

**Fillmore County Planning Commission Minutes of
January 15, 2007 Meeting**

Meeting called to order by Chairman Most at 7:05 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, Matt Harre, Ralph Kassik, David Manning, Morley Most, Reg Noel, Ken Real Also present: Zoning Administrator Gerald Slezak

Absent: Norma Lichtenberg, Merle Noel.

No Minutes of the previous meeting were available as Slezak forgot keys for office.

Slezak explained Montana-Dakota pipeline issue – no access entrance was allowed for when parcel for NG pipeline tap in 17-5-2 was created. The plan is to leave 25 feet of access along west side of property for access into 2 gates of the Montana-Dakota parcel and to allow for farm access.

Carleton Ethanol Plant – NG pipeline tap into Trailblazer line in NW ¼ 16-5-3. Easement from Conley Kennel for a 50X120' area. It is not being sold so no subdivision needed. Will need a special use permit for pipeline and permit for 8X8X7' building to house metering equipment \$100,000 (actual est. is 235,000)

Progress of adoption of Subdivision and Lot Split regulation changes; Fairmont & Shickley & County Board have approved them. Ohioa, Exeter, Milligan and Grafton scheduled for February meetings.

Past & Current zoning applications:

Also locked in office as Slezak forgot keys. Questions on Myers bin moved and wells. Robbie Petersen – bin.

Discussion on limiting size, type and location of accessory structures in Exeter. On hold until next meeting.

Alfs Second Subdivision SE ¼ 12-5-4 part of paper work done to finish filing. Deed's office has filed it, Assessor not approved yet. Wilkins subdivision SW ¼ 25-7-3 for new house of Stacy Wilkins northwest of Geneva – on hold as flood plain questions. Rich Horne Subdivision NE ¼ 29-8-1 south edge of Exeter. Exeter Village will approve subdivision. Replacement house is being moved in from by Ong.

Zoning Regulation changes including: Accessory Buildings – as discussed earlier for Exeter.

Motion to adjourn by Dumpert. Second by Manning. Meeting adjourned @ 8:10 pm

Next meeting February 19, 2007 @ 7:00 pm.

Fillmore County Planning Commission Minutes of February 19, 2007 Meeting

Meeting called to order by Chairman Most at 7:07 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, Matt Harre, David Manning, Morley Most, Merle Noel, Reg Noel, Cindy Slocum Also present: Zoning Administrator Gerald Slezak

Absent: Ralph Kassik, Norma Lichtenberg, Ken Real

Minutes of the December 18, 2006 meeting were read by each member. Motion by R. Noel to approve minutes of 12/18/2006. Second by Dumpert. Approved 8-0 on voice vote. Minutes of the January 15, 2007 minutes read by each member. Motion to approve minutes of 01/15/2007 by Dumpert. Second by Manning. Approve 8-0 on voice vote.

Cindy Slocum was welcomed as the new member representing the Village of Fairmont. Introductions of members to Cindy and also guests Mike Kisicki and Paul Cammack of Aquila.

Update of electrical substation to Ethanol plant by Fairmont will have 2 feeds and also give Fairmont another backup power route. New office building structure is in place but not finished. Attorney for the TIFF financing working on papers to complete application with the State of Nebraska to make the 15 year property tax TIFF available. The assessor needed the dimensions of all the structures at the plant to give an estimate of the valuation that would be present but was not given detailed dimensions from ABE. Some value may be placed on the plant area as some concrete and substructure in place by January 1, 2007.

Construction on Perennial's substation by Milligan is in progress. There will be a new high voltage line from the substation to Ohioa starting at the substation and along the west side of road 20 the first mile south of Highway 41 then on the east side for 2-3 miles then again on the west side of Road 20 until it feeds into Ohioa.

Zoning permits were started but the Hearing for a Special Use Permit @ 7:30 for Aquila pipeline to the Altra Ethanol plant by Carleton was convened.

The six inch natural gas pipeline will tap into Trailblazer line in NW ¼ 16-5-3 where an easement of 50 X 125' area for a building and equipment has been aquired. It will proceed through the following sections of Fillmore County: SW ¼ SECT 16 T5N R3W, NE ¼ SECT 20 T5N R3W, SW ¼ SECT 21 T5N R3W, NE ¼ SECT 29 T5N R3W, NW ¼ SECT 29 T5N R3W, SW ¼ SECT 29 T5N R3W, NW ¼ SECT 32 T5N R3W, E ½ SW ¼ SCT 32 T5N R3W. The pipeline will be buried five(5) feet deep with a maximum working pressure of 740 psi. Most of the route will be on private property except for 2 locations near farmsteads where it will be in the county road ROW. The pipeline does not go through any flood plain areas and the pipeline will be approximately 170 feet from the Mennonite church in 17-5-3. All easements except two have been signed with those 2 already agreed to but paperwork not done. The pipeline is already being place in Thayer county as they have been permitted to begin there. As no other information was requested nor any other testimony given the hearing was closed. Motion by Manning to approve Special Use Permit for NG pipeline for Aquila from Trailblazer pipeline to Altra Ethanol Plant including above ground structures. Second by R. Noel. Voting for the motion: Dumpert, Elznic, Harre, Manning, R. Noel, M. Noel. Slocum and Most. Voting no: None. Motion passed 8-0 Hearing to amend Comprehensive Plan and Future Land Use Plan @ 8:00pm. Notices to landowners were mailed, property posted and hearing was advertised in the Signal. Maps of the area and proposed changes projected on screen. Members of the public present for the hearings on the Comprehensive plan, Future Land Use Plan, Zoning District change, and Sign restriction overlay district: Sharon Krejci, Sheryl Goc, Patt Lentfer, Kathryn Ashby, Carol Rosenquist, Norman Marks, Jerry Lauber, Brad Lauber, and Gene Nichols.

