

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
January 8<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Chairperson John Kuehn in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:33 p.m. on January 8<sup>th</sup>, 2013.

Roll Call: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chairperson John Kuehn announced that the meeting is subject to the Open Meetings Act and a copy of the act is located at the back of the room.

Chairperson John Kuehn asked the board if everyone had reviewed the minutes from the previous meeting. Boyd Jacobsen made motion to approve the minutes with changes for the minutes of the December 10<sup>th</sup>, 2012, Curt Stade seconded.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Zoning Administrator Joseph Anderson addressed the board that there was an updated agenda from the one that was sent out in advance the updated agenda has Board Reorganization since this was the first meeting of the year.

Curt Stade made a motion to accept the updated agenda seconded by Steve Roeder

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Zoning Administrator Joseph Anderson asked if there were any nominations for chairman of the Joint Planning Commission. Steve Roeder nominated John Kuehn as chairman of the Joint planning commission. With no other nominations Patty Lundein made a motion for John Kuehn to be the chairman of the Joint Planning Commission Jody Casper seconded.

Aye: Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Abstain: John Kuehn

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Chairman John Kuehn asked if there were any nominations for Vice-Chairman of the Joint Planning Commission. Curt Stade nominated Patty Lundein for Vice-Chairman, and Patty Lundein nominated Steve Roeder as Vice-Chairman. After light discussion Patty Lundein made a motion for Steve Roeder to be Vice-Chairman

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Chairman John Kuehn asked if there were any nominations for secretary. John Kuehn nominated Joseph Anderson to be secretary of the Joint Planning Commission. John Kuehn made a motion for Joseph Anderson to be secretary of the Joint Planning Commission Steve Roeder seconded.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Chairman John Kuehn said that they need to appoint one member to sit on the Board of Zoning Adjustment. Jody Casper made a motion to have Patty Lundein be the BZA member from the Joint Planning Commission Curt Stade seconded.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

At 7:45 pm Chairman John Kuehn asked for a motion to open a public hearing to hear public comments about the addition of regulations pertaining to "Adult Entertainment"

- Kearney County Attorney Melodie Bellamy opened with an explanation of the regulations and how they would affect the area.
- Then there was general discussion about the regulations and how they would affect people.

Chairman John Kuehn asked if there was anyone that would like to comment on the proposed changes. With no further comments Chairman John Kuehn asked for a motion to close public hearing. Boyd Jacobsen made a motion to close public hear at 7:56 pm seconded by Jody Casper.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Chairman John Kuehn asked if there was any further discussion about the proposed changes or is the board ready to make a decision. Jody Casper made a motion to recommend approval of the regulation Boyd Jacobsen seconded

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

Zoning Administrator Joseph Anderson updated the board about upcoming issues and asked if there was anything else that needed to be on the agenda for the next meeting. The board felt that updating the comprehensive plan was in order and should be on the next agenda for discussion.

With no further business John Kuehn ask if there was a motion to adjourn. Curt Stade made a motion to adjourn, Patty Lundein seconded.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Curt Stade, Jody Casper and Boyd Jacobsen

Nay: NONE

Members absent: Dawn Thompson, Tom Anderson and Scott Torske

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
March 11<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Chairperson John Kuehn in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:31 p.m. on March 11<sup>th</sup>, 2013.

Roll Call: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chairperson John Kuehn announced that the meeting is subject to the Open Meetings Act and a copy of the act is located at the back of the room.

Chairperson John Kuehn asked the board if everyone had reviewed the minutes from the previous meeting.

Curt Stade made motion to approve the minutes of the January 8<sup>th</sup>, 2013 meeting Steve Roeder seconded.

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Steve Roeder made a motion to approve the agenda seconded by Boyd Jacobsen

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Chairman John Kuehn asked for a motion to open public hearing for an application for change of zoning made by Paul Londer on parcels #2847 and #2850. Steve Roeder made a motion to open the public hearing at 7:35, Curt Stade seconded

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

- Paul Londer – presented his application and explained why he was requesting the change of zoning. He stated that he is in the process of selling the property and the new owner is going to sell roofing, siding and gutter material whole sale and retail. Paul also introduced the new owner. Paul also explained that the new owner is only purchasing parcel #2847 with approximately 2.5 acres and there is a easement for ingress/egress granted to the new owners so they would have the ability to use the driveway on parcel #2850
  - Steve Roeder asked about the two (2) trailer homes on the property in the North West corner
  - Paul Londer stated that at this time they plan to leave these homes on the property
  - Steve Roeder stated the residential use is not a permitted use in a commercial district
- Todd Lynch was present to represent the new owner of the facility he is with RCI Roofing and supply. Todd further explained there business and what they do. They are a family run company with 5 stores across the state and that they are looking to expand in the central Nebraska area and this is an ideal location for them.

