

DODGE COUNTY PLANNING COMMISSION - CONDITIONAL USE PERMIT

Based on the record in this case of the application of Tyler Thernes for a conditional use permit, the Dodge County Planning Commission finds as follows (check as many as apply):

DISAPPROVAL - FACTUAL FINDINGS:

- 1. Does not protect the comfort, convenience, appearance, prosperity or general welfare of abutting properties and citizens.
- 2. Location and characteristics of the use will be injurious to the health, safety, morals and general welfare of the area.
- 3. Conditional use does not conform to the intent and purpose of the regulations and the comprehensive plan.
  - a. Use does not conform to regulations of the district in which it is located.
  - b. Ingress and egress are not designed to minimize congestion in the public street, road or highway.
  - c. Use is not in harmony with the character of the area and most appropriate use of the land.
  - d. Use does not conserve and stabilize the value of the property.
  - e. Use does not provide adequate open space for light and air.
  - f. Use adversely affects concentration of population.
  - g. Use congests public streets.
  - h. Use does not promote public safety, health, convenience and comfort.
  - i. Other: \_\_\_\_\_

APPROVAL - FACTUAL FINDINGS:

- 1. Conditional use protects the comfort, convenience, appearance, prosperity or general welfare of abutting properties and citizens.
- 2. Location and characteristics of the use will not be injurious to the health, safety, morals and general welfare of the area.

- \_\_\_\_\_ 3. Conditional use conforms to the intent and purpose of the regulations and the comprehensive plan.
- \_\_\_\_\_ a. Use conforms to regulations of the district in which it is located.
  - \_\_\_\_\_ b. Ingress and egress are designed to minimize congestion in the public street, road or highway.
  - \_\_\_\_\_ c. Use is in harmony with the character of the area and most appropriate use of the land.
  - \_\_\_\_\_ d. Use conserves and stabilizes the value of the property.
  - \_\_\_\_\_ e. Use provides adequate open space for light and air.
  - \_\_\_\_\_ f. Use does not adversely affect concentration of population.
  - \_\_\_\_\_ g. Use does not congest public streets.
  - \_\_\_\_\_ h. Use promotes public safety, health, convenience and comfort.
  - \_\_\_\_\_ i. Other: \_\_\_\_\_  
\_\_\_\_\_

DATED this 15 day of March, 2022.

BY: \_\_\_\_\_

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2022 FEB 18 PM 2:24  
RECEIVED  
Dodge County Dept

Cond Use # 2022-004  
DODGE COUNTY

BIOSOLIDS PERMIT APPLICATION FOR CONDITIONAL USE PERMIT

- 1. Date: 2/17/22
- 2. Applicant Name: Tyler Thernes  
Address: 1782 Co Rd K, Hooper, Ne 68031  
Phone No. 402-720-1426
- 3. Legal Description of the Storage Site Location S 1/2 of SW 1/4 & E 1/4 of SW 1/4 of Sec 13, Township 18N, Range 7E
- 4. Legal Description of the Application Site Location S 1/2 of SW 1/4 & E 1/4 of SW 1/4 of Sec 13, Township 18N, Range 7E
- 5. Name, Address, Phone Number of the owner or owners of the generators of the Biosolids: \_\_\_\_\_

Phone No: City of Fremont, Keith Kontor, 727-2670 or Derril Marshall, 727-2610

- 6. Name, Address, Phone number of the person who will be applying and/or storing the Biosolids: Beef States - Roy Beling, 402-649-6150, 1246 Road X, Howells, Ne, 68641

- 7. Application and/or storage of biosolids will comply with all state and federal regulations.
- 8. All permits will be in effect for five (5) years from the date of issuance.
- 9. Permits may be revoked or suspended for any violation of the terms and conditions of the permit at any time by action of the Dodge County Planning Commission and/or Dodge County Board of Supervisors. Permits are non transferable.
- 10. Failure to comply with these regulations shall be grounds for prosecution under Nebraska Revised Statutes Sec. 23-114.05.

The following information is to be included with the permit application:

Map showing all wells, streams, surface water, watercourses, wetlands and inhabited dwellings within 1000 feet of the application location, information showing the routes to be used by the trucks and an explanation of how the biosolids will be transported from the generation site to the application site.