The purpose of the changes are to promote and regulate growth along Highway 81 between Fairmont and Geneva. Last year the County approved of changes to the Comprehensive Plan and Future Land Use Plan along Highway 81 from County road G north to 1 mile north of Fairmont(Road D) to include Commercial and Industrial Uses. The proposal is to change the Future Land Use to Commercial/Industrial Uses along and ½ mile each side of Highway 81 from Road G to Road K. Two business are in the area currently: Wynne Transport in SE 12-7-3 and All-Around Lawn Care of Ben Ulmer(formerly Boone's Salvage) in NE 7-7-2. No immediate changes in land valuations will result in change to Future Land Use Plan.

Motion by R. Noel to amend the Comprehensive Plan and Future Land Use Plan to include Commercial Uses along and ½ mile deep both sides of Highway 81 for the four miles from Road G to Road K and along and ¼ mile deep Road H in the SE ¼ 6-7-2 and NE ¼ 7-7-2(a ½ X ½ mile area). Second by

Dumpert. Voting for the motion: Slocum, M.Noel, R.Noel, Manning, Harre, Elznic, Dumpert, and Most. Voting no: None. Motion passed 8-0.

Hearing to change zoning District from Ag-1 to C-2 Commercial along Highway 81 scheduled for 8:30pm convened after previous hearing. Various questions asked and testimony given by members of the public. Would a house or ag building be allowed if the zoning changed? Although the zoning would change the Agricultural use is grand-fathered. Additional residential buildings would need a special use permit and would most likely need a hearing with the State of Nebraska to allow driveway access as would any new commercial building as Highway 81 is a controlled access highway.

Agricultural uses would be allowed to continue. The Assessor and County Board have set policy with previous Zoning District changes from AG to C-2 that no change in valuation happens until the actual use changes on any parcel or a parcel is sold for commercial activity. Until a commercial activity is present the valuation remains as the previous Ag designation and only changes on the parcel that has the commercial activity. Signage would be allowed in the area as the C-2 Commercial District allows signage. When Wynne Transport located in 12-7-3 about 20 years ago signing for them was denied by the State Dept of Roads as it was not a Commercial District. Ben Ulmer with All-Around Lawn Care and Landscaping asked prior to the meeting if a sign would be possible if the zoning changed. The County Zoning would allow signage but it would be up to the State Roads Dept to allow the signs along Highway 81 and to recognize the C-2 designation. Questions about wetlands in the area was brought up and the inability to construct in or change wetlands. Questions about the depth of the commercial district and the need for ¼ mile as access roads would probably be needed along the highway if businesses located in areas without a current Highway 81 access drive.

Motion by Dumpert to make no changes in zoning from Ag-1 to Commercial along Highway 81.

Second by Elznic. Voting for the motion(denying change): Dumpert, Elznic, Manning, Slocum.

Voting against: Harre, R. Noel, M. Noel, Most. As not a majority the motion failed 4-4.

Motion by M. Noel to change 2 miles from Road G to Road I and ¼ mile wide on each side of Highway 81 from Ag-1 to C-2 Commercial Zoning. Second by R. Noel. Voting for the motion: Slocum, M. Noel, R. Noel, Harre, Elznic, Dumpert, Most. Voting against: Manning. Motion passed 7-1.

Hearing to add a Sign Overlay District to Highway 81 C-2 District in previous motion. Discussion on possibly limiting number of total signs to 5 or some other number. Since there already is ample sign area along Highway 81 near Fairmont and Geneva for billboard signs some restriction is probably needed to limit proliferation of billboard signs. There are two businesses in the area currently that can be seen from the highway but no means of identifying them from the highway as to the type of business is a potential problem for them and future businesses located near but not adjoining Highway 81.

Motion by M. Noel to allow on premise signs as regulated by the State of Nebraska and off-premise or billboard signs only within one(1) mile of the business location. Business would need to be within one mile of the sign if sign is located along Highway 81. Second by Slocum. Voting for the motion:

Dumpert, Elznic, Harre, Manning, R. Noel, M. Noel, Slocum, Most. Voting against: None. Motion passed 8-0.

Discussion on upcoming Special Use Permit for 120' Towers for RTK GPS signal for yield monitors, guidance, GPS locators, etc. in the NE 32-8-3, SE NE 7-7-1 and N ½ 6-5-3. Will need to be advertised and posted for next meeting.

Subdivisions: Howell in SE ¼ 9-6-3 Ok'd by County Board. Horne in NE ¼ 29-8-1 Ok'd by Exeter Village. Wilkins Subdivision in the NW ¼ 25-7-3 Ok'd by Geneva. House of Wilkins near and possibly in flood plain. Progress of subdivision and lot split changes for Villages, Grafton and Exeter will hear in March.

