

## **Fillmore County Planning Commission**

**January 18, 2010**

### **Minutes of Meeting**

The meeting of the Fillmore County Planning Commission was called to order by Chairman Most at 7:05 P.M. with the following members present: Matt Harre, Sharon Elznic, Morley Most, Marvin Nadherny, John Griess, Mark Morgan, Allen Stuckey, Merle Noel and Reg Noel. Absent: Tom Manning and Lanny Ackerman.

The minutes of the December meeting were read by each member. Motion by Nadherny second by Stuckey to accept the minutes as presented. Approved 7-0.

The following permits were presented:

Taylor Family Farms SW ¼, 9-7-2	Geneva	Pivot
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The Stengel Subdivision was presented for approval: 3 acres of Section 25-6-4 Loydeen Stengel farmstead. Merle Noel moved Second to accept the subdivision second by Matt Harre: Roll call vote: Yes: Reg Noel, Merle Noel, Mark Morgan , John Griess, Marvin Nadherny, Matt Harre, Sharon Elznic and Allen Stuckey. No: 0 Most not voting.

Motion carried Discussed township road to be graveled for new housing.

The Peppie privacy fence was discussed as well as a discussion on the lot purchased by the co-op in Exeter at this time the issue of it becoming a parking lot is void due to the fact that the house hasn't been sold yet.

Administrator Daniels reported that since more information has gotten out regarding the flood plains in the county she has been requesting more Base Flood Elevation reports from the State Department of Natural Resources.

R. Noel moved to adjourn the meeting second by M. Nadherny motion carried. Meeting adjourned at 7:35.

Next meeting February 15, 2010 7:00 PM

## Fillmore County Planning Commission

February 15, 2010

### Meeting Minutes

The February meeting of the Planning Commission was called to order by Chairman Most at 7:05 P M.

The following members were present: Morley Most, Sharon Elznic, Tom Manning, Matt Harre, Reg Noel, Merle Noel, John Griess and Allen Stuckey. Also present was Al Simacek, Jerry Galusha and Jerri Daniels. Absent were Mark Morgan, Lanny Ackerman and Marvin Nadherny.

Minutes of the January 18 meeting were read by each member and approved.

John Workentine	SE ¼, 1-7-4	Geneva	Grain bin & leg	Steel
Darrel Mosier	SW ¼, 15-5-3	Shickley	Pivot	
Richard Reeb	SE 3-5-4	Shickley	Well & pivot	
Todd Probasco	W ½, SW ¼, 15-8-3	Fairmont	House	Wood & vinyl
Kempf Farms, Inc	6-5-3	Shickley	12 grain bins	Steel
Kempf Farms Inc	E ½, W ¼, 6-5-3	Shickley	Pivot	
Kempf Farms Inc	N ½, SE ¼, 1-5-4	Shickley	Pivot	
Jesse Peppie	Lot5& 10' lot6, Blk 12 1st Add	Shickley	Privacy fence	Wood

Received a copy of a 2nd letter sent to Jessie Peppie regarding a fence that needed a permit have received \$25.00 Daniels will decide whether to send a letter requesting an additional \$25.00.

Fred Walker JEO Consulting discussed new proposed cost to redo Zoning book – redo comprehensive Plan cost approximately \$75,500.00 along with town hall meetings and workshops. New transportation section and future land use maps updated. Zoning and subdivision regulations full rewrite cost \$31,000.00 along with workshops, public hearings ( couple things that need added) updating zoning maps and have a couple of meetings to discuss. Subdivision regulations seem to be ok as is.

Geneva City just did a new Comprehensive plan , Future Land use map, transportation section and Zoning and Subdivision Regulations.

Discussed Future Land Use Chapter 2-2-4 Transportation Chapter 2- 2.13 in zoning book each member should have.

New Maps- air photo, overlay with flood plain maps for county Villages need new maps.

County picking up whole bill then each village would pay their share back to the county.

New Transportation maps discussed over lay with county maps not recommended.

Section 13 page 21;

Annexation & recording of plat with village section of the Fillmore County subdivision regulations.

Section 3 Jurisdiction

Wind Turbine Commercial / Utility Section 12.3 – 12.4

Amendments Page 31.

Approximately \$20,000.00 JEO do all the work on the mapping through the courthouse and Joan's office then get back to Zoning Board on cost and what needs to be done.

Discussion of the possibility of putting the Zoning office together with Emergency Management. Merle Noel thinks it should be two separate jobs.

