

Agenda Item # 23a
Date 1-29-2020

**MINUTES
DODGE COUNTY PLANNING COMMISSION**

Meeting of the Dodge County Planning Commission was called to order by Chairman, Marlin Brabec at 4:30 P.M., Tuesday, January 21, 2020 in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Giesselmann, Hansen, Rolf, Schole, Taylor and Wagner. Absent: Fooker and Ruzicka,

The meeting was declared legally convened, due to Public Notice given and is considered to be an Open Meeting.

Chairman Brabec asked if there was any communication with the applicants and the board. None were reported.

Motion was made by **Rolf** to accept the Minutes of the November 19, 2019 meeting as mailed. Seconded by **Giesselmann**. Motion carried by voice vote with the following voting yes: Giesselmann, Hansen, Rolf, Schole, Taylor, Wagner and Brabec. Absent: Fooker and Ruzicka.

Public Hearing: Consider request of Domaxco, LLC of 16811 Burdette St. #12S, Omaha, NE 68116 to obtain a Conditional Use and Fill Extraction Permits to excavate a borrow pit for the construction of new Highway 30 as per Article 12, Section 2.5 Conditional Uses located in NW ¼ Section 6, Township 18 North, Range 6 East in North Cotterell Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the Public Hearing open.

Testimony:

For: Kevin Mack with Hawkins Construction Co. was present representing Domaxco, LLC. He stated that approximately 200,000 cubic yards of dirt would be extracted starting in either April or May for the new Highway 30. Rolf asked how deep they would go. Mack stated approximately 10 feet deep out of the area. Rolf asked if it would drain. Mack stated yes, but most likely it will not be farmed anymore. Andrews was asked if any communication had been received either for or against the request. She stated none except the address for Domaxco was not correct. It had

been sent to the applicant twice and was returned. Mack will get another address before the county board meeting.

Against: No one was in attendance to speak against the matter.

Motion to close the public hearing was made by **Rolf** and seconded by **Hansen**. Motion carried by voice vote. Those voting yes: Hansen, Rolf, Schole, Taylor, Wagner, Brabec and Giesselmann. Absent: Fooker and Ruzicka.

Possible Action:

Motion was made by **Taylor** to recommend approval of the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Seconded by **Giesselmann**. Motion carried by roll call vote. Those voting yes: Rolf, Schole, Taylor, Wagner, Brabec, Giesselmann and Hansen. Absent: Fooker and Ruzicka. The applicant was advised the County Board of Supervisors would hear the request on Wednesday, January 29, 2020 at 9:30 A.M.

Public Hearing: Consider request of Western Integrated Seed Inc. of 1755 Hoegemeyer Rd., Hooper, NE 68031-2125 to obtain a Conditional Use Permit to construct an Electricity Regulation substation or Solar Farm as per Article 12, Section 2. Conditional Uses (Land Use Matrix) located in the SE Corner SE ¼ Section 17, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag.

Chairman Brabec declared the Public Hearing open.

Testimony:

For: Matt Robinette with Bluestem Energy Solutions of 950 S. 10th St., Omaha, NE 68108 was present representing Western Integrated Seed Inc. He stated that the solar farm would produce energy for Burt County Public Power as a power storage component. It would be located approximately 6 miles south of Snyder, NE and would connect to Burt County Public Power. Wagner asked if this would lower his electrical rates as they are higher than OPPD. John Dorfmeier, General Manager of Burt County Public Power was also present and replied that it was uncertain. Question was raised as to the life expectancy of the farm. Robinette stated 30 years and then it would be decommissioned. Question was asked if the equipment would end up in a landfill. Robinette stated no, that most all of the material would be recycled, but that 30 years from now, the material could be disposed of in a different manner. Rolf asked if everything would be taken down. Robinette stated they would remove everything at the time that it is decommissioned. Question was asked as to what the farm would produce. Robinette stated it would have 664 KW solar; 739 KW battery and would inject 1 meg of power to light 150 homes. No further questions were asked by the

board. Brabec asked if any communication had been received. Andrews stated she received 2 phone calls where one of the adjoining landowners wanted a copy of the minutes and Andrews will oblige.

