

January 24, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 7:06 p.m. Thursday January 24, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Wiegert, Robinson, Beckstrom, and Wichmann, Rutten, Ohlman, Ferris, and Ogden. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting.

Meeting minutes from the January 3, 2013 meeting were presented. Rutten moved to approve the minutes as amended. Robinson seconds the motion. With roll call, motion carries 9-0.

Robinson motions to open the public hearing for the purposes of changes to the Commercial Biodegradable Waste regulations. Beckstrom seconds the motion. With roll call motion carries 9-0. Public hearing opens at 7:09 p.m.

Public present were Les Denning, Central City, Todd Anderson, Grand Island, Tim McDonell, Central City. Concerns by the Commission remains the stockpiling of the product and the ability to apply the product especially in the winter. Beckstrom expressed concern that there should be a shorter time period in which the product must be applied. A proposed addition to the regulations would be to #12 which would state "All permits will be in effect for three (3) months form the date of issuance. Application of product must be done within forty five (45) days of initial delivery. Approved permit applicant is responsible for all compliance." The Commission reiterated that they continue to support this product coming into the County, but due to issues in the past there is a continued need to regulate it. Beckstrom moves to approve said regulations with amendment and recommend approval to the Merrick County Board of Supervisors. Robinson seconds the motion. With roll call motion carries 9-0.

Ohlman motions to close the public hearing. Rutten seconds the motion. With roll call motion carries 9-0. Public hearing closes 8:02 p.m.

No public comment.

Next meeting January 21, 2013 at 7:00 p.m.

Starostka adjourns meeting at 8:15 p.m.

February 25, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 7:04 p.m. Monday, February 25, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Robinson, Beckstrom, and Wichmann, Rutten, Ferris, and Ogden. Absent were Wiegert and Ohlman. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting.

Meeting minutes from the January 24, 2013 meeting were presented. Ogden moved to approve the minutes. Rutten seconds the motion. With roll call, motion carries 7-0.

Robinson motions to open the public hearing for the Conditional Use application submitted by McHargue Brothers. Beckstrom seconds the motion. With roll call motion carries 7-0. Public hearing opens at 7:05 p.m.

Myers presented the situation of this conditional use. She explained that 13 years ago McHargue Brothers came before the County Board to apply for a conditional use for the purposes of a 3 new hoop buildings they were intending to build. This application went through only the County Board for approval at that time. This application was approved but after further findings it was for a wrong legal. There was also no record of this application in the Clerk's office. So when McHargue Brothers came to the Zoning office to find out what conditions needed to be met to tear down 3 buildings and put a new permanent structure up, we had no application to reference. The only information we had was the Board minutes which not only had any conditions but the wrong legal. After this was brought the attention of the County Board, it was recommended by the County Attorney and County Board that a new application be processed to make sure they were properly covered. Myers stated that after the last Board meeting she did find a copy of the application in her office which did reflect the wrong legal. She stated that per the regulations 250 notices were sent out to neighbors with 1 ½ miles of the facility. She also stated that the whole facility would not be covered in this application. She said she had received no oppositional public comments. She said she got a letter from the Green Plains ethanol plant saying they were in support of the application. Mark McHargue, Central City, spoke on behalf of him and his brother's application. He stated they do rent out other buildings outside the county and wanted to try to build a new facility with the county they live in. He said this is going to be close to a \$1 million dollar facility which would be tax dollars that would remain in the county if approved. He stated they have met with DEQ to start their approval process with that agency. He also stated they are tasked with providing a responsible nutrient management plan for waste management. Myers also stated that this new building they are intending to put up will not increase the number of animal units they are already approved for through DEQ. No other public comment was heard. Rutten moved to approve the Conditional Use for McHargue Brothers and recommend approval to the County Board of Supervisors. Ferris seconded the motion. With roll call, motion carries 7-0.

Ogden motions to close the public hearing. Robinson seconds the motion. With roll call motion carries 7-0. Public hearing closes 7:24 p.m.

Myers presented the small tract subdivision application on behalf of Lucile Denning in Section 6, Township 14, Range 5. Myers explained this would be the first split of this quarter and it met regulations. She stated Denning's son is intending on purchasing the building site as located on the GIS map provided. Beckstrom moved to approve the small tract subdivision and recommend approval to the County Board of Supervisors. Ferris seconds the motion. With roll call motion carries 7-0.

