

Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

January 23, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, January 23, 2012 at 7:00 p.m. Chairman Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Paul Groeteke, Justin Frey, Hilary Maricle, Brad Stephens, Mark Jensen, Mark Wagner, Lee Ketteler and Jim Meysenburg.

Absent: Chris Baum

Others present: Jim Dickerson, Mark Niewohner, Jay Wolf and Gayle Noble.

3 – APPROVAL OF MINUTES

Copies of the December 27, 2011 meeting minutes were mailed to all Commission members prior to the current meeting. Chairman Groeteke requested additions or corrections to the minutes, or a motion to approve. Frey made a motion that the minutes be approved as submitted, second by Meysenburg. Vote: 6 Ayes, 0 Nays, 2 Abstain, 1 Absent.

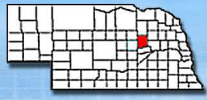
4 – PUBLIC HEARING TO DISCUSS STOCKPILING IN A-1 AND A-3 DISTRICTS IN BOONE COUNTY, NEBRASKA.

Stephens made a motion to open the public hearing. Second by Ketteler: 8 Ayes, 0 Nays, 1 Absent.

Jensen made a point that this discussion was brought up within the board itself and they thought a mile was too much so they were thinking it needed to be lowered. Jay wolf spoke and thanked the board for bringing it up. He said that it's very important to the environment for the reason that feedlots need some place for manure to go. Jensen also asked if the DEQ has a manure management plan for large feedlots. Jay said that they have to keep track where all manure goes and how much. Mark Niewohner said that it has to be used up in 1 year and every year soil samples are done. Paul brought up a point that everyone needs to talk to their neighbors and that would help a lot of the problems. Jensen said if you set it low enough you wouldn't have to come in for a CUP. Gayle Noble said the main issue would be the smell, flies and traffic so he tries to stay a half mile away from neighbors. It was brought up asking what some of the other counties are doing and they said it's all over the board. Jensen said there would only be a few feedlots that would be large enough that these rules would apply to. Jim said wheatear you have 300 head or thousands of head that we need to stay consistent with everyone. Frey said he thought that a quarter of a mile would work the best.

Chairman Groeteke asked for any other comments from the public. Frey made a motion to close the public hearing for Stockpiling. second by Maricle. Vote: 8 Ayes, 1 Absent.

Maricle made a motion to recommend approval of Stockpiling of animal waste shall be maintained in an area at least a quarter mile from a neighbors dwelling. Boone County, Nebraska. second by Wagner. Vote: 8 Ayes, 1 Absent.



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5 – ELECTION OF OFFICERS FOR 2012

Mark Jensen said leave it with everyone how it is now. Paul Groetke, Chairman. Vice President, Brad Stephens and Secretary, mark Jensen. A motion was made by Jensen and second by Frey. Vote: 8 Ayes, 1 Absent.

6 – OPEN DISCUSSION

Mark found that the minutes from 2008 had gone through all boards so once Kelly talks to JEO with the last changes the books will be ready for print. She will have one printed off for review and after that the rest will be printed.

7- CORRESPONDENCE / ZONING REPORT

Kelly brought up that David Potter had come up to go over the book with Mark Jensen and I. She said the five hog units that she was working on with complaints has come to a stop because no one will sign the complaint papers. The board asked if she was still considering zoning for the town of St. Edward and she said for right now no. She's been working with the town of cedar to get new flood plain maps.

8 – SCHEDULE NEXT MEETING

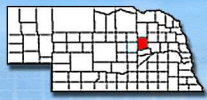
Chairman Groetke announced that the next monthly meeting of the Commission is scheduled for Monday, February 27, 2012 at 7:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

10 – ADJOURN

A motion to adjourn was made by Stephen at 7:55 p.m., second by Meysenburg. Vote: 8 Ayes, 0 Nays, 1 Absent.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**



Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

February 27, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, February 27, 2012 at 7:00 p.m. Chairman Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Paul Groeteke, Justin Frey, Hilary Maricle, Brad Stephens, Mark Jensen, Lee Ketteler.

Absent: Chris Baum, Mark Wagner and Jim Meysenburg

Others present: Jim Dickerson, Jerry Niewhoner, Jeanne Stokes, Ramona Thieman, Ted Thieman, Arlyn Wilke, Linda Jordan, Harry Jordan, Mitzi Fox, Ron Falk, Theodore Travis and Sharon Travis.

3 – APPROVAL OF MINUTES

Copies of the January 23, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. Chairman Groeteke requested additions or corrections to the minutes, or a motion to approve. Jensen made a motion that the minutes be approved as submitted, second by Maricle. Vote: 6 Ayes, 0 Nays, 3 Absent.

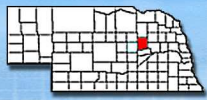
4 – APPROVAL OF AMENDING VILLAGE OF PETERSBURG REDEVELOPMENT PLAN.

Jeanne Stokes spoke on the Village of Petersburg behalf. She said they included a list of projects and cost that will possible be done in the future and there lawyer said they need to be very clear on cost and the projects they want to do. It was also said there is a list of projects that is on the tiff agenda for 2012 year. Groeteke asked who made up the plan and that was done by Michael Bacon the tiff attorney. There were also maps of everything that had been changed and the changes that they want made. Stephens made a motion to recommend approval of amending the village of Petersburg redevelopment plan, second by Jensen. Vote: 6 Ayes, 0 Nays, 3 Absent.

5 – PUBLIC HEARING TO DISCUSS STOCKPILING IN A-1 AND A-2 DISTRICTS, ARTICLE 12, SECTION 2.21 PARAGRAPH D AND ARTICLE 13, SECTION 2.21 PARAGRAPH D IN BOONE COUNTY, NEBRASKA.