A list of the names and addresses of neighboring home sites or farmsteads either owned or rented and adjacent landowners within 1000 feet of proposed site certified by a land abstractor.

A description of the method of applying of material and possible incorporation into the soil. This description must include a discussion of methods to be used during periods of unfavorable weather and soil conditions as well as normal favorable conditions.

The quantity of biosolids and the number of acres which is proposed to be land applied shall be included in the permit.

11. FEE: Per permit applications (Application fee is not refundable)

Make checks payable to: Dodge County Zoning  
435 N. Park Rm. 204  
Fremont, NE 68025

Signatures:

Lyle Therne APPROVED:  
Applicant

Lyle Therne Denied  
Farmer/Operator

X Mrs. J. Andrea Martin Dodge County Planning Commission  
Property Owner

03-15-2022  
Planning Commission Date Chairman, Planning Commission

03-23-2022  
Date County Board Meeting Chairman, Dodge County Board

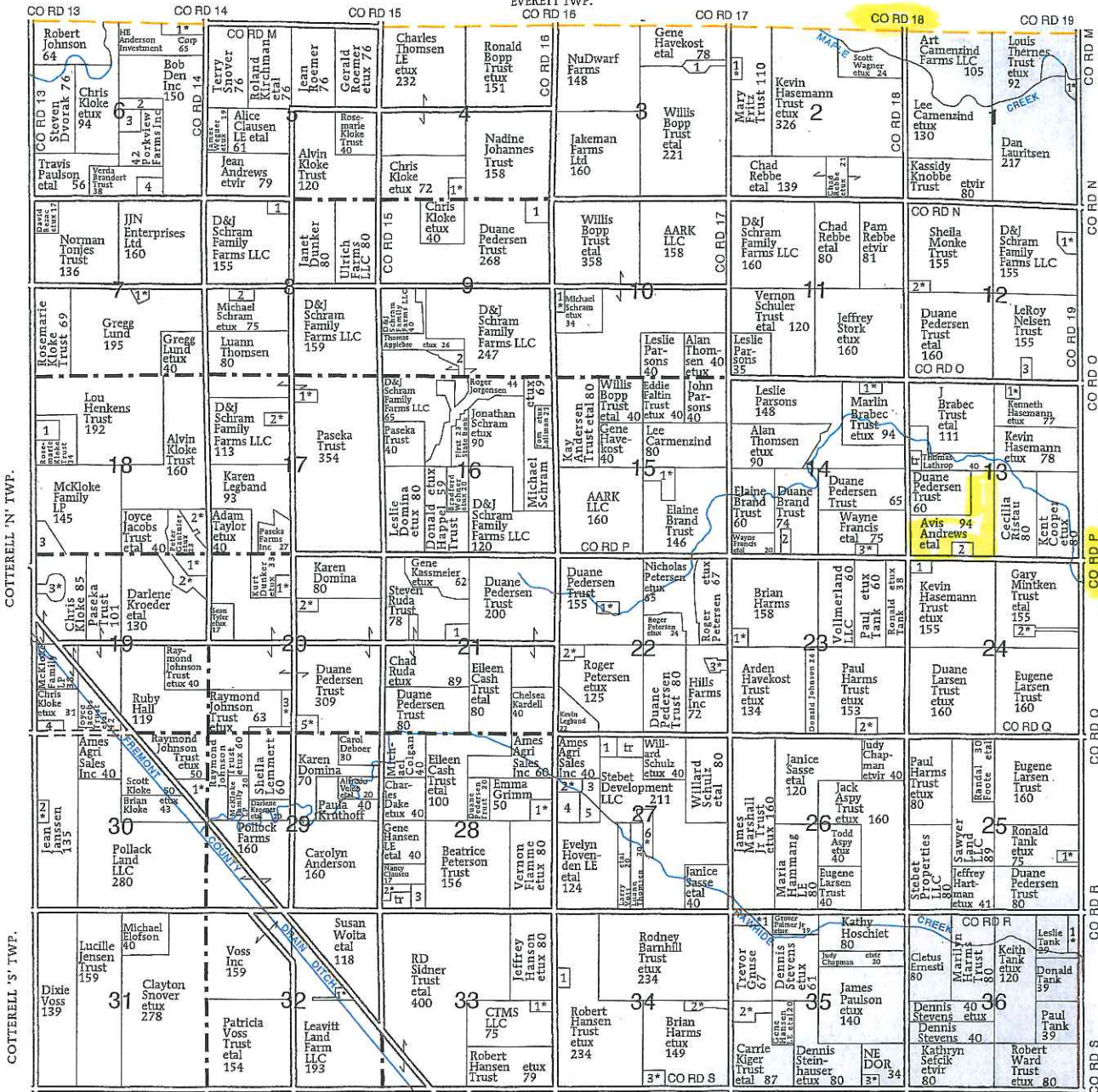
Attest:

