

Agenda Item # 206
Date 5/28/25

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, May 20, 2025, in the Board of Supervisors Room on 3rd Floor of the Courthouse, Fremont, Nebraska. The following members were present: Brabec, Fooken, Giesselmann, Hansen, Rolf, Ruzicka, Taylor and Wagner. Absent: Weitzenkamp.

The meeting was declared legally convened, due to Public Notice given. It was declared to be an Open Meeting. No Ex parte was reported.

Motion was made by **Ruzicka** to accept the Minutes of the April 15, 2025, meeting as mailed. Seconded by **Hansen**. Motion carried by voice vote with the following voting yes: Fooken, Giesselmann, Hansen, Rolf, Ruzicka, Taylor, Wagner and Brabec. Absent: Weitzenkamp.

Weitzenkamp answered the roll at 4:34 P.M.

Chairman Brabec declared the Public Hearing to be open.

Public Hearing: Consider the request of Gerald & Janis Stover of 323 County Rd. 25, Hooper, NE 68031 to subdivide a 6.32-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located in E. 1/2 NE 1/4 Section 18, Township 20 North, Range 9 East in Logan Township, Zoning District A-1, Intensive Ag.

Testimony:

For: Gerald and Janis Stover were present to explain they were retaining the farm ground and were selling the acreage. They had presently lived on the farmstead and around a month later moved off. The board had no questions of the couple.

Against: No one was present to voice their objection, and no oral or written communication was received.

Motion was made by **Ruzicka** to close the hearing and seconded by **Giesselmann**. Motion carried by voice vote by all members present.

Possible Action:

Motion was made by **Giesselmann** to recommend approving the Lot Split and Conditional Use permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district. Motion seconded by **Rolf**. Motion carried by roll call vote. Those voting yes:

Giesselmann, Hansen, Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec, and Fooken. Absent: None. Gerald Stover was advised the County Board would hear his request at the May 28, 2025, County Board meeting at 9:30 A.M.

Chairman Brabec declared the public hearing open.

Public Hearing: Consider request of Gerad Brichacek of 1765 Rd. Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 12, Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in the SW ¼ SW ¼ Section 18, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag.

Testimony:

For: Chris Reimers, contractor to bring out the material and perform the spreading. He stated they have done so every 2 or 3 years. He stated area had small grain growing and would be out soon. He added they usually haul in June or July to spread this summer. Rolf asked if this was the same type of material as before. Curtis stated yes. Gerad Brichacek was also present to explain he had used this product at least 3 or 4 times before. Andrews stated she had not received any communication regarding the material or any kind of complaints. Brichacek stated this farm ground was in a very remote part of the county almost into Colfax County.

Against: No one was present at the hearing and no oral or written communication had been received.

Motion to close the public hearing was made by **Ruzicka** and seconded by **Giesselmann**. Motion carried by voice vote by all members present.

Possible Action:

Motion was made by **Ruzicka** to recommend approving the Conditional Use Permit based on the Conditional Use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district. Motion seconded by **Weitzenkamp**. Motion carried by roll call vote. Those voting yes: Hansen, Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec, Fooken and Giesselmann. Absent: None. Mr. Brichacek was advised the County Board would hear his request at the May 28, 2025, County Board meeting at 9:35 A.M.

Chairman, Brabec declared the public hearing to be opened.

Public Hearing: Consider request of Brian Popken, Cheryl Pribnow and Cindy Settles of 1517 County Rd. A, Scribner, NE 68057 to subdivide a 5.38-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located SW Corner S ½ SW ¼ Section 3, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag.

Testimony:

For: Cheryl Pribnow was present to explain their request. She stated the parcel address that was on the application is not the address of the proposed lot split. Brabec proposed a motion be made to correct the address to 1028 County Road H and was made by **Fooken** and seconded by **Rolf**. Motion carried by voice vote by all present. Cheryl Pribnow stated her mother lived at the address and passed away. She had life estate and left it to Cindy Settles, Brian Popken and herself. She went on to say that no one wanted to live out there, but it was currently being rented and the three just want now to get out from under the rental problems but will retain the farm ground.

