

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
January 09<sup>th</sup>, 2017

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 7:36 pm on January 09<sup>th</sup>, 2017.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public and in accordance of the Open Meeting Act.

Roll Call: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff  
Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

Vice-Chairman Boyd Jacobsen asked if everyone had time to review the minutes from January 11<sup>th</sup>, 2016 meeting. After reviewing minutes Vice-Chairman Boyd Jacobsen asked for a motion to approve the minutes. Terry Buettner made a motion to approve the minutes, Patty Lundeen seconded  
Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Vice-Chairman Boyd Jacobsen stated that this being the first meeting of the year that the Planning Commission needed to reorganize for the 2017 year. Zoning administrator Joseph Anderson asked if there were any nominations for the Chairman of the Kearney County Joint Planning Commission. Patty Lundeen nominated John Kuehn to be Chairman of the Joint Planning Commission, Tom Anderson seconded this nomination. With no other nominations Patty Lundeen made a motion to elect John Kuehn as Chairman of the Kearney County Joint Planning Commission, Tom Anderson Seconded.  
Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Zoning administrator Joseph Anderson asked if there were any nominations for the Vice-Chairman of the Kearney County Joint Planning Commission. Patty Lundeen nominated Boyd Jacobsen to be the Vice-Chairman of the Joint Planning Commission, Jody Casper seconded this nomination. With no other nominations Patty Lundeen made a motion to elect Boyd Jacobsen as the Vice-Chairman of the Kearney County Joint Planning Commission, seconded by Jody Casper.  
Aye: Tom Anderson, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Abstain: Boyd Jacobsen  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Patty Lundeen made a motion to appoint Zoning Administrator Joseph Anderson as the secretary of the Kearney County Joint Planning Commission, seconded by Jody Casper.  
Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper

Nay: None

Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Zoning Administrator Joseph Anderson talked with the board about the procedure that is being used for Administrative Subdivision and stated that there needs to be some changes to the Subdivision regulations because what the current regulations are stating are not quite what the intended purpose of the administrative subdivision was meant to be. The board reviewed that regulations and talked about some possible changes. Zoning administrator is going to work with the county Attorney to make some changes and present the updated regulations to the board.

Zoning Administrator Joseph Anderson discussed with the board about a zoning violation were the building was built prior to obtaining a zoning permit. Joseph Anderson was discussing with the board if there was anything that could be added to the regulations to deal with this issue in the future. The board felt that there isn't anything that could be done but felt that the Zoning Administrator should do more to try and educate the public on the necessity of the obtaining a zoning permit prior to starting construction. A couple of the suggested way to educate the public is to add a note to the tax statements that go out to all landowners in the county, or run a add in the local paper explaining that zoning permits are needed.

Zoning Administrator Joseph Anderson discussed with the board about adding some language to the zoning regulations about exempting irrigation systems for setback requirements and obtaining a zoning permit prior to construction. The board felt that this was a good idea but felt that some language needed to be added to not allow irrigation systems in the right-of-way and also to make sure that they were not a sight hindrance.

Vice-Chairman Boyd Jacobsen asked when the next meeting date will be. Next regular meeting date will be February 13<sup>th</sup>, 2017.

Vice-Chairman Boyd Jacobsen asked if there was anything else that the board would like to discuss. With no other business Terry Buettner made a motion to adjourn seconded by Tom Anderson

Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper

Nay: None

Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Meeting adjourned at 8:45 pm.

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Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff  
Also present was Kearney County Zoning Administrator Joseph Anderson and Kearney County Attorney Melodie Bellamy

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Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

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Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

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Aye: Tom Anderson, Patty Lundeen, Terry Buettner, Jody Casper  
Nay: None  
Abstain: Boyd Jacobsen  
Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Patty Lundeen made a motion to appoint Zoning Administrator Joseph Anderson as the secretary of the Kearney County Joint Planning Commission, seconded by Jody Casper.  
Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper

Nay: None

Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

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Vice-Chairman Boyd Jacobsen asked when the next meeting date will be. Next regular meeting date will be February 13<sup>th</sup>, 2017.

Vice-Chairman Boyd Jacobsen asked if there was anything else that the board would like to discuss. With no other business Terry Buettner made a motion to adjourn seconded by Tom Anderson

Aye: Tom Anderson, Boyd Jacobsen, Patty Lundeen, Terry Buettner, Jody Casper

Nay: None

Members absent: Dawn Thompson, John Kuehn, Scott Torske, Malcom Dornhoff

Meeting adjourned at 8:45 pm.

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
February 13<sup>th</sup>, 2017

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 pm on February 13<sup>th</sup>, 2017.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public and in accordance of the Open Meeting Act.