\_\_\_\_\_  
Dodge County Clerk

This Permit is valid until \_\_\_\_\_, 20

(Landowners)

EVERETT TWP.



PLATTE 'W' TWP.

MAPLE TOWNSHIP

- SECTION 1**
- 1. Christianson, Chad etux 6
- SECTION 2**
- 1. Havener, Adam etal 5
- SECTION 3**
- 1. Sixta, Ronald 12
- SECTION 4**
- 1. Lucus, Ricky etux 8
- SECTION 6**
- 1. Kloke, Chris etux 10
- 2. Baumert, Dennis 10
- 3. Maple Creek Pig Co 10
- 4. TBR Inc 10
- SECTION 7**
- 1. Harris, James etal 5
- SECTION 8**
- 1. Windmill Rentals LLC 5
- 2. Kloke, Brian 5

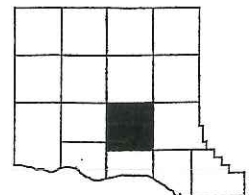
- SECTION 9**
- 1. Nielsen, Donald 12
- 2. Jorgensen, Roger 7
- SECTION 10**
- 1. Vaught, Robert etux 6
- SECTION 12**
- 1. Poulas, Ronald etux 5
- 2. Fase, Kenneth etux 5
- 3. Scigo, Terry 5
- SECTION 13**
- 1. Leif, Selster etux 5
- 2. Bassett Sr, Squire 6
- SECTION 14**
- 1. Ness, Fred etux 5
- 2. Barnes, Nicholas 6
- 3. Francis, Wayne etux 5
- SECTION 15**
- 1. Neuman, Kent etux 14
- SECTION 17**
- 1. Nordboe, Roger etux 6

- 2. Andrews, Terry etal 7
- SECTION 18**
- 1. Kloke Trust, Alvin 9
- 2. Jacobs Trust, Joyce etal 17
- 3. Kloke, Chris 14
- SECTION 19**
- 1. Kroeder, Darlene etal 12
- 2. Bertelsen, Lonnie etux 18
- 3. Boehm, John etux 8
- 4. Vonseggern, Travis 6
- SECTION 20**
- 1. Hilgenkamp LE, Gerald etal 7
- 2. Dvorak, Christopher etux 6
- 3. Raymond, Steven etux 10
- 4. Lemmert, Sheila 6

- 5. Jacobi, Ryan etux 8
- SECTION 21**
- 1. Hassler, Ronald 10
- SECTION 22**
- 1. Schutt, Edward etux 5
- 2. Bartling, Ronald etux 13
- 3. Leners, Timothy etux 5
- SECTION 23**
- 1. Alley, Justin etux 5
- 2. King, Kenneth etux 7
- SECTION 24**
- 1. Martinson Trust, LeRoy 5
- 2. Welander, Darrell etux 5
- SECTION 25**
- 1. Tank LE, Richard etal 5
- SECTION 27**
- 1. Schiferl, Steven 7
- 2. Kardell, Chelsea etal 9
- 3. Koziol, Michael 6

- 4. Johnson, Lyle 14
- 5. Ames Agri Sales Inc 12
- 6. Wacker, Clayton etux 10
- SECTION 28**
- 1. Micek, Michael etux 10
- 2. Roberts, Matthew etux 6
- 3. Jarosz, Denise 7
- SECTION 30**
- 1. Johnson Trust, Roberta etvir 17
- 2. Spicer, Scott etux 5
- SECTION 32**
- 1. Eveland, Jeffrey etux 5
- SECTION 33**
- 1. Kruger, Richard etux 5
- SECTION 34**
- 1. Andersen, Christopher 6
- 2. Powell, Michael etux 11
- 3. Shanahan, Michael etux 5