Against: No one was present, and no oral or written communication had been received.

Motion to close the public hearing was made by **Ruzicka** and Seconded by **Taylor**. Motion carried by voice vote by all members present.

Possible Action:

Motion was made by **Rolf** to recommend the approval of the Subdivision and Conditional Use Permit based on Conditional Use conforms to the intent and purpose of the regulations and the use conforms to the regulations of the district. Motion seconded by **Giesselmann**. Motion carried by roll call vote. Those voting yes: Rolf, Ruzicka, Taylor, Wagner, Weitzenkamp, Brabec, Fooken, Giesselmann and Hansen. Absent: None. Ms. Pribnow was advised the County Board would hear her request at the May 28th, 2025, County Board meeting at 9:40 A.M.

Discussion regarding the proposed draft of Renewable Solar Energy regulations.

The board members were asked to read the latest edition of the proposed solar regulations. Brabec stated he had some questions about the Solar Oriented Subdivision general provisions. He asked why the Concentrated Solar Power systems were prohibited within the Dodge County's jurisdiction. Dustin Marvel with Omaha Public Power District, Government & Community Relations Manager gave Brabec the reasoning regarding this. Some of the wording in the regulations has to do with statutory proprieties. Rolf had questions regarding the Net Metering and was given a technical answer. After a lot of discussion and because the possible adoption of the regulations could not be addressed as it was not on the agenda, motion was made by

Ruzicka and seconded by **Rolf** that the possible adoption would be on the June 17th planning commission agenda. Motion carried by everyone present by voice vote.

Dustin Marvel stated that John Hay, an expert in the solar farm field was presenting a program at 6:30 P.M. at the Fremont Library on June 3, 2025. He stated a lot of questions could be answered by Mr. Hay and urged the board to attend. A second program would also be held at the library at 6:30 P.M. on June 26th.

Mr. Marvel was thanked for his attendance at the meeting.

With no further business **Giesselmann** moved to adjourn at 5:20 P.M. and seconded by **Ruzicka**. Motion carried by voice vote by those present. The next scheduled meeting will be June 17, 2025, at 4:30 P.M. if business arises.

Respectfully submitted,

Allen Rolf,
Secretary, Dodge County
Planning Commission

Dodge County
Planning & Zoning Commission

Approval Date

AGENDA
DODGE COUNTY PLANNING COMMISSION

Dodge County Planning Commission, Tuesday, May 20, 2025, at 4:30 P.M., Board of Supervisors Room, Courthouse, Fremont, NE.

1. Call to Order at 4:30 P.M – Roll Call
2. Declaration of Open Meeting and Legality
3. Declaration of Ex parte
4. Approval of Minutes of April 15, 2025, Meeting
5. **Public Hearing:** Consider request of Gerald & Janis Stover of 323 County Rd. 25, Hooper, NE 68031 to subdivide a 6.32-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located in E. ½ NE ¼ Section 18, Township 20 North, Range 9 East in Logan Township, Zoning District A-1, Intensive Ag.

Testimony

For:

Against:

Possible Action:

6. **Public Hearing:** Consider request of Gerard Brichacek of 1765 Rd. Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 12, Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in the SW ¼ SW ¼ Section 18, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag.

Testimony

For:

Against:

Possible Action

7. **Public Hearing:** Consider request of Brian Popken, Cheryl Pribnow and Cindy Settles of 1517 County Rd. A, Scribner, NE 68057 to subdivide a 5.38-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located SW Corner S ½ SW ¼ Section 3, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag.

