

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
January 13th, 2014

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 7:31pm on January 13th, 2014.

Roll Call: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Members absent: Tom Anderson, Patty Lundeen, 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.

Joseph Anderson started by introducing the new members to the board: Terry Buettner and Malcom Dornhoff.

Chairman John Kuehn asked the board if everyone had reviewed the agenda. Boyd Jacobsen made motion to approve the agenda Malcom Dornhoff seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Chairman John Kuehn ask if everyone had a chance to review the minutes from the December 9th, 2013 meeting. County attorney Melodie Bellamy express some concern about whether on not the new board members should vote on the minutes since they were not present at the meeting. After some reviewing of the By-laws and Roberts Rules of Order it was determines that they could vote if they wanted too. Boyd Jacobsen made a motion to approve the minutes, Malcom Dornhoff seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Being the first meeting of the year John Kuehn stated that the board would have to reorganize before any business would take place.

Current Chairman John Kuehn asked if there were any nominations for the position of Chairman. Jody Casper made a motion to nominate John Kuehn as Chairman of the Board, Boyd Jacobsen seconded. With no other nominations Terry Buettner made a motion that nomination cease and made John Kuehn Chairman of the board, Boyd Jacobsen seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Chairman John Kuehn asked if there were any nominations for the position of Vice-Chairman

Jody Casper nominated Boyd Jacobsen for the position of Vice-Chairman Terry Buettner seconded. Malcom Dornhoff made a motion the nomination cease and to make Boyd Jacobsen Vice-Chairman of the Board, Jody Casper seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Chairman John Kuehn asked if there were any nominations for the position of secretary. Boyd Jacobsen nominated Joseph Anderson Zoning Administrator and made a motion that nomination cease Jody Casper seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

John Kuehn stated that it is 7:43 and called for a motion to open public hearing to hear comments on special use permit for Mike Miller owner of A&M Ag partners. Boyd Jacobsen made a motion to open public hearing, Dawn Thompson seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Joseph Anderson stated that he had talked to Mike Miller and that he had planned to attend the meeting but Mike was not present at the meeting. Joseph Anderson further informed the board that he had not received any comments or concerns about what Mike Miller was wanting to do. John Kuehn asked if there was anyone that was present that would like to speak either for or against the special use permit. With no further comments Boyd Jacobsen made a motion to close the public hearing, Terry Buettner seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Terry Buettner asked some question about the special use permit the Mike Miller received in the past. Joseph Anderson explained that the permit that he received in the past was to operate a commercial Ag business in the Ag-1 district. And that now he want to expand his service to include the sell and storage of bulk fertilizers and chemicals. Malcom Dornhoff made a motion to approve the special use permit of Mike Miller under 5.14 #7 facilities for the commercial storage or sale of fertilizer or toxic or flammable agricultural chemicals with the condition that the required NDEQ permits are obtained prior to construction.

John Kuehn stated that the time was now 8:00 pm and asked for a motion to open a public hearing to hear comments on a special use permit by Kyle Jensen to operate a commercial business that sells used cars, trucks, motorcycles, trailers, etc. Jody Casper made a motion to open a public hearing, Boyd Jacobsen seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Kyle Jensen spook with the board about what his was planning on doing. Kyle Jensen explained that he is looking for old cars that are in the weeds and pasture on old farm sites and brings them onto his property and fixes them up and resells them and that he has costumers contact him that they are look for a certain car and he goes out and looks for it.

Kyle Jensen is also in the process of obtaining a license to be a licensed dealer of motor vehicles in the State of Nebraska. And before his is granted this license he has to provide proof of county approval prior to the State of Nebraska licensing.

Joseph Anderson asked approximately how many motor vehicles would be on the property at a given time.

Kyle Jensen stated that there would be 10 to 25 cars at time.

John Kuehn asked if there were any more questions or comments from Kyle Jensen or if the board had any other questions for Kyle Jensen. With no further comments Terry Buettner made a motion to close the public hearing, Dawn Thompson seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Melodie Bellamy stated that there was some concern about granting this special use permit because Kyle Jensen was planning on bring motor vehicles onto the property that were inoperable and that by Kearney County definitions a property that has inoperable motor vehicles is defined as a Salvage or Junk Yard (3.66).

The board asked Kyle Jensen how obtain he has to renew his license with the State of Nebraska and whether or not they would allow a Junk Yard with the license that he is trying to obtain. Kyle Jensen stated that the State of Nebraska would revoke his license if they felt the property was being used as a Junk Yard.