- SECTION 35**
- 1. LaFavor, Mary etal 13
- 2. Frost, Rodney etux 13
- 3. Micek, Matthew etux 6
- SECTION 36**
- 1. Tank, Keith etux 9





# TABLE OF LAND MEASUREMENTS

## Square Measure

4840 Sq. Yds. . . . . 1 Acre

1 Sq. Mile . . . . . 1 Section

80 Rods Sq . . . . . 40 Acres

640 Acres . . . . . 1 Sq. Mile

36 Sq. Miles . . 1 Township

6 Miles Sq . . . . 1 Township

T-18-N

MAPLE PLAT

R-7-E

EVERETT TWP.

PLATTE 'W' TWP.

**MAPLE TOWNSHIP**

- SECTION 2**
- 1. Johnson, Wayne 5
- SECTION 3**
- 1. Goebel, Lloyd 12
- SECTION 4**
- 1. Knoell, Gerald 8
- SECTION 6**
- 1. Klocke, Chris 10
- 2. Scribner Grain & Lumber 10
- 3. Maple Creek Pig Co 10
- 4. TBR Inc 10
- SECTION 7**
- 1. Harris, James 5
- SECTION 8**
- 1. Snodgrass, Richard 5

- 2. Klocke, Brian 5
- SECTION 9**
- 1. Nielsen, Donald 12
- 2. Applebee, Thomas 26
- SECTION 10**
- 1. Vaughn, Robert 6
- SECTION 11**
- 1. Spiker, Helen 12
- SECTION 12**
- 1. Poulas, Ronald 5
- 2. Scigo, Louis 5
- 3. Fase, Kenneth 5
- SECTION 13**
- 1. Bassett, Squire 6
- SECTION 14**
- 1. Ness, Fred 5
- 2. Parsons, Leslie 13

- 3. Tank, Ronald 6
- 4. Francis, Wayne 5
- SECTION 15**
- 1. Neuman, Kent 14
- SECTION 17**
- 1. Nordboe, Roger 6
- 2. Andrews, Terry 7
- SECTION 18**
- 1. Klocke, Alvin 9
- 2. Jacobs, Robert 17
- 3. Stuehmer, Wayne 14
- SECTION 19**
- 1. Kroeder, Darlene 12
- 2. Bertelsen, Lonnie 18
- 3. Boehm, John 8
- 4. Cerny, Steven 6

- SECTION 20**
- 1. Hilgenkamp Trust, Gerald 7
- 2. Blowers, Duane 6
- 3. Raymond, Steven 10
- 4. Lemmert, Sheila 6
- 5. Story, Darrell 8
- SECTION 21**
- 1. Acker, Scott 6
- 2. Hassler, Ronald 10
- SECTION 22**
- 1. Schutt, Edward 5
- 2. Leners, Timothy 5
- SECTION 23**
- 1. Benes, David 7