Against: No one was present to testify against the matter.

Motion to close the public hearing was made by **Hansen** and seconded by **Schole**. Motion carried by voice vote. Those voting yes: Schole, Taylor, Wagner, Brabec, Giesselmann, Hansen and Rolf. Absent: Fooker and Ruzicka.

Possible Action:

Motion was made by **Giesselmann** to recommend approval of the Conditional Use Permit and seconded by **Rolf** based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to regulations of the district which it is located. Motion carried by roll call vote. Those voting yes: Taylor, Wagner, Brabec, Giesselmann, Hansen, Rolf and Schole. Absent: Fooker and Ruzicka. The applicant was advised the County Board of Supervisors would hear the request on Wednesday, January 29, 2020 at 9:40 A.M.

Item #7. Continued Item. Consider amending Zoning Regulation Fees to become effective March 1, 2020 Fee Schedule. Andrews presented the board with adjoining counties' fees or proposed fee schedules. Brabec stated that the proposed fees generally raised the current fees up \$50.00. Andrews stated that some of the adjoining counties had fees for items that Dodge County does not. She stated no fees had been raised since 2012 and the cost of doing business had, of course, risen. She added that at this time, the building permit fees would remain the same as in 2012. Motion was made by **Giesselmann** and seconded by **Hansen** to recommend approval of the proposed fees regarding zoning applications. Motion carried by roll call vote. Those voting yes: Wagner, Brabec, Giesselmann, Hansen, Rolf, Schole and Taylor. Absent: Fooker and Ruzicka.

Item #8. Consider Reorganization of the Board with election of officers: Motion to retain the current officers was made by **Giesselmann** and seconded by **Wagner** for the chairman: Marlin Brabec and Secretary: Allen Rolf. Motion carried by voice vote by all members present. Vice Chairman had been held by Jeff Wacker. Motion to elect Brad Fooker as Vice-Chairman was made by **Rolf** and seconded by **Wagner**. Motion Carried by all members present.

With no further business **Hansen** moved to adjourn at 4:55 P.M. and seconded by **Taylor**. Motion carried: Brabec, Giesselmann, Hansen, Rolf, Schole, Taylor and Wagner. Absent: Fooker and Ruzicka. The next scheduled meeting will be February 18, 2020 at 4:30 P.M. if business arises.

Respectfully submitted,

Allen Rolf
Secretary, Dodge County
Planning Commission

Dodge County
Planning & Zoning Commission

Approval Date

STAFF REPORT
Dodge County Bldg. Insp. & Zoning Dept.
Meeting of January 21, 2020

Zoning Signs were placed on the property Tuesday, January 14, 2020

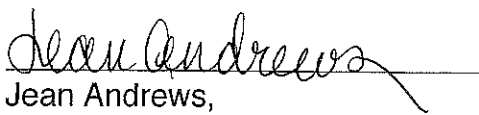
Domaxco, LLC

The property is located in the NW ¼ SW ¼ Section 6, Township 18 North, Range 6 East in North Cotterell Township along the southwest side of Highway 79 just north of Road N approximately 6 ½ miles north of North Bend, NE. The property is currently being farmed. There is already a drive into the property off Highway 79. This should be a good spot for another borrow pit.

Western Integrated Seed Inc.

This property is located at the intersection of County Roads 9 and J and is approximately 4 miles west and 6 miles south of Scribner, NE on Minimum Maintenance Roads on the east and south of Section 17, Township 9 North, Range 6 East. This property is located in the corner of the two minimum maintenance roads. According to our current zoning regulations, no new family dwelling can be constructed on a minimum maintenance road unless the cost of improving the road up to standards is a condition of the permit. There will not be a new dwelling on this property. The conditional use permit request is to place a solar farm at this location.

Respectfully submitted,


Jean Andrews,
Dodge County Zoning Administrator

Domafco LLC 1-14-2020



Domayco LLC 1-14-2020



Western Integrated Seed
1-14-2020



ZONING ACTION
HAS BEEN REQUESTED
ON THIS PROPERTY
Contact the Zoning
Administrator's Office
at 402/727-2724 for
More Information



Western Integrated Seed 1-14-2020