Stephens made a motion to open the public hearing. Second by Ketteler: 6 Ayes, 0 Nays, 3 Absent.

Charmin Groeteke asked Kelly why the commissioners voted it down and she said they wanted to know if it was going to fall under a CUP or Permitted use. Groeteke said that everyone has a copy of the articles. Jensen asked to speak and explain on the matter more. He said if you don't have a CUP none of these rules would affect you. So he said if you scratch paragraph D and put the new language in permitted use it would pertain to all. Mark said the way it states now is that he can stockpile manure anywhere because he doesn't have a CUP. Ted Thieman said if you don't have a CUP it's because you're a small feedlot and you wouldn't be stockpiling huge amounts of manure. Groeteke made a point that even if you don't have livestock you can right now stockpile manure anywhere so this would put everyone on the same page. Ted Thieman said it should go back to the size of your operation and not be the same if you have over fifty thousand



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animals. Right now he said he's affected in Petersburg because it could be stockpiled a quarter mile from his house, not realizing you can't stockpile in A-3 districts. Stephens stated you have to go a mile out then another quarter mile, so were trying to get some distance between the houses. This would help also because it says you have to be a quarter mile from any neighboring residence. Stockpile of animal manure shall be maintained in a manner as to minimize manure from being carried into any roadway ditch, drainage area or onto a neighbor's property. Harry Jordan brought up ways to put manure to other uses such as in having a plant. He said it seems to him that everyone is working against each other and we all should be working together before the state comes in and starts doing things the way they want it done. Jerry Niewohner said that we need to cope with it now. Work together because the problem is now so that means we have to put manure on the fields or where would we go with it all. Jensen wanted to make sure that everyone knows that the rules in A-3 Districts are different than in A-1 and A-2. Maricle said were trying to get away from big too small. Also that the DEQ will not allow you to apply huge amounts to small areas of land and they will be monitoring it. As well as making you follow your manure management program.

Chairman Groeteke asked for any other comments from the public. Jensen made a motion to close the public hearing for Stockpiling. second by Stephen. Vote: 6 Ayes, 3 Absent.

Jensen made a motion to recommend approval of Stockpiling of animal waste shall be maintained in an area at least a quarter mile from a neighbors dwelling. Boone County, Nebraska. second by Maricle. Vote: 6 Ayes, 3 Absent.

6 – OPEN DISCUSSION

Mark Jensen brought up that we need to review the site triangle. The way it states now is that corn can grow in those triangles which would impede vision. They asked Kelly if she would talk to the attorney and see how we can state that.

7- CORRESPONDENCE / ZONING REPORT

Kelly said that she has had three permits go out for buildings. Also been working with Bruce Smiths Law Firm PR Leasing Company L.L.C. which is purchasing from Central Nebraska Partnership, L.T.D 12 acres.

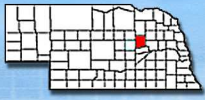
8 – SCHEDULE NEXT MEETING

Chairman Groeteke announced that the next monthly meeting of the Commission is scheduled for Monday, March 26, 2012 at 7:30 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

9 – ADJOURN

A motion to adjourn was made by Stephen at 8:47 p.m., second by Meysenburg. Vote: 6 Ayes, 0 Nays, 3 Absent.

SUBMITTED: _____ **COMMISSION SECRETARY**

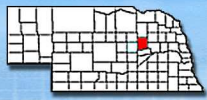


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AFFIRMED BY: _____ COMMISSION CHAIRPERSON



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

April 23, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, April 23, 2012 at 7:30 p.m. Chairman Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Paul Groeteke, Hilary Maricle, Mark Jensen, Chris Baum and Mark Wagner.

Absent: Justin Frey, Brad Stephens, Lee Ketteler and Jim Meysenburg

Others present: Jim Dickerson, Jerry Niewohner and Dan Reinhart.

3 – APPROVAL OF MINUTES

Copies of the February 27, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. No meeting was held in March. Chairman Groeteke requested additions or corrections to the minutes, or a motion to approve. Jensen made a motion that the minutes be corrected. Baum made a motion to approve after corrected, second by Jensen. Vote: 5 Ayes, 0 Nays, 4 Absent.

4 – PUBLIC HEARING IS TO APPROVE OR DENY AN APPLICATION FOR CONDITIONAL USE PERMIT BY DAVID AND CHELSEY KOLM TO DIVIDE 5.01+- ACRES FROM FARM GROUND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 17, T19N, R7W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA TO CONSTRUCT A NEW HOME, LOCATED ON 310TH ST. BETWEEN 170TH AND 175TH AVE, BOONE COUNTY, NEBRASKA.

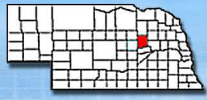
Jensen made a motion to open the public hearing. Second by Wagner: 5 Ayes, 0 Nays, 4 Absent.

Chelsey Kolm spoke on her behalf. She said they want to construct a new home and they have met all setbacks. Groeteke asked how many homes were present there now and she said that it would be the only one in that quarter.

Baum made a motion to close the public hearing on David and Chelsey Kolm C.U.P. Second by Maricle Vote: 5 Ayes, 0 Nays, 4 Absent.

Jensen made a motion to recommend approval of C.U.P., second by Baum Vote: 5 Ayes, 0 Nays, 4 Absent.