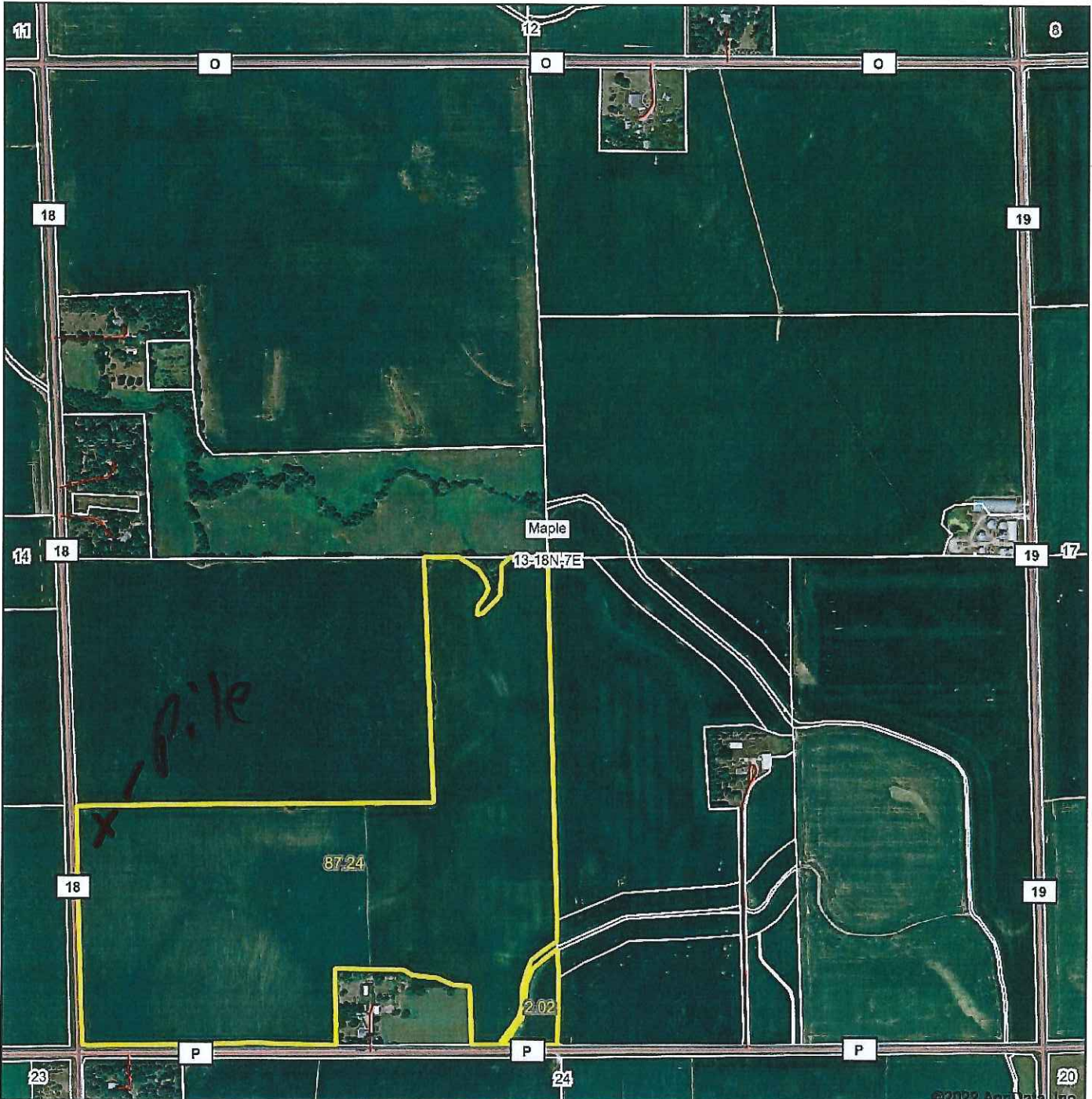
- SECTION 24**
- 1. Martinson Trust, LeRoy 5
- 2. Welander, Darrell 5
- SECTION 27**
- 1. OConnor Trust, Eloise 7
- 2. Lance, Ronald 15
- 3. Johnson, Lyle 14
- 4. Sedlacek, Gloria 12
- SECTION 28**
- 1. Micek, Michael 10
- 2. Jarosz, Denise 7
- SECTION 30**
- 1. OConnor Trust, Eloise 17
- 2. Spicer, Scott 5

- SECTION 33**
- 1. Kruger, Richard 5
- SECTION 34**
- 1. Flynn, Jason 5
- SECTION 35**
- 1. LaFavor, Mary 13
- 2. Frost, Rodney 13
- SECTION 36**
- 1. Tank, Keith 9

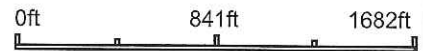
275 from  
Morningside



# Tyler Thorne's Aerial Map



Map Center: 41° 31' 53.02, -96° 34' 5.52



**13-18N-7E**  
**Dodge County**  
**Nebraska**



Maps Provided By:  
  
 CUSTOMIZED ONLINE MAPPING  
 © AgriData, Inc. 2021 www.AgriDataInc.com

Field borders provided by Farm Service Agency as of 5/21/2008.