- Curt Stade made the comment that the work done around the facility looks nice and that the fence that was installed really improves the property.
- Steve Roeder asked about how many trucks would be entering and exiting this business every day
- Todd Lynch stated that there would be about 1-2 truck delivering products daily and anywhere from 6-10 truck exiting everyday delivering products to customers
- Tom McCarty realtor with Coldwell Banker talked about how this business would be good for Kearney County and that the use is not changing from what it was used for in the past. With Londer's running a auction house this was a commercial use and the new owner would be using as a commercial use.
- John Kuehn asked Paul Londer if he wanted to change the zoning of both parcels or just the parcel with the building on it?
  - Paul Londer stated the he wants to change the zoning on both parcels
  - Zoning Administrator stated that residential use is not a permitted use in the commercial distract and the with a change of zoning that us would not be grandfathered in.
- After some discussion Paul Londer asked if he could amend his application to only include parcel #2847 and not change zoning on parcel #2850.
  - Kearney County attorney said that we could allow Paul Londer to amend his application

Chairman John Kuehn asked if there was anyone else that would like to speak or if anyone on the board had any more questions about the application. With no further comments or questions John Kuehn called for a motion to close the public hearing Boyd Jacobsen made a motion to close the public hearing and Patty Lundein seconded. Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Chairman John Kuehn asked if was anymore discussion about the application? Kearney County Attorney wanted to clarify that if they changed the zoning that this property was open to any type of permitted commercial use not just what the current owner was planning on doing with the property.

Boyd Jacobsen made a motion to approve the request made by Paul Londer to change the zoning of parcel #2847 from AGR to Commercial seconded by Curt Stade.

Legal Description:

A tract of land in the Northeast corner of the Southeast Quarter of Section 26, in Township 8 North, of Range 16, West of 6<sup>th</sup> P.M., in Kearney County, Nebraska, commencing at the Northeast corner of said Southeast Quarter, thence South on the section line 891 Feet to the point of beginning; thence West 500 Feet; thence South 220 Feet; thence East 500 Feet to the section line; thence North 220 Feet to the point of beginning, subject to road right-of-way thereon

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Zoning Administrator Joseph Anderson addressed the board about the importance of updating the Kearney County Comprehensive plan. It was stated that the Zoning regulations and Comprehensive plan work together and that if one is updated with the other they don't work as well as they should. Steve Roeder made a motion to recommend to the Kearney County Board of Supervisors that the Comprehensive plan be updated Curt Stade seconded.

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

Zoning Administrator updated the board on the “Adult Entertainment Establishment” regulations and that the Kearney County Board of Supervisors passed these regulations with no changes.

Chairman John Kuehn asked if there was any discussion about topics for future meetings. With no other business Curt Stade made a motion to adjourn at 8:30 pm Boyd Jacobsen seconded

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Tom Anderson, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson, Jody Casper and Scott Torske

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
April 8<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Chairperson John Kuehn in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:30 p.m. on April 8<sup>th</sup>, 2013.

Roll Call: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Members absent: Dawn Thompson and Tom Anderson

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public. Chairperson John Kuehn announced that the meeting is subject to the Open Meetings Act and a copy of the act is located at the back of the room.

Chairperson John Kuehn asked the board if everyone had reviewed the minutes from the previous meeting. Steve Roeder made motion to approve the minutes of the March 11<sup>th</sup>, 2013 meeting Boyd Jacobsen seconded. Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

Steve Roeder made a motion to approve the agenda seconded by Curt Stade

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

Chairman John Kuehn asked for a motion to open public hearing for an application for change of zoning made by Cargill INC on parcels #3402. Boyd Jacobsen made a motion to open the public hearing at 7:35, Steve Roeder seconded

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

- Phil Harders presented the request for Cargill INC and explained the project that they would like to do. He explained that Cargill would like to construct a facility for the commercial storage and sale of fertilizer. This project might in the future have a “grain bunker” for storage of grains.
  - Scott Torske asked about how the traffic would flow and if this project would help with traffic safety issues in Heartwell and on Highway 6&34
  - Phil Harders stated that with the addition of the scale at the new facility that some of the traffic issues should be addressed and solved and that Cargill will continue to look into the issue and see if there is anything else that could be done.
- Rachel Hecht manager of the Heartwell Facility spoke about traffic issues and said that this new facility would be able to help with the flow of traffic in and around the Heartwell area.

