

MINUTES OF PLANNING AND ZONING COMMISSION  
APRIL 18, 2024  
BUFFALO COUNTY COURTHOUSE  
7:00 P.M.

Notice of the meeting was given in advance thereof by publication in the Kearney Hub, the designated method for giving notice. A copy of the proof of publication is on file in the Zoning Administrator's Office. Advance notice of the meeting was also given to the Planning and Zoning Commission and availability of the Agenda was communicated in the advance notice. The Agenda is available for anyone wanting a copy.

Chairperson Scott Brady opened the meeting at 7:01 P.M. on April 18, 2024.

In Attendance: Tammy Jeffs, Randy Vest, Scott Stubblefield, Francis "Buss" Biehl, Willie Keep, Loye Wolfe, and Scott Brady.

Absent were the following members: Kurt Schmidt and Marc Vacek.

Also attending were: Deputy County Attorney Andrew Hoffmeister, Deputy County Attorney Josiah Davis, and Zoning Administrator Dennise Daniels. No one was present from the public.

Chairperson Brady announced The Open Meetings Act and agendas were available if anyone wished to have one.

Chairperson Brady declared that the agenda for the Buffalo County Planning Commission has been amended to include the withdrawal of an application for a Special Use Permit to operate a dirt extraction facility and that the hearing has been cancelled.

The public forum was opened at 7:02 P.M. The public forum closed at 7:02 P.M.

Chairperson Brady announced the procedure and etiquette for the upcoming public hearings.

**Public Hearing. 5(a)**

Chairperson Brady opened the public hearing for Agenda Item 5(a) at 7:03 P.M. regarding revision and possible approval of the Buffalo County Zoning and Subdivision Regulations as part of the Buffalo County Comprehensive Plan, or the general plan for the improvement and development of the county outside of the jurisdiction of any city or village, as required per Neb. Rev. Stat. §23-174.06.

Secretary Wolfe asked Zoning Administrator Daniels if any changes were made at the last meeting that needed an approval and Zoning Administrator Daniels responded that she believed the only thing that had been changed was removing the language, "surface owners" from Buffalo County Zoning Regulations, Section 6.6 (B). She added The Commission, also, set forth the setback requirements for the livestock confinement operations.

The Commission and Deputy County Attorney Hoffmeister discussed the proposed regulations regarding Special Use Permits, livestock confinement operations, and potential options for revisions. He counselled on how the proposed regulations and possible revisions could affect rural Buffalo County.

Deputy County Attorney Hoffmeister, also, advised, if the proposed regulations, as prepared, are not passed unanimously, and a minority report could be created.

Ms. Jeffs asked Deputy County Attorney Hoffmeister if revisions to the proposed regulations need to occur and Deputy County Attorney Hoffmeister responded that he was offering The Commission options for amendments, if they were unhappy with the draft. He added, if The Commission was comfortable with the proposed draft, then The Commission should pass the draft.

Ms. Jeffs asked if it would be acceptable to have The Commission vote to determine The Commission's stance on the draft.

Secretary Wolfe inquired what the last proposed livestock confinement operation setbacks were, and Zoning Administrator Daniels responded that the last draft was on page 47 of the Buffalo County Zoning Regulations, in light green.

The Commission reviewed the proposed livestock confinement operations with Deputy County Attorney Hoffmeister.

Vice-Chairperson Keep asked if The Commission should consider passing the proposed draft, and Deputy County Attorney Hoffmeister recommended The Commission consider making a decision, because some proposed amendments have been approved and some are still being reviewed under the regulation review. He added, The Zoning Office needs several amendments approved for upcoming enforcement.

Motion was made by Mr. Keep, seconded by Ms. Jeffs, to favorably recommend the Buffalo County Zoning and Subdivision Regulations, as presented, and forward to the Buffalo County Board of Commissioners.

Deputy County Attorney Hoffmeister asked if anyone had a minority comment and no one spoke.

Chairperson Brady asked if anyone wished to comment. No one spoke.

Upon roll call vote, the following Board members voted "Aye": Biehl, Jeffs, Keep, Vest, Wolfe, Stubblefield and Brady.

Voting "Nay": None.

Abstain: None.

Absent: Vacek & Schmidt.

Motion carried.

**Old Business**

**Minutes**

Motion was made by Secretary Wolfe, seconded by Ms. Jeffs, to approve the minutes of the March 21, 2024 meeting, as presented.

Upon roll call vote, the following Board members voted “Aye”: Jeffs, Keep, Vest, Wolfe, Stubblefield, & Biehl, and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Vacek & Schmidt.

Motion carried.

**New Business**

**Report on Previous Hearings**

Zoning Administrator Daniels provided a report from the March 21, 2024, Planning Commission Meeting. The Special Use Permit Application for a sand/gravel quarry and a portable concrete production pit, for Paulsen, Inc., and the Special Use Permit Application for a crushed concrete processing/storage site, the proposed code amendment for mineral extraction, and the proposed code amendment for the Board of Adjustment notice requirements have all been scheduled for April 23, 2024. She stated she will report back at the next meeting.

Zoning Administrator Daniels reviewed the proposed subdivision “Younes Center 10<sup>th</sup> Addition”, along with the proposed letter, to the city of Kearney. The Commission had no concerns regarding the letter.

Zoning Administrator Daniels discussed the Annexation of Oak Park Center Fourth, as well.

Zoning Administrator Daniels provided a report on the interviews with The Buffalo County Board of Commissioners.

Zoning Administrator Daniels reported that she has received several inquiries regarding preliminary plats.

**Next Meeting**

The next meeting will be May 16, 2024, if necessary.

**Adjourn**

Chairperson Brady adjourned the meeting at 8:24 P.M.

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Scott Brady, Chairperson  
Buffalo County Planning Commission

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Loye Wolfe, Secretary  
Buffalo County Planning Commission

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