

## MINUTES OF THE KNOX COUNTY PLANNING COMMISSION

June 8, 2021

**Call to order:** The June 8, 2021 meeting of the Knox County Planning Commission was called to order by Chairman Dean Wilken at 7:33 p.m. at the Knox County Courthouse Board of Supervisors meeting room.

**Announcement of Open Meeting Act:** Announcement was made where the Open Meetings Act information is in the meeting room and that it is available to the public.

**Roll Call:** Members present: Dean Wilken, Greg Kuhlman, Jim Kotrous, Neil Clausen, Rob Ganz, and Keith Nielsen. Absent: David Arens, Doug DeShazer, and Robert Larsen. Also present were Zoning Administrator Liz Doerr, Supervisors Kevin Mackeprang and Dan Schlote, and numerous members of the public.

**Approve Agenda & Public Notice in the Verdigre Eagle and Bloomfield Monitor (Knox County News).** Notice of the meeting was given in advance thereof by publication in the Verdigre Eagle and Bloomfield Monitor (Knox County News). Kotrous moved, Clausen seconded, to approve the agenda and public notice. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

**Approve the Minutes from the May 18, 2021 Meeting.** Kotrous moved, Kuhlman seconded, to approve the minutes from May 18, 2021. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

**Ex Parte Communications:** none.

**Old Business:** none.

**New Business: Public Hearing: Review of Livestock Setbacks and Impact Easements:** Motion to open public hearing at 7:34 p.m. by Ganz, seconded by Kotrous. Roll call vote showed all in favor. Absent: Arens, DeShazer, and Larsen. Doerr explained that the Board of Supervisors asked for the review so this hearing is part of the process even though no changes are proposed. Doerr read a letter received from Jarred Smith and Ken Smith in favor of keeping the growth of livestock in the County. Doerr read a letter from Martin Caylor encouraging easing setbacks. A letter from Ben Curby was read encouraging easing setbacks. Also, a letter from Steve Martin, with AFAN, was read that encouraged keeping regulations Livestock Friendly and encouraged flexibility. Wilken explained that they had made a significant change in 2014 and want to leave the setbacks as is. Barry Grossenburg said that he is standing for all of agriculture. Livestock helps increase the grain prices. Environmental regulations have helped protect the environment. Andy Scholting of Nutrient Advisors works with a lot of Knox County producers. He works in many counties so he's seen what works and what doesn't. Saunders County has a 30,000 hd. feedlot going through a change of ownership in a populated area. They have not had one single complaint in 10 years. Saunders County's largest operations have a setback of ¼ mile. Scholting lives in Cuming County and is on the school board. There are 30,000 a.u. within 1 mile of the Wisner school and no one complains because they know that it drives the economy. It can be difficult to expand beyond 10,000 au with the one-mile setback that Knox County has. Jeff Abbenhaus with Michael Foods told of the process that they went through when they expanded but most people didn't care for signing easements but were ok with what was being done. Ben Curby has relocated from Denver to Bloomfield because of livestock. 75% of co-workers would say the same thing and they do a lot of business locally. Travis Barney of Farmers & Merchants Bank said that 90% of their business relies on livestock. They need growth in the County. Alan Walton, with Farm Bureau, said that we are trying to protect the schools and

way of life. The large livestock operations help keep the youth here. We will have loss in school and real estate value if we leave the setbacks where they are. Marvin Hochstein felt that the revisions made in 2014 were good and shouldn't be changed. Dennis Kammer said that the wind can have a big factor in how it affects people especially when you are in a valley. Doerr explained that there is University research about prevailing winds but having different setbacks for different directions can be difficult to administer. Kammer has had to sacrifice pasture due to dust. He is totally against expansion. He questioned cattle in fields with manure going in creeks. It was explained that definitions and regulations control when permits are needed. Andy Scholting is encouraging that the board look really hard at moving the classes down one rung (smaller setbacks) and to use the Nebraska State Siting Matrix. He would also suggest operations be permitted by right (no need for a public hearing) to help young producers. The language of Impact Easements could be changed to a distance waiver which is not recorded. Wilken felt that Waivers would not be more advantageous than Impact Easements. Doerr added that Keith Marvin said that Impact Easements can be negotiated to have limits. Emmett Johnson was concerned about encroachment and wants to see the setbacks left as is. Dennis Kammer agreed with Johnson. Alan Walton feels that this is not about one individual but about the County as a whole moving forward. Farms have changed so we need to adapt to the change. Marvin Hochstein felt that the Planning Commission did look ahead. Ron Hoebelheinrich was not happy with big herds because it leaves control down to one person. Dennis Kammer asked about how complaints are handled which Doerr and the board answered. Kuhlman said that he would prefer not to have Impact Easements. Ben Curby said that Impact Easements can have one person hold up progress. There was general discussion by various people on impact easements and setbacks. Kuhlman moved to close the public hearing. Nielsen seconded the motion. Roll call vote showed all in favor. Absent: Arens, DeShazer, and Larsen. Ganz felt that we should leave the regulations as they are but the people can still go to the County Board at their public hearing if they feel strongly about the issue. Kuhlman felt that maybe we should look at what is out there in the other counties before deciding if we should make some changes. Kuhlman made a motion to meet with Keith Marvin to discuss the regulations and table any action until the next meeting (July). Ganz seconded the motion. Roll call vote showed all present in favor. Absent: Arens, DeShazer, and Larsen.

**Zoning Administrator's Report:** The May Permit Report was reviewed.

**Next Meeting:** The next meeting is scheduled for Tuesday July 13, 2021 at 7:30 p.m.

**Adjournment:** The meeting was adjourned at 9:23 p.m. by Chairman Wilken.

Liz Doerr, Zoning Administrator

Approved by Planning Commission: 7-13-21

Placed on File with Board of Supervisors: 7-29-21