270111664  
270111650

## **Biosolid Transportation**

**All biosolids will be transported by a contract carrier. All loads are weighed and legal for weight. Everything is loaded at plant located east of Fremont on Morningside road. They go directly to field where product is to be applied.**

**All product is custom applied with spreaders with scales. These are calibrated before we start the application.**

**All EPA guidelines are followed.**

**Hauler: Big River Trucking**

**Don Shunk**

**402-699-1658**

**112 Allsion Ave**

**Yutan, Ne.**

**Applicator: Beef States Custom**

**Roy Belina**

**402-649-6150**



**1246 Road X,  
Howells, Ne. 68641**

**Generator: City of Fremont**

**Keith Kontor**

**402-720-7098**

**6325 Morningside Rd**

**Fremont, Ne. 68025**

**DODGE COUNTY**  
**BUILDING INSPECTION & ZONING DEPARTMENT**

**JEAN ANDREWS, Zoning Administrator**  
**Flood Plain Manager**

Courthouse – 435 N. Park, Room 204  
Fremont, Nebraska 68025  
Phone: (402) 727-2724

March 4, 2022

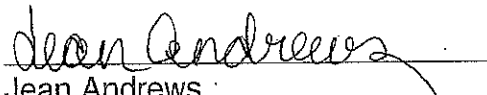
Tyler Thernes  
1782 County Rd. K  
Hooper, NE 68031

Good Day!

Enclosed please find a copy of the agenda for the Planning Commission meeting to be held March 15, 2022 at 4:30 P.M. on third floor of the Courthouse, Fremont, NE. You or your representative should make an effort to attend this meeting to answer any questions the board may have. Please come to the east door of the Courthouse for admittance and go directly up to third floor. In addition, please plan to attend the Dodge County Board of Supervisors meeting on March 23, 2022 where your application will be heard at approximately 9:45 A.M.

If you have any questions, please feel free to contact my office.

Thank you,

  
Jean Andrews,  
Dodge County Zoning Administrator

Enclosure

Cc: Scott Nun  
File

**DODGE COUNTY**  
**BUILDING INSPECTION & ZONING DEPARTMENT**

**JEAN ANDREWS, Zoning Administrator**  
**Flood Plain Manager**

Courthouse - 435 N. Park, Room 204  
Fremont, Nebraska 68025  
Phone: (402) 727-2724

March 4, 2022

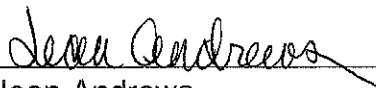
Dear Property Owner:

You are hereby notified that the Dodge County Planning Commission will hold a public hearing on Tuesday, March 15, 2022 at 4:30 P.M. in the Dodge County Board of Supervisors Room, 3<sup>rd</sup> Floor, Dodge County Courthouse, Fremont, NE 68025 to consider request of Tyler Thernes of 1782 County Rd. K, Hooper, NE 68031 to obtain a Conditional Use Permit to store and apply biosolids as per Article 13, Section 2.18, Conditional Uses and Supplemental Regulations Article 25, Section 22 located in West ½ SW ¼ SW ¼ and East 1/2 SW ¼ SW ¼, East ½ NE ¼ SW ¼ and Tax Lot 5, all in Section 13, Township 18 North, Range 7 East in Maple Township, Zoning District A-2, General Ag.

The Dodge County Planning Commission will hold a public hearing on this matter at 4:30 P.M., Tuesday, March 15, 2022 in the Board of Supervisors Room, Third Floor of the Courthouse, Fremont, NE. Since your property adjoins the property that is requesting the Conditional Use Permit, it is a requirement that we notify you of such hearing.

If you have any objections or comments of this proposal, please send them in writing to this office or appear at the meeting and express them verbally.

