

MINUTES OF PLANNING AND ZONING COMMISSION
NOVEMBER 20, 2025
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, on November 8, 2025. 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 7:02 P.M. on November 20, 2025.

In Attendance: Marc Vacek, Loye Wolfe, Tammy Jeffs, Scott Stubblefield, Willie Keep, Jeremy Sedlacek, Tim Kreutzer, and Scott Brady.

Absent was Joshua Chaney.

Quorum has been met.

Also attending were: Deputy County Attorney Josiah Davis and Zoning Administrator Dennise Daniels. There were few members of the public present.

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

The public forum was opened at 7:03 P.M. No one spoke. The public forum closed at 7:03 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 fee revisions.

Zoning Administrator Dennise Daniels stepped forward to present the data on fee revisions.

Zoning Administrator Daniels stated that fees have not been reviewed or revised since 2017. She stated that based on reviews on all zoning processes, the fees are not covering the cost of inflation. She explained that every fee will see an increase including: cost of publication, zoning permits, floodplain permits, special use permits, etc.

Zoning Administrator Daniels explained that she used two methodologies: comparable counties' fees and input costs. She stated that she used three counties that were similar in population: Hall, Dodge, and Lincoln counties. Based on the population of the comparable county to Buffalo County, she stated that she increased or decreased the fees. Hall County, she continued, is most

similar to Buffalo County, however, the population is 25 percent larger than Buffalo County. Therefore, she explained, Hall County's fees associated with similar processes, required a 25 percent reduction. Dodge County, she stated, is 35 percent smaller than Buffalo County, so their fees were increased by 35 percent. Lincoln County, she continued, is 44 percent smaller than Buffalo County, so their fees were increased by 44 percent. This methodology, she stated, gave her a base cost of approximately where Buffalo County should be, based on counties of similar size.

The second methodology, Zoning Administrator Daniels testified, was calculated based on input costs. The Zoning Office calculated input fees for every zoning process including, but not limited to: salaries, cost of office supplies, postage, fuel to each site, etc. She stated that her findings gave her an approximate cost similar to the comparative analysis.

Vice-Chairperson Keep asked Zoning Administrator Daniels if the proposed costs would cover the costs that Buffalo County is putting into the projects and she confirmed.

Zoning Administrator Daniels stated the proposed fees were presented to Buffalo County Board of Commissioner's Zoning Subcommittee and they found the fees to be acceptable.

Zoning Administrator Daniels then reviewed the proposed fee spreadsheet. She stated that some projects require a per lot fee, as well as a cost of publishing fee. To ensure accuracy, she continued, the fees are broken into a base fee, plus a cost of publication fee and a per lot fee, where necessary.

Zoning Administrator Daniels then reviewed notes of interest with The Commission. She stated that there will be a 1 percent annual increase for two (2) years following the adoption of proposed revisions, then the percentage increase will be re-evaluated in the years thereafter; Buffalo County will consider going to a fee schedule for zoning permits in 2026; the Subdivision Fees do not include filing fees set by the Register of Deeds; fees were last adopted in 2017, and fees are expected to be effective January 1, 2026, assuming The Planning Commission and The Board of Commissioners approves the revisions.

She added that the proposal as provided in the packet, including some of the notes, were available for amendment if The Commission found it satisfactory.

Zoning Administrator Daniels asked if The Commission had any questions or comments. Ms. Wolfe stated that she liked the proposed fees and stated that The Commission should move forward with the proposal.

Secretary Jeffs asked Zoning Administrator Daniels if a one (1) percent increase would cover the ever-increasing costs of inflation. Zoning Administrator Daniels stated that some of the fees were pretty significant to cover some of the next year's inflation.

Chairperson Brady advised that the annual increase should be based on the yearly cap set by the State of Nebraska on Buffalo County. He stated that, at a minimum, it should be a three (3)

percent increase. He added that he believes Buffalo County, from this point forward, should be proactive to ensure that fees don't fall behind in the future. The Commission agreed. Zoning Administrator Daniels asked if The Commission wished to have a three (3) percent annual increase for (1) year following the adoption of proposed revisions, then the percentage increase will be re-evaluated. Chairperson Brady agreed.

Mr. Sedlacek sought clarification on the one (1) percent annual increase for two (2) years following the adoption of proposed revisions. He asked if that one (1) percent was for the entirety of the two (2) years or one (1) percent per year. Zoning Administrator Daniels stated that it would be one (1) percent increase per year, based on the current proposal. Zoning Administrator Daniels stated that she did not believe the three (3) percent increase for one (1) year following the adoption of proposed revisions would be unsatisfactory. She stated that The Commission needs to make that determination and she would make any revisions that they wished.

