

# November 26, 2024

## Seward County Board of Equalization

State of Nebraska)  
County of Seward) ss.

A regular meeting of the Seward County Board of Commissioners was convened in open and public session at 8:30 a.m. on November 26, 2024 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](http://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 November 26, 2024 at 8:30 a.m.

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

The Chairperson noted that the public meeting information is posted as required by law and available for public distribution if requested.

Moved by Schmieding and seconded by Hain to approve the minutes of November 12, 2024.  
Affirmative Vote: Schmieding, Hain, Culver, Ahmic Motion Carried

The Pledge of Allegiance was recited.

Hladky updated the Commissioners on activities of her office.

### **Known items on the agenda for Board of Equalization on December 10, 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 November 26, 2024
4. Discuss/Action – Assessor Information Update

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

Affirmative Vote: Culver, Hain, 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 10<sup>th</sup> day of December 2024.

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

\_\_\_\_\_  
Chairperson

# November 26, 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 November 26, 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 November 26, 2024 at 9:00 a.m.

Present: Chairperson: Misty Ahmic  
Members: Raegan Hain, John Culver, Ken Schmieding  
County Clerk: Sherry Schweitzer  
Absent: Member: Darrell Zabrocki

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

- a. Minutes of November 19, 2024
- b. Sheriff Fee and Mileage Reports for September 2024 in the amount of \$1,370.00 and \$773.70 respectively

Affirmative Vote: Hain, Culver, Schmieding, Ahmic

Motion Carried

Wendy Elston, County Attorney, updated the Commissioners on activities of her office.

The Board discussed changing the Seward County Representative for the Region 5/Apace Board. Commissioner Schmieding, as the current Seward County representative to the Board, gave information about his current tenure on the Board and that he would be OK if the other members of the Board wanted him to change organizations to which he is a liaison. Commissioner Ahmic stated that Region 5/Apace has a very long monthly meeting and that all should be attentive to what is going on during the meeting. Commissioner Hain said there are many documents that always need to be looked at meetings of various organizations and it is hard to get informed of every agenda item. Commissioner Culver also stated he felt that input from the various County Board members are not taken into consideration by Region5/Apace. Commissioner Zabrocki will change with Commissioner Schmieding on liaison for them.

Ray Foreman, Veteran's Service Officer, introduced Russell Anderson as Veteran of the Month. He is involved with the current veteran programs such as "Buddy Check" and "Coffee with Joe". He gave information on his service times including joining the Navy at 17 years old and being in the armed services for 20 years. He talked about aircraft, being on a ship and being stationed in many different parts of the US.

Moved by Culver and seconded by Hain to open a Public Hearing at 9:30 a.m. for a permit from ATC Verizon to upgrade/modify existing equipment on a Wireless tower in F Precinct in Section 22 Township 11 North, Range 2 East of the 6th p.m.

Affirmative Vote: Culver, Hain, Schmieding, Ahmic

Motion Carried

Marissa Pfile, Zoning Administrator, explained that she received a request from ATC Verizon 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.

Schmieding is absent at 9:32 a.m.

Moved by Culver and seconded by Hain to close the public hearing at 9:36 a.m.  
Affirmative Vote: Culver, Hain, Zabrocki 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/equipment upgrade  
APPLICANT: ATC/Verizon  
CURRENTLY ZONED: A-1

This matter came before the Board of Commissioners at the request of the applicant. A public hearing was held on the 26th day of November 2024. Notice of said hearing was publicized on the 13th day of November 2024.

The Board of Commissioners recommends to:

- Approve the Conditional Use Permit
- Deny the Conditional Use Permit

With a roll call vote of:   3   For   0   Against   2   Absent Not Voting

Upon review of all necessary facts, the Seward County Board of Commissioners makes the following findings:

1.  The use, in all other respects, conforms to the applicable regulations of the district in which it is located (unless specifically authorized by the Board).
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.  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.

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:

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Dated this 26th day of November 2024.

Ayes: John K. Culver, Raegan Hain  
Misty Ahmic, Chair of the Board

Moved by Hain and seconded by Culver to adopt Resolution No. 3824 in regard to a permit from ATC Verizon to upgrade/modify existing equipment on a wireless tower in F Precinct in Section 22 Township 11 North, Range 2 East of the 6th p.m.

**RESOLUTION NO 3824 OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS**

**WHEREAS** ATC/Verizon have applied for a Wireless upgrade or equipment add on to an existing structure permit located in the Northeast Quarter of Section 22, Range 2E, township 11N, to remove 2 89.5 inch PANEL Antennas, 2 94.5 inch PANEL antennas, 4 96.5 inch PANEL antennas, 1 96 inch PANEL antenna, 1 19.2 BOB/SSB, 2 174 inch OMNI Antennas, 3 20.4 inch RRU/RRH Radios, 6 13.1 inch TTA, 1 79 inch DISH-RANDOME, 14 1 5/8 inch Coax Cables, 1 1 and 5/8 inch, Fiber and adding 3 30 inch PANEL Antennas, 3 95.9 inch PANEL Antennas, 1 29.5 inch BOB/SSB, 3 20.6 inch RRU/RRH Radios, 3 20.6 RRU/RRH Radios, 2 1 ¼ inch Fiber.