Allen Stuckey made a motion not to combine zoning and emergency management Second by Merle Noel Roll call vote No: Reg Noel, Matt Harre, Merle Noel, Allen Stuckey, Dave Manning, Sharon Elznic and John Griess. No: 0

John Workentine, Geneva burned down a house need a permit for a land use change.

Members are to attend Supervisors meeting Tuesday 10:30 AM.

Next meeting March 15, 2010 P.M.

Matt Harre made a motion second by Reg Noel to adjourn meeting motion carried.

Meeting adjourned at 10:05 PM.

## Fillmore County Planning Commission

March 15, 2010

### Minutes

The March meeting of the Fillmore County Planning Commission was called to order by at 7:15 PM by Chairman Morley Most with the following members present:

Lanny Ackerman, Matt Harre, Mark Morgan, Morley Most, Sharon Elznic, Marvin Nadherny, Tom Manning, Reg Noel and Allen Stuckey. Absent: Merle Noel and John Griess.

New permits issued for the month were as follows:

Dale Weber	SE ¼, 11-7-2	Exeter	Grain Bin	Steel
Jeff Huber	SE 7-8-4	Grafton	Grain Bin	Steel
TNO Farms	NE ¼, 7-7-3	Grafton	Grain Bin	Steel
Aaron Griess	W ½, NE ¼, 6-8-4	Grafton	Grain Bin	Steel
Tom Snider	SW ¼, 6-8-3	Fairmont	Pivot	
Floyde A Anderson	20-5-4	Ong	Well & Pivot	
Bob & Dick Fessler	21-7-4	Sutton	Grain Bin	Steel
Robert Engle	E ½, SE ¼, 12-6-3	Geneva	Grain Bin	Steel

The minutes of the February 15<sup>th</sup> meeting were read by the members a correction was made on a vote no was typed where it should have been yes. Ackerman moved that the minutes be approved as corrected second by Reg Noel Motion carried.

Zoning permits were updated by adding se and ne to legal for Anderson and Fessler.

The Aquirre Subdivision NE ¼, 16-5-1 approximately 4.5 acres was discussed it is the existing farmstead.

Motion by Reg Noel second by Marvin Nadherny to approve the Aquirre subdivision roll call vote: Yes: Stuckey, R. Noel, Ackerman, Harre, Morgan, Manning, Nadherny, Elznic. NO: 0 Motion carried 8-0.

Most not voting

Discussed comp plan mapping. Book is ten years old, needs to be updated so county can receive grants. JEO gave quote of \$18,000- \$20,000 to redo only mapping for county and towns. Daniels to do all the leg work then sends all information to JEO for \$5,000 cost to County to put on the Zoning computer. Each town to have its own map as well as a map for each township. March 23<sup>rd</sup> the Planning Commission will meet with the Board of Supervisors to discuss the mapping as well as the Board of Adjustment. The Supervisors will appoint the members of the Board of Adjustment. Can we amend the book to take out the Board of Adjustment completely? Jerri Daniels will check on this question.

Motion by Reg Noel to work with the GIS Workshop and the Assessors office to update the 6 town maps and 16 township maps and also to enlarge each map to 11"x17" to place in book. Land use map, transportation, well head protection, public facilities, zoning map (to show A1 and A2) zoning map corporate limits /planning jurisdiction. . Second by Morgan. Roll call vote: YES: Manning, Nadherny, Elznic, Stucky, R. Noel, Ackerman, Harre, Morgan and Most. NO:0

Motion by Stuckey that all members of the Planning Commission, all villages, County Clerk, Zoning Office, plus a couple of extra approximately 25 new books when updating is completed. Second by Manning. Roll call vote: Yes Ackerman, Harre, Morgan, R. Noel, Stuckey, Manning, Nadherny, Elznic, Most. No:0 9-0

Most read an article he took off of the internet what a comp plan should include when putting book together.

Question ask the Supervisors what JEO is going to do to the comp plan besides changing the date from 2009- 2020update school closing, transportation, railroads and new highway 81.

Peppie-fence- Jerri will not ask for extra \$25.00

Next meeting April 18, 2010 at 8:00 PM

Motion to adjourn by Nadherny second by Morgan yes 9-0

# Fillmore County Planning Commission

April 19, 2010

## Minutes of Meeting

The Fillmore County Planning Commission met in regular session April 19, 2010 at 8:00 O'clock PM with the following members present: Lanny Ackerman, Sharon Elznic, Morley Most, Reg Noel and Marvin Nadherny. Absent: Merle Noel, Matt Harre, Tom Manning, John Griess, Allen Stuckey and Mark Morgan.