5 – PUBLIC HEARING IS TO APPROVE OR DENY AN APPLICATION FOR A LOTSPLIT TO MIKE AND ROBERTA KENNEDY OF 3.002+-ACRES FROM FARM GROUND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, T20N, R6W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. THIS PROPERTY IS OWNED BY MIKE AND ROBERTA KENNEDY AND IS LOCATED AT 220TH ST BETWEEN 250TH AND 260TH AVE, BOONE COUNTY, NEBRASKA.



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Baum made a motion to open the public hearing. Second by Wagner: 5 Ayes, 0 Nays, 4 Absent.

Kelly was asked to speak on Kennedy's behalf. It was said that they wanted to split the land off to get there mortgage to a lower rate and the bank asked to have it taking off from the farm ground. Dan Reinhart and Jerry Niewohner had concerns that he would sell off some of land to build new homes. Wager had some of the same thoughts that it's already a small tract of land.

Chairman Groetke asked for any other comments from the public. Baum made a motion to close the public hearing. Second by Wagner. Vote: 5 Ayes, 4 Absent.

Jensen made a motion to recommend approval with the adjacent tract stays in producing agricultural. Boone County, Nebraska. Second by Baum Vote: 4 Ayes, 1 Nay and 4 Absent.

6 – OPEN DISCUSSION

Mark Jensen brought up that we need to review the site triangle again and need to decide. Kelly had proposed a new regulation that the board was going to look over and give it some thought. The board asked what other counties are doing and Madison co doesn't allow for anything to be grown.

7- CORRESPONDENCE / ZONING REPORT

Kelly said that she has had four permits go out for buildings. Mogensen has requested a C.U.P. to pump manure through a center pivot from Maschoffs hog unit. Source gas line also contacted her about a gas line they wanted to put in. She had been in contact with Jim Pillen about needing to come in to get five C.U.P. for his composting pits.

8 – SCHEDULE NEXT MEETING

Chairman Groetke announced that the next monthly meeting of the Commission is scheduled for Monday, June 4, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

9 – ADJOURN

A motion to adjourn was made by Jensen at 8:47 p.m., second by Baum. Vote: 5 Ayes, 0 Nays, 4 Absent.

SUBMITTED: _____ COMMISSION SECRETARY



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AFFIRMED BY: _____ COMMISSION CHAIRPERSON



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

June 4, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, May 4, 2012 at 8:00 p.m. Chairman Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Paul Groeteke, Justin Frey, Brad Stephens, Mark Jensen and Mark Wagner.

Absent: Hilary Maricle, Chris Baum, Lee Ketteler and Jim Meysenburg

Others present: Jim Dickerson, Jerry Niewohner, Ted Thieman, Keith Mogensen, Morgan Mogensen, Gale Schafer, Jim Vanderloop JR and Steve Mogensen.

3 – APPROVAL OF MINUTES

Copies of the April 23, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. No meeting was held in May. Chairman Groeteke requested additions or corrections to the minutes, or a motion to approve. Jensen made a motion to approve, second by Wagner. Vote: 3 Ayes, 0 Nays, 2 Abstain and 4 Absent.

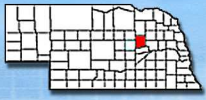
4 – PUBLIC HEARING IS TO APPROVE OR DENY AN APPLICATION FOR CONDITIONAL USE PERMIT BY KEITH MOGENSEN TO APPLY LIQUID MANURE THROUGH A CENTER PIVOT FROM SOUTH WEST QUARTER 29, T18N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. TO FARM GROUND LOCATED IN THE SOUTH HALF OF SECTION 28, T18N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. LOCATED ON 390TH ST. BETWEEN 120TH AND 130TH AVE, BOONE COUNTY, NEBRASKA.

Stephens made a motion to open the public hearing. Second by Jensen: 5 Ayes, 0 Nays, 4 Absent.

Jim Vanderloop said he would like to see it denied. He said that he's worried about the pivot going around and putting manure up against the fence to the north on his land. It was also said that the DEQ was going to be sent out to look at it. Mark Jensen said that his land would be north so if there was run off from a rain he wouldn't be affected. Jim said he's concerned about the creek waters around that area. Morgan Mogensen said that he would be in charge of doing his best to make sure there's not run off and to be checking on the pivots. Ted Thieman brought up some questions with DEQ and if ground water would be applied along with it. Gale Schafer had the paper work from The Mashhoffs from Nebraska Department of Environmental Quality. He also said that there is so much new technological they have that tells them if a pivot gets stuck or the pump is having problems. The board had some concerns on who's name should be on the permit. Also they said in the contract from The Mashhoffs it says this agreement would only be good for five years so they wanted that looked at.

Stephens made a motion to close the public hearing Second by Wagner Vote: 5 Ayes, 0 Nays, 4 Absent.

Stephen made a motion to table the discussion on the C.U.P to Keith Mogensen., second by Jensen Vote: 5 Ayes, 0 Nays, 4 Absent.



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5 – OPEN DISCUSSION

They asked Kelly to talk with JEO and see who's names need to be on the permit. Also to talk with him about the five year contract.

6 – CORRESPONDENCE/ZONING REPORT

Kelly showed them all the permits and how much money that has been brought in the last month. And said that PST has came in to fill out there CUP for the five hog units so Kelly has started on the labels and is waiting on the leagels

7- SCHEDULE NEXT MEETING

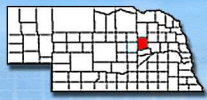
Chairman Groetke announced that the next monthly meeting of the Commission is scheduled for Monday, June 25, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Stephens at 9:30 p.m., second by Wagner. Vote: 5 Ayes, 0 Nays, 4 Absent.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

June 25, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Chairman Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, June 25, 2012 at 8:00 p.m. Chairman Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Paul Groeteke, Justin Frey, Hilary Maricle, Mark Jensen, Mark Wagner, Lee Ketteler and Jim Meysenburg.

