

MINUTES OF PLANNING & ZONING COMMISSION
APRIL 26, 2007
BUFFALO COUNTY HIGHWAY DEPARTMENT
7:00 P.M.

Chairperson Rick Pope called the special meeting to order at 7:05 o'clock P.M. with a quorum present on April 26, 2007 at the Buffalo County Highway Department Building in Kearney, NE.

Agenda for such meeting was regularly posted as required by law. Present were: Francis "Buss" Biehl, Karin Covalt, Marlin Heiden, Willie Keep, Rick Pope, Paul Steinbrink, Sr., Craig Wietjes and Loye Wolfe. Absent: Leonard Skov. Also attending were Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Melodie Bellamy, Zoning Administrator LeAnn Klein and thirteen members of the public.

Chairperson Pope announced there was a copy of the open meetings act posted on the bulletin board. The public forum was opened at 7:05 P.M. There were a number of people present from the Ravenna area. Chairperson Pope explained to the members in the audience they would only be able to speak during the citizen's forum and then discussion would be among the Planning & Zoning Commission members unless the Commission asked them a specific question.

Joyce Sears noted that the paunch/livestock waste has been running directly into Sweet Creek from Range Road location with all the rain we have been having.

Ken Erickson said the piles are still at the location off of Range Road.

Bea Urwiller asked how much proof they need to gather.

Pope closed the public forum at 7:10 P.M.

Klein told the Commission she had gotten two samples each of paunch from Gibbon Pack as well as the location from Range Road which she passed around to the Commission members. She noted the samples from Gibbon Pack were just gotten today and they really didn't have an odor. The samples from the Range Road location definitely had an odor to it.

Pope told the Commission he had spoken to Wayne Urwiller and he has concerns of accuracy of moisture. Pope suggested we get additional samples from Gibbon Pack and have them analyzed for the amount of moisture and also the nutrient value.

Hoffmeister went over suggested amendments to the zoning regulations as previously adopted and also the health resolution that the County Board would need to approve.

Biehl commented storage of the paunch during the winter months is a concern.

Pope questioned if we could limit storage of paunch to a certain number of tons per acre.

He cannot see the advantages of putting paunch on frozen ground. Who are we trying to accommodate? Pope felt that some storage of paunch would be okay but the question is how much and for how long.

Klein said she had received a copy of "Notice of Violation" that Nebraska Department of Environmental Quality had sent to Swift Beef Company. According to this letter "there should be no waste piles on a site when there is an interruption of application activities, such as at the end of the work day. Paunch manure may be placed in confined containers for storage pending application".

They discussed the dewatering of paunch to reduce the potential for flies and odors. The Commission is in agreement that by requiring the dewatering of paunch, it would eliminate some of the flies and odors. The Commission asked that Klein get some samples from Gibbon Pack and test the moisture content.

The Commission was in agreement that dumping of paunch should be allowed, NOT the liquid waste as is currently being done.

They also discussed the set backs from the nearest residence. They agreed the 1320' would be sufficient if the property is also posted. They also agreed that a permit be required per 320 acres of land of application of paunch.

Wietjes asked the audience how much of what was being applied is liquid versus what is dry. Mark Vacek replied that the tanker trucks with the liquid outnumber the trucks with the dry matter.

Bea Urwiller said the residents have witnessed the tanker trucks coming up and just opening the valve of the truck and just dumping the liquid.

Klein noted that today an area farmer said he also had witnessed the dumping of liquid and applying about 8,000 gallons of liquid per ½ mile per row.

Keep said we don't know what is in the liquid content.

Wietjes said we need to get a happy medium so we get a product that the farmers can use and won't be objectionable to the residents.

Pope questioned again if we should allow any storage of paunch and should we require it be covered or in a container while it is being stored. The Commission is concerned about the amount of paunch that could be stored.

Motion was made by Wietjes, seconded by Heiden to set May 17, 2007 as the date to hold a public hearing for the Planning and Zoning Commission to consider recommendation of amendments to general definitions and amend Section 6.4 pertaining to disposal of paunch to the Buffalo County Zoning Regulations previously adopted by Buffalo County. Voting yes were

Wietjes, Heiden, Biehl, Covalt, Keep, Pope, Steinbrink and Wolfe. Voting no: none. Absent: Skov. Motion passed.

Motion was made by Biehl to adjourn at 9:15 P.M.

The next meeting of the Planning & Zoning Commission will be May 17, 2007 at 7:00 P.M.