Minutes of the March meeting were read by each member.

The following zoning permits were submitted:

Morley Most	Lot 1 & 2, Block 9 First Addition	Ohioa	Sunroom Add	Aluminum
Mark Morgan	Lot 117, 118, and 119 E Add	Fairmont	Garage	Metal
Joe Keenan	SE ¼, 27-8-4	Grafton	Grain Bin	Metal
L B Farms Inc	Lots 11-18 & E ½, 31-34 pt 35-38 and 39-42	Grafton	Grain bin and dryer	Metal
Don Bristol	NE ¼, 14-8-3	Fairmont	Grain Bins	Metal
Don Bristol	SW ¼ 11-8-2	Fairmont	Grain bin	Metal
Fairview Manor	Block 5 Fairmont Add	Fairmont	Sign	
K B Farm	S ½, NE ¼, 30-6-4		Grain Bin	Metal
Lyle Lee	Lot 7-8 Blk. 9 original town	Ohioa	Addition to garage	Wood
SSR Land Co	SE 4-5-3	Shickley	Pivot	
Nancy O'Connor	NW ¼, 5-8-3	Fairmont	Pivot	
Aarik Jensen	NE 14-8-2	Geneva	3 grain Bins	Steel
Lynn Yates	NW ¼, 24-6-3	Geneva	Machine shed	Steel
Kassik Milling	Railroad right-of-way	Milligan	3 Grain Bins	Steel
James Tol	SW SW 19-8-2	Fairmont	Storage Bldg	Wood & Metal
William Cudaback	SW 23-8-2	Exeter	Grain Bin	Metal
James Spurling	Lot 3 & 4 Block 9, original town	Shickley	Porch	wood
Swartzendruber Farms	NW ¼, 16-5-3	Shickley	Well & pivot	
Frank Richards	SE 25-7-4	Grafton	2 pivots	
Elaine Korbelik	Lots 24-27 Original town	Milligan	House	Wood
Jerry Boeck	SWNW 10-8-	Exeter	House	Wood & Stone
Brent Nelson	34-5-4	Shickley	Storage Building	Steel
Christopher Nun	4-6-2	Geneva	Storage Building	Wood
Vincent Mounce	Lots 323-325 Original town	Exeter	Garage	Wood
Douglas Johnson	WNE18-5-4	Ong	Grain Bin	Steel
Keith Broman	SE ¼ 18-6-2	Geneva	Storage Bldg	Wood

At 8:15 the public hearing to consider the change of zoning of Lots 9-10, Block 11 First Addition to Village of Shickley from residential to Commercial was opened. There was no one from Shickley present for the hearing.

Those present approved the change of Lots 9-10 Block 11 First addition Village of Shickley.

Roll call vote: Matt Harre by phone yes, Reg Noel yes, Lanny Ackerman yes, Marvin Nadherny yes, Sharon Elznic yes, Marvin Nadherny yes. No: 0. Passed 6-0.

Ackerman moved to adjourn meeting second by Reg Noel. Yes: 5; No: 0

Next meeting May 17, 2010 at 8:00 PM.

## Fillmore County Planning Commission

### May 17, 2010 Minutes

The regular meeting of the Fillmore County Planning Commission was called to order at 8:10 PM by Chairman Most with the following members present: Morgan, Most, Elznic, Ackerman, Harre, Nadherny, Stuckey and Griess. Absent were: Manning, M. Noel and R Noel

Minutes of the March 15, 2010 meeting were read by each member. Motion to approve by Stuckey second by Morgan Motion carried Yes 8 No 0

The April 19, 2010 minutes were read with a motion to approve with the correction of Nadherny yes to Most by Nadherny second by Ackerman Motion carried Yes 8 No 0.

