

May 20, 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 May 20, 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 May 20, 2025 at 9:00 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.

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

- a. Minutes of May 13, 2025
- b. Zoning Fee Report for April 2025 in the amount of \$3,225.00

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

Moved by Hain and seconded by Zabrocki to approve claims for the period through May 9, 2025.

SEWARD COUNTY CLAIMS THROUGH MAY 9, 2025					
AKRS EQUIPMENT	EQ	\$312.04	JOY SHIFFERMILLER	SE	\$2,458.25
ALLO COMMUNIC	UT	\$5,514.87	SITE ONE LANDSCAPE	SU	\$132.85
AMAZON CAPITAL SERV	SU	\$90.04	SMPC, LLC	SE	\$15,222.00
AMERITAS LIFE INS CORP	FE	\$22,264.71	SOARIN GROUP, LLC	SE	\$6,001.25
BEAVER HARDWARE	SU	\$343.71	SOFTWARE UNLIMIT CORP	SE	\$3,492.72
BENCHMARK GOVT SOL	SE	\$367.15	ST OF NE DAS ST ACCNTNG	SE	\$795.50
BLACK HILLS ENERGY	UT	\$1,581.38	SUHR & LICHTY INS AGCY	SE	\$40.00
BRENNAN,NIELSEN LAW	SE	\$560.15	SUMMIT FOOD SERV	SE	\$9,766.41
CASA	SE	\$41,400.00	THOMSON REUTERS-WEST	SE	\$1,228.54
CENTURY BUSINESS PROD	SU	\$192.10	VIRTUAL DOXX CORP	SE	\$223.71
CITY OF SEWARD	UT	\$10,886.24	VISA	FE	\$6,134.26
CLERK OF DIST CRT	SE	\$144.00	VISUAL EDGE IT	SE	\$48.54
CORI J STAVA	SE	\$408.00	VOSS LIGHTING	SE	\$477.75
CROUCH'S HARDWARE	SU	\$1,354.43	WATER ENGINEERING	SE	\$220.50
CULLIGAN	SE	\$164.50	WELLS FARGO FINAN LEAS	EQ	\$230.66
DEKALB CO SHERIFF	SE	\$33.00	WYTHERS LAW	SE	\$26,413.59
DIAMOND DRUGS	SU	\$477.87	YORK CO SHERIFF	SE	\$19.00
DOUGLAS CO SHERIFF	SE	\$57.31	BEATRICE CONCRETE	SE	\$1,069.33
EAKES OFFICE PLUS	SU	\$531.73	DALE JOHNSON ENT	SU	\$10,477.45
ES&S INC	SU	\$2,755.31	FASTENAL CO	SU	\$1,294.61
EQUIFAX WORKFORCE/TALX	EQ	\$260.75	JOHNSON SAND & GRAVEL	SU	\$15,962.36
FARMERS COOP	SU	\$14,846.90	MAINELLI WAGNER	SE	\$7,936.30
FEHLHAFERS	SE	\$49.75	MEDICAL ENTERPRISES	SU	\$72.00
FGH LAW	SE	\$9,615.40	MIDWEST AUTO PARTS	SU	\$975.68
FISH WINDOW CLEANING	SE	\$776.00	MIDWEST SERVICE	SE	\$6,834.00
SIDNEY FREY	SE	\$19.32	NE EQUIPMENT	EQ	\$311.19