Roll Call: John Kuehn, Boyd Jacobsen, Tom Anderson, Patty Lundeen, Dawn Thompson, Jody Casper  
Members absent: Terry Buettner, Scott Torske, Malcom Dornhoff  
Also present was Kearney County Zoning Administrator Joseph Anderson

Chairman John Kuehn asked if everyone had time to review the minutes from January 09<sup>th</sup>, 2017 meeting. After reviewing minutes Chairman John Kuehn asked for a motion to approve the minutes. Tom Anderson made a motion to approve the minutes, Patty Lundeen seconded

Aye: John Kuehn, Boyd Jacobsen, Tom Anderson, Patty Lundeen, Dawn Thompson, Jody Casper

Nay: None

Members absent: Terry Buettner, Scott Torske, Malcom Dornhoff

Chairman John Kuehn asked if there was any new business. With no new business the board moved into old business.

Joseph Anderson presented to the board some zoning regulations from other counties that deal with “Lot Split” instead of the administrative subdivision that Kearney County currently uses. Joseph Anderson felt that the “Lot Split” was more streamline and more in line with what 90% of all the administrative subdivision have been. After reviewing the other counties regulations the board felt that this was a good idea and told zoning administrator to start drafting some changes to the subdivision regulations for the board to review.

Joseph Anderson presented to the board draft zoning regulations with the addition of irrigation equipment being exempt from setback requirements and some numerical and clarification changes from original regulations. After reviewing regulations the board felt that there were not any more changes that needed to be made and that zoning regulations would be ready for public hearing.

The board discussed general zoning issues that are in the county and some possible ways to deal with this issues in the future.

Chairman John Kuehn asked if there was anything else that the board would like to discuss. With no other business Patty Lundeen made a motion to adjourn seconded by Dawn Thompson

Aye: John Kuehn, Boyd Jacobsen, Tom Anderson, Patty Lundeen, Dawn Thompson, Jody Casper

Nay: None

Members absent: Terry Buettner, Scott Torske, Malcom Dornhoff

Meeting adjourned at 8:53 pm.

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
March 27<sup>th</sup>, 2017

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 7:37 pm on March 27<sup>th</sup>, 2017.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public and in accordance of the Open Meeting Act.

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

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Also present: Kearney County Zoning Administrator Joseph Anderson

Chairman John Kuehn asked if everyone had time to review the minutes from February 13<sup>th</sup>, 2017 meeting. After reviewing minutes Chairman John Kuehn asked for a motion to approve the minutes. Terry Buettner made a motion to approve the minutes, Boyd Jacobsen seconded

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Chairman John Kuehn asked for a motion to open public hearing to hear public comments on proposed changes to Kearney County Zoning Regulations. Patty Lundeen made a motion to open public hearing, Terry Buettner seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Public hearing opened at 7:39 pm.

Zoning Administrator Joseph Anderson presented to the board with a copy of Kearney County Zoning Regulations with the proposed changes. Board reviewed changes to zoning regulations and discussed the changes. Chairman John Kuehn asked if there was anyone from the public that would like to make any comments either for or against said changes. With no public comments Boyd Jacobsen made a motion to close public hearing, Patty Lundeen seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Public Hearing closed at 7:43 pm.

Chairman John Kuehn asked if the member of the board was ready take action of the proposed changes to the zoning regulations. Boyd Jacobsen made a motion to approve the proposed changes as presented, Terry Buettner seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Chairman John Kuehn asked for a motion to go into public hearing to hear comments on a application for Special Use Permit by Fort Kearny Consolidated. Dawn Thompson made a motion to open public hearing, Patty Lundeen seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Public Hearing Opened at 7:45 pm

- Dean Settje with Settje Agri-Services presented a slide show explaining the project. Of where and how they plan to construct this addition, the additional pens are going to be on the north side of the current feed lot and west of the existing holding pond. This new expansion will be a 10,000 head expansion. They are currently permitted for 48,000 head and after the expansion they would be permitted for 58,000 head.
- Ross Bruning asked about the floodwater and with part of the expansion being within the floodplain and with the expansion that there would be increase in dust that creates a traffic hazard
- Dean Settje explained that the area of the floodplain and how they plan to deal with the water in a flood event. Dean showed the data of the current topography and a map of the topography and showed that the new topography would be handle more water than before there for it would have a zero effect on the level of water in the floodplain. And that Fort Kearny Consolidated is looking to do some things with stocking rates and pen clean that will have a major effect on the amount of dust.
- John Garrett spoke and said that Fort Kearny Consolidated has been good neighbors but has some concerns about the amount of dust and the hazard that it has on the traffic and the dust that he gets at his house. John stated that when he moved to his house that the feed lot was only about 1900 head of cattle and that the feedlot has grown into something much different than what it was when he moved there. And that there are some times that he is unable to enjoy his house or his property due to the dust or odors from the feedlot.
- Ross Bruning asked about expanding to the east of the current feedlot onto some other ground that Fort Kearny Consolidated owns.
- Dean Settje stated that the current location is the most logical due to the distance to the topography, holding pond and feed mill and that the topography of the other land is much more extreme and the amount of dirt work required to make that a manageable feedlot would not be feasible at this time. Once again Dean talked about some management practices that could help to minimize the amount of dust and odor from the feedlot.
- Terry Buettner (Board Member) asked about the floodplain further downstream and if this would have any effect on it. Dean Settje stated that since water was not restricted in the area of expansion then water down or upstream would not be affected.
- John Kuehn (Board Member) asked about the slope and design of the pens and the berm around the feedlot. Dean Settje explained that the berm would be 2 feet or more above the base flood elevation and therefore no floodwaters would be able to enter the feedlot and no water or waste would be able to leave the feed lot. And that the elevation of the expansion area would be higher than the existing feedlot therefore the distance to ground water would be greater than what it was before.
- Ross Bruning asked about the area where the cut will be to allow for drainage and whether or not ground water would seep into this area. Or if the holding basins would allow ground water contamination. Dean Settje stated that there would not be any ground water contamination unless the basins were to hold water for an extended period of time.