Absent: Chris Baum and Brad Stephens arrived at 8:10.

Others present: Jim Dickerson, Keith Mogensen, Morgan Mogensen, Gale Schafer, Jim Vanderloop JR, Steve Mogensen Virgil Pugh and Jina Pugh.

3 – APPROVAL OF MINUTES

Copies of the June 4, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. Chairman Groeteke requested additions or corrections to the minutes, or a motion to approve. Wagner made a motion to approve, second by Frey. Vote: 4 Ayes, 0 Nays, 3 Abstain and 1 Absent.

4 – PUBLIC HEARING IS TO APPROVE OR DENY AN APPLICATION FOR CONDITIONAL USE PERMIT BY KEITH & MORGAN MOGENSEN AND THE MASCHHOFFS TO APPLY LIQUID MANURE FROM A LAGOON LOCATED IN THE SOUTH WEST QUARTER 29, T18N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. TO RUN THROUGH TWO CENTER PIVOTS TO FARM GROUND LOCATED IN THE SOUTH HALF OF SECTION 28, T18N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. LOCATED ON 390TH ST. BETWEEN 120TH AND 130TH AVE, BOONE COUNTY, NEBRASKA.

Jensen made a motion to open the public hearing. Second by Maricle: 7 Ayes, 0 Nays, 2 Absent.

Jim Vanderloop said he would like to see it denied. He said that he's worried about the pivot going around and putting manure up against the fence to the north on his land. It was also stated again that the DEQ was not aware of any application of any permits for liquid manure to be put on. Virgil Pugh also spoke against this with concerns that the manure would run onto Timber Creek and into his fields. Mark Jensen asked if the DEQ has been out and Vanderloop said they have been out and looked at the property to the North. Another concern is that it will be surfaced applied and no one will be able to get to it if it needs to be shut off. Schafer also said they have started to install a radio that will commentate with the pivots if it needs to be turned off it can be done electronically so if someone cannot get there it wouldn't be a problem. Morgan Mogensen said that they would have to supplement with fertilizer because manure does lack supplements that are needed. Mogensen also said he has been working with Bob with the NRDF and he suggested that they put risers on with an 18 inch to 24 inch to take more water. Maricle asked what it takes to get a permit from the NDEQ. Mogensen said have sent all their information into the NDEQ, taking soil samples and have to follow the guidelines that they have drawn up for them. Benson said that she spoke with JEO and both parties would be responsible for the permit. Jensen asked how many rounds it would make and they hope that it would make three complete circles which would put $\frac{3}{4}$ of an inch on at times. Groeteke asked Gale Schafer how the manure will be divided out and he said



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with more farmers applying it that it will be spread out more. On the NDEQ permit it states that their land will be available for land application of the manure for a period of five years. The Planning & Zoning will also look at it again in five years to make sure things are going smoothly. Mogensen agrees upon request to perform periodic soil tests in order to prevent the buildup of excess nitrogen, salts and phosphorus. Wagner asked if Buffer Strips were in place now like it shows on the map and Morgan said no they have not done that yet, but have been looking into it.

Stephens made a motion to close the public hearing Second by Meysenburg Vote: 8 Ayes, 0 Nays, 1 Absent.

Meysenburg made a motion to recommend approval for a conditional use permit by Keith & Morgan Mogensen and the Maschhoffs to apply liquid manure from a lagoon located in the South West Quarter 29, T18N, R8W of the 6th P.M., Boone County, Nebraska. To run through two center pivots to farm ground located in the south half of section 28, T18N, R8W of the 6th P.M., Boone County, Nebraska. Located on 390th ST. Between 120th and 130th Ave, Boone County, Nebraska. As is contingent upon M5 and M4 maps to work with the NRCS to put buffer strips on as shown in the NDEQ papers to the application for Conditional Use Permit by Keith & Morgan Mogensen and The Maschhoffs to the Boone County Commissioners as submitted, second by Frey. Vote: 7 Ayes, 1 Nays, 1 Absent.

5 – OPEN DISCUSSION

Jim Vanderloop wanted to make sure who the permit holders were. It was said that Keith & Morgan Mogensen and The Maschhoffs were the responsible ones. Benson said that all three parties have signed the permit and on the Nebraska Department of Environmental Quality it says there permit is only good for five years.

6 – CORRESPONDENCE/ZONING REPORT

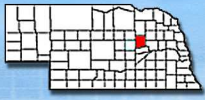
Kelly showed them all the permits and how much money that has been brought in the last month. She also said that two LFO have come in with questions on what it would take to put up hog barns so she has been doing research on what would have to be done.

7- SCHEDULE NEXT MEETING

Chairman Groetke announced that the next monthly meeting of the Commission is scheduled for Monday, July 23, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Stephens at 9:15 p.m., second by Meysenburg. Vote: 8 Ayes, 0 Nays, 1 Absent.



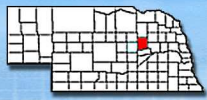
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SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

July 23, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Secretary Mark Jensen in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, June 25, 2012 at 8:00 p.m. Secretary Jensen noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Jensen, Baum, Wagner, Ketteler and Meysenburg.

Absent: Groeteke, Frey, Maricle and Stephens.

Others present: Bob and Teresa Heying Jr.

3 – APPROVAL OF MINUTES

Copies of the June 23, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. Secretary Mark Jensen requested additions or corrections to the minutes, or a motion to approve. Jensen made a motion to approve, second by Baum. Vote: 5 Ayes, 0 Nays, and 4 Absent.

