

August 4, 2026

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 August 4, 2026 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. 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 August 4, 2026 at 9:00 a.m.

Present:	Chairperson: Misty Ahmic
	Members: Darrell Zabrocki, Scott Pekarek
	County Clerk: Brandy Johnson
Absent:	Members: Raegan Hain

Deputy County Attorney Barbara Armstead was present as legal counsel.

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 minutes of July 28, 2026.
Affirmative Vote: Zabrocki, Pekarek, Ahmic Motion Carried

Gary Jewell spoke during the time for public comment.

Commissioner Reports:

Commissioner Pekarek reported he met with Commissioner Ahmic regarding the budget, drove roads in his district, and met with Commissioner Ahmic, the Emergency Manager & the Zoning Administrator.

Commissioner Ahmic reported she received calls regarding the proposed Zoning Regulations and referred them to the Zoning Administrator, worked with the Human Resources Office on a few items, met with Commissioner Pekarek, the Zoning Administrator & the Emergency Manager, received several calls regarding road conditions and connected those constituents with the Assistant Highway Superintendent, and had multiple budget related meetings with officials.

Commissioner Zabrocki reported that the new Public Transit Director, Jalisa Gruhn, started yesterday, spoke with Commissioner Pekarek regarding the budget, had a Zoning conference via phone with Commissioner Ahmic, went to Lincoln to the Nebraska Intergovernmental Risk Management Assn. (NIRMA), and received a call from an attorney with NIRMA regarding a litigation matter.

The Commissioners recessed at 9:08 a.m.
The Commissioners reconvened at 9:10 a.m.

Roxanne Knutson, Human Resources Director, was present on behalf of the Hiring Committee to give a recommendation for the Aging Services Program Manager position.

Moved by Zabrocki and seconded by Pekarek to appoint Alisha Fisher as the Aging Services Program Manager, effective August 10th, 2026, pending drug test results.
Affirmative Vote: Zabrocki, Pekarek, Ahmic Motion Carried

The Commissioners recessed at 9:12 a.m.
The Commissioners reconvened at 9:15 a.m.

Jill Engel, Areawide Program Coordinator, and Randy Jones, Director of Aging Partners, were present along with Susan Burkey, Aging Advisory Council Member, to give an annual update and funding request for 2026-2027.

Moved by Zabrocki and seconded by Pekarek to enter into Executive Session at 9:29 a.m. to discuss potential litigation.
Affirmative Vote: Zabrocki, Pekarek, Ahmic Motion Carried

Moved by Zabrocki and seconded by Pekarek to come out of Executive Session at 9:50 a.m.
Affirmative Vote: Zabrocki, Pekarek, Ahmic Motion Carried

The Chair stated that potential litigation was discussed and no decisions were made.

Moved by Pekarek and seconded by Zabrocki to open the Public Hearing at 9:50 a.m. for a Conditional Use Permit to upgrade/modify equipment to an existing wireless tower in the SW ¼ of Section 18, Township 11 North, Range 1 East of the 6th P.M.
Affirmative Vote: Pekarek, Zabrocki, Ahmic Motion Carried

Marissa Pfile, Zoning Administrator, gave information on the Conditional Use Permit.

No one spoke in favor, opposition or neutral position of the Conditional Use Permit.

Moved by Zabrocki and seconded by Pekarek to close the Public Hearing at 9:52 a.m.
Affirmative Vote: Zabrocki, Pekarek, 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-04-2026
APPLICANT: AMG Technology Investment Group LLC & Nextlink Tower
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 4th day of August 2026. Notice of said hearing was publicized on the 29th day of July 2026.

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: 3 For 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.

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 Planning Commission recommends 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 issued to applicant only & is not transferrable.

Dated this 4th day of August 2026.

Misty Ahmic
County Commissioner Chair

Marissa Pfile
Zoning Administrator

Moved by Pekarek and seconded by Zabrocki to adopt Resolution No. 3941 in regard to the Conditional Use Permit to upgrade/modify equipment to an existing wireless tower in the SW ¼ of Section 18, Township 11 North, Range 1 East of the 6th P.M.

RESOLUTION NO 3941 OF THE SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS AMG Technology Investment Group has applied for a Wireless upgrade or equipment add on to an existing structure permit located in the Southeast 1/4 of section 20, township 9 North, range 4 East of the 6pm, to upgrade internet equipment that is currently on the tower from a 6Ghz 6-sector Cambium to a Tarana G2.

WHEREAS The Seward County Planning Commission held a meeting on July 20, 2026, 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 8 For, 0 against, and 1 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: 3941 .

THEREFORE, BE IT FURTHER RESOLVED that approval is subject to the following conditions:

Permit is issued to applicant and is nontransferable.