After discussion with Kyle Jensen, Planning Commission Board and Kearney County Attorney Melodie Bellamy Terry Buettner made a motion to approve the Special Use Permit under 5.14 #22 Manufacturing, commercial and or industrial operations, except salvage yards; with the following conditions. The property located at 1553 31 Rd be used for the sale of used cars, trucks, motorcycles, trailers, or other motor vehicles with outside display and storage limited to 25 motor vehicles in total, of which no more than 10 motor vehicles being inoperable but in the process of making operable. Malcom Dornhoff seconded this motion.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Joseph Anderson informed the board that there was another special use permit that the board will have a public hearing next month. Some of the member stated that they would not be able to make the regular meeting date. With that Terry Buettner made a motion that the next meeting be moved to February 3rd, 2014 @ 7:30 pm, Dawn Thompson seconded

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

Chairman John Kuehn asked if there was any other discussion. With no other business Terry Buettner made a motion to adjourn at 8:59 pm Dawn Thompson seconded

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Malcom Dornhoff, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Patty Lundeen, Scott Torske

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
March 10th, 2014

A meeting of the Kearney County Planning Commission was called to order by Vice-Chairman Boyd Jacobsen in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:31pm on March 10th, 2014.

Roll Call: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson,
Members absent: John Kuehn, Jody Casper, 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.

Vice - Chairman Boyd Jacobsen asked the board if everyone had reviewed the agenda. Tom Anderson made motion to approve the agenda Patty Lundeen seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson
Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Vice - Chairman Boyd Jacobsen ask if everyone had a chance to review the minutes from the January 13th, 2014 meeting. Malcolm Dornhoff made a motion to approve the minutes, Tom Anderson seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson
Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Vice – Chairman Boyd Jacobsen asked for a motion to go into public hearing to hear comments on a special use permit by Terry Buettner. Patty Lundeen made a motion or open public hearing on Special use permit by Terry Buettner at 7:35 pm, Tom Anderson seconded. Terry Buettner excused himself from the board for this next agenda item and abstained from participating as a board member.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Malcom Dornhoff, Dawn Thompson
Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Members abstaining from voting: Terry Buettner.

- Terry Buettner – explained to the board that he is wishing to start a commercial spraying operation from his place of residence to serve the farmers in the area. He is going to operate this business from existing buildings and if the business expands he plans to build across the road to the west in Phelps County. Terry explained that at this time there will not be any bulk chemicals or fertilizers stored on the property and no load out facility will be necessary.

Vice – Chairman Boyd Jacobsen asked if there were any other questions or comments from the board or anyone in the audience. With no further questions or comments Patty Lundeen made a motion to close the public hearing at 7:40 pm, Tom Anderson seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Malcom Dornhoff, Dawn Thompson
Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Members abstaining from voting: Terry Buettner.

After some lite discussion Tom Anderson made a motion to recommend approval of the special use permit to Terry Buettner to operate a commercial spray operation from his place of residence without the bulk storage of chemicals or Fertilizers as defined by NDEQ and to use existing buildings, Malcom Dornhoff seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Members abstaining from voting: Terry Buettner.

Vice – Chairman Boyd Jacobsen asked for a motion to go into public hearing to hear comments on a special use permit by Selective Site Development (SSD). Patty Lundeen made a motion or open public hearing on Special use permit by SSD at 7:47 pm, Tom Anderson seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Justin Anderson opened the public hearing with explaining the project that they are working on and they would like to erect a communication tower west of Axtell along K Rd. on a parcel of land in the NE corner of the NE ¼ of 19-6-16. Justin Anderson further explained that this would be a private tower used for cellular communication and that they plan to “rent” or “lease” space on the tower to other companies.

With no further questions or discussion from the public Malcom Dornhoff made a motion to close public hearing at 7:54 pm Dawn Thompson seconded

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Patty Lundeen made a motion to recommend approval of the special use permit as presented, Terry Buettner seconded

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

At 7:58 pm Vice – Chairman Boyd Jacobsen asked for a motion to go into public hearing to hear comments on a Preliminary plat for SUMMERHAVEN DEVELOPMENT. Patty Lundeen made a motion to open public hearing Terry Buettner seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

- Mitch Humphrey (Surveyor for SHL Development) opened the public hear explaining the project and some of the issues that have arose and how they are being dealt with. Mitch went to further explain that they are planning on getting final approval of plats in phases since there are many issues that need to be resolved prior to approval.
- Robert Rhodes – had a question about existing easements and agreements and whether or not the plat maps would circumvent these easements.
- Pam Uhler – Land owner on the south side had questions on how this plat would change her property.

