

MINUTES OF PLANNING & ZONING COMMISSION
JUNE 17, 2010
BUFFALO COUNTY HIGHWAY DEPARTMENT
7:00 P.M.

Chairperson Wietjes opened the meeting at 7:00 P.M. at the Buffalo County Highway Department Building in Kearney, NE with a quorum present on June 17, 2010. Present were: Karin Covalt, Marlin Heiden, Paul Steinbrink, Sr., Gwen Stengel, Craig Wietjes and Loye Wolfe. Absent: Ken Erickson, Willie Keep and Leonard Skov. Also attending were Deputy County Attorney Melodie Bellamy, Zoning Administrator LeAnn Klein and one member of the public.

Wietjes announced there was a copy of the open meetings act posted on the bulletin board and we do abide by the open meetings act and a copy is posted as required by law.

Agenda for such meeting was regularly posted as required by law and the agenda is available for anyone wanting one.

The public forum was opened at 7:01 P.M. No one was present to address the Commission. The public forum closed at 7:01 P.M.

The first deed of conservation easement is between Central Platte Natural Resources District and Gary Mike Hubbard and Marian Hubbard, that was referred to the Planning & Zoning Commission from the Buffalo County Board of Supervisors June 8, 2010 board meeting. According to Nebraska Rev. Stat. 76-2 112 (3) the local planning commission has 60 days to provide comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. If such comments are not received within sixty days, the proposed acquisition shall be deemed approved by the local planning commission.

It was moved by Steinbrink, seconded by Heiden to forward the conservation easement between Gary Mike Hubbard and Marian Hubbard, husband and wife (Grantor) and the Central Platte Natural Resources District, a political subdivision of the State of Nebraska (Grantee or District) to the County Board with a favorable recommendation on a tract of land being part of the Southeast Quarter of the Southeast Quarter (SE ¼ SE ¼ and part of Government Lots One (1), Two (2) and Three (3) all located in Section Ten (10), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Referring to the Southeast corner of the Southeast Quarter of said Section 10 and assuming the East line of said Southeast Quarter as bearing N 01° 36' 53" W and all bearings contained herein are relative thereto; thence N 01° 36' 53" W and on the aforesaid East line a distance of 291.02 feet to the ACTUAL PLACE OF BEGINNING; thence continuing N 01° 36' 53" W on the aforescribed course a distance of 433.26 feet; thence N 77° 19' 40" W a distance of 875.24 feet; thence N 81° 32' 38" W a distance of 919.3 feet; thence N 82° 20' 48" W a distance of 677.0 feet; thence N 87° 52' 51" W a distance of 737.8 feet; thence N 86° 06' 35" W a distance of 1414.08 feet; thence N 84° 00' 23" W a distance of 742.86 feet to a point on the West line of said Government Lot 1; thence S 00° 19' 25" W on the aforesaid West line a distance of 1264.22 feet to the Southwest corner of said

Government Lot 1; thence N 85° 29' 05" E a distance of 3974.63 feet; thence S 85° 51' 43" E a distance of 1381.8 feet to the place of beginning, containing 102.73 acres, more or less.

Voting yes were Steinbrink, Heiden, Covalt, Stengel, Wietjes and Wolfe. Voting no: none.
Absent: Erickson, Keep and Skov. Motion carried.

The next deed of conservation easement is between Central Platte Natural Resources District and Gary Mike Hubbard and Shawn Pedro Hubbard a/k/a Shawn Hubbard, Trustees of the Avis L. Moles Testamentary Trust and the Harold M. Moles Testamentary Trust that was referred to the Planning & Zoning Commission from the Buffalo County Board of Supervisors June 8, 2010 board meeting. According to Nebraska Rev. Stat. 76-2 112 (3) the local planning commission has 60 days to provide comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. If such comments are not received within sixty days, the proposed acquisition shall be deemed approved by the local planning commission.

It was moved by Covalt, seconded by Wolfe to forward the conservation easement between Gary Mike Hubbard and Shawn Pedro Hubbard a/k/a/ Shawn Hubbard, Trustees of the Avis L. Moles Testamentary Trust and the Harold M. Moles Testamentary Trust (Grantor) and the Central Platte Natural Resources District, a political subdivision of the State of Nebraska (Grantee or District) to the County Board with a favorable recommendation on a tract of land located in Section Three (3), Township Eight (8) North, Range Eighteen (18) West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: All of Lot Three (3) except the tract of 15.07 acres lying east and north of Elm Creek, and heretofore deeded to Raymond L. Hart; all of Lot Four (4); all of the South Half of the Northwest Quarter (S1/2NW1/4) except the tract of 25.74 acres lying east of Elm and Buffalo Creeks in the east half thereof, and heretofore deeded to Raymond L. Hart; the irregular tract situated in the Southwest Quarter of the Northeast Quarter (SW1/4NE ¼) and being that portion lying South of Buffalo Creek, and being all of the said Southwest Quarter of the Northeast Quarter (SW1/4NE1/4) not heretofore deeded to Raymond L. Hart; all of Lot Five (5); all of Lot Six (6), except the tract consisting of 2.67 acres lying north of Buffalo Creek heretofore deeded to Raymond L. Hart; all of Lot Seven (7) lying west of Buffalo Creek, and being all of Lot Seven (7) not heretofore deeded to Raymond L. Hart; expressly subject, however, as to said Lots Five (5), Six (6) and Seven (7), to the irregular tracts along the south side thereof heretofore conveyed or condemned; and except a tract described in Return of Appraisers filed in Book 42, Page 223 of the Miscellaneous Records of Buffalo County, Nebraska.

Voting yes were Covalt, Wolfe, Heiden, Steinbrink, Stengel and Wietjes. Voting no: none.
Absent: Erickson, Keep and Skov. Motion carried.

Old Business: Moved by Stengel, seconded by Heiden to approve the minutes of the May 20, 2010 as mailed. Voting yes: Stengel, Heiden, Covalt, Steinbrink, Wietjes and Wolfe. Voting no: none. Absent: Erickson, Keep and Skov. Motion passed.

Klein also reported the outcome of the hearings heard by the County Board at previous meetings.

The Planning & Zoning Commission instructed Klein to place discussion of review of the Comprehensive Plan for Buffalo County on the next agenda.

The next meeting of the Planning & Zoning Commission will be July 15, 2010 at 7:00 P.M. at the Highway Department.

Moved by Steinbrink to adjourn at 7:18 P.M.