Moved by: Pekarek Seconded by: Zabrocki August 4, 2026
Ayes: Scott Pekarek, Darrell J. Zabrocki, Misty Ahmic, Chair of the Board
Attest: Brandy M. Johnson, Seward County Clerk

Affirmative Vote: Pekarek, Zabrocki, Ahmic

Motion Carried

Moved by Zabrocki and seconded by Pekarek to open the Public Hearing at 9:56 a.m. for a Conditional Use Permit to upgrade/modify equipment to existing tower in SE ¼ of Section 20, Township 9 North, Range 4 East of the 6th P.M.

Affirmative Vote: Zabrocki, Pekarek, Ahmic

Motion Carried

Pfile gave information on the Conditional Use Permit.

No one spoke in favor, opposition or neutral position of the Conditional Use Permit.

Moved by Pekarek and seconded by Zabrocki to close the Public Hearing at 9:57 a.m.

Affirmative Vote: Pekarek, Zabrocki, 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-05-2026
APPLICANT: Array Digital Infrastructure and T-Mobile
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 4th day of August 2026. Notice of said hearing was publicized on the 29th day of July 2026.

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: 3 For 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.
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 Planning Commission recommends 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 issued to applicant only and is not transferrable.

Dated this 4th day of August 2026.

Misty Ahmic
County Commissioner Chair

Marissa Pfile
Zoning Administrator

Moved by Zabrocki and seconded by Pekarek to adopt Resolution No. 3942 in regard to the Conditional Use Permit to upgrade/modify equipment to an existing wireless tower in the SE ¼ of Section 20, Township 9 North, Range 4 East of the 6th P.M.

**RESOLUTION NO 3942 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Array Digital Infrastructure and T-Mobile have applied for a Wireless upgrade or equipment add on to an existing structure permit located in the Southwest 1/4 of section 18, township 11 North, range 1 East of the 6pm, to remove existing antennas, radios, cables, microwave dishes and associated tower/ground equipment. Replacing with new antennas and tower/ground equipment. Removing a vacant concrete generator pad. Making no changes to the tower height or footprint.

WHEREAS The Seward County Planning Commission held a meeting on July 20, 2026, 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 8 For, 0 against, and 1 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: 3942.

THEREFORE, BE IT FURTHER RESOLVED that approval is subject to the following conditions: Permit is issued to applicant only and is not transferrable.

Moved by: Zabrocki Seconded by: Pekarek August 4, 2026
Ayes: Scott Pekarek, Darrell J. Zabrocki, Misty Ahmic, Chair of the Board
Attest: Brandy M. Johnson, Seward County Clerk

Affirmative Vote: Zabrocki, Pekarek, Ahmic

Motion Carried

Jon Mohr, an Environmental Scientist and Project Manager with Spheros Environmental, was present to discuss a potential Water Study for the county in partnership with Upper Big Blue and Lower Platte South Natural Resource Districts. Mohr previously attended a Planning Commission meeting where he presented information on water related data in Seward County. After that meeting, he presented again for representatives from the Natural Resource Districts, and Ahmic asked him to share the information with the Commissioners as well. He presented various mapping studies throughout Seward County and explained the properties the proposed water study would target, such as well capacities, development risk levels, potential observation well locations. The Commissioners expressed their interest in moving forward with the scope.

The Commissioners recessed at 10:25 a.m.

The Commissioners reconvened at 10:31 a.m.

The Commissioners reopened public discussion. John Grasmick spoke during this time.

Knutson was present to discuss the monthly Allo phone bills. Currently, all of the bills are paid out of the Building & Grounds budget, but each department will begin paying their own monthly bill out of this fiscal year budget. There was discussion regarding the possibility of establishing an auto attendant that would give callers the option to select their desired county office when calling, rather than the Clerk's Office transferring calls for other departments. The cost would be roughly an additional

\$90/year for the auto attendant, which will be added to the County Clerk's phone budget. Ahmic noted that the county currently pays around \$2500/year for Probation's phone bills and \$875/year for the Victim Advocate/Hope Crisis phone bills. Since neither of those are county offices, the Commissioners discussed how those bills should be paid. The Victim Advocate Office will be paid by the County Attorney's Office, and Zabrocki will follow up on some potential ideas for the Probation bills and bring this back for further discussion.

Jon Regnier, Highway Superintendent, was present to discuss a one-year lease agreement with CAT Financial for a mini excavator. There was discussion regarding some of the language in the document. Ahmic asked if the Deputy County Attorney could contact CAT Financial for more clarification. This will be tabled until more information can be obtained.

Pfile was present for the discussion to address circumstances surrounding building permit #41-2026 Issued by Seward County Zoning. Diane Rolfsmeyer and Nick Partsch, the recipients of the building permit, read a statement regarding the permit. An error was made in the issuance of the permit. A resolution was proposed to address the circumstances surrounding it, to apply solely to the structure authorized by the building permit and not any future dwelling, addition, expansion, enlargement, replacement, reconstruction, relocation, or other structure except as may be authorized under the Seward County Zoning Regulations in effect at the time of a future application.