- Brett Weis – SHL Owner tried to explain that they are not trying to change anything but just keep what is there now.
- Matt Epperson – Had questions about unseen issues and how they will be dealt with in the future.
- Marshall Nelson – asked if there was a way to notify all residence of Summerhaven when there are meeting.
- Kearney County Attorney – Melodie Bellamy asked why try and change things out there now.
- Boyd Jacobson asked Brett Weis and Mitch Humphrey if they will be able to meet NDEQ requirements in the future.
 - They replied with stating that they purchased additional ground to the south so all the lots should be able to meet NDEQ requirements.

Vice – Chairman Boyd Jacobsen asked if there were any more questions or comments. With no further comments Tom Anderson made a motion to close public hearing at 8:46 pm, Patty Lundeen seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Patty Lundeen made a motion to approve the Preliminary plat of SUMMERHAVE DEVELOPMENT, Dawn Thompson seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

After receiving information about updating the Comprehensive Plan and the amount of information that was presented Dawn Thompson made a motion to table the discussion of reviewing the RFP's until next meeting, Malcom Dornhoff seconded.

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

Vise - Chairman Boyd Jacobsen asked if there was any other discussion. With no other business Tom Anderson made a motion to adjourn at 8:59 pm Patty Lundeen seconded

Aye: Boyd Jacobsen, Patty Lundeen, Tom Anderson, Terry Buettner, Malcom Dornhoff, Dawn Thompson

Nay: None

Members absent: John Kuehn, Jody Casper, Scott Torske

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
April 7th, 2014

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 7:31pm on April 7th, 2014.

Roll Call: John Kuehn, Patty Lundeen, Boyd Jacobsen, Terry Buettner, Dawn Thompson, Jody Casper

Members absent: Tom Anderson, Scott Torske, Malcom Dornhoff

Also present was Kearney County Zoning Administrator Joseph Anderson

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

Chairman John Kuehn asked the board if everyone had reviewed the agenda. Boyd Jacobsen made motion to approve the agenda Jody Casper seconded.

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Terry Buettner, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Malcom Dornhoff

Chairman John Kuehn ask about the minutes from the last meeting and zoning administration stated he had not brought the minutes for the board to review and that it would have to wait until next meeting.

Chairman John Kuehn asked if everyone had a chance to review the RFP's for updating the Comp plan. Joseph Anderson presented a check list that each board member would be able to "score" each firm in the different categories.

After lengthy discussion about all the proposals and each board member scoring the proposals it was decided that the Firm Hanna Keelan was the lowest bid and the top scoring firm.

Boyd Jacobsen made a motion to recommend Hanna Keelan as the firm to update the Comprehensive Plan for Kearney County, Patty Lundeen seconded.

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Terry Buettner, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Malcom Dornhoff

Chairman John Kuehn asked if there was any other discussion. With no other business Terry Buettner made a motion to adjourn at 8:15 pm Dawn Thompson seconded

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Terry Buettner, Dawn Thompson, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Malcom Dornhoff

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
June 23rd, 2014

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 7:30pm on June 23rd, 2014.

Roll Call: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

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.

Chairman John Kuehn asked the board if everyone had reviewed the agenda. Boyd Jacobsen made motion to approve the agenda Jody Casper seconded.

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

Chairman John Kuehn ask if everyone had a chance to review the minutes from the previous meetings and asked for a motion to take action on the minutes.

Boyd Jacobsen made a motion to approve the minutes of the April 7th, 2014 meeting, Patty Lundeen seconded

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

Malcom Dornhoff made a motion to approve the minutes of the March 10th, 2014 meeting, Boyd Jacobsen seconded.

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

Chairman John Kuehn stated that the time was 7:37 pm and need a motion to go into public hearing to hear comments on an application for change of zoning made by Steve & Sharon Stelling.

Patty Lundeen made a motion to open public hearing at 7:37 pm, Boyd Jacobsen seconded

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

- Steve Stelling (landowner) opened the public hearing by discussing the property and his future plans with the property. He plans to divide the lot into three separate lots in which there are two house now and the third lot would be for future development.
 - Board had some general question for Steve Stelling about where he would be dividing the lots and how he planned to get public access to all the lots.
 - Further board asked Steve Stelling about NDEQ septic and well requirements

- Steve Stelling responded that they have looked into this and would be able to meet current requirements.
- No one else spoke either for or against this application

With no one else to speak on this application Boyd Jacobsen made a motion to close the public hearing, Patty Lundeen seconded

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

Public Hearing closed at 7:56 pm

Boyd Jacobsen made a motion to recommend approval of the change of zoning application, Jody Casper seconded.