- Robert Gleason business owner in Heartwell spoke about traffic issues along the road the runs on the North side of the RR tracks. He feels that that the new facility would address the traffic issues that he has seen.
- Pat Hoban Heartwell resident talked with the board about concerns that he had with the traffic on Highway 6&34 and felt that the use of signs with flashing lights was needed on the highway during spring and harvest season.

Chairman John Kuehn asked if there was anyone else that would like to speak or if anyone on the board had any more questions about the application. With no further comments or questions John Kuehn called for a motion to close the public hearing Steve Roeder made a motion to close the public hearing and Scott Torske seconded. Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

Chairman John Kuehn asked if there was any more discussion about the application. Kearney County Attorney informed the board that if they change the zoning from AGR to AG-1 that anything listed in 5.12 would be permitted by right.

Boyd Jacobsen made a motion to approve the request made by Cargill INC to change the zoning of parcel #3402 from AGR (AGRICULTURAL RESIDENTIAL DISTRICT) to AG-1 (AGRICULTURAL DISTRICT) seconded by Curt Stade.

Legal Description:

A TRACT OF LAND LOCATED IN THE SE ¼ OF SECTION 16, T7N, R13W OF THE 6<sup>TH</sup> P.M., KEARNEY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SECTION 16, T7N, R13W OF THE 6<sup>TH</sup> P.M., KEARNEY COUNTY, NEBRASKA: THENCE N 0<sup>00</sup>'07" W ON THE EAST LINE OF THE SE ¼, 81.20 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF HIGHWAY 6; THENCE N 89<sup>046'23"</sup> W ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF HIGHWAY 6, 877.21 FEET TO THE SE CORNER OF A TRACT OF LAND SURVEYED BY BRIAN L LANGENBERG, LS546, DATED MAY 22, 2006; THENCE N 0<sup>00</sup>'12" ON THE EAST LINE OF SAID SURVEYED TRACT, 895.29 FEET TO THE SOUTH R.O.W. LINE OF THE BNSF RAILROAD; THENCE N 60<sup>043'27"</sup> E ON THE SOUTH LINE OF THE BNSF RAILROAD R.O.W., 1005.65 FEET TO A POINT ON THE EAST LINE OF THE SE1/4 OF SAID SECTION 16; THENCE S 00<sup>00</sup>'07" E ON THE EAST LINE OF THE SE ¼ OF SAID SECTION 16; THENCE S 00<sup>00</sup>'07" ON THE EAST LINE OF SAID SE ¼, 1390.55 FEET TO THE POINT OF BEGINNING, CONTAINNING 23.02 ACRES MORE OR LESS.

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

Zoning Administrator Joseph Anderson addressed the board about updating the Comprehensive plan and that the Kearney County Board of Supervisors was in agreement that the Comprehensive plan needs to be updated. Kearney County attorney Melodie Bellamy informed the planning commission that the Comprehensive plan does not need to be updated by laws but needs to be updated to keep the regulations enforceable and current. Melodie also was asking the board if they felt that the Comprehensive plan needs to have a professional update it or if it should be done in house. Zoning Administrator felt that the scope of work that is needed to update the plan was beyond his experience and that a professional planner was needed to update the plan.

Steve Roeder agreed that the plan needs to be updated and kept current. The Kearney County Joint Planning Commission directed Attorney Melodie Bellamy and Zoning Administrator to send out request for proposals to update the Kearney County Comprehensive Plan.

Chairman John Kuehn asked if there was any discussion about topics for future meetings. With no other business Jody Casper made a motion to adjourn at 8:45 pm Boyd Jacobsen seconded

Aye: John Kuehn, Steve Roeder, Boyd Jacobsen, Scott Torske, Jody Casper, Patty Lundein and Curt Stade.

Nay: NONE

Members absent: Dawn Thompson and Tom Anderson

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
May 13<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Secretary Joseph Anderson in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:30 p.m. on May 13<sup>th</sup>, 2013.

Roll Call: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Secretary Joseph Anderson announced that since the chairman and vice chairman are both absent that the first order of business is to elect a chairman pro-tempore.

Curt Stade made a motion that Patty Lundein serve as chairman pro-tempore for this meeting, Boyd Jacobsen seconded.