ROY HARRIS	SE	\$1,903.55	NE PUB POWER DIST	UT	\$90.19
HD SUPPLY	SU	\$881.60	NEXTLINK AIS	UT	\$51.07
ANN PENAS	SE	\$985.00	NMC, INC	SE	\$4,743.39
HELMINK PRINTING	SU	\$833.00	NORRIS PUB POWER DIST	UT	\$1,348.70
HERPOLSHEIMERS	SE	\$18.00	POWERPLAN	SE	\$128.02
HOMETOWN LEASING	EQ	\$505.64	RDO TRUCK CENTERS	SU	\$6,244.96
JENNIFER JOAKIM	SE	\$1,212.50	SOUTHWEST GRAVEL	SU	\$3,790.82
JOHN DEERE FINANCIAL	EQ	\$524.64	VERIZON CONNECT NWF	UT	\$661.53
JONES BANK (FICA)	FE	\$22,282.65	VILLAGE OF GARLAND	UT	\$71.47
KOTIK & MCCLURE LAW	SE	\$1,406.94	NE TRAVEL ASSOC	FE	\$175.00
LANCASTER CO SHERIFF	SE	\$37.30	PAC N SAVE	SU	\$1,019.15
LANGUAGE LINE SERV	SE	\$23.22	RED PATH GALLERY	FE	\$80.00
LEE'S REFRIGERATION	SE	\$285.87	ERIC WALLACE	SE	\$195.00
LEVANDERS BODY SHOP	SE	\$497.88	GFWC SEW WOMAN CLB	FE	\$500.00
LIBERTY LAW GROUP	SE	\$2,301.00	SEWARD CIVIC CENTER	FE	\$2,500.00
LINCOLN CO SHERIFF	SE	\$25.30	SEWARD CO CHAMBER	FE	\$500.00
MAGNUM ELECTRONICS	EQ	\$959.70	SEWARD ROTARY CLUB	FE	\$500.00
MCHENRY, HASZARD	SE	\$1,637.50	MORGAN CAMPBELL	FE	\$100.00
MCKESSON MED SURG	SU	\$81.64	GALLS LLC	SE	\$736.39
MEMORIAL CLINIC	SE	\$887.00	SUNSET LAW ENFORCE	SE	\$2,904.20
MIDWEST AUTOM	SE	\$1,331.69	TRANSUNION RISK & ALT	EQ	\$2,535.00
MOBILITY MOTORING	SE	\$272.50	VERIZON WIRELESS SERV	UT	\$1,602.22
NEBRASKA.GOV	FE	\$3.00	WESTERN OIL II LLC	SU	\$171.43
NORFOLK LODGE	TR	\$625.00	DILLON WILLIAMS	SE	\$250.00
OREILLY AUTOMOTIVE	SU	\$316.13	ADVENT FINANCIAL SYS	SE	\$150.00
ORKIN LLC	SE	\$322.00	MARVIN PLANNING	SE	\$500.00
PAPER TIGER SHREDDING	SE	\$195.00	NE DEPT OF CORR.SERV	SE	\$4,617.49
PETTY CASH FUND	FE	\$41.60	CENTURYLINK	EQ	\$4,588.20
PHYSICIANS LAB	SE	\$3,181.00	FIBER PLATFORM	SE	\$327.00
POLLACK AND BALL	SE	\$3,668.75	US IMAGING SYS	SE	\$1,374.74
QUADIENT LEASING	EQ	\$231.00	CIDNET	SE	\$2,974.85
QUILL CORPORATION	SU	\$159.96	WELLBEING INITIATIVE	SE	\$625.00
REDWOOD TOX LAB	SE	\$16.80	SALARIES		\$316,016.69
RIXSTINE TROPHY	SU	\$25.00	GROSS SALARIES INCLUDE DEDUCTIONS TO:		
ELIZABETH SAMUELSON	SE	\$3,125.00	AMERITAS DENTAL		
SARPY CO SHERIFF	SE	\$705.00	AMERITAS VISION		
SEWARD CO INDEPENDENT	SE	\$2,034.60	COLONIAL SUPPLEMENTAL INSURANCE		
SEWARD CO ROAD FUND	FE	\$626,079.00	MID AMERICAN CO WISCONSIN		
SEWARD SHRF UNCOL FEES	FE	\$172.00	POINT C FSA		
SEWARD LUMBER	SU	\$30.67	WADDELL & REED		

Affirmative Vote: Hain, Zabrocki, Schmieding, Pekarek

Voting no: Ahmic

Motion Carried ,

Commissioner Reports:

Commissioner Hain reported she attended the Opioid Steering Committee meeting via Zoom, spoke with the Extension Office staff, participated in the Tire Event on Friday, worked on salary information for Four Corners Health Dept., met with a Seward Public School staff about focus groups regarding the Juvenile Comprehensive Plan, listened to the Legislature about Inheritance Taxes, reached out to Four Corners about concerns, and met with Emergency Manager, Gary Petersen about sirens. She also mentioned that the 4-H Club her children belong to have adopted three abandoned cemeteries.

