

September 30, 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 September 30, 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 September 30, 2025 at 9:00 a.m.

Present: Chairperson: Misty Ahmic
Members: Raegan Hain, Ken Schmieding, Darrell Zabrocki
County Clerk: Sherry Schweitzer
Absent: Scott Pekarek

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 Hain to approve the minutes of the Commissioner meeting which conducted the Budget Hearing on September 23, 2025.

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

Moved by Schmieding and seconded by Zabrocki to approve the minutes of the Regular Commissioners meeting which was held on September 23, 2025 after the Budget Hearing Meeting.

Affirmative Vote: Schmieding, Zabrocki, Ahmic

Voting No: Hain

Motion Carried

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

- a. Sheriff Fee and Mileage Report for July 2025 in the amount of \$1,573.00 and \$1,087.00 respectively
- b. Seward County Joint Public Hearing Report for 2025

Affirmative Vote: Hain, Zabrocki, Schmieding, Ahmic

Motion Carried

Roxanne Knutson, Human Resources Director, presented Sherry Schweitzer, County Clerk, a plaque commemorating 47 years of service to Seward County.

Brandy Hafer, Public Transit Director, updated the Commissioners on a van that is being used for the Public Transit Department.

Commissioners Reports:

Commissioner Hain reported she met with the County Attorney and also met with a community member about the Sheriff's Federal Forfeiture Audit, is working on new binders for the Aging Service Committee, checked roads, received information from the Treasury Dept. about the Sheriff Federal Forfeiture Funds, and attended and led a Juvenile Comprehensive meeting.

Commissioner Zabrocki reported he met with the Sheriff and some of his staff, had a meeting with Human Resources, and will be meeting with the 911 Director about the Interlocal Seward County has with the cities of Milford and Seward.

Commissioner Ahmic reported she received phone calls about the postcard hearing held recently, shared information about several grants that have been applied for, followed up with the Highway Supt. on road issues, and attended the Seward/Saline Solid Waste meeting.

Commissioner Schmieding reported he would be having a Visitors Committee meeting and a Blue Valley Community Action (BVCA) meeting in the coming weeks. He received calls about roads and noted the courthouse had been washed of mildew as contracted.

Ray Foreman, Veteran Service Officer, introduced Larry Heyen as Veteran of the Month. He gave information about his service in the military, including time in London, England and on a Guided Missile Cruiser. He was an officer at the Pentagon for 3 years and was a Naval Officer at SAC in Omaha retiring as a Commander. He was in the military for over 20 years. He currently is the Commander of the Milford American Legion.

Moved by Hain and seconded by Zabrocki to adopt Resolution No. 3888 in regard to setting the tax request for Seward County 2025-2026 fiscal year.

SEWARD COUNTY BOARD OF COMMISSIONERS
RESOLUTION 3888
SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provides that the Seward County Board of Commissioners pass by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Seward County Board of Commissioners resolves that:

1. The 2025-2026 property tax request be set at:

General Fund:	\$ 10,248,481
Debt Service Fund:	\$ <u>675,000</u>
Total:	\$ 10,923,481
2. The total assessed value of property differs from last year’s total assessed value by 10.24 %
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.247389 per \$100 of assessed value.
4. Seward County proposes to adopt a property tax request that will cause its tax rate to be \$.261794 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Seward County will DECREASE last year’s budget by 4%
6. A copy of this resolution be certified and forwarded to the County Clerk on or before October 15, 2025.

Dated this 30th day of September 2025.

Moved by: Hain Seconded by: Zabrocki Absent: Pekarek
Ayes: Ken Schmieding, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chairperson, Board of Commissioners

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Hain, Zabrocki, Schmieding, Ahmic

Motion Carried

The Commissioners did not discuss the Resolution on the agenda to submit a question to be on the 2026 General Election Ballot for the Seward Blue River Historical District.

The Board discussed the Nebraska Game and Parks Environmental Report item on the agenda. This report was needed in regard to a grant.

Moved by Hain and seconded by Schmieding to authorize the Chair to sign the Nebraska Game and Parks Environmental Report as prepared by Felsburg, Holt & Ullevig (FHU).

Affirmative Vote: Hain, Schmieding, Zabrocki, Ahmic

Motion Carried

Moved by Zabrocki and seconded by Hain to adopt Resolution No. 3889 in regard to authorizing the Chair to sign the Nebraska Regional Interoperability Network Interlocal Agreement.

RESOLUTION

WHEREAS, The Interlocal Cooperation Act of the State of Nebraska (Neb. Rev. Stat. 13-801 et.seq. and all amendments thereto) enables separate political subdivisions of Nebraska to cooperate on the basis of mutual advantage to provide for joint undertakings, services and facilities.