Myers next presented the small tract subdivision application on behalf of LaNelle Wegner in Section 21, Township 15, Range 8. Myers explained this would be the first split of this quarter and it met regulations. She also stated that it was the intentions of the buyers of this split to build a house. Robinson motioned to approve the small tract subdivision and recommend approval to the County Board of Supervisors. Wichmann seconds the motion. With roll call motion carries 7-0.

No public comment.

Next meeting will be determined as needed during Myers maternity leave.

Starostka adjourns meeting at 7:34 p.m.

May 23, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Secretary Ogden at 8:00 p.m. Thursday, May 23, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Ogden, Robinson, Wiegert, Ohlman, and Wichmann. Absent were Starostka, Rutten, Ferris, and Beckstrom. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Ogden. Meeting minutes were available for review ten days prior to the meeting.

Meeting minutes from the February 25, 2013 meeting were presented. Wiegert moved to approve the minutes. Robinson seconds the motion. With roll call, motion carries 5-0.

Myers presented the Subdivision Application submitted by Stephen and Vicki VanPelt for Section 8, Township 14, Range 7. Myers stated this was the first split of this quarter and meets all regulations. The Subdivision will be used for the purposes of incorporation of the farm. Wichmann moves to approve the VanPelt application and recommend approval to the County Board of Supervisors. Robinson seconds the motion. With roll call motion carries 5-0.

Myers presented the Subdivision Application submitted by Rex and Leanne Luebbe for Section 14, Township 14, Range 7. Myers stated this was the first split of this quarter and meets all regulations. The Subdivision will be used for the purposes of selling the home site to their son. Ohlman moves to approve the Luebbe application and recommend approval to the County Board of Supervisors. Wiegert seconds the motion. With roll call motion carries 5-0.

Myers presented the Subdivision Application submitted by Mike and Joyce Rice for Section 1, Township 13, Range 8. Myers stated this was the first split of this quarter and meets all regulations. The Subdivision will be used for the purposes of selling site to son to build a house. Robinson moves to approve the Rice application and recommend approval to the County Board of Supervisors. Wichmann seconds the motion. With roll call motion carries 5-0.

Myers informed the Board that the County Board would be having a Public Hearing June 11th at 10:00 a.m. to discuss the submission of an application to the Department of Ag to become a Livestock Friendly designated County. She told the Board that she had emailed the other Counties across the State that are already designated as such to get some feedback regarding how their County has been effected since the designation has been determined. She said she has gotten mostly positive feedback from Counties in their responses. She did ask that if any Board members would like to attend the hearing, it would be nice to have some representation from this Board.

No public comment.

Next meeting June 27, 2013

Ogden adjourns meeting at 8:30 p.m.

June 27, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 8:06 p.m. Thursday, June 27, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Ogden, Wiegert, Ohlman, and Rutten. Absent were Wichmann, Robinson, Ferris, and Beckstrom. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting.

Myers stated that Board positions are up for appointment. Ohlman motions to reappoint all positions to the same positions for the next year Chair-Starostka, Vice-Chair-Rutten, Secretary-Ogden. Rutten seconds the motion. With roll call motion carries 5-0.

Meeting minutes from the May 23, 2013 meeting were presented. Ogden moved to approve the minutes. Wiegert seconds the motion. With roll call, motion carries 5-0.

Ogden motions to open public hearing for the preliminary plat for the Faeh Subdivision in the SE ¼ of 10-13-7. Ohlman seconds the motion. With roll call motion carries 5-0. Myers explains this will be a 2 lot subdivision with the division separating the house from the building site. Proposed lot 2 (the building site) has been approved by DEQ. Lot 1 (the home site) did not need DEQ approval due to being an existing system. Myers recommended approval of said subdivision. Ohlman motions to approve the Faeh Preliminary Subdivision. Rutten seconds the motion. With roll call motion carries 5-0.

Ohlman motions to close public hearing. Ogden seconds the motions. With roll call motion carries 5-0.

Ohlman motions to approve the Final Plat for the Faeh Subdivision and recommend approval to the Merrick County Board of Supervisors. Rutten seconds the motion. With roll call motion carries 5-0.