#### New Permits issued:

Paul Nelson	N NW ¼, 33-6-4	Shickley	Storage bldg	Wood & steel
Dan Softley	Lot 290 - 291	Grafton	Deck	Wood
Galen Kuska	NW ¼, 10-7-1	Exeter	Machine shed	Wood & tin
Christy Kleinschmidt	Lots 253-258, Original Town	Grafton	Deck	Wood
James Jacobsen	35-37 Original town	Fairmont	Shed	Wood
Kurt Kleinschmidt	E NW 27-8-4	Sutton	Grain Bins	Steel
Manning Grain	NE 8-8-2	Fairmont	Grain Bin	Steel
Jon Jindra	Lots	Milligan	Porch	wood
Bill Jacobsen		Fairmont	Family room	Wood

Guthrie 1st subdivision S ½, SW ¼, 10-8-1 - dividing farmstead from the rest of the farm ground. Well, house Quonsets, bins barn and garage.

Ackerman moved second by Harre to approve Guthrie Subdivision.

Roll call vote: Yes: Ackerman, Morgan, Griess, Stuckey, Nadherny, Elznic. No: 0 Most not voting.

Discussion on Article 10.25 in zoning regulations says permits not required on Agricultural Buildings this is in correct and will be replaced by Article 10.26.

GIS Workshop will not be doing the mapping after Jerri is finished it will go to JEO at a cost of \$4,500.00 they will put on a disc and send to GIS.

Motion to adjourn by Nadherny second by Ackerman. Motion carried meeting adjourned at 8:55 pm. Next meeting June 21<sup>st</sup> at 8:00 pm.



## Minutes

### Planning Commission Meeting

**June 21, 2010**

The regular meeting of the Fillmore County Planning Commission was called to order at 8:03 p.m. by Chairman Most with the following members present: Ackerman, Harre, Morgan, M. Noel, R. Noel, Most and Elznic. Absent were: Griess, Manning, Nadherny and Stuckey.

The minutes of the May meeting were read by each member Motion to approve by Morgan second by Ackerman with the correction of spelling on Nadherny and Guthrie. Motion carried.

#### **New permits:**

William Hofmann	SW ¼, 6-8-4	Sutton	Grain Bin	Steel
Darrel Mosier	NE ¼, 16-5-3	Shickley	Grain Bin	Steel
William Schropfer	Lot 50 blk 1 east addition	Fairmont	Storage shed and fence	Wood
Don Bristol	S ½, SE 10-8-2	Fairmont	Utility Shed	Wood
Scott Houck	SE ¼ 11-5-3	Strang	Garage	Wood

Zoning change on S SW 12-6 Milligan has annexed into the city needs to change from Ag 2 to Commercial Motion by R Noel second by M Noel to make the change Roll call vote Yes: Ackerman, Harre, Morgan, Elznic, R Noel, M Noel motion carried 6-0 Most not voting.

Zoning change on Lots 7-8-9 Block 9 Shickley Motion by R Noel second by Ackerman. Roll call vote Yes: M Noel, R Noel, Elznic, Morgan, Harre, Ackerman. Motion carried 6-0 Map included. 8:15 a public hearing was opened on a zoning change in Fairmont

On W 84' of Lots 2-10 Block 1, W 84' of Lots 11-16 Block 2 and W 84' Lots 17-22 Block 3, East Addition to Village of Fairmont. Bill Schropfer wants to move business. Bill Schropfer wants to put in a new building for his business. No one appeared to object. Motion to approve by Morgan second by Ackerman Roll call vote Yes: Ackerman, Harre, Morgan, R Noel, M Noel, Elznic and Most motion carried 7-0.

Approve Roger Gergen subdivision SE ¼, SE ¼, 25-6-4 3.02 acres Motion to approve by Morgan Second by Ackerman vote: Yes R Noel, M Noel, Ackerman, Harre, Morgan, Elznic motion carried 6-0 Most not voting.

Approve Krupicka Division 32-5-1 5.443 acres. Motion by M. Noel to clarify what this consists of and if it is the farmstead second by Morgan. Roll call vote Yes: Ackerman, Harre, Morgan, R. Noel, M. Noel, Elznic and Most Passed 7-0.

Emails: June 17, 2010 To Jerri – Board will be discussing with Jerri at the Board meeting your process for zoning permits and your hours.

Discussed with Jerri that Kent Theobald bin on Fairmont airbase that was replaced contractor put fan on wrong side and it is on someone else's property. Jerri had already been to site and explained that it had to be moved.

Saline County Flood plain map update each member was given a copy to read.

Jerri handed out new addition sheet to put in zoning book consisting of 10-25 through 10-34.

Email to Jerri from JEO wanting a town hall meeting at 6:30 pm on July 21 at the courthouse with 2 supervisors and planning Commission on the Comp plan.

