September 1, 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 September 1, 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 September 1, 2026 at 9:00 a.m.

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

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 Hain to approve the minutes of August 25, 2026.
Affirmative Vote: Zabrocki, Hain, Curtis, Pekarek, Ahmic Motion Carried

Jordan Diedrich and Megan Forbes, representing Seward County Chamber & Development Partnership (SCCDP) introduced themselves, and provided an update on their organization.

Commissioner Reports:
Commissioner Hain reported that she has received phone calls and messages regarding road conditions and continues to encourage people to contact the Road Department with those messages, has been in touch with a representative from Region Five regarding funding through a grant, worked on a letter of support for the Village of Staplehurst, and has been reviewing budget information.

Commissioner Zabrocki reported he attended a "6 Regions, One Nebraska" meeting, attended a SouthEast Nebraska Development District (SENDD) Executive Board meeting, continues working with the new Public Transit Director, and will attend a Seward City Council meeting and a Nebraska Intergovernmental Risk Management Assn. (NIRMA) Roundtable meeting this week.

Commissioner Ahmic reported she met with Human Resources, visited with several department heads regarding budget, attended a Safe Streets and Roads For All (SS4A) meeting, received calls regarding roads, obtained more information from a constituent who came before the board last week regarding roads, and visited with the former County Clerk regarding budget.

Commissioner Pekarek reported he met with Commissioner Ahmic and the County Clerk regarding the budget, met with the Emergency Manager, had a meeting with a constituent regarding a roadside vegetation complaint, and followed up with the City of Seward's Planning Department and City Administrator, also in regard to that complaint.

Commissioner Curtis reported he attended a Visitors Bureau meeting and received a call from a constituent and directed them to the Zoning Administrator.

Jon Regnier, Highway Superintendent, and Trever Trebilcock, Assistant Highway Superintendent, were present along with April Hoffbauer. At the August 18, 2026 Commissioner meeting, Brett Baker presented a formal neglected roadside vegetation complaint against Hoffbauer's property. Hoffbauer explained the process she has gone through to try to establish native prairie grass and reported that the area in which the complaint was filed has since been mowed.

Next, Regnier and Trebilcock presented a resolution for the completion and final reimbursement for Nebraska Department of Transportation (NDOT) Bridge Match for Project C-80(50) for a Bridge replacement on Raymond Road West of 350th Road.

Moved by Hain and seconded by Pekarek to adopt Resolution No. 3948 in regard to the completion and final reimbursement for Nebraska Department of Transportation (NDOT) Bridge Match for Project C-80(50) for the bridge replacement on Raymond Road west of 350th Road.

RESOLUTION CERTIFYING PROPER COMPLETION OF PROJECT

Seward County
Resolution No. 3948

WHEREAS, Seward County and State entered into an agreement entitled "County Bridge Matching Program Agreement", for Structure Number C008001405 (the Project), Program Agreement Number BL2348 signed by State on the 28th day of February, 2023; and

WHEREAS, Seward County has now completed the construction of the Project that was identified in the Program Agreement; and

WHEREAS, this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

Be It Resolved: by the Board of Commissioners of Seward County:

(1) The Project, for Structure No. C008001405, has been properly constructed by County and its contractor, in accordance with the terms of the Program Agreement.

(2) The bridge was constructed in strict compliance with (a) the plans and specifications including any State-approved change orders, (b) all applicable design standards, and (c) the conditions and requirements of the Program Agreement.

(3) County understands that it is the owner of the bridge, and that it is solely responsible for the design, inspection, construction, reconstruction, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal commitments applicable to the project

(4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOT Project Number: STWD-CBMP(7)
NDOT Control Number: 00974F
NDOT LPA Control Number: 00974F(g)
NDOT Project Name: County Bridge Match Program

Adopted this 1st day of September 2026 at Seward Nebraska.