**WHEREAS** The Seward County Planning Commission held a meeting on November 18, 2024, 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 9 For, 0 against, and 0 Absent and Not Voting, and

**WHEREAS**  No one appeared to oppose the permit

Individuals appeared to oppose the permit

No one appeared to support the permit

Individuals appeared to support the permit

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:  3824 .

Moved by: Hain                      Seconded by: Culver                      November 26, 2024  
Ayes: Raegan Hain, John K. Culver,  
Misty Ahmic, Chair of the Board  
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Hain, Culver, Ahmic

Motion Carried

Phile also gave information for an application for an Administrative Replat for Jordan Addition in K Precinct in the SE ¼ of Section 2 Township 10 North, Range 2 East of the 6th p.m.

Moved by Culver and seconded by Hain to adopt Resolution No. 3825 in regard to an Administrative Replat for Jordan Addition in K Precinct in the SE ¼ of Section 2 Township 10 North, Range 2 East of the 6th p.m.

**RESOLUTION NO  3825  OF THE  
SEWARD COUNTY BOARD OF COMMISSIONERS**

**WHEREAS** Owner Jordan and Kimberly Owens, and Beverly Kennedy have applied for an administrative plat to the Jordan ADDITION Short Form Plat, described as a tract of land in the Southeast ¼ of, Section 2, Township 10N, Range 2E, Seward County, Nebraska, and

**WHEREAS** The Seward County Planning Commission held a meeting on November 18, 2024, to consider the Administrative Plat of the JORDAN ADDITION Short Form Plat, and

**WHEREAS** the Planning Commission recommended approval of the Administrative Plat the JORDAN ADDITION Short Form Plat

with a vote of 9 For, 0 against, and 0 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 Administrative Plat of the JORDAN ADDITION Short Form Plat with Resolution NO:  3825 .

Moved by: Culver                      Seconded by: Hain                      November 26, 2024  
Ayes: Raegan Hain, John K. Culver,  
Misty Ahmic, Chair of the Board  
Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Culver, Hain, Ahmic

Motion Carried

The Commissioners recessed at 9:49 a.m.

The Commissioners reconvened at 9:53 a.m.

Mary Dolan, representing the Daughters of the American Revolution, was present to give information about her organization where she is the Regent to the David City Chapter. She explained that there are grants available to use for a Restoration Project for the Seward County Abandoned Cemeteries. She gave information that she had put together for a plan for the project. The organization had already done much work researching the abandoned cemeteries in Seward County.

Moved by Hain and seconded by Culver to go into Executive Session at 10:30 a.m. for personnel. It being necessary to protect the reputation of the individual(s).

Affirmative Vote: Hain, Culver, Ahmic

Motion Carried

The Chair reiterated the Executive Session is for personnel.

Moved by Culver and seconded by Hain to come out of Executive Session at 11:49 a.m.

Affirmative Vote: Culver, Hain, Ahmic

Motion Carried

The chair stated that while in Executive Session, personnel was discussed and no decisions were made.

**Commissioner Reports:**

Commissioner Hain reported she spent a lot of time on the Juvenile Justice Plan, received complaints about roads and gave information about the Aging Services Director and her event that will give information about being scammed during the holidays.

Commissioner Culver reported he attended a Blue Valley Community Action (BVCA) meeting.

Commissioner Ahmic reported she worked on the Community Safety Action Plan (CSAP) grant, attended the Water Leaders Academy's last meeting, participated in the Legislative Interim Hearing via Zoom involving the Inheritance Tax, worked on paperwork for a zoning judgement and gave information about village zoning.

The Commissioners discussed submissions received for grant writer. Previously, an RFP was offered with submissions due by November 22, 2024. The submissions were received from Sunflower Grant Writers, Eleventh House and LCH Consulting. They will ask the County Attorney's Office to look at two of the submissions and the item will be put back on the agenda at a later date.

**Known items on the agenda for Board of Commissioners on December 3, 2024 are as follows:**

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Public/Organizations/Officials
4. Discuss/Action - Approve minutes of November 26, 2024
5. Discuss/Action – Claims for the period through November 22, 2024

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

6. Commissioners Reports
7. Discuss/Action – Seward County Abandoned Cemetery Restoration Project
8. Discuss/Action – Agenda for December 10, 2024

Moved by Culver and seconded by Hain to adjourn at 12:11 p.m.

Affirmative Vote: Culver, Hain, 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 3<sup>rd</sup> day of December 2024.

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County Clerk

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Chairman