

Seward County Zoning Commission Meeting Minutes

For July 21, 2025

Meeting called to order at 7:00 PM

Roll call of members

Curt Eberspacher- present

Dale Niemann- present

Brent Schluckebier- absent

Jack Daniel- present

Phil Hargis- present

Aaron Shropshire- present

Sue Medinger- present

Ryan Krenk- present

Kati Schweitzer- present

8 present, 1 absent

Open meeting act poster was on display

Hargis made motion to approve minutes from June 30, 2025 seconded by Niemann. Motion approved

Niemann made motion to Open Public Hearing for Livestock Conditional Use Permit 05-2025 seconded by Medinger. Public hearing was opened at 7:05.

Public comment for those in favor.

Steve Moseman- Attorney for pine creek, Travis Casperson, Chris Bosque, Jonathon Jank, Tom & Trena Bader, Wes Niemann, Chad Buel, Merlin Nielson, Gordon Luebbe, Jim Schulz, Adam Hladky, Joe Schulz, Matt Krenk, Aaron Jensen, Kris Beckler Kocian, David Payne, Pat Dawners

Public comment of those against.

Matt Hollman, Mallory Hollman, Jonathan Leo, Jane Egan, Dr. Harriet Gould, Rev Helen Greer, Eddison McDonald, Amy Prohaska, Kim Cronin, Rebecca Hasty, Nancy Kratik, Kevin Timoney, Lindsey Schwan, Colby Schwan, Bryan Schulz

Written testimony of opposition from Monica Crawford, Carolyn Timoney, Kimberly Cronin, Lindsey Schwan, Jonathan Leo, Helen Greer, Dr. Harriet Gould, Chris Borgmann, Theresa Borgmann, Kacy Niemann, Heidi and Jeff Fleischman, Matt Hollman, Mallory Hollman, Jane Egan

Public comment of those in neutral capacity. None

Baders were asked to speak on some of the questions that had arose. Tom Bader spoke and stated that they tried to put it near there house however it is in a floodplain and it would go against Seward County Regulation. Trenah Bader spoke about the haul route.

Trenah also spoke about the number of employees and that it will depend on what they are able to do. Tom Bader spoke and stated that it will depend on the competency and reliability of the those employed. Planning Commission Member Schweitzer asked about background checks on employees. Tom Bader stated that they hoped to find somebody from Seward County. Chairman Eberspacher asked about the water issues that were stated previously. Gordon Luebbe spoke about the water consumption he has with his operation. Commission Member Medinger asked about alarms specifically about chicken barns specifically fire. Adam Hladky spoke about how some local fire departments have had fire training on what would need to happen if a chicken barn catches on fire. Commission member Schweitzer asked about the chemical storage. Travis with Settje spoke about plans regarding chemicals. Commission member Krenk asked about rodent control specifically around dead animals. Travis with Settje and Gordon Luebbe spoke on rodent control.

Daniels made comments about regulations.

Nieman made motion to close public hearing seconded by Daniel . Public Hearing closed at 8:54.

Facts of Finding were discussed.

1- The use, in all other respects, conforms to the applicable regulations of the district in which it is located.

Eberspacher- Yes, Niemann- Yes, Schluckebier- absent, Daniel- Yes, Hargis- Yes, Shropshire-Yes, Medinger- Yes, Krenk- Yes, Schweitzer- Yes

2- The use will have adequate water and sewer facilities

Eberspacher- Yes, Niemann- Yes, Schluckebier- absent, Daniel- Yes, Hargis- Yes, Shropshire- Yes, Medinger- Yes, Krenk- Yes, Schweitzer- Yes

3- The use will be in harmony with the character of the area and the most appropriate use of the land.

Eberspacher- Yes, Niemann- No, Schluckebier- absent, Daniel- No, Hargis- Yes, Shropshire- No, Medinger- No, Krenk- Yes, Schweitzer- No

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.

Eberspacher- Yes, Niemann- No, Schluckebier- absent, Daniel- No, Hargis-Yes, Shropshire- No, Medinger-No, Krenk- Yes, Schweitzer- No.

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.

Eberspacher- Yes, Niemann- No, Schluckebier-Absent, Daniel-No, Hargis-yes, Medinger-No, Krenk-Yes, Schweitzer- No.

6- The establishment of conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.

Eberspacher-Yes, Niemann- Yes, Schluckebier- Absent, Daniel- No, Hargis-Yes, Shropshire- Yes, Medinger- Yes, Krenk- Yes, Schweitzer- No.

7- Adequate utilities, access roads, and drainage facilities have been or are being provided.

