

MINUTES OF PLANNING & ZONING COMMISSION
FEBRUARY 17, 2011
BUFFALO COUNTY HIGHWAY DEPARTMENT
7:00 P.M.

Vice Chairperson Erickson in the absence of Chairperson Craig Wietjes opened the meeting at 7:00 P.M. at the Buffalo County Highway Department Building in Kearney, NE with a quorum present on February 17, 2011. Present were: Ken Erickson, Marlin Heiden, Willie Keep, Leonard Skov and Gwen Stengel. Absent: Karin Covalt, Paul Steinbrink, Craig Wietjes and Loye Wolfe. Also attending were Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Melodie Bellamy, Zoning Administrator LeAnn Klein and approximately four members of the public.

Erickson 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 7:05 P.M. No one was present to address the Commission. The public forum closed at 7:05 P.M.

Erickson announced the public hearing for Dawson Public Power will be the first item on the agenda before the perpetual conservation easement and presentation from Lonnie Dickson, the Regional Planner from Hanna Keelan Associates.

Vice Chairperson Erickson opened the public hearing at 7:05 P.M. for a special use permit filed by Dawson Public Power for property located in part of the Southwest Quarter of the Northwest Quarter of Section Four (4), Township Eight (8) North, Range Eighteen (18) West of the 6th p.m., Buffalo County, Nebraska, for a 162' radio tower and communications hut.

Ben Mitchell, representing Dawson Public Power District, was present at the meeting for this special use permit. He gave a brief explanation of what they will be doing. They will be putting up a 160' tower plus 2' of footings. They have other equipment at this location and are just adding a tower and communications hut as per the submitted drawing. This will be another link in updating communications in this area.

Skov asked if this was on land they already owned. Mitchell replied that is correct.

Heiden questioned the height of the tower. He explained 2' is footings and 160' is the actual tower.

Erickson asked how much taller is the tower than what is presently on the property. Mitchell said it would be about 100' taller than the present equipment.

Klein explained where this property is located and that he is applying for a special use permit under Section 5.34 #4 of our Zoning Regulations. Klein also noted she had sent notification to the City of Kearney's airport authority. This is located in the AGR zoning. This is actually a courtesy hearing since they don't have to come before us.

Keep asked if there had been any concerns from the neighbors.

Klein reported she only had one call and they just wondered what was happening.

Erickson closed the public hearing at 7:10 P.M.

A motion was made by Stengel, seconded by Heiden, to forward this application to the County Board with recommendation this special use permit is approved for a 162' radio tower and communications hut as submitted on the attached drawing on the following property:

A tract of land described as follows: Referring to the Southwest corner of the Northwest Quarter (NW ¼) of Section Four (4), Township Eight (8) North, Range Eighteen (18), West of the 6th P.M., Buffalo County, Nebraska, thence easterly on the south line of said Northwest Quarter (NW ¼) a distance of 805.0 feet to the place of beginning; thence continuing easterly on said south line a distance of 300.0 feet to a point; thence with a deflection angle to the left of 90°00' a distance of 233.0 feet to a point; thence westerly parallel with the south line of said Northwest Quarter (NW ¼) a distance of 300.0 feet to a point; thence southerly parallel with the east line of said tract a distance of 233.0 feet to the place of beginning. Containing 1.605 acres more or less of which 0.227 acres more or less are presently being used for road purposes.

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

Klein said this will be heard by the County Board on March 8, 2011 at 11:00 o'clock, a.m. and notices will again be mailed to adjacent property owners.

The next item on the agenda was the discussion and consent of the perpetual conservation easement for I-80 Kearney east Bypass. Deputy County Attorney explained this perpetual conservation is not in the jurisdiction of Buffalo County but they still wanted a comment from Buffalo County. Hoffmeister told the Commission the location of this easement.

A motion was made by Keep, seconded by Skov we have no jurisdiction in this area and make no recommendation to the County Board on this perpetual easement for the Kearney East bypass. Voting yes were Keep, Skov, Erickson, Heiden and Stengel. Voting no: none. Absent Covalt, Steinbrink, Wietjes and Wolfe.

Lonnie Dickson, Regional Planner with Hanna Keelen Associates, P.C. spent the next couple of hours going over some of the items he will address when updating the Buffalo County Comprehensive Plan. Dickson gave everyone a handout that outlines what the 10-year County vision might be. He told the Commission Buffalo County is currently the 5th largest County in the State of Nebraska. In 1990 our population was 37,440 and the 2009 estimated population

data was 45,814. He will be reviewing the economics of our County, housing, transportation, public facilities, the 1/6 year road plan and other areas. We will be looking at what our goals will be for our Comprehensive Plan.

Old Business: Moved by Heiden, seconded by Skov to approve the minutes of the January 20, 2011 as mailed. Voting yes: Heiden, Skov, Erickson, Keep and Stengel. Voting no: none. Absent: Covalt, Steinbrink, Wietjes and Wolfe. Motion passed.

The next meeting of the Planning & Zoning Commission will be March 17, 2011 at 7:00 P.M. at the Highway Department.

Moved by Heiden to adjourn at 10:20 P.M.