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

The board meet with Lonnie Dickson from Hanna Keelan to discuss the process of updating the Kearney County Comprehensive plan.

- Lonnie Dickson and agenda of things that he would like to go over with the board and make plans for the next meeting.
- Review issues with the county that the board felt that need to be addressed with the updating of the comprehensive plan.

Chairman John Kuehn asked if there was any other discussion. With no other business Patty Lundeen made a motion to adjourn at 8:50 pm Malcom Dornhoff seconded

Aye: John Kuehn, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: Tom Anderson, Scott Torske, Terry Buettner, Dawn Thompson

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
August 11th, 2014

A meeting of the Kearney County Planning Commission was called to order by Vice-Chairman Boyd Jacobsen in the Assembly room of the Courthouse in Minden, Nebraska Kearney County at 7:30pm on August 11th, 2014.

Roll Call: Terry Buettner, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Members absent: John Kuehn, Tom Anderson, Scott Torske, Dawn Thompson

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.

Vice-Chairman Boyd Jacobsen asked the board if everyone had reviewed the agenda. Terry Buettner made motion to approve the agenda Jody Casper seconded.

Aye: Terry Buettner, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: John Kuehn, Tom Anderson, Scott Torske, Dawn Thompson

Vice-Chairman Boyd Jacobsen ask if everyone had a chance to review the minutes from the previous meetings and asked for a motion to take action on the minutes.

Patty Lundeen made a motion to approve the minutes of the June 23rd, 2014 meeting, Malcom Dornhoff seconded

Aye: Terry Buettner, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: John Kuehn, Tom Anderson, Scott Torske, Dawn Thompson

- Lonnie Dickson meet with the Kearney County Joint Planning Commission to discuss the updating of the Comprehensive plan for Kearney County. Lonnie presented a packet of information reviewing preliminary population, income, economic & housing profile & agricultural census profile. Further he discussed the key issues related to existing land use and zoning regulations.

Vice-Chairman Boyd Jacobsen asked if there was any other discussion. With no other business Terry Buettner made a motion to adjourn at 8:45 pm Malcom Dornhoff seconded

Aye: Terry Buettner, Patty Lundeen, Boyd Jacobsen, Malcom Dornhoff, Jody Casper

Nay: None

Members absent: John Kuehn, Tom Anderson, Scott Torske, Dawn Thompson

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
October 20th, 2014

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 7:35pm on October 20th, 2014.

Roll Call: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

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.

Chairman John Kuehn ask if everyone had a chance to review the minutes from the previous meetings and asked for a motion to take action on the minutes.

Boyd Jacobsen made a motion to approve the minutes of the August 11th, 2014 meeting with the date correction, Jody Casper seconded

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

Chairman John Kuehn stated that the time was 7:39 pm and that a motion was needed to open a public hearing to hear comments on the final plat for Summer Haven Second. Boyd Jacobsen made the motion to open the public hearing and Dawn Thompson seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

- Mitch Humphrey with Buffalo Surveying opened by presenting the project to the board on behalf of SHL Enterprises, and explaining to them why there are only 4 lots at this time. They are using the as a test run on the project to make sure that all landowner and all parties involved are taken care of. And further explained the situation with part of this plat would be in Buffalo County and that Kearney County and Buffalo County are working on an agreement to give Kearney County zoning control over that part of Buffalo County.
- Bob Rhodes address some concerns that the lake already have a large number of people who live around the lake and that he would like to see the number of people that use the lake for boating not increase for safety reasons. And asked if there was going to be any other development in the future that would bring more people to the lake.
 - The board informed Mr. Rhodes that this current plat would only add two new lots to the lake and only one of them has direct access to the lake. And future development would have to be addressed at a later date.
- Roy John Nelson on behalf of Bob Almquist talked about the taxation value of these properties and how that can benefit Kearney County.

Chairman John Kuehn asked if there was any other comments from the public or if the board had any questions.

With no other comments or questions Jody Casper made a motion to close the public hearing, Scott Torske seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

Public Hearing Closed at 7:59 pm

Chairman John Kuehn asked the board if they had any questions or discussion that they would like to have.