New budget sheet handed out by Jerri No changes. Motion to approve 2010-2011 budget as presented yes: M. Noel, R. Noel, Ackerman, Harre, Morgan Most and Elznic NO: 0

Motion to adjourn at 9:10 p.m. by Ackerman second by Harre Motion carried

Next meeting is July 19, 2010 at 8:00 p.m.

**Minutes**  
**Planning Commission Meeting**  
**July 19, 2010**

The July meeting of the Fillmore County Planning Commission was called to order at 8:06 p.m. by Chairman Most with the following members present: Ackerman, Harre, Morgan, Elznic, Most Griess, Stuckey, and Nadherny. Absent was Manning.

Minutes of the June meeting were read by each member Motion by Ackerman second by Morgan to accept the minutes as presented motion carried 8-0.

**New permits:**

Bill Schropfer	Lots 1-11 East add	Fairmont	Repair shop	steel
Terry Picard	Lots 619-620	Fairmont	Deck	Wood
Clark Gibbs	Lots 46-48 block 1 East	Fairmont	Storage shed	steel
Cory Engert	Lots 445 & 446 Original town	Exeter	Deck & Patio	Wood
Arnold Capek	35-6-1	Milligan	Pole shed	
Larry Michl	Lot 9 Block 1, Original town	Milligan	Dog Kennel	Concrete and wire
Dean Filipi	Lot 4 Block 5&6	Milligan	Deck	wood
Ken Real	SW 21-8-3	Grafton	Building	wood
Michael Kelch	444-445 Original town	Exeter	Fence	wood
Sandy Bettger	SW ¼, 3-8-2	Fairmont	Utility shed	Steel
Kim Schoenholz	NE ¼, 27-5-2	Bruning	Storage shed	Wood

The Krupicka Subdivision was discussed. The members felt they really needed more information and instructed Jerri to contact the surveyor letting him know that next time be sure and indicate buildings etc. After discussion motion by Nadherny second by Harre to approve the Krupicka Subdivision for 5.443 as map shows. Roll call vote: Yes: Griess, Nadherny, Stuckey, Harre, Morgan, Elznic and Most. No:0

Election of officers: Motion by Nadherny to suspend the rules and continue with the same officers second by Ackerman: Most – Chairman, Harre – Vice Chairman, Elznic - Secretary. Comment by Most there are better people than me to do the job.

Roll Call vote: Yes: M Noel, R Noel, Griess, Ackerman, Harre, Morgan, Nadherny, Stuckey, Elznic and Most. No:0 Motion carried 10-0  
Ackerman, Griess and Nadherny were on 2010in for another 3 years.

Discussed Certificate of Zoning and Occupancy Compliance.

Discussed Jerri's meeting with the supervisors regarding how permits are issued. The Village of Milligan has requested being sent a copy of all permits inside the corporate limits it was decided that that would be done for all villages. A bin was place in the wrong place sitting on a gas line Jerri and the gas company was both there to see that bin was moved.

Jerri shouldn't have to return calls that are placed to her home phone voice mail just take down names and numbers and return call in morning.

There was discussion regarding the lack of pivot stops and the fact some pivots are going on to the road Jerri will make calls and send letters regarding this.

There is to be a town hall meeting on Wednesday July 23<sup>rd</sup> regarding the comp plan commission members are asked to be there at 6:30 p.m.

Next regular meeting will be August 16<sup>th</sup> at 8:00 p.m.

Motion by Ackerman second by Morgan to adjourn meeting motion carried meeting adjourned at 9:05 p.m.

**Minutes**  
**Planning Commission Meeting**  
**August 16, 2010**

The August meeting of the Fillmore County Planning Commission was called to order at 8:00 PM by Chairman Most.

The following members were present: Lanny Ackerman, Matt Harre, Sharon Elznic, Allen Stuckey, Morley Most, Marvin Nadherny and Merle Noel. Absent: Griess, Manning, and R. Noel. Also Present was JEO Representative and Members of the steering Committee Larry Cerny and Patt Lentfer.