Motion to adjourn by M. Noel. Second by R.Noel. Meeting adjourned @ 10:30 pm

Next Meeting March 21, 2007 @ 7:00 pm even though Daylight Savings time changes.

**Fillmore County Planning Commission Minutes of
March 19, 2007 Meeting**

Meeting called to order by Chairman Most at 7:15 pm in the Board meeting Room
Present: Robert Dumpert, Sharon Elznic, Matt Harre, David Manning, Morley Most, Merle Noel, Reg Noel Also present: Zoning Administrator Gerald Slezak
Absent: Ralph Kassik, Norma Lichtenberg, Ken Real, Cindy Slocum
Minutes of the February 19, 2007 meeting were read by each member. Motion to approve by M. Noel, Second by Dumpert. Voting for the motion by voice vote passed 7-0.
Correspondence from Seward County; Planning & Zoning Regulation changes, no specifics in letter just notification of hearings.
Fairmont Ethanol plant update: Ballast rock from Ohio being hauled to plant site. Hoping to have electrical substation in operation by April to supply power.
Slezak read letter on Nebraska water laws about upcoming meeting. Slezak attended Legislative hearings at capitol in Lincoln with Len Schropfer and Stuart Luttich about moratorium on well drilling and on classification of streams and bodies of water.
7:30 pm Hearing for Special Use Permit for 120 feet towers for RTK GPS signals.
Present for hearing: Christ Meyer Currently 3 towers will be constructed in Fillmore County with a fourth possible in the SE corner when needed. Plains Power & Equipment will be placing 14 towers in surrounding counties including the three in Fillmore.
Explained why they needed the 120 feet high towers to get signal out. Towers are 3500 pounds, free standing, metal with no guy wires. Towers will not have marking lights – not required by FAA for towers less than 200 feet high. Locations are NE ¼ 32-8-3 (by Lovegrove's shop), SE corner of NE ¼ 7-7-1 (Pheasants forever corner) and NW ¼ 6-5-3 north of Shickley. Received phone calls from Sonny Hanson and Kemp's with questions about tower placement and talked with Sky Tech spraying about towers. Most asked about notifying crop duster pilots of tower locations. Slezak will notify spraying services about all new towers and locations.
Geneva Implement will also be putting up 3 towers in Fillmore County for RTK GPS in NW 18-6-1, NE 30-5-4 and probably 29-8-4. These towers will only be 60 feet high and near existing power lines and will not need special use permits.
Motion by Dumpert to issue Plains Power & Equipment Special Use Permits to place 3 towers. Second by Harre. Voting for the motion: M.Noel, R. Noel, Manning, Harre, Elznic, Dumpert, Most. Voting against: None. Motion passed 7-0
Slezak read letter from Nebraska Land Institute if County wants to become member.
The County Board adopted the changes in the Comprehensive Plan and Future Land Use as was passed by the Planning Commission. The Board did expand the area recommended for zoning change to C-2 from Ag-1 to include all 4 miles from Road G to Road K along Highway 81 and also the E ½ SE ¼ 24-7-3. The Planning Commission recommended just the 2 miles from Road G to Road I. All towns have adopted the changes in the lot split and subdivision regulations except Strang which is not included in the county zoning.

Zoning applications:

R. Weaver	33-7-3	25 X 30 Storage shed
Geneva Implement	NW 18-6-1, NE 30-5-4	RTK GPS 60' towers
Jessie Kempf	Shickley	Fence
Lauber Seed	W ½ NW ¼ 16-8-3	Well & Pivot
Ben Ulmer on Jim Lovegrove	SW SW 6-7-2	Sign
Desert Island Farms	NE 25-5-2	New Well Used Pivot
Desert Island Farms	SW NW 28-5-1	Used Pivot
Desert Island Farms	8-7-1	Short Pivot on corners
Mark Jordan	SW 20-5-2	Used house moved in
Robert Laschanzky	Grafton	8X 10 shed & fence
Bristol	SW 11-8-2	New Grain bin
Dean Bartu	E ½ NE ¼ 10-6-1	Clear land and run pivot full

Howell Subdivision SE ¼ 9-6-3 ok by county board

Next meeting April 16, 2007 8:00 pm

Meeting adjourned @ 9:10pm by Most

**Fillmore County Planning Commission Minutes of
April 16, 2007 Meeting**

Meeting called to order by Chairman Most at 8:07 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, Matt Harre, Morley Most, Merle Noel, Reg Noel, Ken Real.

Also present: Zoning Administrator Gerald Slezak

Absent: Ralph Kassik, Norma Lichtenberg, David Manning, Cindy Slocum

Minutes of the March 19, 2007 meeting were read by each member. Chairman Most declared minutes approved as read.

Update on Ethanol plant Fairmont: working on substation to get electrical power and no work currently being done on rail but large pile of ties north of site.

Complaint from Sargent Irrigation to County Board about past permit error, policy of cashing fee checks and request for different permit form as used by York County. County board suggested change of permit form for wells and pivots and for Slezak to come up with new form. Policy of check cashing and verification of owner/renter on wells and pivots already changed. Need to get permit for new well and pivot to replace gravity irrigation for John Nelson on NE 11-6-2.