WHEREAS, Seward County Nebraska believes it is in the best interest of its citizens to join with other Nebraska Public Agencies participating in the Nebraska Regional Interoperability Network

WHEREAS, the Nebraska Regional Interoperability Network is established by Public Agencies for the benefit of Nebraska citizens and allows information to be shared among emergency and communications centers on a real time, on demand, basis to help mitigate an emergency that threatens my location

THEREFORE BE IT RESOLVED, that the Seward County Board hereby:

1. Approves the document entitled "Agreement", and
2. Enters into the Agreement for the formation and participation in the Nebraska Regional Interoperability Network until the Board of the Public Agency terminates the Agreement, and
3. The Chair of the Board of the public agency is hereby authorized to execute the Agreement on behalf of the Public Agency following passage and approval of this Resolution.

PASSED AND APPROVED this 30th day of September, 2025

Attest: Sherry Schweitzer, Seward County Clerk

Misty Ahmic: Seward County Board Chair

Affirmative Vote: Zabrocki, Hain, Schmieding, Ahmic

Motion Carried

Moved by Zabrocki and seconded by Hain to open the Public Hearing at 9:30 a.m. to consider the purchase of an ADA Minivan to replace the current van for the Public Transit Dept.

Affirmative Vote: Zabrocki, Hain, Schmieding, Ahmic

Motion Carried

Brandy Hafer, Public Transit Director, gave information on the use of the different types of transportation she uses.

No one spoke in favor of or against said purchase of a van for the Public Transit Dept.

Moved by Hain and seconded by Zabrocki to close the public hearing at 9:39 a.m.
Affirmative Vote: Hain, Zabrocki, Schmieding, Ahmic Motion Carried

Moved by Zabrocki and seconded by Schmieding to adopt Resolution No. 3890 in regard to the purchase of an ADA minivan to replace the current van in the amount of \$7,700 to be paid with American Rescue Plan Act (ARPA) funds.

RESOLUTION NO. 3890
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS, There are federal funds available under Section 5311 of the Federal Transit Act (FTA) for the Nebraska Public Transportation Act Funds, and

WHEREAS, Seward County Public Transit desires to apply for said funds to be used to purchase an ADA Vehicle for public transportation use in Seward County with special emphasis on meeting the needs of the patrons of Seward County.

NOW THEREFORE BE IT RESOLVED that the Seward County Board of Commissioners hereby instructs the Seward County Public Transit Director to complete the 5311 Vehicle Application for Federal Transit Administration Funding and Seward County hereby pledges up to the 10% to meet its local match obligations for the purchase of the said vehicle.

Moved by: Zabrocki Seconded by: Schmieding Absent: Pekarek
Ayes: Ken Schmieding, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chairperson, Board of Commissioners
Dated this 30th day of September 2025
Attest: Sherry Schweitzer, County Clerk

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

The Commissioners recessed at 9:40 a.m.
The Commissioners re-convened at 9:45 a.m.

Marissa Pfile, Zoning Director, presented two short form plats for the Commissioners' consideration.

Moved by Hain and seconded by Zabrocki to adopt Resolution No. 3891 in regard to approving the short form plat for Stauffer-Koehler Subdivision in the SE ¼ of Section 33 Township 10 North, Range 3 East of the 6th P.M.

RESOLUTION NO 3891 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS Barry Stauffer and Mattew and Brittany Koehler own approximately 80 acres of land combined and has applied for a Short Form Plat to separate 5.382 acres, and described as a tract of land in the North ½ of the SE ¼, Section 33, Township 10N, Range 3 East of the 6pm, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called Stauffer-Koehler Subdivision and

WHEREAS The Seward County Planning Commission held a meeting on September 15, 2025 to consider the Short Form Plat, and

WHEREAS the Planning Commission recommended approval of the, with a vote of 6 For, 0 Against, and 3 Absent 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 the Stauffer-Koehler Subdivision Short Form Plat, with Resolution NO: 3891.

Moved by: Hain Seconded by: Zabrocki Absent: Pekarek
Ayes: Ken Schmieding, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair, Board of Commissioners
September 30, 2025
Attest: Sherry Schweitzer, Seward County Clerk

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

Moved by Zabrocki and seconded by Schmieding to adopt Resolution No. 3892 in regard to approving the short form plat for Schrad Addition in the Southeast and Southwest ¼ of Section 27 Township 12 North, Range 4 East of the 6th P.M.

**RESOLUTION NO 3892 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS James Rosowski owns approximately 20.60 acres of land and has applied for a Short Form Plat to separate 9.63 acres, and described as a tract of land in the Southeast and Southwest 1/4 of, Section 27, Township 12N, Range 4 East of the 6pm, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called the Schrad Addition and

WHEREAS The Seward County Planning Commission held a meeting on September 15, 2025 to consider the Short Form Plat, and

WHEREAS, the Planning Commission recommended approval of the Administrative Plat, with a vote of 6 For, 0 Against, and 3 Absent 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 the Short Form Plat, with Resolution NO: 3892.

Moved by: Zabrocki Seconded by: Schmieding Absent: Pekarek
Ayes: Ken Schmieding, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair, Board of Commissioners
September 30, 2025
Attest: Sherry Schweitzer, Seward County Clerk

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

Moved by Hain and seconded by Zabrocki to open the Public Hearing for a Conditional Use Permit at 10:03 a.m. to upgrade/modify equipment to an existing wireless tower in the NW ¼ of Section 21 Township 10 North, Range 1 East of the 6th P.M.

