 2021.

Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki,
John K. Culver, Board Chair

Moved by Zabrocki and seconded by Vrbka to adopt Resolution No. 3593 in regard to approving the application for the Tillman Infrastructure for an application for a Conditional Use Permit and Development Permit to construct a tower in H Precinct in the W 1/2 SW 1/4 in Section 23 Township 11 North Range 4 East of the 6th p.m.

**RESOLUTION No. 3593 OF THE
 SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, TILLMAN INFRASTRUCTURE INC. has applied for a Conditional Use and a Development Permit to construct a new Telecommunications Tower, and

WHEREAS, the property is described as Precinct H, in the West 1/2 of the South West 1/4 of, Section 23, Township 11N, Range 4E, Seward County, Nebraska, and

WHEREAS, The Planning Commission held a public hearing to consider the application at a regular meeting April 19, 2021, and

WHEREAS, notice of the public hearing was published in the Seward County Independent, and posted on the property, and

WHEREAS, The Planning Commission recommended Approval of the Conditional Use and Development Permit to Construct a Tower, with a vote of 7 In Favor, 0 Against, and 1 Absent and Not Voting, and

WHEREAS, The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting May 11th, 2021, and the Seward County Board of Commissioners reviewed the Findings of Facts on May 11th 2021.

WHEREAS, notice of the public hearing was published in the Seward County Independent, the Milford Times and posted on the property, and

WHEREAS, No one appeared to oppose said Permitted Conditional Use
 Individuals appeared to oppose said Permitted Conditional Use

No one appeared to support said Permitted Conditional Use

Individuals appeared to support said Permitted Conditional Use,

Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve X or Deny the Conditional Use Permit and Development and construct a new Telecommunications Tower for Tillman Infrastructure INC. in the West 1/2 of the South West 1/4 of, Section 23, Township 11N, Range 4E, Seward County, Nebraska.

Commissioner Schmieding was absent at the time this Resolution was passed.

Moved by: Zabrocki Seconded by: Vrbka 05/11/21

Ayes: Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki

Chair of the Board: John K. Culver

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki, Vrbka, Ahmic, Culver

Motion Carried

The Commissioners recessed at 10:40 a.m.

The Commissioners re-convened at 10:45 a.m.

Moved by Zabrocki and seconded by Vrbka to open a Public Hearing at 10:47 a.m. for a Conditional Use Permit to construct and operate a storage facility in J Precinct in the SE 1/4 SE 1/4 of Section 20, Township 10 North, Range 3 East of the 6th p.m.

Affirmative Vote: Zabrocki, Vrbka, Ahmic, Culver

Jonathan Jank, Executive Director of the Seward County Chamber and Development Partnership, shared a letter of support for the permit.

Carolyn Kortmeyer asked a question about the storage use of the campground.

Alyssa Hendrix, applicant, read a portion of the regulations which answered her question and stated the storage will include storage for her equipment and will be for short-term and long-term storage.

Moved by Vrbka and seconded by Zabrocki to close the Public Hearing at 10:53 a.m.

Affirmative Vote: Vrbka, Zabrocki, Ahmic, Culver

Motion Carried

The Findings of Fact document was completed.

BEFORE THE COUNTY BOARD OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF)

CONDITIONAL USE PERMIT)

STORAGE FACILITY)

) RECOMMENDATIONS

Alyssa Hendrix)

APPLICANT

THIS MATTER came before the County Board of Commissioners on the request of the Applicant for a Conditional Use Permit. Public hearing was held on the 11th day of May 2021. Notice of said hearing was publicized on the 27th day of April 2021.

THE Board of Commissioners recommends to

X approve the conditional use permit

deny the conditional use permit

Upon the findings that:

1. X The use, in all other respects, conforms to the applicable regulations of the district in which it is located. Does conform with Matrix for Conditional Use.

2. X The use has adequate water, sewer, and drainage facilities.

3. X The use is in harmony with the character of the area and the most appropriate use of the land. This use fits within the Seward County Matrix.
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. A Review of Plans
5. X The 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. The value of the land increases as it is cleaned up and uses change.
6. X The use will not impede the normal and orderly development of the surrounding property for uses permitted in the district. This use is allowed in a C-2 district with a CUP.
7. X The use has adequate utilities, access roads, and drainage facilities.
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. Electrical hookups/no generators.
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, vegetation or other property or which can cause soiling, discomfort, or irritation. It does not.
11. X The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property. It does not.
12. X 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. It does not.
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. No parking or staging will be allowed on the highway.
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. It does not.