Myers presented the information about the application for the Department of Agriculture to become designated Livestock Friendly. Myers encouraged the Board to review the application and if there was any additional information they would like to include in the application to please let her know. She also presented the NIFA grant that is due July 12th. Ogden and Starostka agreed to review the grant for Myers and provide any feedback.

No public comment.

Next meeting July 25, 2013

Ogden adjourns meeting at 9:00 p.m.

August 22, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Vice Chair Rutten at 8:00 p.m. Thursday, August 22, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Rutten, Ogden, Wiegert, Ohlman, Wichmann, and Ferris. Absent were Starostka, Robinson, and Beckstrom. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Rutten. Meeting minutes were available for review ten days prior to the meeting.

Meeting minutes from the June 27, 2013 meeting were presented. Ogden had a few corrections. Wiegert moved to approve the minutes as corrected. Ohlman seconds the motion. With roll call, motion carries 6-0.

Ogden motions to open the Public Hearing for the Horvath Towers LLC Conditional Use application Ferris seconds the motion. With roll call motion carries 6-0. Public hearing opens at 8:02 p.m. Myers presented information regarding Horvath Towers LLC application. She informed the Board that the tower, 230' in height, meets setback regulations in addition to all the other requirements of the application. Rich Kotite, representative of Horvath Towers, indicated they have not been federally approved for this tower yet. They have signed leases from the property owner in which the tower will be placed. Mr. Kotite stated they will not be able to build the tower until their federal approval is received. Ohlman motions to recommend approval of the conditional use application, with the condition they will not start building until they have federal approval, to the Village Board of Chapman. Ogden motions to close the public hearing. Wichmann seconds the motions. With roll call motion carries 6-0. Public hearing closes 8:15 p.m.

Myers presented the Fredrick small tract subdivision. She stated the deed for this property already was filed with the Register of Deeds due to the owners and attorney not understanding the process for completing such subdivision. Myers explained that this would be the second subdivision of the quarter, therefore, leaving no other subdivisions available. Wiegert motions to approve the subdivision and recommend approval the County Board of Supervisors. Ogden seconds the motion. With roll call motions carries 6-0.

Myers stated she has not heard back on the NIFA grant application. She also informed the Board that would be going to a pipeline discussion the next day with Zoning Regulations being proposed for Keystone XL pipeline. She handed the board a copy of the regulations they will be addressing in the meeting and stated she would email all board members an electronic copy of them.

No public comment.

Next meeting September 26, 2013

Rutten adjourns meeting at 8:45 p.m.

November 21, 2013

The regular monthly meeting of the Merrick County Joint Planning Commission was called to order by Chair Starostka at 7:00 p.m. Thursday, November 21, 2013 in Hearing Room at the courthouse in Central City. Upon roll call, those attending were Starostka, Rutten, Ogden, Wiegert, Wichmann, Ferris, Robinson, and Ohlman. Board Member Beckstrom has resigned from the Commission. Also present was Jen Myers, Planning Administrator. The meeting notice was published in both the Central City and Palmer Papers. Notice of this meeting was delivered to the Chairperson and members prior to the meeting. Open meeting notice procedures were presented by Starostka. Meeting minutes were available for review ten days prior to the meeting. A meeting was held October 24, 2013 but due to not meeting quorum requirements all agenda items will be redone. Representatives from Verizon Wireless and Nebraska Land Trust were at this previous meeting, so Myers will be presenting information that those representatives reported on then.

Meeting minutes from the August 22, 2013 meeting were presented. Ogden moved to approve the minutes as corrected. Ferris seconds the motion. With roll call, motion carries 8-0.

Wichmann motions to open the Public Hearing for the Horvath Towers LLC Conditional Use application. Robinson seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:04 p.m. Rich Kortite, Horvath Towers LLC representative, presented information regarding the proposed tower in Section 27, Township 16, Range 3, Merrick County. Mr. Kortite stated this will be a 195' tower, 199' to top of light. It will be supported by a 3 legged system. Myers stated this tower meets all setbacks. The ground in which the tower will be set will be leased from Eugene Kershew who was also present. He stated the lease has been signed and he does not oppose this on his property. Ohlman motions to approve the Horvath Towers LLC Conditional Use and recommend approval to the Silver Creek Village Board. Rutten seconds the motion. With roll call motion carries 8-0. Ogden motions to close the public hearing Ohlman seconds the motion. With roll call motion carries 8-0.