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

Moved by Zabrocki and seconded by Hain to close the public hearing at 10:05 a.m.

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

The Commissioners completed the Findings of Facts for said Conditional Use Permit.

BEFORE THE SEWARD COUNTY NEBRASKA COUNTY COMMISSIONERS
IN THE MATTER OF EQUIPMENT MODIFICATIONS/UPGRADES AT EXISTING SITE

REQUESTED USE: EQUIPMENT MODIFICATION/UPGRADE PERMIT TU-08-2025
APPLICANT: AT&T Mobility c/o Amentum
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 30th day of September 2025. Notice of said hearing was publicized on the 24th day of September 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: 4 For 0 Against 1 Absent Not Voting

Upon review of all necessary facts, the County Commissioners make the following findings:

1. Y The use, in all other respects, conforms to the applicable regulations of the district in which it is located.
2. Y The use will have adequate water and sewer facilities.
3. Y The use will be in harmony with the character of the area and the most appropriate use of the land. (3 Y, 1 N)
4. Y 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. Y 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. Y The establishment of conditional use will not impede the normal and orderly development of the surrounding property for uses permitted in the district.
7. Y Adequate utilities, access roads, and drainage facilities have been or are being provided.
8. Y 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. Y The use does not include noise, which is objectionable due to volume, frequency, or beat unless muffled or otherwise controlled
10. Y 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. Y The use does not involve any malodorous gas or matter, which is discernible on any adjoining lot or property.
12. Y 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. Y 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. Y 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 is for AT&T Mobility & is nontransferable.

Dated this 30th day of September 2025.

Misty Ahmic
County Commissioner Chair

Marissa Pfile
Zoning Administrator

Moved by Hain and seconded by Schmieding to adopt Resolution No. 3893 in regard to upgrade/modify equipment to an existing wireless tower in the NW ¼ of Section 21 Township 10 North, Range 1 East of the 6th P.M.

**RESOLUTION NO 3893 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS AT&T Mobility c/o Amentum has requested an application for a Wireless upgrade or equipment add on to an existing structure permit in the Northwest ¼ of section 21, township 10 north, range 1 east of the 6pm. The intention of this application is to make modifications/upgrades to the current tower. AT&T Mobility c/o Amentum will remove (3) antennas, add 9 antennas, remove 15 radios and add 12 radios. There will be no structure height increase and no ground disturbance.

WHEREAS The Seward County Planning Commission held a meeting on September 15, 2025, 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 6 For, 0 against, and 3 Absent and Not Voting, and

WHEREAS X No one appeared to oppose the Wireless Upgrade.

 Individuals appeared to oppose the Wireless Upgrade.

X No one appeared to support the Wireless Upgrade.

 Individuals appeared to support the Wireless Upgrade.

 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: 3893.

THEREFORE, BE IT FURTHER RESOLVED that approval is subject to the following conditions: Permit is given to AT&T Mobility and is non transferable.

September 30, 2025

Moved by: Hain Seconded by: Schmieding Absent: Pekarek
Ayes: Ken Schmieding, Raegan Hain, Darrell J. Zabrocki,
Misty Ahmic, Chair, Board of Commissioners

Attest: Sherry Schweitzer, Seward County Clerk

Affirmative Vote: Hain, Schmieding, Zabrocki, Ahmic

Motion Carried

The Commissioners recessed at 10:13 a.m.

The Commissioners re-convened at 10:15 a.m.

Sara Stenger, Detention Center Director, presented two documents for the Commissioners' consideration. The first document to be considered was for Advanced Correctional Health Care.

Moved by Hain and seconded by Zabrocki to authorize the Chair to sign the Advanced Correctional Health Care Renewal Letter for the Detention Center.

Affirmative Vote: Hain, Zabrocki, Schmieding, Ahmic

Motion Carried

The second document considered by the Commissioners was for the Guardian RFID Agreement for the Detention Center.

Moved by Zabrocki and seconded by Hain to authorize the chair to sign the Guardian RFID Agreement for the Detention Center.

Affirmative Vote: Zabrocki, Hain, Schmieding, Ahmic

Motion Carried

Stenger also updated the Commissioners on activities of the Detention Center.

Known items on the agenda for Board of Commissioners on October 7, 2025 are as follows:

8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of September 30, 2025
4. Discuss/Action – Claims for the period through September 26, 2025

Other Business Matters to Address When Time Allows

5. Discuss/Action – Public/Organizations/Officials
6. Commissioner Reports
7. Discuss/Action – Appoint the Seward County Clerk to Finish the Term Ending January 7, 2027
8. Discuss/Action – Audit of Sheriff's Office Inventory
9. Discuss/Action – Res. – Set the Number of Deputies for Sheriff's Office and Set the Compensation
10. Discuss/Action – Agenda for October 14, 2025

Moved by Zabrocki and seconded by Hain to adjourn at 10:36 a.m.

Affirmative Vote: Zabrocki, 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 7th day of October 2025.

County Clerk

Chairman