4 – PUBLIC HEARING IS TO APPROVE OR DENY AN APPLICATION FOR CONDITIONAL USE PERMIT BY BOB AND TERESA HEYING TO DIVIDE 5.413± ACRES FROM FARM GROUND LOCATED IN A FR NW ¼ NE ¼ SECTION 30, T22N, R5W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA TO CONSTRUCT A NEW HOME. THIS PROPERTY IS OWNED BY ORRIN STRAND AND IS LOCATED ON 140TH ST BETWEEN 280TH AND 290TH AVE, BOONE COUNTY, NEBRASKA.

Wagner made a motion to open the public hearing. Second by Ketteler: 5 Ayes, 0 Nays, 4 Absent.

Bob Heying spoke on their behalf stating that they are going to purchase 5.413± from Orrin Strand to build a new home. Jensen said to make sure on the deed it states that there is a feedlot so if they were to ever sell there could be no complaints. Benson said that they will be meeting all the setbacks.

Baum made a motion to close the public hearing Second by Meysenburg Vote: 5 Ayes, 0 Nays, 4 Absent.

Baum made a motion to recommend approval for a Conditional Use Permit by Bob and Teresa Heying JR to divide 5.413± acres from farm ground located in an Fr NW ¼ NE ¼ of Section 30, T22N, R5W of the 6th P.M., Boone County, Nebraska to construct a new home to the Boone County Commissioners as submitted, second by Ketteler. Vote: 5 Ayes, 4 Absent.

5 – OPEN DISCUSSION



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

There was no open discussion at this time.

6 – CORRESPONDENCE/ZONING REPORT

Kelly showed them all the permits and how much money that has been brought in the last month. She also said that she has sent letters again to five hog units and a phone call will be made if they haven't contacted her in a week.

7- SCHEDULE NEXT MEETING

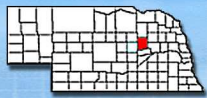
Secretary Mark Jensen announced that the next monthly meeting of the Commission is scheduled for Monday, August 27, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Wagner at 8:32 p.m., second by Meysenburg. Vote: 5 Ayes, 0 Nays, 4 Absent.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**



Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

August 27, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Vice President Brad Stephens in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, August 27, 2012 at 8:00 p.m. Vice President Stephens noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Maricle, Stephens, Jensen, Baum and Wagner.

Absent: Groeteke, Frey, Ketteler and Meysenburg.

Others present: Mike Sullivan.

3 – APPROVAL OF MINUTES

Copies of the July 23, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. Vice President Stephens requested additions or corrections to the minutes, or a motion to approve. Jensen made a motion to approve, second by Baum. Vote: 3 Ayes, 0 Nays, 2 Abstain and 4 Absent.

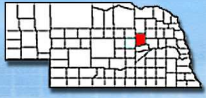
4 – REVIEW BLIGHT AND SUBSTANDARD OF CEDAR RAPIDS REDEVELOPMENT AREA AND MAKE RECOMMENDATION TO THE VILLAGE BOARD OF CEDAR RAPIDS.

Brad Stephens asked if Mike Sullivan would explain a little on this project. He said that there are some new homes going up, elevator is starting to be worked on and they hope to get some more projects on the list. They hope by doing this they can clean up the town and make some much needed improvements. At least 70% of the town must be blighted to start this project. The board said Kevin Cruise has done a lot of work in St. Edward to get Tiff money so he would be a good one to talk to also.

Jensen made a motion to recommend approval to the Village Board of Cedar Rapids for approval of motion 246 as submitted, second by Wagner. Vote: 5 Ayes, 4 Absent.

5 – OPEN DISCUSSION

There was no open discussion at this time.



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

6 – CORRESPONDENCE/ZONING REPORT

Kelly showed them all the permits and how much money that has been brought in the last month. It was also said that there will be two CUP on for next month meeting.

7- SCHEDULE NEXT MEETING

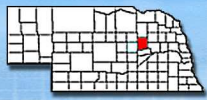
Vice President Stephens announced that the next monthly meeting of the Commission is scheduled for Monday, September 24, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Jensen at 8:35 p.m., second by Maricle. Vote: 5 Ayes, 0 Nays, 4 Absent.

SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON



Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

October 22, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by President Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, October 22, 2012 at 8:00 p.m. President Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Groeteke, Frey, Maricle, Stephens, Jensen, Baum and Wagner.

Absent: Ketteler and Meysenburg.

Others present: Ken Leuttel, Angela Raether, Jonathan Temme, Amy Ahlers, Matt Paulsen.

3 – APPROVAL OF MINUTES

Copies of the August 27, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. President Groeteke requested approval of the minutes. Jensen made a motion to approve, second by Maricle. Vote: 6 Ayes, 0 Nays, 1 Abstain and 2 Absent.

4 – PUBLIC HEARING TO APPROVE OR DENY AN APPLICATION FOR A CONDITIONAL USE PERMIT BY JONATHAN TEMME TO DIVIDE 4.04± ACRE BUILDING SITE FOR PERSONAL RESIDENCE FROM FARM GROUND LOCATED IN THE NE ¼ OF SECTION 15, T22N, R6W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. THIS PROPERTY IS OWNED BY JOHN AND CINDY TEMME.

Motion was made by Stephens to open the public hearing. Second by Baum. 7 Ayes, 0 Nays, 2 Absent.

Jonathan Temme represented the property of said application. Property was subdivided off of parent's property primarily for financing purposes. Jason stated that the remodeling the house is costing quite a lot and felt that he should own it. Kelly went out and looked at the site and all the regulations were met. Kelly asked if the bins were going to be off of the property, and Jason stated that they would be removed eventually.