Current & Past Zoning applications:

Ron Isley	Grafton	Building for lawn mower and storage
Dennis Harrison	Exeter	Move in Used steel bldg 32 X 34
Dwayne Luzum	31-7-1	Replacement Well
Tom Votipka	W SW 30-7-1	New Well & Pivot
Gerald Oswald	NE 7-5-4	Swing arm Pivot
Visitors Committee	Milligan Village	Tourist Kiosk
Emil Pearson	15-5-4	New Well & Used Pivot
Troy Perkins	Fairmont	Fence
First National Bank now Dennis Peters	SW 23-8-1	New Well & Pivot
Ron Sealock	1-8-2	Cropland to grass, storage shed & fence
Paul Kassik for Boswell	Shickley	Fence
Doane College	NE 33-8-3	911 address for DSL & remote camera

GPS towers for RTK – Slezak contacted aerial sprayers about new towers – Jerry Shriner & Sky Tech Fairmont, McCool Fertilizer. Others; Fairbury?, Milford

Slezak mentioned resignation as zoning administrator

Meeting adjourned at 9:40 pm by Chairman Most. Next meeting May 21, 2007 @ 8:00 pm

**Fillmore County Planning Commission Minutes of
May 21, 2007 Meeting**

Meeting called to order by Chairman Most at 8:07 pm in the Board meeting Room

Present: Sharon Elznic, Matt Harre, Morley Most, Merle Noel, Reg Noel, Ken Real, Cindy Slocum

Also present: Zoning Administrator Gerald Slezak

Absent: Robert Dumpert, Ralph Kassik, Norma Lichtenberg, David Manning Minutes of the April 16, 2007 meeting were read by each member. Motion by Real to approve minutes of April 16, 2007 meeting. Second by Harre. Minutes approve by voice vote 7-0

FEMA Flood plain report was received pertaining to Geneva city area. Information was forwarded to City of Geneva Clerk and Bob Higel. Correspondance from Kinder Morgan requesting notification when zoning action impacts areas with pipelines.

Fairmont ethanol plant update: nothing new other than construction progressing with work on rail lines and sign.

Past and Current zoning applications:

Letter received from DEQ for expansion of Harre Feedlot capacity from 5300 head to 7500 head of cattle. Hearing will be next month June 18, 2007. Application from Swartzendruber Construction to add on to existing building out toward street. Discussed setbacks for Commercial along property lines. The current building is located 1 block east of main or Market street and is located on the southern most commercial lot adjoining a residential district to the south. Current regulations require 0' or no setback on C-1 Commercial frontage but a 10' setback from adjoining Residential district on side. Motion by M. Noel that any new addition be kept inside the property line (inside of sidewalk) and not encroach on the city street right-of-way of S. Pear street. Second by Slocum. Voting for the motion: Harre, Real, R. Noel, M. Noel, Slocum, Elznic, Most. Voting against: none. Motion carried. Other discussion on building a storage building on lots on east side of S. Pear. Smaller residential type storage is allowed as the lots are zoned Residential. Industrial district is south across Kline street. Possible action could involve rezoning southern most lots to Industrial.

Subdivisions: Murphy NE 31-8-1 OK; Ekeler – SE 6-8-1 is currently less than 3 acres but cleaning up to corner then total would probably add up to more than 3 acres as required. Could be on hold as death in family. Discussion about Jerry Engle needing 2 more acres to add to existing 1 acre if changes made. Discussion on Bill Plock request for 911 address Northeast of Exeter. Moving in from York County to trailer house besides existing house of his mother's. Address stays the same as 2413 Road 16, Exeter.

Other applications:

Mitch Schlegelmiltch	Exeter	Wood deck, Patio, & Fence
Jim Zeleny	S1/2 NE 24-7-2	42' grain bin 33000 bu
Swartzendruber Construction	Shickley	Addition to Commercial bldg
Swartzendruber Construction	Shickley	Storage Bldg in Residential
K & K Myers	SW 21-6-2	2 New Bins 48 X 41'
Merrill Toothman	Exeter	Lawn shed 8X10
Daryl Hughes	WSW 16-7-3	Replacement well
Ruth Boswell	Lots 16-17 Shickley	Fence
Tim Axline	Exeter	Add basement and remodel house
Max Miller	W1/2 SW 18-6-2	Shipping container for storage (hunting)
Steve Heinrichs	SW 10-5-4	90,000 bu 60' grain bin

Need permits from Ron Krupicka NW- NE 36-5-1 two bins, John Nelson NE 11-6-2 pivot & well

Motion by M. Noel to adjourn. Second by R. Noel. Meeting adjourned @ 10:15 pm. Next meeting June 18, 2007 @ 8:00 pm

**Fillmore County Planning Commission Minutes of
June 18, 2007 Meeting**

Meeting called to order by Chairman Most at 8:10 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, Matt Harre, Ralph Kassik(8:15), Morley Most, Merle Noel, Reg Noel,

Also present: Zoning Administrator Gerald Slezak

Absent: Norma Lichtenberg, David Manning, Ken Real, Cindy Slocum Minutes of the April 16, 2007 meeting were read by each member. Minutes declared approved by Chairman Most as no additions or corrections noted.

Letter from NDEQ read by Administrator Slezak about ABE Fairmont wastewater treatment permit. Update map sheets of power line to Ethanol plant.