Commissioner Zabrocki reported he participated in the Tire Recycling Event, attended a BRIDGES meeting, reviewed the 911 Director, will be at a Nebraska Intergovernmental Risk Management (NIRMA) Board meeting later this week and a SouthEast Nebraska Development District (SEND) meeting.

Commissioner Ahmic reported she completed an employee evaluation, talked with an Nebraska Department of Transportation (NDOT) employee about the railroad crossing, received information about a lawsuit, Federal Highway Administration about a grant, participated in the tire recycling event, received a grant for rural fire districts, received calls about roads and chicken barns, attended the Seward County Chamber & Development Partnership (SCCDP) meeting, attended the Planning Commission meeting the previous night, received a request for employees to be able to reset their passwords for email rather than having the Human Resources Office or the county IT Provider doing it.

Commissioner Schmieding reported he will attend a meeting in Garland about water conservation and gave information about a 4th of July meeting. He mentioned he will be going to a Problem-Solving Court event, Blue Valley Community Action (BVCA) meeting and Visitors Committee Meeting in the future. He also talked to staff at the Extension Office and constituents in his district.

Commissioner Pekarek reported he met with a Verizon representative about county cell phones, attended the County Mutual Aid meeting in Bee, participated in the Tire Recycling event the past weekend, attended the Planning Commission meeting and followed up with the Daughters of the American Revolution group in regard to abandoned cemeteries. He also completed an employee evaluation and mentioned he will attend the water conservation meeting in Garland later in the week.

The Board discussed a quote from Soarin' Group for audio and video recording equipment for use during Commissioners meetings. The current system was purchased approximately 8 years ago. Tom Nielsen of Soarin' Group was present to give information about the proposed system which was quoted at over \$6,000. The County Clerk will look into viewing the system and the item will be on the agenda at a later date.

Moved by Hain and seconded by Pekarek to open bids for culverts at 9:46 a.m.
Affirmative Vote: Hain, Pekarek, Zabrocki, Schmieding, Ahmic Motion Carried

Bids were received from Metal Culverts, Contech Engineering Solutions, Midwest Service & Sales and Ace/Eaton Metals. The awarding of the bids will be on next week's agenda.

Moved by Zabrocki and seconded by Hain to open a public hearing at 9:50 a.m. for a Conditional Use Permit applied for by Northern Natural Gas for Town Border Station in Section 35 Township 11 North, Range 3 East of the 6th P.M.
Affirmative Vote: Zabrocki, Hain, Schmieding, Pekarek, Ahmic Motion Carried

Zoning Administrator, Marissa Pfile gave information about the application.

Kyle Hamtek and Andrew Hardenburger, representing Northern Natural Gas, gave information about the application.

No one spoke against the permit application or in the neutral position.

Moved by Zabrocki and seconded by Hain to close the public hearing at 9:53 a.m.
Affirmative Vote: Zabrocki, Hain, Pekarek, Schmieding, Ahmic Motion Carried

The Board completed the Findings of Facts for said application.

BEFORE THE SEWARD COUNTY NEBRASKA COUNTY COMMISSIONERS

IN THE MATTER OF CONDITIONAL USE PERMIT FOR A TOWN BORDER STATION

APPLICANT: Northern Natural Gas

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 20th day of May 2025. Notice of said hearing was publicized on the 7th day of May 2025.

The Seward County Commissioners recommends 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, 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.

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 granted to Northern Natural Gas; does not carry to new owner.

Dated this 20th day of May 2025.

Misty Ahmic
County Commissioner Chair

Marissa Pfile
Zoning Administrator

Moved by Hain and seconded by Pekarek to approve Resolution No. 3845 in regard to approving the Conditional Use Permit applied for by Northern Natural Gas for Town Border Station in Section 35 Township 11 North, Range 3 East of the 6th P.M.