Baum motioned to close the public hearing. Second by Jensen. Vote: 7 Ayes, 0 Nays, 2 Absent.

Jensen made a motion to approve as recommended, a conditional use permit by Jonathan Temme to divide 4.04± acre building site for personal residence from farm ground located in the NE ¼ of Section 15, T22N, R6W of the 6th P.M., Boone County, Nebraska. This property is owned by John and Cindy Temme. Stephens seconded. 7 Ayes, 0 Nays, 2 Absent.

5 – PUBLIC HEARING TO APPROVE OR DENY AN APPLICATION FOR A CONDITIONAL USE PERMIT BY MATT AND TRACY PAULSEN TO DIVIDE 8.156± ACRES FROM FARM GROUND LOCATED IN THE SE ¼ OF SECTION 20, T19N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA TO CONSTRUCT A NEW HOME. THIS PROPERTY IS OWNED BY MATT AND TRACY PAULSEN.



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Motion was made by Baum to open the public hearing. Maricle seconded. 7 Ayes, 0 Nays, 2 Absent.

Matt Paulsen represented the property of said application. Matt Paulsen stated that the reason he is asking for this permit is so that they can sell their house on a secondary market. You have to have it under 25 acres in order to have that on the house Otherwise

Jensen made a motion to recommend approval to the Village Board of Cedar Rapids for approval of motion 246 as submitted, second by Wagner. Vote: 5 Ayes, 4 Absent.

5 – OPEN DISCUSSION

There was no open discussion at this time.

6 – CORRESPONDENCE/ZONING REPORT

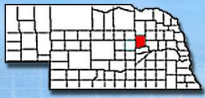
Kelly showed them all the permits and how much money that has been brought in the last month. It was also said that there will be two CUP on for next month meeting.

7- SCHEDULE NEXT MEETING

Vice President Stephens announced that the next monthly meeting of the Commission is scheduled for Monday, September 24, 2012 at 8:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Jensen at 8:35 p.m., second by Maricle. Vote: 5 Ayes, 0 Nays, 4 Absent.



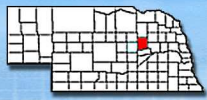
Boone County Planning and Zoning Minutes



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SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON



Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

November 26, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by President Paul Groeteke in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, November 26, 2012 at 7:30 p.m. President Groeteke noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Groeteke, Maricle, Stephens, Jensen, Ketteler.

Absent: Baum and Wagner.

Others present: Jeffrey C. Jarecki, Jim Dickerson.

3 – APPROVAL OF MINUTES

Copies of the October 22, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. President Groeteke requested approval of the minutes. Stephens made a motion to approve, second by Jensen. Vote: 4 Ayes, 0 Nays, 1 Abstain and 3 Absent.

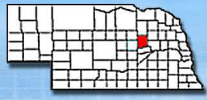
4 – PUBLIC HEARING TO APPROVE OR DENY AN APPLICATION FOR A CONDITIONAL USE PERMIT BY TYLER REITER TO SPLIT OFF THE HOUSE AND BUILDING SITE CONSISTING OF 3.28± ACRES LOCATED IN THE NE ¼ OF SECTION 7, T20N, R8W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. THIS PROPERTY IS OWNED BY CHARLES W. AND CAROL L. KASSELDER AND IS LOCATED BETWEEN 230TH STREET AND 110TH AVENUE.

Motion was made by Stephens to open the public hearing. Second by Maricle. 5 Ayes, 0 Nays, 1 Absent.

Jeffrey Jarecki, Attorney from Albion, Nebraska, represented the property of said application. Jeffrey Jarecki helped Tyler Reiter with the purchase of the property of said application. Carol Kasselder is the owner of the existing house and building site on the property of said application, she lives in Kansas City, Missouri. The portion of the house and buildings were surveyed off and sold to Tyler Reiter. Jeffrey Jarecki stated that Tyler Reiter does plan to live in the house. An easement is attached due to a current tenant on the land, and this is to appease the current tenant to have access to the pasture which is attached to the farm ground. All landowners in the one mile radius of this property of said application were notified of this application and of this hearing.

Stephens motioned to close the public hearing. Second by Ketteler. Vote: 6 Ayes, 0 Nays, 2 Absent. After the vote, a question was asked, for the record, “What does Tyler Reiter do for a living”? Jeffrey responded “I think he is just a farmhand or something, works for somebody”. “His family is originally from the Ericson area, I believe”.

Jensen made a motion to approve as recommended, a conditional use permit by Tyler Reiter to split .28± acres building site for personal residence from farm ground located in the NE ¼ of Section 7, T20N, R8W of the 6th P.M., Boone County, Nebraska. Frey seconded. The Board recommended that Tyler Reiter attend the Commissioner’s Meeting to represent himself and to answer any questions.



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

5 –TO CONSIDER AND DISCUSS THE RESIGNATION OF JIM MEYSENBURG

Paul Groetke announced that Jim Meysenburg has resigned. The new position want ad will be posted in all of the papers in Boone County in this week's and next week's issues. Commissioners will take applications and will make a decision.

6 – OPEN DISCUSSION

Mark Jensen stated that he had talked with the Commissioners at their meeting this morning, regarding the issue with the horses and fencing. Mark stated that we are all about land use. In the Board definitions, livestock is defined which does include cattle and horses, all species, and we do have the definition of nuisance. When we get into the violations of the rules, we do have listed, as any violation of the rules, is a Class III misdemeanor. We do have a definition of private roads or public roads and under public roads "shall mean all public right of way reserved or dedicated for street or road traffic. Doesn't say anything about grazing, but it is dedicated to that road passage. The definition of nuisance means that anything that interferes with use or enjoyment of property endangers personal health or safety, or is offensive to the senses such as noise, dust, odor, smoke, gas, pollution, congestion, lighting and/or litter. The health and safety is the catch. Mark Jensen pointed out to the Commissioners of what the Board has and suggested to leave it up to them.