Ethanol Plant Update- Grand Opening will be set back to later date Next Contract month is posted as September but told that they will be pulling those bids off their website too. Discussion on July contracting of corn and the rail cars that are parked at the site. New name for the plant is ABE Fairmont.

Discussion of June 2007 expiring terms of current members. Kassik – staying on, Lichtenburg – maybe, Dumpert – No(will look for replacement with Village of Exeter), Merle Noel – staying.

8:30 Special Use Permit for Harre Feed Yards, Present for hearing: Patt Lentfer- Economic Development Director, Gladys Weber, Tom Weber, Jim Buzek, Tom Buzek – all of rural Exeter, Robert and Kathleen Harre- owners.

Discussion of DEQ approval process, whether application has been sent to Zoning Administrator or County Board – still in public comment period.

1. Asked Harre's number of animals currently at location
2. Asked Harre's about waste management plan – Map in DEQ application 5/23 shows land maps – needs 4702 acres for waste from 7500 cattle.
3. Asked if lots would increase in size – NO, just numbers of animals in present pens.
4. Manure is stock piled until able to spread on other available acres, has three pits to contain run-off water and use pivots to spread waste water.
5. Asked if increase from 5300 – 7500 head would increase smell & fly problems – explained tree border and working with DEQ on odor & fly.
6. County Board will hear Special Use Permit on July 24, 2007 @ 11:15 am and give final approval.

Most read letters from David & Ann Bruntz, Dwaine Bruntz, and Marilyn O'Neel – rural area of Friend, Nebraska stating no objections to the proposed expansion. Hearing closed.

Motion by Dumpert to give Special Use Permit to Harre's Feed Yard for expansion from 5300 head to 7500 head and forward to County Board for approval. Second by Kassik. Voting for the permit: Dumpert, R. Noel, M. Noel, Kassik, Elznic, Most. Voting against- none. Harre abstaining from voting. Motion passed.

Zoning Administrator resignation- Slezak will be done July 1 or until new administrator hired. Help wanted added. Slezak explained hours & wages. Will need a special meeting between 16th and 24th of July to interview applicants – most likely Friday July 20, 2007 @ 7 pm.

Past & Present applications

Dallas Myers –by Gerald Jasper	SE 3-6-1	New well & Pivot
Scott Shipley	Shickley	Privacy fence
Richard Reeb	S 35-6-4	Used pivot & overground pipe
John Nelson by Keith Nunns	NE 11-6-2	New well & pivot
Barbara Hoagland	Grafton	30X32 Garage
JDGK	NW SW 17-8-4	Subdivision
Merl Reinsch	SW 10-6-4	Patio
Jerry Stevens	29-8-3	Used Bin
Merlin Ehman	Fairmont	Storage shed

Subdivision JDGK NW of SW 17-8-4

Kassik moved to approve JDGK subdivision on NW SW 17-8-4 3.1 acres. Second by R. Noel. Voting for Kassik, M.Noel, R.Noel, Dumpert, Harre, Elznic, Most. Passed 7-0

Swartzendruber – Shickley Passed by Village, discussed vacant lot and rezoning 3 lots to Commercial and parking on north side of trailer, No recommendation unless change zoning.

07-08 Budget. Gerald will use the same numbers as last year for the new budget and submit to County Board- OK by all members of Planning Commission

Maximum Livestock Numbers. Need to be looked at one by one and setback will need to be looked at case by case basis.

Gerald – Party with gifts.

Motion to adjourn by Dumpert. Second by Kassik. @ 10:15 pm.

Next meeting July 16, 2007. @ 8:00 pm

Need new minute book for July 07 minutes

**Fillmore County Planning Commission Minutes of
July 16, 2007 Meeting**

Meeting called to order by Chairman Most at 8:16 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, Ralph Kassik, Norma Lichtenberg, David Manning, Morley Most, Merle Noel(8:25), Cindy Slocum

Also present: Zoning Administrator Gerald Slezak

Absent: Matt Harre, Reg Noel, Ken Real, Minutes of the June 18, 2007 meeting were read by each member.

Motion to approve minutes of June 18 by Kassik. Second by Lichtenberg. Approve 7-0 by voice vote.

Election of Officers: Nominations conducted by Administrator Slezak. Nominations for Chairman; Lichtenberg nominated Most. Dumpert seconded that nomination. Most nominated Dumpert. Kassik moved to close nominations and conduct secret ballot.

Second by Dumpert. Most received 7 votes and Dumpert received 1 vote. Most remains Chairman for 1 year. Nominations for Vice Chairman; Manning nominated Matt Harre. Motion by Elznic to cease nominations and cast a unanimous ballot for Harre. Second by Most. Motion carried 8-0 by voice vote. Harre declared Vice Chairman for 1 year.

Nominations for Secretary; Noel nominated Sharon Elznic for Secretary. Motion by Lichtenberg to cease nominations and cast a unanimous ballot for Elznic. Second by Slocum. Motion carried 7-1 by voice vote. Elznic declared Secretary for 1 year.

Meeting turned back over to Chairman Most.

Members terms currently expiring: Merle Noel – stay on for another 3 year term until 2010; Norma Lichtenberg – stay on for 3 year term ending 2010; Ralph Kassik – stay on for 3 year term ending 2010; Robert Dumpert – stay on until new member is appointed by Exeter Village Board.