The minutes of the July meeting were read by each member motion by Ackerman to approve the minutes as presented second by Stuckey vote 7-0 to approve. Motion carried

New Zoning Permits:

<b>Ben Ulmer</b>	<b>7-7-2</b>	<b>Fairmont</b>	<b>Irrigation well</b>	
<b>Schelkopf Farms LLC</b>	<b>SW ¼, 10-5-3</b>	<b>Shickley</b>	<b>Irrigation well</b>	
<b>Galen Niederklein</b>	<b>SE ¼, 11-5-1</b>	<b>Tobias</b>	<b>Machine Shed</b>	<b>wood</b>

JEO discussed the meeting that was held on June 21 in the courtroom and had new maps of each village. Goals and policies were discussed. Both sides of Highway 81 are zoned commercial for a quarter of a mile from Geneva to Fairmont. Strang is not included in zoning but zoning commission needs to enforce regulations in the mile surrounding Strang. Fairmont connects between O' Malley's and Highway 81 Industrial to Fairmont. Recheck RR to connect with O'Malley's Industrial or Commercial. Discussed wellhead protection areas and need to add them to map. Airport overlay was discussed. We need to send regulations to JEO.

Discussed what we allowed along highway regulate signage but not buildings regulate off ramps. Old landfill was there before zoning marked Industrial on JEO maps. Energy section needs to be added to comp plan. (Pipeline and wind) Does the county have any map showing the pipeline. Discussed high-speed telecommunication line running along Highway 6. Small towns need to keep up celebrations to keep interest in coming to their town. No necessary update needed to comp plan – do whenever it is needed doesn't have to be every 10 years. Need to keep it updated to receive grant money.

Check over maps as received to make sure they are correct. JEO representative will be at August 20<sup>th</sup> meeting.

Need to check on Matt and Kelly Ballard house in Milligan regarding addition.

Letters need to be sent to Alex Uldrich and Tom Bumgarner regarding pivot stops Tom needs two stops to be sure pivot does not get on Highway 74.

Motion by Nadherny second by Morgan to adjourn the meeting at 9:15 PM motion carried.

Next meeting Sept. 20, 2010 at 8:00PM.

# Minutes

## Planning Commission Meeting

October 18, 2010

The October meeting of the Fillmore County Planning Commission was called to order at 8:14 PM by Chairman Most. The following members answered roll call: Most, Elznic, Morgan, R. Noel. Also attending JEO representative Craig Walker, Donna Mainwaring and Jerri Daniels. Absent: M Noel, Manning, Ackerman, Harre, Griess and Stuckey.

Minutes of the September meeting were read by each member did not have a quorum so minutes could not be approved.

The following permits were issued for the month:

Danny Domeier	16-7-3	Geneva	Storage Building	Steel
Robert Trauger	27-8-1	Exeter	Storage Building	Wood
Farmers Co-op	8-5-1	Ohiova	Grain Bin	Steel
John Brower	SW ¼, 17-7-2	Geneva	Pole Shed	Wood & tin
Mitchell Ozenbaugh	12-5-2	Ohiova	Deck	Wood
Kurt Myers	NE 17-6-2	Geneva	Deck	Wood
Nebraska Farm Inc	NE ¼, 24-5-3	Shickley	Pivot	
Nebraska Farm Inc	NE ¼, 6-5-3	Shickley	Pivot	
Edwin Vavra	SE NW 35-7-1	Milligan	Well	
Tom Husa	Lot 2 Russels 1 <sup>st</sup>	Exeter	Garage	Wood
James Stephenson	8-7-2 & 5-7-2	Fairmont	Pivots	

Need to check on Marion Meyer's new pivot SW ¼, 2-26-2 and garage for Scott Houck – Shickley.

Craig with JEO said he had sent copies of maps to all of the villages for any more corrections.

Map for Fairmont airfield needs some corrections. Regulations update starting in Dec, and should be done in January,

Discussed minimum maintenance roads.

Discussed the 3 acre buffer from ag land.

Jerri has given the farmers she talked to regarding their pivot stops fixed since they are in the middle of harvest then cold weather will be here.

Meeting was adjourned at 9:10 p.m. by Chairman Most.

Next meeting November 15, 2010 at 7:00 p.m.

## Fillmore County Planning Commission Minutes of Meeting

November 15, 2010

The November meeting of the Fillmore County Planning Commission was called to order at 7:00 PM by Chairman Most.

The following Commission members were present: Ackerman, Most, Elznic, Griess, Merle Noel, Reg Noel, Harre, Stuckey, Morgan and Nadherny. Absent: Manning.

Also, in attendance were Jerri Daniels and Donna Mainwaring, Planning & Zoning Administration.

The following people from TransCanada Pipeline were in attendance: John Ellis, Tracy Calhoun, Ron Comes, R.L. "Bud" Anderson, Paul Fuhrer, and John Rolf.