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Pro-tempore Chairperson Patty Lundein asked the board if everyone had reviewed the minutes from the previous meeting. Dawn Thompson made motion to approve the minutes of the April 08<sup>th</sup>, 2013 meeting Boyd Jacobsen seconded.

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Pro-tempore Chairman Patty Lundein asked for a motion to open public hearing for an application for Special Use Permit made by Cargill INC on parcels #3402. Boyd Jacobsen made a motion to open the public hearing at 7:35, Curt Stade seconded

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

- Tyler Burvee presented the request for Cargill INC and explained the project that they would like to do. He explained that Cargill would like to construct a facility for the commercial storage and sale of fertilizer. This project might in the future have a “grain bunker” for storage of grains.
- Rachel Hecht manager of the Heartwell Facility spoke about traffic issues and said that this new facility would be able to help with the flow of traffic in and around the Heartwell area.

Pro-tempore Chairman Patty Lundein asked if there was anyone else that would like to speak or if anyone on the board had any more questions about the application. With no further comments or questions Patty Lundein called for a motion to close the public hearing Boyd Jacobsen made a motion to close the public hearing and Curt Stade seconded.

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Pro-tempore Chairman Patty Lundein asked if there was any more discussion about the application.

Boyd Jacobsen made a motion to approve the Special Use Permit made by Cargill INC to construct and operate a commercial fertilizer/chemical storage facility and construct and operate a commercial grain warehouse facility, under Kearney County zoning regulation 5.14 #3 and 5.14 # 7 on the follow described property, conditional of Cargill obtain a NDEQ operational permit, seconded by Curt Stade.

Legal Description:

A TRACT OF LAND LOCATED IN THE SE ¼ OF SECTION 16, T7N, R13W OF THE 6<sup>TH</sup> P.M., KEARNEY COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SECTION 16, T7N, R13W OF THE 6<sup>TH</sup> P.M., KEARNEY COUNTY, NEBRASKA: THENCE N 0<sup>00</sup>'07" W ON THE EAST LINE OF THE SE ¼, 81.20 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH RIGHT OF WAY LINE OF HIGHWAY 6; THENCE N 89<sup>046'23"</sup> W ON THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF HIGHWAY 6, 877.21 FEET TO THE SE CORNER OF A TRACT OF LAND SURVEYED BY BRIAN L LANGENBERG, LS546, DATED MAY 22, 2006; THENCE N 0<sup>00</sup>'12" ON THE EAST LINE OF SAID SURVEYED TRACT, 895.29 FEET TO THE SOUTH R.O.W. LINE OF THE BNSF RAILROAD; THENCE N 60<sup>043'27"</sup> E ON THE SOUTH LINE OF THE BNSF RAILROAD R.O.W., 1005.65 FEET TO A POINT ON THE EAST LINE OF THE SE1/4 OF SAID SECTION 16; THENCE S 00<sup>00</sup>'07" E ON THE EAST LINE OF THE SE ¼ OF SAID SECTION 16; THENCE S 00<sup>00</sup>'07" ON THE EAST LINE OF SAID SE ¼, 1390.55 FEET TO THE POINT OF BEGINNING, CONTAINNING 23.02 ACRES MORE OR LESS.

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Zoning Administrator Joseph Anderson addressed the board stating that the next item of business has to be tabled until the next meeting because Gert Sikkenga had to fly home for a couple days and would not be able to make the meeting.

Dawn Thompson made a motion to table the topic “Zoning at Halimage Dairy” Jody Casper seconded.

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

Pro-tempore Chairman Patty Lundein asked if there was any discussion about topics for future meetings. With no other business Jody Casper made a motion to adjourn at 8:45 pm Boyd Jacobsen seconded

Aye: Boyd Jacobsen, Dawn Thompson, Jody Casper, Patty Lundein and Curt Stade.

Nay: None

Members absent: John Kuehn, Steve Roeder, Scott Torske, Tom Anderson

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
July 8<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Chairman John Kuehn in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:30 p.m. on July 8<sup>th</sup>, 2013.

Roll Call: John Kuehn, Patty Lundein, Steve Roeder, Boyd Jacobsen, Jody Casper

Members absent: Dawn Thompson, Scott Torske, Tom Anderson, Curt Stade

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chairperson John Kuehn asked the board if everyone had reviewed the minutes from the previous meeting.

Steve Roeder made motion to approve the minutes of the May 13<sup>th</sup>, 2013 meeting Boyd Jacobsen seconded.