After some general comments about how they like to see that this is getting down Boyd Jacobsen made a motion to recommend approval to the Kearney County Board of Supervisors, Scott Torske seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

Chairman John Kuehn stated that the time was 8:02 pm and that a motion was needed to open a public hearing to hear comments on an application for a Special Use Permit by Werner Construction. Boyd Jacobsen made the motion to open the public hearing and Dawn Thompson seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

- Terry Welhelms with Werner Construction presented there project to the board and explained that they wanted to pump gravel on site to be used in there temporary asphalt plant. They have some project that they have been awarded the bids on and by pumping the gravel on site they would not have to truck the gravel into the site.
- Steve Younkin Trustee of the land to the West and to the South addressed concerns of a gravel pumping operation pumping too close to the property line and having their fence line getting pumped in.
- Jeff Moon farm manager for Barbara Hohner addressed concerns on behalf of his client. They had concerns about the environmental impact and how that would affect the traffic in the area.
- Terry Welhelms informed the board that Werner Construction is active in preserving the environment and that this would actually cut down on the amount of traffic.
 - The board asked Terry Welhelms about how deep they would be pumping and what was his estimate on the amount of undermining that might occur?
 - Terry Welhelms didn't know but said that he might know someone that would and asked for a short recess to make a couple phone call.

At 8:19 pm the Kearney County Joint Planning Commission took short recess to allow Terry Welhelms to make a phone call.

At 8:24 Terry Wilhelms said that he was unable to contact anyone to get any answers

- Brett Weis with SHL Enterprises expressed concerns over any noise or dust that might arise from this operation and that there are a large number of residential home about 1 mile to the west of the proposed mining site.
- Terry Welhelms stated that they would not have any problem with an restriction on the hours of operation. There typical hours are 6 am to 7 pm in the summer and 7 am to 7 pm in the winter time.
- Steve Younkin asked if the board knew if the State of Nebraska had any set back requirements that would have to be meet.

- Terry Welhelms informed the board that in there ever was any damage to neighboring property in the past that Werner Construction has reconciled with the landowners.
- Kearney County attorney Melodie Bellamy stated the Kearney County currently doesn't have regulations that deal with gravel pumping operations but there are a few county that do have regulations that deal with them.

Chairman John Kuehn asked if there was anyone else that had any comments or concerns that they would like to address to the board. With no further comments Dawn Thompson made a motion to close the public hearing, Boyd Jacobsen seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

Public Hearing closed at 8:45 pm

The Kearney County Joint planning commission had some discussion and felt that some restrictions should be meet dealing with setbacks, environmental, and hours of operation.

Scott Torske made a motion to table the application for Special Use Permit until next meeting.

With no second this motion died.

After further discussion the board directed Zoning Administrator and County Attorney to do some more research with other counties on setbacks from adjoining land, hours of operation, and dust pollution. And also to check with Hanna Keelan to see if they have dealt with this type of situation in other parts of the state.

After this discussion Scott Torske made a motion to table this application until the next meeting, Jody Casper seconded.

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

Chairman John Kuehn stated that at the next meeting they will reopen the public hearing to allow the public to respond after hearing what the Zoning Administrator and Attorney have found.

Chairman John Kuehn asked if there was any other discussion. With no other business Scott Torske made a motion to adjourn at 9:15 pm Dawn Thompson seconded

Aye: John Kuehn, Boyd Jacobsen, Scott Torske, Jody Casper, Dawn Thompson

Nay: None

Members absent: Terry Buettner, Patty Lundeen, Tom Anderson, Malcom Dornhoff

MINUTES OF THE
KEARNEY COUNTY PLANNING COMMISSION
November 10th, 2014

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 7:02 pm on November 10th, 2014.

Roll Call: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff

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.

Chairman John Kuehn ask if everyone had a chance to review the minutes from the previous meetings and asked for a motion to take action on the minutes.

Boyd Jacobsen made a motion to approve the minutes of the October 20th, 2014 meeting, Jody Casper seconded

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Nay: None

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff

Zoning administrator Joseph Anderson presented the board with a letter from Barbara A. Hohner a landowner that was mailed to the office. Zoning Administrator, also presented a question and answer sheet showing the research that zoning administrator done that day to try and answer the questions that Barbara A. Hohner had asked. Zoning administrator also asked if the board had time to look over the regulations that were sent out from other counties on how they deal with sand and gravel pits.

After reviewing the letter and other regulations Chairman John Kuehn ask for a motion to re-open the public hearing on the application for special use permit by Werner Construction Inc.

