

September 29, 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 29, 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 29, 2026 at 9:00 a.m.

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

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 Curtis and seconded by Hain to approve the minutes of September 22, 2026.
Affirmative Vote: Curtis, Hain, Zabrocki, Ahmic Motion Carried

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

- a. Utility Permit for Windstream to bore under Waverly Road west of 140th Road at 1407 Waverly Road in the NE ¼ of Section 13, Township 11 North, Range 4 East of the 6th P.M.
- b. Utility Permit for Windstream to bore under 196th Road south of Highway 34 at 1427 196th Road in the SE ¼ of Section 29, Township 11 North, Range 4 East of the 6th P.M.

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

Kaely Eberspacher spoke during the time for public comment.

Commissioner Reports:

Commissioner Curtis had nothing to report, as he was out of town on a business trip last week.

Commissioner Ahmic reported she completed forms for the 420th Road project, received several calls regarding roads, received questions regarding Zoning, finalized and sent out the Seward/Saline County Solid Waste Management by-laws to each of the involved entities, has received requests from two groups arranging solid waste site tours, worked with Lower Platte South and Upper Big Blue Natural Resources Districts, and completed an employee evaluation.

Commissioner Zabrocki reported that the Southeast Nebraska Development District (SEND) Board meeting was canceled due to lack of a quorum, he attended a

candidate forum hosted by the League of Women Voters, continues to touch base with the Public Transit office, and spent time gathering documents for an agenda item.

Commissioner Hain reported she received several messages regarding road conditions, communicated with Road Department representatives on various items, met with the Aging Services Program Manager, attended a Juvenile Comprehensive Team meeting,

The Commissioners recessed at 9:11 a.m.

The Commissioners reconvened at 9:15 a.m.

Megan Eckles, Emergency Manager, presented a contract with Everbridge for Emergency Management Services. Legal Counsel will further review the contract, and it will be brought back at a later date.

The next document Eckles presented was a Memorandum of Agreement between Seward County Emergency Management and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office for the Use of Emergency Management Interoperable System(s) and IPAWS Open Platform for Emergency Networks. Legal Counsel will further review the Memorandum of Agreement, and it will be brought back at a later date.

Alisha Fisher, Aging Services Program Manager, was present for the appointment of three members to the Aging Advisory Board. Two applications were received for the vacant Seward position on the board. One application was received for the vacant Village of Bee position, and one application was received for the vacant Village of Garland position. The applications were reviewed, and after a brief discussion, it was decided to wait until Commissioner Pekarek is present to vote on the Seward position.

Moved by Hain and seconded by Curtis to appoint Crystal Kirby to serve the seat for the Village of Bee on the Aging Advisory Board, and Kelly Burianek to serve the vacant Garland position on the Aging Advisory Board.

Affirmative Vote: Hain, Curtis, Zabrocki, Ahmic

Motion Carried

The Commissioners recessed at 9:27 a.m.

The Commissioners reconvened at 9:30 a.m.

Moved by Zabrocki and seconded by Hain to open the Public Hearing for a Conditional Use Permit for a proposed new wireless tower in the S ½ NW ¼ of Section 27, Township 12 North, Range 2 East of the 6th P.M. at 9:30 a.m.

Affirmative Vote: Zabrocki, Hain, Curtis, Ahmic

Motion Carried

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

Dale Niemann, Doug Barker, and Darren Hunter spoke in support of the Conditional Use Permit.

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

Moved by Hain and seconded by Curtis to close the Public Hearing at 10:07 a.m.

Affirmative Vote: Hain, Curtis, Zabrocki, Ahmic

Motion Carried

After the Public Hearing, the Commissioners decided that the applicant on the Conditional Use Permit should be changed, and additional information on another tower mentioned during the Public Hearing be sought before taking action on the permit. This will be brought back for consideration at a later date.

Pfile presented a short form plat for Naylor Addition in the NE ¼ of Section 17, Township 12 North, Range 4 East of the 6th P.M.

Moved by Zabrocki and seconded by Curtis to adopt Resolution No. 3953 a Short Form Plat for Naylor Addition in the NE ¼ of Section 17, Township 12 North, Range 4 East of the 6th P.M.