Fairmont Ethanol Plant update: Rail cars present at site are for by-products (DDG) and are owned by ABE, currently taking bids for October delivery as the August and September bids were pulled because of delay in opening date.

Correspondence including DEQ – Title 124 changes mainly in wording and certification of waste treatment installers

Zoning Administrator opening – no applications received by deadline so no interviews.

Dick Dolph called about job and just asked questions. Job will be re-advertised in Signal starting July 19, 2007. This is Slezak's last meeting. Another option is to contract with Orval Stahr for 1 year. Amy Nelson was to prepare a new application form.

Thayer County has Ag-zoning subdivision and deed restriction to maintain agricultural use viability. Slezak talked with Chris Frey, Thayer Co. Administrator about the clause required on new Agricultural subdivisions restricting the ability to sue because of livestock odors, aerial spraying, irrigation motor noise, etc. Would need attorney to look at wording to see if we could use here.

Discussion on pivot coming out on road, and if we need regulation for stops. Tabled until next meeting. Slezak will bring suggestions to next meeting.

Past & current applications:

Milligan Methodist Church	Milligan	Sign 2 X 4'
Leroy Rohr	NE 3-5-1	Used 18X24 lean-to, clearing trees etc
Doug Chaney	6-6-3	60X100X16' Pole Building
Perennial PPD	ABE substation	Corrected fee amount
Jim Reinsch	SE 7-7-2	1000' Pivot irrigate 50.8 acre from dry
James Stutzman	W1/2 29-5-1	50X60X18 storage bldg
James Sliva	Shickley	Replace 10X12 storage
Lichti Farms on JDM Farms	SW 25-5-4	New House
Doane College	E1/2 33-8-3	26X27X14 Storage bldg
Doris Miles	S1/2 NW 5-7-2	Replacement well
ABE Fairmont	SE 36-8-3	Sign
Swartzendruber Const	Shickley	

Subdivisions: Ozenbaugh Subdivision NE 11-5-2 6 acres w/map Sherie (Schropfer)(Turner) Motion by Kassik to accept Ozenbaugh subdivision of 6 acres in NE ¼ 11-5-2. Second by Manning. Voting for the motion: Dumpert, Manning, Lichtenberg, Slocum, M.Noel, Kassik, Elznic. Voting against: None. Not voting: Most. Passed 7-0

Erwin E Schmidt Subdivision SE ¼ SW ¼ 17-7-4 complete with maps, fee and all paperwork. Noel moved to approve Erwin E Schmidt Subdivision of 4.45 acres in SE ¼ SW ¼ 17-7-4. Second by Lichtenberg. Voting for the motion: M.Noel, Kassik, Dumpert, Manning, Lichtenberg, Slocum, Elznic. Voting against none. Not voting Most. Motion passed 7-0

Murphy Twin Silo Subdivision : Motion by Dumpert to approve Murphy Twin Silo Subdivision of 6.96 acres in NE ¼ 31-8-1. Second by Slocum. Voting for the motion: Slocum, Elznic, Lichtenberg, Manning, Dumpert, Kassik. Voting against: none. Not voting: Most. Motion passed 7-0

Fiscal 07-08 Budget. With the same numbers as last year no further discussion on budget of \$21,278. No changes so far by County Board. Last year spent \$15,024.77.

Tentative meeting for July 20 cancelled because of no applications received for Administrator position. Next possible special meeting to review applications for August 24, 2007 @ 8:00 pm. Next regular meeting August 20, 2007 @ 8:00pm

Motion to adjourn by Lichtenberg. Second by Slocum. Voice vote of 8-0 to adjourn @ 10:15 pm??

**Fillmore County Planning Commission Minutes of
August 20, 2007 Meeting**

Meeting called to order by Chairman Most at 8:08 pm in the Board meeting Room

Present: Robert Dumpert, Sharon Elznic, David Manning, Morley Most, Merle Noel, Ken Real,

Also present: Zoning Administrator Gerald Slezak

Absent: Matt Harre, Ralph Kassik, Norma Lichtenberg, Reg Noel, Cindy Slocum Minutes of the June 18, 2007 meeting were read by each member.

Motion to approve minutes of July 16 by Manning. Second by Real. Approve 6-0 by voice vote.

The NACO workshop will be held September 10 in Grand Island anyone wanting to attend needs to fill out an application.

Applications received for new Zoning Administrator – meeting will be set up for August 24 @ 7:00 PM all applicants will be interviewed at that time. Roger Jacobsen asked to withdraw his application. Discussed hours and days with Bob Mueller : Suggested 10 hours in courthouse and 5 to 8 in the field checking applications. Structures on the Ron and Jean Ruhl property in Exeter Lot 5 Ira gilberts 2nd addition . Poles have been placed to show where property line is so people don't drive on his property. Gerald had pictures of where poles are. Hopeful road will be graded and trees removed for drainage. Question is what do we call the poles and are the poles considered a fence and are poles considered a fence until work can be done on street. Dumpert read what a fence is taken from the dictionary. Ruhl need a permit for poles as a fence – Gerald will handle.

Gerald asked Bob Mueller about budget ok'd Bob Mueller also said part of Zoning office will probably be used for County storage.