**RESOLUTION NO 3845 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Northern Natural Gas has applied for a Conditional Use Permit for the installation and operation of a Town Border Station facility, and

WHEREAS the property is described as a tract in the Southeast ¼ of, Section 35, Township 11N, Range 3E, Seward County, Nebraska, and

WHEREAS The Planning Commission held a public hearing to consider the application at a regular meeting April 21, 2025, and

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

WHEREAS The Planning Commission recommended Approval of the Conditional Use Permit and finding of facts presented, with a vote of 8 In Favor, 0 Against, and 1 Absent not voting, and

WHEREAS The Seward County Board of Commissioners held a public hearing to consider the application at a regular meeting May 20, 2025, and

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

WHEREAS X No one appeared to oppose said Conditional Use

 Individuals appeared to oppose said Conditional Use

 X No one appeared to support said Conditional Use

 Individuals appeared to support said 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 for a Town Border Station. For the installation and operation of a Town Border Station facility at the described location on a tract of ground located in the Southeast ¼ of, Section 35, Township 11N, Range 3E in Seward County, Nebraska.

Moved by: Hain Seconded by: Pekarek May 20, 2025

Ayes: Ken Schmieding, Scott Pekarek, Raegan Hain, Darrell J. Zabrocki,

Misty Ahmic, Chair of the Board

Brandy M. Johnson, Deputy County Clerk

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

Moved by Hain and seconded by Ahmic to open the public hearing at 9:59 a.m. for a Conditional Use Permit applied for by Luebbe Family Poultry for a Livestock Feeding Operation in Section 36 Township 11 North, Range 1 East of the 6th P.M.

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

Gordon Luebbe, the applicant of the Conditional Use Permit and Travis Caspersen of Settje Agri Services and Engineering spoke to the Board in favor of said request which is for 8 chicken barns.

Steve Martin, representing the Alliance for the Future of Agriculture in Nebraska, spoke in favor of said permit.

Adam Hladky spoke in favor of said request and gave information about his four chicken barns.

Jonathan Jank, Executive Director of Seward County Chamber & Development Partnership (SCCDP), spoke in favor of said permit.

Moved by Zabrocki and seconded by Pekarek to close the public hearing at 10:23 a.m.

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

The Board completed the Findings of Facts for said application.

BEFORE THE SEWARD COUNTY NEBRASKA COUNTY COMMISSIONERS

IN THE MATTER OF CONDITIONAL USE PERMIT FOR A LIVESTOCK FEEDING
OPERATION
APPLICANT: Luebbe Family Poultry
CURRENTLY ZONED: A-1

This matter came before the Seward County Commissioners at the request of the applicant. A public hearing was held on the 20th day of May 2025. Notice of said hearing was publicized on the 7th day of May 2025.

The Seward County Commissioners recommends 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. NO 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. NO 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.

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 will be granted to Gordan Luebbe; does not carry to a new owner.

Dated this 20th day of May 2025.

Misty Ahmic
County Commissioner Chair

Marissa Pfile
Zoning Administrator

Moved by Pekarek and seconded by Zabrocki to approve Resolution No. 3846 in regard to providing the Conditional Use Permit applied by Luebbe Family Poultry for a Livestock Feeding Operation in Section 36 Township 11 North, Range 1 East of the 6th P.M.

**RESOLUTION NO 3846 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS, LUEBBE FAMILY POULTRY LLC. has applied for a Conditional Use Permit for a Livestock Feeding Operation, and

WHEREAS, The property is described as part of the West 1/2, of the Northwest 1/4 of Section 36, Township 11 North, Range 1 East, Seward County, Nebraska, and

WHEREAS, The Planning Commission held a public hearing to consider the application at a regular meeting April 21, 2025, 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 Conditional Use Permit, with conditions, by a vote of 6 In Favor, 2 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 20, 2025, and,

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

WHEREAS, X No one appeared to oppose said Conditional Use

___ Individuals appeared to oppose said Conditional Use

___ No one appeared to support said Conditional Use

X Individuals appeared to support said 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, for Luebbe Family Poultry for a Conditional Use Livestock Feeding Operation, on a tract of ground located in part of the West 1/2, of the Northwest 1/4 of, Section 36, Township 11N, Range 1E Seward County, Nebraska.