Jerry Carpenter of Grinnell Group, representing US Cellular, Pat Lentfer of Fillmore Co Development Corporation and Lynn Yates were also present.

Minutes of the September 20, 2010 were read aloud by Chairman Most, Ackerman moved to approve the minutes as presented, seconded by Reg Noel. Motion carried.

The minutes of the October 18, 2010 meeting were read by each member, Minutes approved.

New permits presented:

Nebraska Farms Inc	NW 24-5-3	Shickley	Pivot	
John Burback	Lots 89-90 Original Town	Fairmont	Car port	
Gary Smith	S NE 22-8-4	Grafton	Storage Shed	
Richard Hoarty	NE ¼, 24-8-4	Grafton	Pivot	
Jon Lichti	NE ¼ NW ¼, 1-5-4	Shickley	Pivot	
Jon Lichti	SE ¼, 36-6-4	Shickley	Pivot	
Dennis Kimbrough	SW ¼, 14-6-3	Geneva	Pivot	
Donald Dunkin	SW ¼, 23-7-3	Geneva	Storage Bldg	wood
Russell Kleinschmidt	SW ¼, 28-6-3	Shickley	House	wood
Lonnie Taylor		Fairmont	Garage	Steel
Dwayne Luzum	12-6-2	Milligan	Pivot	
Richard Braden	Several lots	Fairmont	Garage & shop	Moved in

Jerry Carpenter of Grinnell Group, representing US Cellular, discussed construction of a new cell tower, primarily for Exeter and Fairmont along Highway 6. A Special Use permit for a 300 ft tower that will be owned by US Cellular, is to be approximately 50 ft from the highway, in a 4.5 acre tract owned by Doris Hall, SW ¼, 24-8-2, Rd 18, just west of Exeter, construction is expected to be completed by May 2011. Movement on this item was suspended until after the prescheduled public hearing for remaining business with TransCanada/Keystone on the pipeline requests, so that adequate time could be given to Grinnell Group/US Cellular.

7:30 PM Opened public hearing regarding request for a Special Use Permit for a Pump Station for Keystone Pipeline. Tracy Calhoun along with other listed representatives from TransCanada/Keystone was on hand to discuss use. The Pump Station will be a permanent fixture and will sit on 8.05 acres, in the NE1/4 of 31-8N-1W. It will have up to 4 pumps and will be surrounded with a chain link fence. Regarding questions of potential leaks in the pipeline the representatives state that it's very unlikely, however, the pipeline is monitored 24 hrs a day at the main control center in Canada. Should there be a leak they would be able to shut down the

line within just a few minutes. Per Federal regulations, they are also required to fly the Pipeline twice per year. The Pipeline will be buried a minimal of 4-5 ft deep, with the in ground pressure running at approximately 1350-1360 psi. A subdivision permit is also required for this Special Use permit to be approved as this is the acreage the Pump Station will reside on.

**Subdivision of 8.05 acres NE ¼ 31-8N-1W:** A Motion was introduced by Nadhenry and seconded by Ackerman. Roll was taken on the vote: Yes's: Stuckey, R. Noel, M Noel, Most, Morgan, Griess, Nadherny, Elznic and Ackerman. No's: 0 Abstaining: Harre. Motion was carried 9-0

A Special Use permit for a temporary, Contractor Yard, has been requested. Workers will report daily for a meeting before being taken out to the specific work sites during the installation process. The location for this yard will be a 30.7 acre site leased from the current owners, Judith & Gary Filipe at 35-7N-1W, Road 24 & Road M.

**Special Use Permit for temporary, Contractor Yard 30.7 acres 35-7N-1W:** A Motion was introduced by R Noel and seconded by Nadhenry. Roll call was taken on the vote: Yes's: Stuckey, R. Noel, M Noel, Most, Morgan, Griess, Nadhenry, Harre, Elznic and Ackerman. No's: 0 Abstaining: 0 **Motion was carried 10- 0.**

A Special Use Permit for a temporary, Pipe Yard, has been requested. This will be for the delivery and storage of pipe prior to installing it in the ground. The location for this yard will be a 30.0 acre site leased from the current owners, Bradley & Darcy White at 36-8N-2W, Road 18 & Road G.