Mobilehome park in Fairmont purchase future can't open DEQ says they have to redo Sewer and water if they try to sell and if they do can it still remain mobile park. New owners want to move in two of their own mobile homes .

Question is this OK by our book. (Gerald ok'd) Storage building carport (ok'd) .

Pivot stops were discussed Gerald had definition and handed out and explained to the Board. Do we need to add to the book for safety? Noel made a motion that wiper systems need a permanent stop Second by Manning.

Voting for the motion : Dumpert, Manning, Noel , Elznic and Most. Voting against: Real . Motion carried.

Ag2 setbacks discussed need three acres unless in village city limits houses must be 1000 ft on same side of road 500 ft across the road from each.

Motion made by Dumpert to change set backs in Ag2 for single dwelling located within ½ mile of village city limits. Second by Real . Voting yes : Real, Elznic, Noel, Dumpert, Manning, and Most Motion carried.

Past and present applications were discussed and Gerald will add to meeting minutes.

Jamey Myers	NE 27-6-2	New Garage 40X48
Kent Myers	NE 20-6-2	Add on House Enclosed Patio 16X24
Alan Michl	NW Block 16 Exeter	Add. On house – Deck 12X26
Jim Motis	NW 7-7-1	2 Fabric Hoop buildings for Livestock
John Plock	NW 35-5-4	New House 32X64
Delphin Jensen	SE 5-8-1	Replacement Well
Darien & Betty Thomsen	SW 14-8-2	Replacement Well
Kendra & Chad Oldehoeft	Lots 487-488 Exeter	Privacy fence
Manning Grain	Burress Block 17 RR add	500,000 bu bin 93X107
Arlene Kassik	NW 15-6-1	Bin on farm replace damaged one 30X?
Robb Davis	NE 12-6-4	New Garage 30X40
Doris Miles	S1/2 NW ¼ 5-7-2	Replacement Well
Leonard Sluka	NE 19-6-1	New Bin 33,000 bu(talked about last time)

Gerald needs to send an app to Richard Peterson for a replacement well west of town. New forms have two more lines one for the pivot installer and one for well driller. The FEMA Floodplain workshop Sept. 13 was discussed Elevation certification. Meeting will be held 3 different places.

Livestock friendly counties were discussed they include: Morrill, Hitchcock, Webster, Keith, Dawson, as of now.

Office inventory Gerald brought a new filing cabinet. Next a new printer is needed. Gerald suggested a color laser at an approximate cost of \$330. \$500..

This is Gerald's last meeting as Zoning Administrator and will work with new Administrator.

Closed session at 9:55

Reviewed applications: Geraldine Daniels – Geneva and Larry W. Robeson- Exeter. Next meeting will be September 24th at 7:00 PM to conduct interviews.

Next regular meeting Monday September 17, 07 at 8:00 PM

Meeting declared adjourned by Chairman Most @ 10:16 PM

Fillmore County Planning Commission Minutes of
September 17, 2007 Meeting

The meeting of the Planning Commission was called to order at 8:15 pm by Chairman Most in the Board meeting room.

With the following members present: Robert Dumpert, Sharon Elznic, Morley Most, Reg Noel, Merl Noel and Matt Harre.

Also present was Zoning Administrator Geraldine Daniels.

Absent: Ralph Kassik, Norma Lichtenberg, David Manning, Ken Real and Cindy Slocum.

Motion to approve minutes of August 20 meeting made Reg Noel Second by Robert Dumpert .
Approved by voice vote 6-0.

An update on the ethanol plant start date was given as October 10,07.

NACO Zoning Administrators training workshop held in Grand island on Sept. 10 was attended by Geraldine and discussed some of the topics that were covered at the meeting.

Geraldine the new Zoning Administrators office hours have been set as: Monday and Thursday 12:00PM – 4:00 pm and Tuesday & Friday 12:00 PM – 2:00 PM Wednesday the office is closed. Also anyone wanting to reach her other than these hours may call 402-759-3943.

Richard Petersen still needs permit for new replacement well on home place. And Todd Fox needs permit in Shickley for adding on to house.

The following Present and past applications have been received:

Roland Saltzman	Shickley	2800 ft of plastic irrigation pipe for corners
Doug Motis	Exeter	24'x36'x 8' garage
Jason Pribyl	Sw 20-6-1	48x68 Bin
Ron Ruhl	Exeter	Fence
Janet Zohlke	Fairmont	House for daughter
Lawrence Lichti	N1/2NE23-5-4	Pivot
Chad& Gary Carlson	Shickley	Pivot
Sherri Turner	NE 11-5-2	New house

At 8:30 pm the hearing to allow higher residential density in the Agricultural Transition Zone (AG2) . and also to allow for more commercial grain storage in this area. There was discussion on this and how this option could possibly help smaller villages have more housing available.
No letters and no one present on the matter.

Merl Noel made a motion to proceed with proposed changes in Ag 2 second by Robert Dumpert. .

Yes votes: Matt Harre, Robert Dumpert, Reg Noel , Sharon Elznic, Merle Noel and Morley Most

Nay : 0

Motion carried : 6-0

A hearing regarding adding Requirements for permanent pivot stops for Wiper or Partial Pivots or any Pivot that could come in contact with the ROW was opened.