Moved by Pekarek and seconded by Zabrocki to adopt Resolution No. 3943 to address circumstances surrounding Building Permit #41-2026 issued by Seward County Zoning.

**Resolution #3943 of the
Seward County Board of Commissioners**

WHEREAS, Seward County Zoning Department records show that on July 6, 2026, Diane Rolfsmeyer applied for a building permit for work identified as a 37' x 27' wood home addition containing living quarters at the property with the legal description of Precinct P, Section 31, Township 9, Range 4, NE Quarter [Parcel ID 800021835];

WHEREAS, said property is located within the A-1 Agricultural Zoning District;

WHEREAS, on July 6, 2026, the Seward County Zoning Administrator approved the application and issued Building Permit #41-2026;

WHEREAS, upon further review of the permit application and the applicable Seward County Zoning Regulations, the Zoning Administrator determined that the construction authorized by Building Permit #41-2026 constitutes a separate dwelling that does not conform to the density requirements applicable to the quarter section in which the property is located;

WHEREAS, the Zoning Administrator has advised the Board that Building Permit #2026-41 was issued in error;

WHEREAS, the Board has considered the unique facts and circumstances surrounding the issuance of Building Permit #41-2026 in determining the appropriate course of action;

WHEREAS, this action is intended solely to address the circumstances surrounding Building Permit #41-2026 and shall not be construed as amending, waiving, or modifying the Seward County Zoning Regulations;

WHEREAS, this action applies only to Building Permit #41-2026 and the structure described in the application and the plans submitted therewith, and shall not be construed as authorizing any future dwelling, addition,

expansion, enlargement, replacement, reconstruction, relocation, or other structure except as may be authorized under the Seward County Zoning Regulations in effect at the time of a future application;

NOW, THEREFORE, BE IT RESOLVED by the Seward County Board of Commissioners as follows:

1. The Board hereby directs dismissal of any pending challenge and determines that no further action shall be taken by Seward County to challenge the issuance of Building Permit #41-2026 under the circumstances as they currently exist;
2. This Resolution applies solely to the structure authorized by Building Permit #41-2026 and depicted in the plans submitted with that application;
3. Nothing in this Resolution shall be construed as granting or recognizing any continuing right to construct, enlarge, expand, replace, reconstruct, relocate, or establish an additional dwelling on the property beyond the structure authorized by Building Permit #41-2026;
4. If the structure authorized by Building Permit #41-2026 is removed, demolished, destroyed, abandoned, or deteriorates to the extent that replacement or reconstruction is required, any future application to construct a dwelling or other structure on the property shall be reviewed under, and must comply with, the Seward County Zoning Regulations in effect at the time of that future application; and
5. This Resolution is intended only to resolve the unique circumstances surrounding Building Permit #41-2026 and shall not constitute precedent for any other property, permit, landowner, or application.

Dated this 4th day of August 2026.

Moved by: Pekarek Seconded by: Zabrocki
Ayes: Scott Pekarek, Darrell J. Zabrocki, Misty Ahmic, Chair of the Board
Attest: Brandy M. Johnson, Seward County Clerk

Affirmative Vote: Pekarek, Zabrocki, Ahmic

Motion Carried

The Commissioners held budget meetings with the following officials:

Jake Zlatkovsky, Treasurer, discussed the Treasurer budget.

Brandy Johnson, County Clerk, discussed budgets for the County Clerk, Election Commissioner, Miscellaneous General, Debt Service, and other miscellaneous budgets.

Known items on the agenda for Board of Equalization on August 11, 2026 are as follows:
8:30 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action – Approve minutes of July 28, 2026
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on August 11, 2026 are as follows:
9:00 a.m.

1. Convene and announce Open Meetings Law
2. Pledge of Allegiance
3. Discuss/Action - Approve minutes of August 4, 2026
4. Discuss/Action – Claims Through July 31, 2026

Other Business Matters to Address When Time Allows

- 5. Discuss/Action - Public/Organizations/Officials
- 6. Commissioner Reports
- 7. Discuss/Action – Agenda for August 18, 2026

9:15 a.m. Discuss/Action – Shelby Pedersen/CASA – Annual Update and Request for Funding

9:35 a.m. Discuss/Action – Authorize Chair to Sign One-Year Lease Agreement with CAT Financial for Mini Excavator

Discuss/Action – Road Department Request for Funds to Pay for Illegal Dumpsite Cleanup of Tires in Ditch

9:45 a.m. Discuss/Action – Review the Noncompliance of Building Permit #51-2025 and Consider Necessary Action

10:15 a.m. Discuss/Action – Budget Meetings with Officials

Moved by Zabrocki and seconded by Pekarek to adjourn at 1:00 p.m.
Affirmative Vote: Zabrocki, Pekarek, Ahmic Motion Carried

State of Nebraska)
County of Seward) ss.

I, Brandy Johnson, 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 11th day of August 2026.

County Clerk

Chairperson