Mary stated that she emailed David Potter regarding the status of the revisions to the regulations. David Potter replied that Kelly was supposed to go through some additional changes with the board and that she was going to get back to him. The Board recommended that Mary get in contact with Kelly and find out what the situation is, making sure the minutes correspond with the changes.

7 – CORRESPONDENCE/ZONING REPORT

Several permits which were being worked on were brought up and discussed. Permits granted in October and some in November were reported.

7- SCHEDULE NEXT MEETING

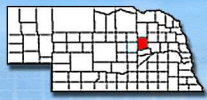
President Paul Groetke announced that the next monthly meeting of the Commission is scheduled for Monday, December 17, 2012 at 7:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Stephens at 8:15 p.m., second by Ketteler. Vote: 6 Ayes, 0 Nays, 2 Absent.

SUBMITTED: _____ **COMMISSION SECRETARY**

AFFIRMED BY: _____ **COMMISSION CHAIRPERSON**



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

December 12, 2012

1 – CALL TO ORDER

The regular monthly meeting of the Boone County Planning and Zoning Commission was called to order by Member Brad Stephens in the County Courtroom, Boone County Courthouse, Albion, Nebraska, Monday, December 17, 2012 at 7:30 p.m. Stephens noted that a copy the Open Meetings Act is posted and copies are available for the public. The agenda for this meeting was given in advance to all members of the Commission. Notices for this meeting and public hearings were given in advance by publication. All proceedings hereafter shown were taken while the convened meeting was open to the public.

2 – ROLL CALL

The following quorum of Commission members were present and answered roll call: Groeteke, Frey, Maricle, Stephens, Jensen, Wagner.

Absent: Baum and Ketteler.

Others present: Roger Williams, Tom Schuele, Jeffrey C. Jarecki, John Groeteke.

3 – APPROVAL OF MINUTES

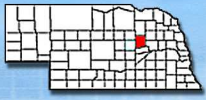
Copies of the November 26, 2012 meeting minutes were mailed to all Commission members prior to the current meeting. Stephens requested approval of the minutes. Jensen made a motion to approve, second by Frey. Vote: 5 Ayes, 0 Nays, 1 Abstain and 2 Absent.

Stephens let it be known to the record that Paul Groeteke will abstain himself from all discussion and vote from the public hearing #4 on the December 17, 2012 Agenda item.

4 – PUBLIC HEARING TO APPROVE OR DENY AN APPLICATION FOR A CONDITIONAL USE PERMIT BY CEDAR RIVER FEEDERS, LLC, TO APPLY LIQUID MANURE THROUGH A CENTER PIVOT FROM AN EXISTING FEEDLOT LAGOON LOCATED IN THE SOUTH 1/2 OF SECTION 21, T18N, R7W OF THE 6TH P.M., BOONE COUNTY, NEBRASKA. THIS PIVOT IS LOCATED BETWEEN 370TH AND 380TH STREET AND BETWEEN 180TH AND 190TH AVENUE, BOONE COUNTY, NEBRASKA.

Motion was made by Jensen to open the public hearing. Second by Maricle. 5 Ayes, 0 Nays, 1 Abstain, 2 Absent.

Paul Groeteke, Cedar Rapids, Nebraska, member of the Cedar River Feeders, LLC gave his reasoning for this Conditional Use Permit. Groeteke stated that they are going to construct a pivot in the South location, on the south end of Section 21 to pump the lagoon water through the adjoining pivot. The new pivot will have the newest monitoring equipment, the panel boxes, it will have the Lindsay system tel. monitoring on it, and it will have Hot-Shot interlocking system on it between the pivot panel and the homing device to let it know if it shuts down. It will notify them by text message and it can be checked any time also. It will have barricades, stops and reverses to keep runaway things from happening. Down below a different pivot will be put in place and a will have the same interlocking system, monitoring system, barricades, basically duplicated in each locations and will be able to run either locations. It is a three stage lagoon that is pumped out of, and the final water has little smell coming out of it. Stephens questioned on the age of the new pivot to be constructed. Groeteke stated that it is an older model, a Generation used pivot. All new electronic components, monitors and sprinklers will be installed. The reason they went with used is because they were told that a replacement pivot would probably be necessary within the next 10 years, and that Groeteke felt it would be a good pivot for a few years. Discussion was held about the number of acres to be irrigated, Groeteke stated about 118 acres on the current location and the other



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BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

location about 107 acres. Discussion was brought up about the abrasion from the water is rusting the pipe. Epoxy is in the old pivot and mild steel and the epoxy comes loose. The pivot has all new gear boxes, panel boxes, different tower boxes so it is updated parts for the original pivot. Groeteke stated that they are upgrading the pivot to give them a little more usage of the water that is there. There is a minimum maintenance road on the West side. Members looked at the map where the pivot is to be located and how it lays. Groeteke explained his reasoning why they want to put the pivot at this location is due to the low lying area and possible future flooding. A map of the phosphorus assessment of run off levels which incorporates a risk rating of phosphorous and nitrate which incorporates a no till, was given to the Board. It was decided that it materially changes the risk rating and that there is not much phosphate water coming out of the third lagoon.