**RESOLUTION NO 3953 OF THE
SEWARD COUNTY BOARD OF COMMISSIONERS**

WHEREAS Michael Naylor owns approximately 10.97 acres of land and has applied for a Short Form Plat to separate 5.49 acres, and described it as a tract of land in the Northeast Quarter of, Section 17, Township 12N, Range 4 East of the 6th P.M, Seward County, Nebraska, and

WHEREAS the Short Form Plat shall be called Naylor Addition and

WHEREAS The Seward County Planning Commission held a meeting on September 21, 2026 to consider the Short Form Plat, and

WHEREAS, the Planning Commission recommended approval of the Naylor Addition, with a vote of 6 For, 0 Against, 0 abstained 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 or Deny the Naylor Addition, Short Form Plat, with Resolution NO: 3953.

Moved by: Zabrocki Seconded by: Curtis September 29, 2026

Ayes: Jonathan Curtis, Raegan Hain, Darrell J. Zabrocki,

Misty Ahmic, Chair of the Board

Attest: Brandy M. Johnson, Seward County Clerk

Affirmative Vote: Zabrocki, Curtis, Hain, Ahmic

Motion Carried

There was a brief discussion about the Proposed Zoning Regulation from Section 10.06. This section states "Each commercial-scale renewable energy generation project shall have a Decommissioning Plan outlining the anticipated means and cost of removing the facility at the end of their serviceable life or upon being discontinued use." More specifically, "The Decommissioning Plan shall include at a minimum: removal of foundations, buildings, and ancillary equipment to a minimum depth of four feet below grade." When the Proposed Zoning Regulations were heard in a Public Hearing at the September 22, 2026 Commissioner meeting, there was discussion regarding the "four feet below grade" portion of the minimum depth, and whether to leave it at four feet, remove it completely, or change it to a larger minimum depth. After a brief conversation, it was decided to change it from "four feet below grade" to "ten feet below grade."

The Commissioners recessed at 10:16 a.m.

The Commissioners reconvened at 10:21 a.m.

The next discussion was in regard to the County Purchasing Act for contracts, leases and memorandums of understanding. Currently, the county does not have a specific policy to establish and outline guidelines of what does and does not have to be reviewed by the County Attorney's Office. Barb Armstead, Deputy County Attorney, noted that best practice for contracts and memorandums of understand be that they are all reviewed by the Seward County Attorney's office. If an elected official has delegated authority to an employee within their department to sign, best practice is to have that in writing. Armstead also reported that memorandums of understanding are not subject to the County Purchasing Act, but having those documents reviewed by legal could ensure compliance and protect the county from future vulnerability.

Sheriff Vance was present with Blake Swicord, an employee from his department, to discuss the Flock License Plate Reader contract. Vance noted that their agency has an agreement with Flock for a subscription, but there is not a contract with the company. Swicord explained that, in order to participate in Flock's data share program, their

agency must input information in the system to receive information from other agencies that are also using the system. The Flock cameras were initially obtained in 2024, but after being erroneously placed in the City of Seward, they were moved to Saline County. Saline County has access to the domain, as they are part of the Federal Task Force, along with Seward County. Seward County paid for the subscription to the Flock Database for two years, but Swicord reported that he has already notified the company that, although Seward County will keep the subscription, the main domain will switch from Seward County to Saline County, as they will pay for the next two years of subscription fees.

After a brief discussion by the Board, it was decided to establish a county-wide policy regarding the County Attorney's Office reviewing documents. Hain will work with Armstead to draft a policy.

Known items on the agenda for Board of Commissioners on October 6, 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 29, 2026
4. Claims through September 25, 2026

Other Business Matters to Address When Time Allows

5. Discuss/Action – Public/Organizations/Officials
6. Commissioner Reports
7. Discuss/Action – Appoint Member to the Aging Advisory Board to Fill Vacant City of Seward Representative Position
8. Discuss/Action – Executive Session – Personnel
9. Discuss/Action – Quarterly Jail Inspection
10. Discuss/Action – Agenda for October 13, 2026

9:15 a.m. Discuss/Action – Authorize Chair to Sign Contract with Everbridge for Emergency Management Services

Discuss/Action – Authorize Chair to Sign Memorandum of Agreement Between Seward County Emergency Management and the Federal Emergency Management Agency Integrated Public Alert and Warning System (IPAWS) Program Management Office for the Use of Emergency Management Interoperable System(s) and IPAWS Open Platform for Emergency Networks

Moved by Zabrocki and seconded by Hain to adjourn at 10:59 a.m.

Affirmative Vote: Zabrocki, Hain, Curtis, 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 6th day of October 2026.

County Clerk

Chairman