

Seward County Zoning Commission Meeting Minutes

For May 19, 2025

Meeting called to order at 7:00

Roll call of members

Curt Eberspacher- Present

Dale Niemann- Present

Brent Schluckebier- Present

Jack Daniel- Present

Phil Hargis- Present

Aaron Shropshire- Absent

Sue Medinger- Present

Ryan Krenk- Present

Kati Schweitzer- Present

8 present, 1 absent

1. Open meeting act poster was on display.
2. Medinger made motion to approve minutes from April 21, 2025 seconded by Niemann . Motion approved
3. Niemann made motion to open public hearing for Conditional Use Permit 02-2025 seconded by Schweitzer. Public Hearing was opened at 7:01.
4. Elizabeth Hunter and John Dilsaver were present to discuss the plans for Conditional Use Permit 02-2025 the Speedee Mart Gas Station.
Those in favor of Elizabeth Hunter & John Dilsaver
Those opposed to nobody
Daniel made motion to close the public hearing seconded by Niemann. Public hearing was closed at 7:09 Facts of finding were reviewed.
Schluckebier made motion to approve CUP seconded by Schweitzer

Roll Call vote

Eberspacher-For

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire-Absent

Medinger-For

Krenk-For

Schweitzer-For

Motion passed, 8 for 0 opposed 1 absent not voting

5. Krenk made motion to open public hearing for Conditional Use Permit-Livestock Feeding Operation- 02-2025 seconded by Niemann. Public Hearing was opened at 7:15.
6. Travis was present to discuss the plans for Conditional Use Permit-Livestock Feeding Operation- 02-2025. Daniels stated that he received a letter from Ascha Schweitzer in opposition and read letter. Daniels also shared other information about diseases from chicken barns. Travis with Settje and the Havlats discussed talking with Ascha Schweitzer about spreading manure. Schweitzer brought up concerns about bringing predators closer to neighbors home with the dead chickens and bird flu. Randy Christo, with Christo construction spoke about how he personally manages waste and how the dead birds are handled. Britton Troyer questioned if there is an increase in the spores that cause illness. Dave Kendell made comments about the spores in all bird droppings. Schweitzer questioned about birds going outside if they are going to be noisy. Jason Vosta made comments about how his wife has medical issues and but they understand that this is the area that they live in and they know something like this is possible. Susan Ripey spoke against the facility being nearing them and how the extra traffic and dust will effect her health. Joyce Forest stated concerns about how much water will be used. Krenk asked questions about water supply in the area. Havlats responded with that they live a mile away and they have plenty of water and they have never had any issues. Rance Schweitzer was present and spoke about how his family drives by this potential site to take the kids to school. He stated that even with dry spreading the wind is still in play. Ralph Deayala added discussion about water supply. Caroline Kortmeyer questioned how many chicken barns are in the county. What antibiotics are being given to the chickens. Diane Rolfsmier asked questions about how if the birds get bird flu how far would the quarantine zone be? Christo commented that there is a 1 mile zone of quarantine if there were to be an outbreak of bird flu. A fan rep spoke in favor of the project. Jonathan Jank spoke in favor of the project. Eberspacher read a letter of support from the Austin company inc. Ryan Voecker spoke about concerns of the project. Stutzman spoke about concerns with the road and the project.

Those in favor of Travis from Settje.

Those opposed to

Niemann made motion to close the public hearing seconded by Medinger. Public hearing was closed at 8:07pm. Facts of Finding were discussed. Commission members discussed wanting more information about hystoplasmosis. Krenk made motion to approve the chicken barns Hargis seconded.

Roll Call vote

Eberspacher-For

Niemann-Against

Schluckebier-For

Daniel-Against

Hargis-For

Shropshire-Absent

Medinger-Against

Krenk-For

Schweitzer-Against

Motion Failed, 4 for, 4 opposed, 1 absent not voting

7. Dave Kendle was present to present information and his opinions on the Water Conservation District and Permitting.
8. Niemann made motion to open public hearing for Unpermitted Zoning Fee Schedule seconded by Daniel. Public Hearing was opened at 8:41pm.
9. Discussion of the Unpermitted Fee Schedule Daniels spoke about Unpermitted Zoning Fee Schedule. Dave Kendel spoke against the permits. Talli Kratavil spoke about how the rules of the county have affected her as a realtor. Ashley Terry works as a realtor in the county and has issues with the density. Tim Snyder spoke about how the changes in the process on how to get a permit has improved. Dana SeEVERS spoke about an experience of when she was looking to buy property. Dana also asked how regulations get edited. Medinger spoke about how regulations change. Russ Terry asked about keeping the county rural and what it means.

Those in favor of

Those opposed to Dave Kendle

Schweitzer made motion to close the public hearing seconded by Nieman . Public hearing was closed at 9:16.

Hargis made motion to approve the unpermitted fee schedule. Seconded by Daniel.

Roll Call vote

Eberspacher-For

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire-Absent

Medinger-Against

Krenk-For

Schweitzer-F

Motion passed, 7 for 1 opposed 1 absent not voting

Recess at 9:18

Returned at 9:25

10. Niemann made motion to open public hearing for Wireless Upgrade/equipment add on permit TU-03-2025 seconded by Hargis. Public Hearing was opened at 9:26.

11. Discussion of the Wireless Upgrade/equipment add on permit TU-03-2025

Niemann Made motion to close the public hearing seconded by Daniels . Public hearing was closed at 9:28. Motion made by Schluckebier to approve seconded by

Roll Call vote

Eberspacher-For

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire- Absent

Medinger-For

Krenk-For

Schweitzer-For

Motion passed, 8 for 0 opposed 1 absent not voting

12. Medinger made motion to open public hearing for Wireless Upgrade/equipment add on permit TU-05-2025 seconded by Niemann. Public Hearing was opened at 9:32

13. Discussion of the Wireless Upgrade/equipment add on permit TU-05-2025

Niemann Made motion to close the public hearing seconded by Hargis . Public hearing was closed at 9:34 Schluckebier made motion to approve Seconded by Schweitzer.

Roll Call vote

Eberspacher-For

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire-Absent

Medinger-For

Krenk-For

Schweitzer-For

Motion passed, 8 for 0 opposed 1 absent not voting

14. Discussion of MDA-MAE addition Short Form Plat. Schweitzer made motion
Schluckebier seconded to approve.

Roll Call vote

Eberspacher-abstain

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire-Absent

Medinger-For

Krenk-For

Schweitzer-for

Motion passed, 8 for 0 opposed 1 absent not voting

15. Discussion of Burkey 5th addition Short Form Plat. Nieman made motion seconded
by Hargis.

Roll Call vote

Eberspacher-For

Niemann-For

Schluckebier-For

Daniel-For

Hargis-For

Shropshire-Absent

Medinger-For

Krenk-For

Schweitzer-For

Motion passed, 8 for 0 opposed 1 absent not voting

16. Discussion was held about switching to the new Facts of Finding questions.

Planning Commission members will review the new version of the findings of facts.

17. Discussion of accessory dwelling units was tabled by Hargis seconded by
Schluckebier.

Meeting adjourned Medinger made motion to adjourn seconded by Schweitzer at 9:53pm