Moved by: Pekarek Seconded by: Zabrocki May 20, 2025

Ayes: Ken Schmieding, Scott Pekarek, Raegan Hain, Darrell J. Zabrocki,

Misty Ahmic, Chair of the Board

Brandy M. Johnson, Deputy County Clerk

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

Motion Carried

Ann Dobesh, Carrie Gottschalk and Emily Manning of the Extension Office spoke to the Board about a proposal to purchase a budgeted replacement computer. They gave information about the purchase through the UNL Purchasing Program. She stated the price offered to them includes the computer and 5 years of warranty and computer support from UNL.

Clerk Schweitzer is absent at 10:40 a.m.

Deputy Clerk, Brandy Johnson is present at 10:40 a.m.

Moved by Hain and seconded by Schmieding to approve the Extension Office proposal to purchase a budgeted replacement computer through UNL purchasing system with the county's share to be \$1,295.33 and the University's share to be \$700.00.

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

The Commissioners then discussed county cell phones. The subject was discussed two weeks ago, and it was decided to complete an audit of county owned cell phones and costs Seward County pays for cell phones. Commissioner Ahmic reported she completed an audit of all county owned cell phones. She presented a breakdown of each department, what they're paying and what that bill includes, and the phone numbers associated with each. She also had a list of employees who usually request reimbursements. There had previously been a question of a jail employee who was getting reimbursed for a personal phone as well as having a county owned phone. The county owned phone is used to communicate with volunteers and individuals on house arrest. Although no personal cell phone bills are being paid through claims, it was discovered that some employees have chosen to allow their personal cell phones to become property of the county, and those phone lines are billed on the county's Verizon bill. Pekarek would like to follow up with Verizon to inquire about a blanket policy for all of the county phones to be on one bill with one or two administrators who handle the billing. Hain expressed concern over how personal cell phones became property of the county. Pekarek will talk to Verizon Wireless about potential options and Hain will follow up on the policy aspect of this and it will be brought back in a couple of weeks.

The Commissioners Recessed at 11:20 a.m.

The Commissioners Reconvened at 11:25 a.m.

Hain led the discussion on the procedure for reporting work related injuries & current related policies. Recently, a claim for Workers Compensation was filed a significant time after an incident occurred. There have been concerns with claims not being reported within a timely manner because if an injury wasn't reported, the injury could become worse due to not seeking attention immediately. Deputy County Attorney Barb Armstead noted that someone has two years to file a Workers Compensation claim, but it makes the insurance process much more difficult than if it is reported immediately. It was suggested that employees report incidents to their supervisor within 24 hours so they can get the insurance form submitted to the County Clerk's Office as soon as reasonably possible. Ahmic will follow up with the County Clerk and request she send a reminder email to all supervisors about this process.

The next discussion was in regard to the liability of public use of county property. Ahmic stated that it had been brought to her attention that there was a significant amount of equipment that doesn't belong to the county parked at the Noxious Weed building. The equipment belongs to a contractor working on the state highway, and the contractor was given permission by a county employee to park some pieces of equipment there. Although the county wants to maintain a partnership with other entities, Ahmic noted that this could potentially be a liability to the county if someone were to get injured. For use of the Courthouse grounds, people are required to submit an application, as well as a Certificate of Liability Insurance. After some discussion, it was decided that along with the reminder to all supervisors and department heads regarding Workers Compensation and other insurance related claims previously discussed, the County Clerk will be asked to send an email to all department heads reminding them that if another entity is on site or utilizing any county spaces, they need to file a Certificate of Liability Insurance with the County Clerk's Office.