- John Kuehn (Board Member) asked about power back up and Dean Settje stated that Fort Kearny has generators onsite that are used for power backup to run the pumps.
- Patty Lundeen (Board Member) asked about the expansion that happened in 2012 and if the Dust issues have gotten better or worse since then. It was thought that the dust didn't change much with the addition in 2012.
- Joseph Anderson (Zoning Administrator) asked if there were other dust control options. Dean Settje stated that there are but the effectiveness and feasibility of them makes them impractical.

Chairman John Kuehn asked if anyone else from the public would like to speak. With no other comments Terry Buettner made a motion to close public hearing Patty Lundeen seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Public Hearing Closed at 8:43 pm

Chairman John Kuehn talked about options that the board had with this special use permit and that the board could recommend any restrictions or special circumstances if they wished. And that they could table the decision to the next meeting. After discussion Patty Lundeen made a motion to recommend approval of the special use permit to Fort Kearny Consolidated as presented, Terry Buettner seconded.

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Chairman John Kuehn asked Joseph Anderson if there was anything else that he would like to discuss with the board. Joseph Anderson did not have anything else to discuss.

Chairman John Kuehn asked if there was anything else that the board would like to discuss. With no other business Dawn Thompson made a motion to adjourn seconded by Terry Buettner

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

Nay: None

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Jody Casper

Meeting adjourned at 8:47 pm.

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Joseph Anderson, secretary

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
May 8<sup>th</sup>, 2017

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 8:10 pm on May 8<sup>th</sup>, 2017.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public and in accordance of the Open Meeting Act.

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

Members Absent: Scott Torske, Malcom Dornhoff, Tom Anderson, Terry Buettner, Dawn Thompson

Also present: Kearney County Zoning Administrator Joseph Anderson

Chairman John Kuehn stated that due to a lack of a quorum that there would not be a meeting of the Kearney County Joint Planning commission but since there was a large number of people present and interested in the Summer Haven project asked if Mitch Humphrey of Buffalo Surveying agent of Brett Wiese would be willing to speak to the audience and answer their questions to the best of his ability. After about an hour of discussion and questions Chairman John Kuehn stated that this issue will be taken up at the next meeting.

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
June 12<sup>th</sup>, 2017

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 8:02 pm on June 12<sup>th</sup>, 2017.

All proceedings hereafter shown were taken while the meeting was open to the attendance of the public and in accordance of the Open Meeting Act.

Roll Call:

Members Present: John Kuehn, Boyd Jacobsen, Patty Lundeen, Jody Casper, Malcom Dornhoff, Dawn Thompson

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

Also present: Kearney County Zoning Administrator Joseph Anderson

Chairman John Kuehn asked if everyone had a chance to look over the minutes from the last meeting on March 3<sup>rd</sup>, 2017. After reviewing minutes Patty Lundeen made a motion to approve the minutes seconded by Jody Casper.

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

Nay: NONE

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

Chairman John Kuehn asked for a motion to go into public hearing for Preliminary Plat of Summer Haven Development. Boyd Jacobsen made a motion to open public hearing at 8:06 pm. Seconded by Malcom Dornhoff.

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

Nay: NONE

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

Mitch Humphrey with Buffalo Surveying presented to the board a map showing the Summer Haven Development and stated that there has not been any changes to the design from the last time that the Joint Planning Commission approved the development but since the one year time limit had passed they had to reapply to subdivide this area. Mitch further explained the situation of the development that is between Kearney County and Buffalo County.

Chairman John Kuehn asked if there was anyone else from the public that would like to comment. With no other comments John Kuehn asked for a motion to close the public hearing. Boyd Jacobsen made a motion to close public hearing at 8:15 pm seconded by Patty Lundeen

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

Nay: NONE

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

After discussion Boyd Jacobsen made a motion to approve the preliminary plat for Summer Haven Development seconded by Jody Casper,

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

Nay: NONE

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

Joseph Anderson gave the board a quick update on the Board of Zoning Adjustment and how they decided with the Mr. Simonton variance.

Malcom Dornhoff made a motion to adjourn at 8:36 pm seconded by Dawn Thompson.

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

Nay: NONE

Members Absent: Scott Torske, Tom Anderson, Terry Buettner

MINUTES OF THE  
KEARNEY COUNTY PLANNING COMMISSION  
December 11<sup>th</sup>, 2017

Meeting scheduled for December 11<sup>th</sup>, 2017 was rescheduled due to lack of quorum.