Thank you,



Jean Andrews,  
Dodge County Zoning Administrator



#4

DODGE COUNTY TITLE & ESCROW CO., LLC  
549 NORTH MAIN STREET,  
FREMONT, NE 68025  
402-721-5833

**NAME AND ADDRESS SEARCH**

Request Made By: **Neb-la Agronomics, LLC**

We, **DODGE COUNTY TITLE & ESCROW CO., L.L.C.**, hereby certify that we have checked the records of the County Assessor of Dodge County, Nebraska, for the purpose of presenting a list to the Zoning Administrator of said County and find the following named persons are shown as property owners of land adjoining the property described as:

**The West Half of the Southwest Quarter of the Southwest Quarter AND the East Half of the Southwest Quarter of the Southwest Quarter, the East Half of the Northeast Quarter of the Southwest Quarter and Tax Lot 5, all in Section 13, Township 18 North, Range 7 East of the 6th P.M., Dodge County, Nebraska.**

The list of names and addresses include all property owners within 1000 feet of said property:

**See Exhibit A attached**

The liability of Dodge County Title & Escrow Co. is limited to the information available in the office of the County Assessor and in no way extends to the correctness of the fee simple title to subject property. A certified search of the records or a Title Insurance Policy would be required to assure the fee simple ownership and any existing liens.

**Dated: February 15, 2022**

**DODGE COUNTY TITLE & ESCROW CO., L.L.C.**

Charlene Godwin  
**Registered Abstractor**  
**Certificate No. 147**  
**Order No. 220109**

2022 FEB 16 PM 4:34  
RECEIVED  
Dodge County Highway Dept

Kevin D. & Diane E. Hasemann (TRUSTEE	1546 County Rd C Blvd Scribner, NE 68057-1334	E1/2 NW1/4, S1/2 NW1/4 NW1/4, SW1/4 NW1/4 & TL 10	24 - 18 - 7	270111566
Leroy B. Martinson (TRU <u>E</u> STEE	11010 Hascall St Omaha, NE 68144-4920	TL9	24 - 18 - 7	270111559
Del Nor Ann Wagner Sazama, ET <u>V</u> IR	1627 County Rd 18 Fremont, NE 68025-0000	TL3	23 - 18 - 7	270111874
Ronald & Jodi Tank	1645 County Rd 18 Fremont, NE 68025-7338	TL4 & 5	23 - 18 - 7	270111881
Paul L. & Lois Ann Tank	7460 W Hwy 30 Ames, NE 68621-0000	W3/4 NE1/4	23 - 18 - 7	270112497
Wayne B. Francis ET <u>A</u> L	1774 County Rd P Fremont, NE 68025-7331	S1/2 SW1/4 SW1/4 & TL15	14 - 18 - 7	270111741
Squire C. Bassett, Sr.	1824 County Rd P Fremont, NE 68025-7337	TL4	13 - 18 - 7	270111657

Duane M. Pedersen (REVOCABLE TRUST	1661 County Rd 16 Ames, NE 68621-2111	TL1 & 4	14 - 18 - 7	270111699
Duane M. Pedersen (REVOCABLE TRUST	1661 County Rd 16 Ames, NE 68621-2111	NW1/4 SW1/4 & W1/2 NE1/4 SW1/4	13 - 18 - 7	270111629
Thomas H. Lathrop	1518 County Rd 18 Fremont, NE 68025-7324	TL6	13 - 18 - 7	270111615
J. Marlin & Marla E. Brabec (TRUSTEE	100 E 6th St Fremont, NE 68025-5030	NE1/4 NW1/4 & TL7 & 8	13 - 18 - 7	270111622
Kevin Hasemann	1546 County Rd C Blvd Scribner, NE 68057-0000	TL12	13 - 18 - 7	270111608
Cecilia Ristau	1870 County Rd P Fremont, NE 68025-7337	W1/2 SE1/4	13 - 18 - 7	270111678
Joyce Mintken (TRUSTEE TIC ETAL Richard Mintken (TRUSTEE UND 1/5 TIC ETAL Wilbur D. & Cynthia A. Schaulis (TRUSTEE UND 1/5 TIC ETAL Judy Zimmerman (UND 1/5 TIC ETAL TODD SEE NOTES FOR BENEFICIARIES Donna Reeson (TRUSTEE UND 1/5 TIC ETAL	% Judy Zimmerman 204 E Lowell St Kansas City, MO 64119-1739	TL 6 - 8, 11 & 12	24 - 18 - 7	270111545