Boyd Jacobsen made a motion to re-open the public hearing on the application for special use permit, Terry Buettner seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Nay: None

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff

Public hearing opened at 7:18 pm

- Terry Welhelms opened by stating that he was able to gather some more information about the pumping practices that there pumpers use and that he brought with him the general manager of the company that will be doing the pumping on this property.
- Dan Hansen with Deweese Sand and Gravel spoke on how they operate there pits and about some of the regulations that have to be followed to meet state and federal regulations. He also explained that it was there common practice to pile the borrow material about 100 feet away from the fence lines to create a berm that would be used to protect people from unintendedly entering the pit.
 - John Kuehn asked if they install a fence around the property
 - Dan stated that yes there usually is a fence around the property.
 - Board asked Dan Hansen about maintain a slope so that the risk of cave off could be limited.

- Dan Hansen stated that it is hard to control the amount of slope and that the main problem areas that they have is where the sand is returned to the pit and this is the area that is blasted once in a while to control the amount of buildup.
- Steve Younkin was unsure about the distance that the borrow would be piled from the fence line and asked if the board was going to set that at certain distance

Chairman John Kuehn asked if there was any other comments from the public or if the board had any questions. With no other comments or questions Terry Buettner made a motion to close the public hearing, Boyd Jacobsen seconded.

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Nay: None

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff

Public Hearing Closed at 7:38 pm

Chairman John Kuehn asked the board what their thoughts and opinions were on this application.

The board started with the setback requirements that they would like to see. And after reviewing the other regulations and talking with Dan Hansen they come to the agreement of 100' setback for borrow material and 200' setback for excavation from property lines. Chairman John Kuehn also felt that there should be some restriction on the hours of operation since there are residents within a mile of the property. And after some discussion the board decided on 6 am to 10 pm for hours of operation. Next zoning administrator asked if they wanted to place any language in the resolution that would restrict the type of pumping that they would be allowed to do. The board felt that this was a good idea that way they door was not left open for other types of mining that might be more hazardous to the abutting property and environment. The board read the resolution from Buffalo County and liked the statement "applicant intends to create gravel pit for sand and gravel extraction accomplished through use of mater and aggregate pumping equipment. Borrow material from its surface will be pilled on the subject property. Additionally the applicant may desire to remove borrow soil from the subject property. After some other general discussion the board also felt that they needed to make part of the permit that all state and federal regulations have to be meet and that there needs to be posted 911, emergency contact information and the 911 address for the property.

Chairman John Kuehn asked if there were any other conditions that the board felt that there needed to be on the special use permit. With no other comments Boyd Jacobsen made a motion to recommend approval with the following conditions

- No borrow material shall be piled any closer than 100' feet from any abutting property and no excavation shall be within 200' feet of abutting property.
- All State and Federal regulations shall be followed
- Mining operations shall only commence between the hours of 6:00 am and 10:00 pm
- Sand and gravel extraction shall only be accomplished through use of water and aggregate pumping machinery and equipment. Borrow material from its surface will be pilled on the subject property but may desire to remove borrow soil from the subject property.
- 911, emergency contact number and the 911 address shall be posted at the location

Terry Buettner seconded this motion

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Nay: None

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff

Lonnie Dickson with Hanna Keelan meet with the Planning Commission to discuss the update of the comprehensive plan and handed out a brief agenda of items that he would like to discuss and go over with the board.

First, he presented a map of the existing land use map for Kearney County, Village of Heartwell, and the Village of Norman and asked that the board look this over and make sure that everything looked ok to them. Then he presented a map of Future land use to the board and discussed the areas of the county that the board felt needed to be addressed and where they would like to see some development and what kind of development they would like to see. The board discussed the area around KAAPA would be a good area for industrial development due to the easy access to state highways and the rail system along highway 6/34. The board also talked about the area just south of the City of Kearney EJA and the commercial and residential use in this area. Following the presentation and discussion of the maps Lonnie Dickson moved to discussion of the updating of the subdivision regulations and was gathering information from the board and the zoning administrator on things that they felt needed to be updated in the subdivision regulations.

Chairman John Kuehn asked if there was any other discussion. With no other business Scott Torske made a motion to adjourn at 9:15 pm Dawn Thompson seconded

Aye: John Kuehn, Boyd Jacobsen, Terry Buettner, Jody Casper, Tom Anderson

Nay: None

Members absent: Scott Torske, Patty Lundeen, Dawn Thompson, Malcom Dornhoff