Aye: John Kuehn, Patty Lundein, Steve Roeder, Boyd Jacobsen and Jody Casper

Nay: None

Members absent: Dawn Thompson, Scott Torske, Tom Anderson, Curt Stade

Zoning Administrator informed the board that this meeting was called at the request of Gert Sikkenga to discuss what his options were to resolve the zoning issues at "Halimage Dairy". Gert Sikkenga informed the board that he had been to the Kearney County Board of Supervisors and they told Mr. Sikkenga that his next option would be to talk with the Kearney County Planning Commission to see if there was anything that they could do.

The Planning Commission asked Mr. Sikkenga what he would like to board to do for him.

Mr. Sikkenga stated that he would like the use of using the property as a Livestock Confinement Facility so he would be able to sell the property to another dairy operation to be used as a dairy.

Kearney County Attorney Melodie Bellamy and Zoning Administrator Joseph Anderson informed the board the after reviewing the situation that the only option that allows the use of Livestock Confinement Facility is to amend the zoning regulations for the district.

Mr. Sikkenga stated that if this property is unable to be used as a Livestock Confinement Facility that it would more or less be useless to him.

After discussion about this situation and how changing the zoning regulations in this distract would affect the other residence in the area the Kearney County Planning Commission decided to not take any action in the matter and not change the regulations.

Chairman John Kuehn asked if there was any discussion about topics for future meetings. With no other business Jody Casper made a motion to adjourn at 8:00 pm Boyd Jacobsen seconded

Aye: John Kuehn, Patty Lundein, Steve Roeder, Boyd Jacobsen and Jody Casper

Nay: None

Members absent: Dawn Thompson, Scott Torske, Tom Anderson, Curt Stade



MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
December 9<sup>th</sup>, 2013

A meeting of the Kearney County Planning Commission was called to order by Chairman John Kuehn in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:30 p.m. on December 9<sup>th</sup>, 2013.

Roll Call: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper

Members absent: Dawn Thompson, Curt Stade, Patty Lundein

Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

Chairperson John Kuehn asked the board if everyone had reviewed the minutes from the previous meeting. Boyd Jacobsen made motion to approve the minutes of the July 8<sup>th</sup>, 2013 meeting Steve Roeder seconded.

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None

Members absent: Dawn Thompson, Curt Stade, Patty Lundein

Zoning Administrator asked if he could add to the end of the agenda that the board would vote to request for professional services to update the comprehensive plan. Tom Anderson made a motion to add the idem to the agenda Steve Roeder Seconded

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None

Members absent: Dawn Thompson, Curt Stade, Patty Lundein

Steve Roeder made a motion to open the public hearing to hear comments on the proposed tower by Horvath Communication Boyd Jacobsen seconded

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None

Members absent: Dawn Thompson, Curt Stade, Patty Lundein

Derek McGrew with Cellusite, LLC was present on behalf of Horvath Communication and he explained the project and why the location choosing was about the only place that would work for what they were wanting to accomplish with their coils. Mr. McGrew also explained that in the event that the tower were to collapse that it was designed to collapse within a small distance of the tower.

James Faber grandson of the Landowner and residence to the south of the proposed location stated that the land that the tower would be located was land that was not in production and has been grass and trees for a number of years.

Chairman John Kuehn asked if there was anyone else that would like to comment. With no other comments Boyd Jacobsen made a motion to close the public hearing Tom Anderson seconded.

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None

Members absent: Dawn Thompson, Curt Stade, Patty Lundein

Without further discussion Boyd Jacobsen made a motion to approve the special use permit to construct a 250' tower for communication purposed in the SE corner of the NE 1/4 of Section 23 Township 7 North, Range 13 West Steve Roeder seconded.

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None  
Members absent: Dawn Thompson, Curt Stade, Patty Lundeen

Zoning Administrator Joseph Anderson explained that he would like the board to make a motion to proceed with the request for professional services. Steve Roeder made a motion for the zoning administrator and the county attorney to proceed with the request for professional services Jody Casper seconded.

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None  
Members absent: Dawn Thompson, Curt Stade, Patty Lundeen

Chairman John Kuehn asked if there was any discussion about topics for future meetings. With no other business Jody Casper made a motion to adjourn at 8:10 pm Tom Anderson seconded

Aye: John Kuehn, Steve Roeder, Scott Torske, Boyd Jacobsen, Tom Anderson, Jody Casper Nay: None  
Members absent: Dawn Thompson, Curt Stade, Patty Lundeen