The Board of Commissioners of Seward County

Raegan Hain, Jonathan Curtis, Darrell J. Zabrocki, Scott Pekarek, Misty Ahmic

Board/Council Member Hain
Moved the adoption of said resolution
Member Pekarek Seconded the Motion
Roll Call: 5 Yes, 0 No, 0 Abstained, 0 Absent
Resolution adopted, signed and billed as adopted

Attest: Brandy M. Johnson, County Clerk

Affirmative Vote: Hain, Pekarek, Curtis, Zabrocki, Ahmic Motion Carried

Regnier and Trebilcock presented a one-year Lease/Re-purchase agreement with NMC, CAT for a mini excavator. There was discussion regarding the verbiage and structure of the document. Doug Yoder, a constituent from the audience, spoke in regard to the verbiage of the document, as was his understanding from working at an equipment dealership.

Moved by Zabrocki and seconded by Pekarek to authorize the Chair to sign the one-year Lease/Re-purchase agreement with NMC CAT for a mini excavator.
Affirmative Vote: Zabrocki, Pekarek, Curtis
Voting No: Hain, Ahmic Motion Carried

Moved by Hain and seconded by Pekarek to approve the surplus property disposal requests for the Detention Center.
Affirmative Vote: Hain, Pekarek, Zabrocki, Curtis, Ahmic Motion Carried

Hain presented a letter of support for the Village of Staplehurst.

Moved by Hain and seconded by Curtis to sign the letter of support for the Village of Staplehurst's Community Block Grant Application.
Affirmative Vote: Hain, Curtis, Zabrocki, Pekarek, Ahmic Motion Carried

There was further discussion regarding the one-year lease/Re-purchase agreement with NMC CAT. The paperwork sent by NMC CAT included a resolution that was not adopted during the earlier conversation.

Moved by Curtis and seconded by Zabrocki to adopt Resolution No. 3949 in regard to a One-Year Lease/Re-purchase Agreement with NMC CAT for a Mini Excavator.

RESOLUTION NO 3949

CAT Financial

Attachment B
Contract Number 001-70230869

GOVERNMENTAL ENTITY RESOLUTION TO LEASE, PURCHASE AND/OR FINANCE

WHEREAS, the laws of the State of Nebraska (the "State") authorize SEWARD COUNTY (the "Governmental Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from **Caterpillar Financial Services Corporation** and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

RESOLVED, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

[PLEASE INSERT NAME AND TITLE OF EACH AUTHORIZED PERSON BELOW]

Name (Print or Type) Title (Print or Type)

Darrell J. Zabrocki, Seward County Commissioner
Scott Pekarek, Seward County Commissioner
Jonathan Curtis, Seward County Commissioner

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the signatory below is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and

that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

I, Brandy Johnson, Clerk of SEWARD COUNTY, certify that the resolutions above are a full, true and correct copy of resolutions of the governing body of the Governmental Entity. I also certify that the resolutions were duly and regularly passed and adopted at a meeting of the governing body of the Governmental Entity. I also certify that such meeting was duly and regularly called and held in all respects as required by law, at the Governmental Entity's office. I also certify that at such meeting, a majority of the governing body of the Governmental Entity was present and voted in favor of these resolutions.

I also certify that these resolutions are still in full force and effect and have not been amended or revoked.

IN WITNESS of these resolutions, the signatory named below executes this document on behalf of the Governmental Entity.

SIGNATURE [To be signed by authorized individual.]

Signature Brandy M. Johnson

Title Clerk

Date 09/01/26

Affirmative Vote: Curtis, Zabrocki, Pekarek
Voting No: Hain, Ahmic Motion Carried

Marissa Pfile, Zoning Administrator, was present to discuss the noncompliance of Zoning Permit #51-2025. This permit has been discussed previously, because the structure does not comply with what the permit allowed. Pfile offered potential options on how to handle the situation, noting that either the property owner could be asked to remove the additional square footage or they could do a short form plat for the property. Armstead noted that it is the property owner's responsibility to figure out how to bring the structure into compliance, stating that the potential options could be presented to them, but it isn't the Commissioners' responsibility to fix the issue. Amy Anderson, whose parents are the owners of the property, was present. She reported that the upstairs space is attic storage rather than living space and noting that her parents were not aware that their structure wasn't in compliance. Ahmic recommended that the owners find a way to bring the structure into compliance and then get in touch with Pfile. Pfile will issue a cease and desist for this property.