**Special Use Permit for temporary, Pipe Yard 30.0 acres 36-8N-2W:** A Motion was introduced by Stuckey and seconded by Ackerman. Roll call was taken on the vote: Yes's: Stuckey, R. Noel, M Noel, Most, Morgan, Griess, Nadhenry, Harre, Elznic, and Ackerman. No's: 0 Abstaining: 0 **Motion was carried 10- 0.**

**Special Use permit for Pump station 8.05 acres NE¼ 31-8N-1W:** A Motion was introduced by M Noel and seconded by Griess. Roll call was taken on the vote: Yes's: Ackerman, Elznic, Harre, Nadhenry, Stuckey, Griess, Morgan, Most, M Noel, R Noel. No's: 0 Abstaining: 0 **Motion was carried 10-0.**

**Special Use permit for US Cellular 300 ft tower 63 acres SW ¼ 24-8-2 4:** A Motion was introduced by Ackerman and seconded by Morgan. Roll call was taken on the vote: Yes's: Ackerman, Elznic, Harre, Nadherny, Griess, Morgan, Most, M. Noel, R Noel, Stuckey. No's: 0 Abstaining: 0 **Motion was carried Yes 10-0.**

Other discussion amongst Commission members: A permit is needed for Robert Schropfer for a new house south of Ohiowa. Vaden Meyers, P. Aspergen and Roger Prybil all have new or replacement pivots that will require permits.

A Motion was introduced for adjournment by Harre and seconded by Ackerman. Meeting adjourned at 9:00 PM

Next meeting December 20, 2010 at 7:00 PM



# Fillmore County Planning Commission

## Minutes of Meeting

December 20, 2010

The December meeting of the Fillmore County Planning Commission was called to order at 7:03 PM by Chairman Morley Most with the following members present:

Sharon Elznic, Morley Most, Marvin Nadherny, Merle Noel, Reg Noel, Matt Harre, Mark Morgan and Alan Stuckey. Also present were Donna Mainwaring, Jerri Daniels, Jerry Carpenter with US Cellular, Lynn Yates and Craig Wacker with JEO. Absent: Reg Noel, Manning, John Griess and Lanny Ackerman.

The minutes of the November meeting were read by all members Motion by Merle Noel to approve minutes second by Morgan Yes 7 NO 0 motion carried with the addition of Nadherny to minutes.

The following new permits were discussed:

O'C & O'C Inc. P J O'Connor	NW ¼, 8-8-3	Fairmont	Pivot	
Don Saltzman	Lot 1-3 Block 2, 1 <sup>st</sup> add	Shickley	Carport	wood
Kent Theobald	14-6-3	Geneva	Pivot	
Ben Ulmer	7-7-2	Fairmont	House	
Bob Fessler	NW 28-7-4	Sutton	Pivot	
Steve Kamler	NE 34-6-3	Shickley	pivot	
Loella Schoenholz	NW 36-5-2	Bruning	Pivot	

The following people need to receive letters regarding permits: Darrell Moser- leg on bin, Vaden Myers- new pivot, Ken Lefever- new pivot, Dan Aspergen, new pivot.

A subdivision for George, Helen & Doris Obernagel was presented SW ¼, SW ¼, 35-5-3 for 3.23 acres pivot corner road 11 and road Y. Moved by Nadherny second by Harre to approve the subdivision. Roll call vote yes: M. Noel, Stuckey, Nadherny, Elznic, Harre Morgan and Most. No: 0 Motion carried.

Craig Wacker from JEO handed out papers regarding future land use with highlighted section. Energy element to be added to book Table of contents the same. Page 8, 3.3 6 intensive livestock, Page 23 permit able special use, page 32 General requirements, page 35 Height and area regulations, page 46 Sign overlay, page 50 Height and area requirement.

A special hearing was called to order regarding a cell tower to be constructed by US Cellular SW1/4 24-8-2 Motion to approve by Nadherny second by Morgan. Roll call vote: Yes Harre, Morgan, M. Noel Stuckey, Nadherny, Elznic and most No:0. Motion carried.

Discussed well head protection maps if complete and Strang's well. Strang has only contracted in town zoning has one mile.

This is the last meeting for Jerri Daniels who is retiring as Planning and Zoning Administrator. Merle Noel resigned as he has been elected to serve as a Fillmore County Board of Supervisors.

Talked to Daniels about new wind tower near Ohiowa, she will copy questions and answers sheet from Gary Aksamit.

Meeting adjourned by Most at 8:15 P.M.

Next meeting will be January 17, 2011 7:00 P.M.