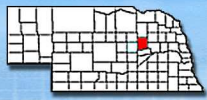
Frey motioned to close the public hearing. Second by Maricle. Vote: 5 Ayes, 0 Nays, 1 Abstain, 2 Absent.

Mark Jensen brought up the situation that James J. Vanderloop did not get a personal letter informing him about this meeting. Jensen started the discussion about the location of Vanderloop's residence, that it is straight east of the proposed pivot. He suggested a condition be put on the permit that if a 20 M.P.H. or greater straight West wind that the irrigation will not be allowed, because Vanderloop is straight East. Stephens stated that Vanderloop is within a mile of the pivot, and that Mary did not send Vanderloop a letter due to the fact that she measured the mile from the pivot base instead of the end of the pivot. Ziemba was unaware of the fact that the mile distance is to be measured from the end of the pivot. Stephens asked Jensen if he wanted to put the 20 mph straight West wind up for a motion. Again it was questioned about the mile notification, and every landowner and resident which would be Michael Nebel were notified. It was noted that Vanderloop should have been aware of the time and date of this meeting, and that Paul Groeteke had personally informed him of what the Cedar River Feeders intentions were, and that the Board should go ahead with this hearing. It was decided that Vanderloop will receive a notice letter for the Commissioners meeting and if he has any concerns that the Commissioners may have the conditional use permit be resubmitted to the Planning Commission at a later date. A motion was made, by Jensen to approve the Conditional Use Permit as submitted with the condition that when there is a straight West 25 M.P.H. wind or greater, that they will discontinue the application at that time and restart when the wind is appropriate. Second by Maricle. Ayes: 5, Nays 0, Abstain 1, Absent 2.

5 -TO CONSIDER AND DISCUSS CHANGING PERMITTING USE FROM C.U.P TO A PERMITTED PRINCIPLE USE, FOR SELLING SEED CORN AS A PRIMARY OCCUPATION IN CONJUNCTION WITH AN AGRICULTURAL OPERATION AND TO BE OPERATED ON THE PREMISES. (Article 12:A-1 AGRICULTURAL – PRIMARY DISTRICT. Section 2-2.16)

Paul Groeteke was invited to set back in for this #5 Agenda item and for the remaining meeting.

Brad Stephens asked Mary Ziemba how item #5 came about. Ziemba response was that Barb Hansen had been updating her on a few things, how different items were to be handled, etc. Ziemba had sent Dave Potter all of the new resolutions that had been approved for updating the Zoning Regulation Book. She stated that Barb had told her that this selling of seed corn had been brought up in the past, and Ziemba was wondering if it was to be changed and added to the new regulations before Potter had the book finished. Discussion was held that Byerman had to put a shed up to sell seed corn in the country and that he had to get a conditional use to do seed sells out there. Jensen stated that he had remembered talking about that. Stephens noted that the way seed is treated now and that was the only thing that he was concerned about, that the seed salesman is going to start treating the seeds more and more with hazardous items and it's nice to know where those places are and if they are selling, probable not. The current regulation was read and that discussion continued that it is Ag related only and usually not people's primary business and that it is not an issue. It was brought up when it is on the side and when is it a primary business, like when someone wants to make it a commercial business. They discussed and agreed that the Byerman situation did not cause a hardship and was not that big of a deal. This was the only concern at the time changing the permitting use was discussed. All agreed to keep the regulation as currently written in the Zoning Regulation Book.



Boone County Planning and Zoning Minutes



BOONE COUNTY PLANNING & ZONING COMMISSION RECORD OF MINUTES OF MEETING

6 – OPEN DISCUSSION

None.

7 – CORRESPONDENCE/ZONING REPORT

Mary Ziemba reported that the sign being put up in Loretto was being done by the Legion and that she had visited with two members. Mary explained to them that because the sign/memorial was within the 660 ft. from the highway, that they needed to get ahold of the Nebraska Department of Roads. This was done, and the NDOR responded that they would recommend the sign/memorial be classified as an historical site, since some of it contained history signs from old businesses in Loretto. So at this time, they did not need a permit. The permit fee for November permits is \$601.50. David Potter was emailed and he will let Mary know where he is with the regulation book. Several legal requirements were asked from several surveyors about splitting off land regulations and that this information for permit requests had not come across Mary's desk as of date. Mary brought up that John Csukker from Maschhoffs of NE Pork wanting to rebuild the existing unit and that he is aware of any increase in units would require a C.U.P., and that he understood. Csukker wanted a copy of the regulations. Bill Jones, from the Natural Resource District, is going to get in touch with us about the flood plain regarding the pipeline.

Mary was asked if Invenergy had contacted her, that they have started working in Antelope County. Ziemba replied that James Williams had been in earlier and got a permit for the met tower for northern Boone County. Then Mary was asked if she was aware that they were started in Antelope County, and Ziemba responded that she was aware of it.

Tom Schuele and Mary Ziemba brought up Livestock Friendly Counties that was presented at the NACO meeting last week. Schuele stated that the speaker was encouraging counties to consider this. Schuele passed out a brochure explaining Livestock Friendly Counties to the Committee. Schuele said he felt that this should be something we should think about.

7- SCHEDULE NEXT MEETING

President Paul Groeteke announced that the next monthly meeting of the Commission is scheduled for Monday, January 28, 2013 at 7:00 p.m. in the County Courtroom, Boone County Courthouse, Albion, Nebraska.

8 – ADJOURN

A motion to adjourn was made by Frey at 8:10 p.m., second by Maricle. Vote: 6 Ayes, 0 Nays, 2 Absent.

SUBMITTED: _____ COMMISSION SECRETARY

AFFIRMED BY: _____ COMMISSION CHAIRPERSON