Wichmann motions to open the Public Hearing for the Verizon Wireless Conditional Use application. Ferris seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:13 p.m. Myers presented information regarding Verizon Wireless application. Myers informed the Board this cell phone location will be in Section 13, Township 13, Range 8. She informed the Board that the tower, 260' in height, meets setback regulations in addition to all the other requirements of the application. Myers presented the information Jeff Skinner, representative of Verizon Wireless, indicated at the October 24th meeting. Myers stated they have not been federally approved for this tower yet. They have signed leases from the property owner in which the tower will be placed. Mr. Skinner had stated they will not be able to build the tower until their federal approval is received. Myers also explained to the Board that after speaking to Mr. Skinner initially about co-location opportunities on the existing towers, he stated that Viearo never returned phone calls and this location was already in the works before Horvath Towers was approved at the last meeting. Ohlman motions to recommend approval of the conditional use application, with the condition they will not start building until they have federal approval, to the County Board of Supervisors. Ogden seconds the motion. With roll call motion carries 8-0. Ferris motions to close the public hearing. Robinson seconds the motions. With roll call motion carries 8-0. Public hearing closes 7:17 p.m.

Wichmann motions to open the Public Hearing for the Cedar Lane Preliminary Plat Subdivision application. Robinson seconds the motion. With roll call motion carries 8-0. Public hearing opens at 7:18 p.m. Myers presented the information regarding the subdivision. She stated this is currently a development which the land owner Les McHargue is wanting to subdivide for the purposes of selling the ground to the current home owners. Mr. McHargue reinstated his intentions for the subdivision. He stated the road will be part of the subdivision so all parties have access to their respective property. It is his intentions to be able to deed the properties. Cal Holz, home owner on lot 5, wanted to speak about the lease issues, but Myers stated this is an issue between him and Mr. McHargue. The Rezacs, lots 1-3 home owners, stated they are in favor of this subdivision. Myers stated the subdivision has been approved by DEQ and meets subdivision regulations. Ohlman motions to approve the Cedar Lane Preliminary Plat Subdivision request. Rutten seconds the motion. With roll call motion carries 8-0. Ogden motions to close the Public Hearing. Wiegert seconds the motion. With roll call motion carries 8-0. Public Hearing closed 7:35 p.m.

The Board decided to proceed to consideration on the Final Plat of Cedar Lane Subdivision. Myers presented the Final Plat. Robinson motions to approve the Final Plat of Cedar Lane Subdivision and recommend approval to the County Board of Supervisors. Wiegert seconds the motion. With roll call motion carries 8-0.

Myers presented the information regarding the Schutz Conservation Easement. Myers explained that by Nebraska Statute Conservation Easements of this type have to be referred by the County Board to the Planning Commission to discuss any land use conflicts. A subsequent recommendation is made by the Planning Commission to the County Board to indicate if there are any conflicts of land use. Myers presented the information Dave Sands, Director Nebraska Land Trust,

presented at the October meeting to explain this particular Easement. Myers stated that this easement is requesting the state of the land to remain as natural grass ground which would not be a conflicting land use in the AG-1 district. Rutten moved to recommend approval of the Schutz Conservation Easement due to no land use conflicts to the County Board of Supervisors. Ogden seconds the motion. With roll call motion carries 7-1.

Myers presented the Glause small tract subdivision. Myers explained that this would be the first subdivision of the quarter and meets the rest of the subdivision regulations. Wichmann motions to approve the subdivision and recommend approval of the County Board of Supervisors. Robinson seconds the motion. With roll call motions carries 8-0.

Myers presented the Ferris small tract subdivision. Myers explained this sale is pending with the owners keeping the house and selling the remainder of the ground. She stated this would be the first subdivision of the quarter and meets the rest of the subdivision regulations. Rutten motions to approve the subdivision and recommend approval of the County Board of Supervisors. Ogden seconds the motion. With roll call motions carries 7-0. Ferris Abstain.

Myers informed the board that NIFA did not approve the grant application. She stated that the consultant she was planning on using the project is reworking the grant and we will be submitting it again for the November application date. She also informed the Board that Merrick County was approved for the Ag Friendly status and that we were waiting for the Governor to get us a date for the presentation.

No public comment.

Next meeting December 19, 2013. Starostka adjourns meeting at 8:00 p.m.