Specific Findings of fact _____

FURTHER recommend 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. This is Allowed Use per Seward County Matrix as a Conditional Use Permit in a C-2.

DATED THIS 11th day of May 2021.

Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki,
John K. Culver, Board Chair

Moved by Zabrocki and seconded by Ahmic to adopt Resolution No. 3594 in regard to approving a Conditional Use Permit to construct and operate a storage facility in J Precinct in the SE ¼ SE ¼ of Section 20, Township 10 North, Range 3 East of the 6th p.m.

RESOLUTION No. 3594 OF THE

SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, C & A Complex Management LLC. has applied for a Conditional Use Permit to construct and operate a STORAGE FACILITY, and

WHEREAS, the property is described as Precinct J, in the South East 1/4 of, Section 20, Township 10N, Range 3E, Seward County, Nebraska, and

WHEREAS, The Planning Commission held a public hearing to consider the application at a regular meeting April 19, 2021, and

WHEREAS, notice of the public hearing was published in the Seward County Independent, the Milford Times and posted on the property, and

WHEREAS, The Planning Commission recommended Approval of the Permitted Conditional Use Permit, with a vote of 7 In Favor, 0 Against, and 1 Absent and Not Voting, and

WHEREAS, The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting May 11, 2021, and

WHEREAS, notice of the public hearing was published in the Seward County Independent, and posted on the property, and

WHEREAS, ___ No one appeared to oppose said Permitted Conditional Use

___ Individuals appeared to oppose said Permitted Conditional Use

___ No one appeared to support said Permitted Conditional Use

X Individuals appeared to support said Permitted Conditional Use,

X Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve **X** or ___ Deny the Permitted Conditional Use Permit for C & A Complex Management LLC. to construct and operate a STORAGE FACILITY in the South East 1/4 of the South East 1/4, of Section 20, Township 10N, Range 3E, Seward County, Nebraska.

Commissioner Schmieding was absent at the time this Resolution was passed.

Moved by: Zabrocki

Seconded by: Ahmic

05/11/2021

Ayes: Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki

Chair of the Board: John K. Culver

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Zabrocki. Ahmic, Vrbka, Culver

Motion Carried

Moved by Vrbka and seconded by Ahmic to open a Public Hearing at 11:00 a.m. for a Conditional Use Permit to construct a campground in J Precinct in the SE ¼ SE ¼ of Section 20, Township 10 North, Range 3 East of the 6th p.m.

Affirmative Vote: Vrbka, Ahmic, Zabrocki, Culver

Motion Carried

Alan Kortmeyer spoke against said permit, stating several Findings of Fact that he felt cannot be answered with a YES answer. He also read a letter from an attorney.

Alyssa Hendrix, the applicant of said Conditional Use Permit, spoke about the history of owning the land for which she has applied for the permit; and spoke about the Findings of Fact questions Mr. Kortmeyer expressed.

Carolyn Kortmeyer spoke in opposition of said permit and said an easement from when she purchased her land is still in effect, and she should have access to her home as she had previously.

Moved by Vrbka and seconded by Zabrocki to close the Public Hearing at 11:28 a.m.

Affirmative Vote: Vrbka, Zabrocki, Ahmic, Culver

Motion Carried

The Findings of Fact document was completed.

BEFORE THE COUNTY BOARD OF SEWARD COUNTY, NEBRASKA

IN THE MATTER OF)	
TO CONSTRUCT AND OPERATE)	
A CAMPGROUND)	
)	RECOMMENDATIONS
<u>Alyssa Hendrix</u>)	
APPLICANT		

THIS MATTER came before the County Board of Commissioners on the request of the Applicant for a Conditional Use Permit. Public hearing was held on the 11th day of May 2021. Notice of said hearing was publicized on the 27th day of April 2021.