The minimum structural requirement would be : 6 inch pipe 10 ft long 4 ft in the ground with cross

pieces. New pivots or replacement pivots will need stops. All existing pivots will be grandfathered in and do not need to change stops. As of January 1, 2007 that pivot stops will be required on any new or replacement partial pivots or wipers that will come in contact with any roads will need stops with the above minimum requirements.

There were no letters and no one appeared so a motion was made by Robert Dumpert
To accept the above changes second by Merle Noel.

Yes Vote: Robert Dumpert, Merle Noel, Reg Noel, Matt Harre, Sharon Elznic and Morley Most.

No: 0

Motion Carried 6-0

The mobile home park in Fairmont was discussed and Geraldine will get more information on this and bring to the next meeting.

Subdivisions: None

Thayer Co. Ag Zoning Geraldine will contact their office for more information.

Office Inventory:: A new printer is needed Do we really need a color laser printer?

The next meeting will be October 15,07 at 8:00 PM

Chairman Most declared the meeting adjourned 9:55 PM.

Fillmore County Planning Commission Minutes of Meeting

October 15, 2007

The meeting of the Planning Commission was called to order at 8:20 pm by Chairman Most in the Board meeting room.

With the following members present: Matt Harre, Merle Noel, Morley Most, Sharon Elznic and David Manning.

Also present was Zoning Administrator Geraldine Daniels.

Absent: Regie Noel, Ken Real, Cindy Slocum, Norma Lichtenberg and Robert Dumpert.

Minutes of the September 17, 2007 meeting were read and approved by voice vote.

The ethanol plant should be up and running very soon..

A change was made in the wording of pivot stops as required by the Board of Supervisors. To read minimum structural equivalent of 6" pipe 10 ft long 4ft in ground with cross pieces.

The Planning commission needs to find a replacement for Ralph Kassik. John Zelenka and Jane Halama were suggested.

All new office equipment that was needed has been purchased:

Dell Laser Black & White printer \$298.00

Map Holder \$98.00

Meeting declared adjourned by Chairman Most at 9:00 PM

Next meeting November 19, 2007 at 7:00pm.

Fillmore County Planning Commission Minutes of Meeting

November 19, 2007

The meeting of the Planning Commission was called to order at 7:40 pm by Chairman Most in the Board meeting room.

With the following members present: Matt Harre, Merle Noel, Morley Most, Sharon Elznic and Robert Dumpert.

Also present was Zoning Administrator Geraldine Daniels.

Absent: Regie Noel, Ken Real, Cindy Slocum, Norma Lichtenberg and David Manning.

Minutes of the October 15, 2007 meeting were read unable to approve due to lack of a quorum.

The ethanol plant is up and running.

The permits since the last meeting:

Lorraine Hoffman Pivot N1/2NE1/4 7-8-4

Shickley Air Ser Storage Tank NE1/4 11-5-4

Garold & Wilma Casper House & garage Lots 9-11 1st Add Shickley

Wayne Kennel Grain Bin SW 1/4 11-5-3

Wayne KennelPivot SW 1/4 11-5-3

Craig & Lisa Reinsch Storage shed 5.23 acres 25-6-4

Ben Erne Grain Bin 33-8-1

Jeremy McCroden Well N1/2 NE 32-8-4

K&K Myers Well SW 35-6-2

All approved by the Zoning Board.

The change in wording for the pivot stops was approved by the Board of Supervisors.

Geraldine passed out copies of a permit for irrigation pivots and wells that she got out of York County. Changes would need to be made on setbacks to adjust for the regulations in Fillmore County but otherwise the Planning Commission should be ok to use.

At 8:00 the Hearing on the Galway Special Permit was opened.

Present were Joe Galaway

Albert Radke

Nancy Galaway

Mark Morgan

Galaway wants to sell property and buyer wants to be able to put a couple of horses on it. Three adult animals the Fairmont Village Board recommended allowing.

According to Village Ordinance 6-211 no special use permit should be needed.

Chairman Most declared the meeting adjourned at 8:50 PM.

The next meeting will be Dec. 17, 2007 at 7:00 PM

Planning Commission Meeting

December 17, 2007

The December meeting of the Fillmore County Planning commission was called to order by Chairman Most at 7:23 pm.

The following members were present: Robert Dumpert, Sharon Elznic, Matt Harre, Morley Most, Reg Noel, Merle Noel and new Fairmont member Mark Morgan.
The following members were absent: Norma Lichtenberg, David Manning and Ken Real.

Cindy Slocum of Fairmont is being replaced by Mark Morgan.

Minutes of the November 19th meeting will stand approved as submitted.

Current zoning applications:

Robert Bettger – well – Se1/4 24-8-3w

Jerry Engle- Pivot – NE ¼ 20-6-1

Mark Morgan – Garage & storage – lots 117,118,119 East Addition Fairmont

Robert Morava – Garage – Exeter

Carol Hoarty – Well – W1/2 SW ¼ 36-7-2

Talk about Exeter garage being moved without a permit.

Discussed new permits for pivots it shows in minutes of several meetings in 2003 that this was needed.

Also discussed fines on something that doesn't have a permit or for noncompliance with a permit. The zoning Administrator should talk to Howard regarding our ability to level a fine.

Meeting declared adjourned by Chairman Most at 8:40 PM.

Next meeting January 21, 2008 at 7:00 PM.