Testimony

For:

Against:

Possible Action

8. Discussion regarding the proposed draft of Solar Energy regulations
9. Other Business brought to the Board (By Published Addendum)

AGENDA POSTED AND KEPT CONTINUALLY CURRENT AT THE DODGE COUNTY COURTHOUSE AND DISTRIBUTED TO THE PLANNING COMMISSION ON MAY 1, 2025. COPIES AVAILABLE AT THE OFFICE OF THE COUNTY ZONING ADMINISTRATOR AND COUNTY CLERK.

**NOTICE
PUBLIC HEARINGS
DODGE COUNTY PLANNING COMMISSION
AND
DODGE COUNTY BOARD OF SUPERVISORS**

NOTICE IS HEREBY GIVEN, that public hearings of the Dodge County Planning Commission will be held during their regular meeting May 20, 2025, at 4:30 P.M. and with the Dodge County Board of Supervisors during their regularly scheduled meeting on Wednesday, May 28, 2025, at 9:00 A.M. Both meetings will be held in the Dodge County Board of Supervisors Room, 3rd floor of the Courthouse, Fremont, NE for the purpose of hearing testimony of support, opposition, criticism, suggestions or observations for the following items:

1. Consider request of Gerald & Janis Stover of 323 County Rd. 25, Hooper, NE 68031 to subdivide a 6.32-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located in E. 1/2 NE 1/4 Section 18, Township 20 North, Range 9 East in Logan Township, Zoning District A-1, Intensive Ag.
2. Consider request of Gerad Brichacek of 1765 Rd. Q, Dodge, NE 68633 to obtain a Conditional Use Permit to store and apply Bio-Mass as per Article 12, Section 2.18 Conditional Uses and Article 25 Supplemental Regulations, Section 22 Industrial Wastewater-Biosolids located in the SW 1/4 SW 1/4 Section 18, Township 19 North, Range 5 East in Pleasant Valley Township, Zoning District A-1, Intensive Ag.
3. Consider request of Brian Popken, Cheryl Pribnow and Cindy Settles of 1517 County Rd. A, Scribner, NE 68057 to subdivide a 5.38-acre tract and obtain a Conditional Use Permit for an existing dwelling as per Article 12, Section 4.2 Exemptions B. (2) located SW Corner S 1/2 SW 1/4 Section 3, Township 19 North, Range 6 East in Ridgeley Township, Zoning District A-1, Intensive Ag.
4. Discussion regarding the proposed draft of Solar Energy Regulations

Questions or comments concerning the public hearings and proposed requests should be directed to the Zoning Administrator at (402)727-2724 and the Dodge County Clerk's Office at (402)727-2767. All interested parties may offer oral comments at the public hearings and/or may file written comments with the Zoning Administrator or County Clerk concerning the petition and such comments shall be considered by the Board, provided such written comments are received prior to the public hearing dates.

STAFF REPORT

Dodge County Bldg. Insp. & Zoning Dept.
Meeting of May 20, 2025

The zoning signs were placed on the sites Tuesday, May 13, 2025.

Gerald & Janis Stover:

The property is located 1 mile south and 3 miles east of Uehling, NE on County Road 25 between Roads C & D. The property is well maintained. House seems to be in good condition as well as the out buildings are in fair to good shape. The property is not in a flood plain.

Gerad Brichacek:

The property requesting storage and applied Bio-Mass is located on County Road J near County Road 1. It is approximately 7 miles south and 1 mile west of Dodge, NE. The ground does not have any crops in it.

Cheryl Pribnow:

The proposed acreage is located on County Road H between County Roads 10 and 11 approximately 1 ½ miles south and 3 miles west of Scribner, NE. The house appears to be in good shape and some of the out buildings are in fair to good shape. This property is not in the flood plain and on a well-maintained road.

Respectfully submitted,


Jean Andrews,
Dodge County Zoning Administrator

Gerald Stover



Gerald Stover



Gerad Brichacek



Gerad Brichacek



Cheryl Pribnow



Cheryl Pribnow