THE Board of Commissioners recommends to

 X approve the conditional use permit

 deny the conditional use permit

Upon the findings that:

1. X The use, in all other respects, conforms to the applicable regulations of the district in which it is located. Does conform with Matrix for Conditional Use.
2. X The use has adequate water, sewer, and drainage facilities.
3. X The use is in harmony with the character of the area and the most appropriate use of the land. This use fits within the Seward County Matrix.
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. A Review of Plans
5. X The 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. The value of the land increases as it is cleaned up and uses change.
6. X The use will not impede the normal and orderly development of the surrounding property for uses permitted in the district. This use is allowed in a C-2 district with a CUP.
7. X The use has adequate utilities, access roads, and drainage facilities.
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. Electrical hookups/no generators.
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, vegetation or other property or which can cause soiling, discomfort, or irritation. It does not.

11. X The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property. It does not.
12. X 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. It does not.
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. No parking or staging will be allowed on the highway.
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. It does not.

Specific Findings of fact _____

FURTHER recommend 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. This is Allowed Use per Seward County Matrix as a Conditional Use Permit in a C-2.

DATED THIS 11th day of May 2021.

Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki,
John K. Culver, Board Chair

Moved by Vrbka and seconded by Zabrocki to adopt Resolution No. 3595 in regard to a Conditional Use Permit to construct a campground in J Precinct in the SE ¼ SE ¼ of Section 20, Township 10 North, Range 3 East of the 6th p.m.

**RESOLUTION No. 3595 OF THE
 SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, C & A Complex Management LLC. has applied for a Conditional Use Permit to construct and operate a Campground, and

WHEREAS, the property is described as Precinct J, in the South East 1/4 of, Section 20, Township 10N, Range 3E, Seward County, Nebraska, and

WHEREAS, The Planning Commission held a public hearing to consider the application at a regular meeting April 19, 2021, and

WHEREAS, notice of the public hearing was published in the Seward County Independent, the Milford Times and posted on the property, and

WHEREAS, The Planning Commission recommended Approval of the Permitted Conditional Use Permit, with a vote of 6 In Favor, 1 Against, and 1 Absent and Not Voting, and

WHEREAS, The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting May 11, 2021, and

WHEREAS, notice of the public hearing was published in the Seward County Independent, and posted on the property, and

WHEREAS, No one appeared to oppose said Permitted Conditional Use

X Individuals appeared to oppose said Permitted Conditional Use

No one appeared to support said Permitted Conditional Use

X Individuals appeared to support said Permitted Conditional Use,

Individuals appeared without commitment, and

NOW, THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners do hereby Approve X or Deny the Permitted Conditional Use Permit for C & A Complex Management LLC. to construct and operate a Campground in the South East 1/4 of the South East 1/4, of Section 20, Township 10N, Range 3E, Seward County, Nebraska.

Commissioner Schmieding was absent at the time this Resolution was passed.

Moved by: Vrbka Seconded by: Zabrocki 05/11/2021
Ayes: Robert Vrbka, Misty Ahmic, Darrell J. Zabrocki
Chair of the Board: John K. Culver
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Vrbka, Zabrocki, Ahmic, Culver Motion Carried

Terry Wicht, Highway Supt., brought information to the Board about additional costs, specifically mitigation costs, for two road projects. It was mentioned that the additional costs *may* be covered from the Federal level, which is projected to costs around \$130,000.

Moved by Vrbka and seconded by Ahmic to approve additional funding up to \$130,000 for Projects BRO-7748 (1) Beaver Crossing South and BRO-7080(54) Northwest of Seward.
Affirmative Vote: Vrbka, Ahmic, Zabrocki, Culver Motion Carried

Known items on the agenda for Board of Commissioners on May 18, 2021 are as follows:

9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of May 11, 2021

Other Business Matters to Address When Time Allows

4. Discuss/Action – Public/Officials/Boards
5. Commissioners Reports
6. Discuss/Action – Agenda for May 25, 2021

9:30 a.m. Discuss/Action – Award Seward County Culvert bids

9:45 a.m. Discuss/Action – Award Motor Grader bid for Seward County

Moved by Zabrocki and seconded by Vrbka to adjourn at 11:45 a.m.

Affirmative Vote: Zabrocki, Vrbka, Ahmic, Culver 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 18th day of May 2021.

County Clerk

Chairman