Eberspacher-Yes, Niemann-Yes, Schluckebier-Absent, Daniel-Yes, Hargis-Yes, Shropshire-Yes, Medinger-Yes, Krenk-Yes, Schweitzer- Yes.

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.

Eberspacher-Yes, Niemann- Yes, Schluckebier-Absent, Daniel-Yes, Hargis-Yes, Shropshire-Yes, Medinger-Yes, Krenk-Yes, Schweitzer-Yes.

9- The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled.

Eberspacher-Yes, Niemann-No, Schluckebier-Absent, Daniel-No, Hargis- Yes, Shropshire-Yes, Medinger-No, Krenk-Yes, Schweitzer-No.

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.

Eberspacher-Yes, Niemann-Yes, Schluckebier-Absent, Daniel-Yes, Hargis-Yes, Shropshire-No, Medinger-No, Krenk-Yes, Schweitzer-No.

11- The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.

Eberspacher-Yes, Niemann-No, Schluckebier-Absent, Daniel-No, Hargis-Yes, Shropshire-No, Medinger-No, Krenk-Yes, Schweitzer-No.

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.

Eberspacher-Yes, Niemann-Yes, Schluckebier-absent, Daniel-Yes, Hargis-Yes, Shropshire-Yes, Medinger-Yes, Krenk-Yes, Schweitzer-Yes.

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.

Eberspacher-Yes, Niemann-No, Schluckebier-absent, Daniel-No, Hargis-Yes, Shropshire-No, Medinger-No, Krenk-Yes, Schweitzer-No.

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.

Eberspacher-Yes, Niemann-Yes, Schluckebier-Absent, Daniel-Yes, Hargis-Yes, Shropshire-Yes, Medinger-Yes, Krenk-Yes, Schweitzer-Yes.

The Planning Commission added a condition that no chicken litter be spread on the property around the chicken barns.

Roll Call vote- Eberspacher- against, Niemann- for, Schluckebier- absent, Daniel- for, Hargis- for, Shropshire- against, Medinger- for, Krenk- against, Schweitzer- for

Krenk made motion to approve Conditional Use Permit #05-2025 for an 8 barn chicken site seconded by Hargis.

Roll call Vote- Eberspacher- for, Niemann-against , Daniels- against, Hargis- for, Shropshire- against, Medinger- against, Krenk- for, Schweitzer- against, Schluckebier- Absent 3 For, 5 Against, 1 absent not voting.

Niemann made motion to Open Public Hearing for Rezone Request seconded by Daniels. Public hearing was opened at 9:27.

Public comment for those in favor. Nick Christensen

Public comment of those against. Nobody

Public comment of those in neutral capacity. Nobody

Medinger made motion to close public hearing seconded by Krenk. Public Hearing closed at 9:35.

Schweitzer made motion to approve Rezone Request #01-2025. Motion died due to lack of second. Niemann made a motion to deny Rezone Request #01-2025, Daniels Seconded Roll call Vote- Eberspacher- for, Niemann- for, Schluckebier- Absent, Daniels- for, Hargis- for, Shropshire- for, Medinger- for, Krenk- abstain, Schweitzer- against

Public Hearing was closed at 9:30.

Medinger made motion to Open Public Hearing for Conditional Use Permit# 04-2025 for a temporary asphalt plant seconded by Krenk.

Public hearing was opened at 9:42.

Public comment for those in favor. Eric Labenz

Public comment of those against. Nobody

Public comment of those in neutral capacity. Nobody

Niemann made motion to close public hearing seconded by Krenk. Public Hearing closed at 9:53.

Facts of Finding were discussed

Hargis Made motion to approve Conditional Use Permit #04-2025. Shropshire seconded

Roll call Vote- Eberspacher- for, Niemann- for, Schluckebier- Absent, Shropshire- for, Daniels-for, Hargis- for, Medinger- for, Krenk- for, Schweitzer- for

Discussion was held regarding advancing the regulation draft to the County Attorney's Office. Commissioner Ahmic, discussed the process of what needs to be completed so that the regulations can be advanced to the County Attorney.

Discussion of Troyer West 1st Addition. Hargis made motion to approve, seconded by Daniel. Roll Call vote-Eberspacher- for, Niemann- for, Schluckebier- Absent, Daniels- for, Hargis- for, Shropshire- for, Medinger- for, Krenk- for, Schweitzer- for.

Hargis motioned to adjourn seconded by Krenk. Meeting adjourned at 10:10pm

Respectfully submitted

Kati Schweitzer

Seward County Planning Commission Member