The next discussion was in regard to an unpermitted structure in Precinct A. This structure is a dwelling that is over 600 feet and was also previously discussed with the Commissioners. This dwelling is located in a quarter section that is already over density, so a short form plat is not an option in this instance. Ahmic recommended asking the owners to find a way to bring the structure into compliance. Pfile will work on issuing a cease and desist for this property.

Moved by Hain and seconded by Pekarek to adopt Resolution No. 3950 in regard to an Administrative Plat for Fiala Acres in the NE ¼ of Section 29, Township 12 North, Range 4 East of the 6th P.M.

RESOLUTION NO 3950 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS

WHEREAS Martin and Tammy Loga own approximately 12.01 acres located in the Northeast Quarter of Section 29, Township 12 North, Range 4 East of the 6th P.M., Seward County, Nebraska. He has applied for an Administrative Plat to remove 3 acres from his property. Mark and Laura Fiala own 8 acres in the same section. The 3 acres being removed from Logas property will be added to Fiala's tract, increasing Fiala's total acreage to 11 acres and decreasing Loga's to 9 acres.

WHEREAS the Administrative Plat shall be called Fiala Acres Administrative Plat and

WHEREAS The Seward County Planning Commission held a meeting on August 17, 2026 to consider the Short Form Plat, and

WHEREAS, the Planning Commission recommended approval of the Propst Acres, with a vote of 9 For, 0 Against, and 0 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 or Deny the Fiala Acres, Administrative Plat, with Resolution NO: 3950.

Moved by: Hain Seconded by: Pekarek September 1, 2026
Ayes: Scott Pekarek, Jonathan Curtis, Raegan Hain, Darrell J. Zabrocki, Misty Ahmic, Chair of the Board of Commissioners
Attest: Brandy M. Johnson, Seward County Clerk

Affirmative Vote: Hain, Pekarek, Curtis, Zabrocki, Ahmic Motion Carried

Jalisa Gruhn, Public Transit Director, presented an agreement with the State of Nebraska for the purchase of a new public transit bus.

Moved by Zabrocki and seconded by Curtis to authorize the Chair to sign the 5339 Program Agreement with the State of Nebraska for the Purchase of a New Public Transit Bus.
Affirmative Vote: Zabrocki, Curtis, Pekarek, Hain, Ahmic Motion Carried

The Commissioners recessed at 10:12 a.m.
The Commissioners reconvened at 10:16 a.m.

The first budget meeting was held for the County Assessor's Office. Marilyn Hladky was present.

The Commissioners recessed at 10:48 a.m.
The Commissioners reconvened at 10:52 a.m.

The next budget meeting was held for the Sheriff's Office. Sheriff Vance was present with Captain Borges and Blair Yoder, Operations Manager.

Known items on the agenda for Board of Equalization on September 8, 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 August 11, 2026
4. Discuss/Action – Assessor Information Update

Known items on the agenda for Board of Commissioners on September 8, 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 September 1, 2026
4. Discuss/Action – Claims through August 28, 2026

Other Business Matters to Address When Time Allows

5. Discuss/Action - Public/Organizations/Officials
6. Commissioner Reports
7. Discuss/Action – Agenda for September 15, 2026

Moved by Zabrocki and seconded by Pekarek to adjourn at 12:55 p.m.
Affirmative Vote: Zabrocki, Pekarek, Curtis, Hain, 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 8th day of September 2026.

____________________________ ____________________________
County Clerk Chairperson