Ahmic reported that Eleventh House Grant Writers had reached out to both her and the Deputy County Attorney with a breakout of all potential grant opportunities they felt fit within Seward County's needs. Previously, the Commissioners decided to wait on moving forward with the contract for grant writing services with Eleventh House as there were not a lot of grant opportunities available at the time. Ahmic requested that the other Commissioners review the information from Eleventh House and decide if

they'd like to move forward with the potential grant opportunities. This item will be added to the agenda for May 27th.

In regard to the Renewable Energy Moratorium agenda item, the zoning regulations specifically related to renewable energy were pending, requiring a previous moratorium to be put in place by the county. Those regulations aren't completely finished; therefore the moratorium needs to be renewed. Ahmic proposed the moratorium be renewed for another six months, until the end of October, and asked the Deputy County Attorney to draft a new version and bring it back to the board to review before it goes to hearing.

Hain led discussion on considering a study for livestock feeding operations, noting that her concerns about this preceded any current conditional use permits people have for livestock feeding operations. Constituents have previously expressed their concerns about how animal feeding operations could potentially affect their health conditions. Hain has reached out to Four Corners Health Dept for information on how to go about having a study done and who could potentially conduct the study. Currently, the state's regulations for livestock feeding operations require higher setbacks than the county requires. Discussion was held regarding where a study could potentially be paid from. New regulations are being worked on, which will require the same setbacks for livestock feeding operations as the state. Because of this, Zabrocki asked if that portion of the regulations can be brought forward now via resolution rather than having a study done. Armstead suggested going into a brief executive session for strategy.

Moved by Hain and seconded by Zabrocki to enter into Executive Session at 12:19 p.m. to discuss strategy.

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

Moved by Zabrocki and seconded by Hain to go out of Executive Session at 12:45 p.m.

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

The Chair stated that strategy was discussed and no action was taken in Executive Session.

Ahmic asked Zoning Administrator, Marissa Pfile to add an item to the Planning Commission agenda for the next meeting to review what is currently under review in their regulations.

During the Legislative Update, Hain reported that she had been listening to the Inheritance Tax discussion. There is a lot of discussion about raising other fees to replace revenue from Inheritance Tax. Hain encouraged the others to share their thoughts on this with Nebraska Association of County Officials (NACO).

Known items on the agenda for Board of Equalization on May 27, 2025 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes April 22, 2025 and May 13, 2025
4. Discuss/Action – Permissive Exemption heard on April 22, 2025 for Sunrise Country, Inc. Parcel # 8--216202
5. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on May 27, 2025 are as follows:

9:00 a.m.

6. Convene and announce Open Meetings Law
7. Pledge of Allegiance
8. Discuss/Action - Approve minutes of May 20, 2025

Other Business Matters to Address When Time Allows

1. Discuss/Action - Public/Organizations/Officials

- 2. Commissioner Reports
- 3. Discuss/Action – Open Grant Opportunities for Infrastructure, Sheriff’s Office and Public Safety, Emergency Management, Planning & Zoning, Veteran’s Services, County Administration and Other County – Funded Initiatives
- 4. Discuss/Action - Legislative Update
- 5. Discuss/Action – Agenda for June 3, 2025

9:15 a.m. Discuss/Action – Veteran of the Month Presentation

9:30 a.m. Discuss/Action – County Court Budget Overage for 2024-2025 Fiscal Year

9:45 a.m. Discuss/Action – Award Culvert Bid(s)

10:00 a.m. Public Hearing – Conditional Use Permit from Viaero to Operate a New Telecommunications Tower in the W ½ SW ¼ of Section 16 Township 12 North Range 4 East of the 6th P.M.

Discuss/Action – Res. - Conditional Use Permit from Viaero to Operate a New Telecommunications Tower in the W ½ SW ¼ of Section 16 Township 12 North Range 4 East of the 6th P.M.

Moved by Zabrocki and seconded by Hain to adjourn 12:53 p.m.
Affirmative Vote: Zabrocki Hain Pekarek Schmieding Ahmic

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 27th day of May 2025.

County Clerk

Chairperson