Mr. Stubblefield stated that based on a three (3) percent increase, there will be an odd dollar amount for revised fees. He stated that The Zoning Administrator should add to her proposal a caveat that states each fee, after the increase, should be rounded up to the nearest \$10.00.

Chairperson Brady advised that the current costs do not account for the cost of office supplies and time that Buffalo County puts into each project. Ms. Wolfe stated that the applicants should be responsible to pay the entirety of their projects, and Buffalo County should have no financial responsibility to any of it.

Chairperson Brady asked if per lot fees should be increased. Zoning Administrator Daniels stated that she would not recommend an increase because, based on comparable counties, a \$25.00 per lot fee is customary. However, she continued, because Buffalo County is a growing county, \$50.00 is appropriate.

Mr. Vacek stated that he appreciates the proposed fee and is excited to see what the market shows for next year.

Mr. Sedlacek noted his surprise that the fees were never revised. Chairperson Brady and Ms. Wolfe both stated that a revision of fees was never brought to their attention. Zoning Administrator Daniels testified that, with the recent comprehensive plan and regulation adoptions, it makes sense to put the fee revisions in place as soon as possible.

Zoning Administrator Daniels added that she would like to update and revise the forms for all zoning processes, as well.

Mr. Sedlacek stated that he liked Zoning Administrator's comparative analysis and the counties that were chosen.

Chairperson Brady stated that he would like to have a report presented to The Commission on a yearly basis. Mr. Sedlacek agreed.

Ms. Wolfe asked for clarification on the increase. Zoning Administrator Daniels recapped that there would be a three (3) percent increase for one (1) year following the adoption of proposed revisions, along with a \$10.00 rounding up caveat, then the percentage increase for years thereafter would be re-evaluated on an annual basis.

Chairperson Brady asked if anyone would like to speak for or against the proposed fees and no one spoke.

Chairperson Brady closed the public hearing at 7:25 P.M.

Motion was made by Ms. Wolfe, and seconded by Mr. Sedlacek to recommend favorably the proposed fee revisions to the Buffalo County Board of Commissioners with the following revisions:

- There will be a three (3) percent annual increase for one year following the adoption of proposed revisions, along with a \$10.00 rounding-up caveat, then the percentage increase will be re-evaluated based on market conditions on an annual basis.

Upon roll call vote, the following Board members voted “Aye”: Jeffs, Stubblefield, Wolfe, Keep, Sedlacek, Kreutzer, Vacek and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Chaney.

Motion carried.

Ms. Wolfe asked when the next report would be provided to them. Mr. Sedlacek recommended providing a report in November, 2026, so that the fees would be approved prior to January, 2027. The Commission agreed.

Mr. Sedlacek recommended adding an amendment to the original vote to require the zoning administrator to present new fees in November of each year to ensure new fees are adopted by January 1 of the following year. Seconded by Mr. Kreutzer.

Upon roll call vote, the following Board members voted “Aye”: Jeffs, Stubblefield, Wolfe, Keep, Sedlacek, Kreutzer, Vacek and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Chaney.

Old Business

Minutes

Motion was made by Secretary Jeffs, and seconded by Mr. Vacek to approve the June 18, 2025 meeting minutes, as presented.

Upon roll call vote, the following Board members voted “Aye”: Jeffs, Stubblefield, Wolfe, Keep, Sedlacek, Kreutzer, Vacek and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Chaney.

Motion carried.

New Business

Report on Previous Hearings

Zoning Administrator Daniels reported that the Application for Special Use Permit to operate Mineral Extraction Operation, filed by JK Land, L.L.C., on tax parcel 360023000, described as a tract of land situated in the Southwest Quarter of the Southwest Quarter of Section Thirteen (13), Township Ten (10) North, Range Fifteen (15) West of the Sixth Principal Meridian, Buffalo County, Nebraska, was heard and approved by Board of Commissioners on July 8, 2025.

Discussion occurred regarding past projects.

Zoning Administrator Daniels highlighted the following extra-territorial jurisdictional subdivisions for the city of Kearney: Butler Second Subdivision and Ingram Subdivision. She also reviewed a notice from Hall County, regarding their Comprehensive Plan and a city of Kearney annexation, Western Nebraska Property Development Fourth Addition.

Zoning Administrator Daniels gathered attendance for the Buffalo County Christmas Party.

Next Meeting

The next meeting is scheduled for December 18, 2025. Zoning Administrator Daniels asked The Commission if there would be enough quorum to schedule two public hearings in December or if The Commission wished to reschedule in January.

Motion was made by Mr. Kreutzer, and seconded by Mr. Sedlacek to schedule the two public hearings for the regularly scheduled December meeting, as there would be enough quorum.

Upon roll call vote, the following Board members voted “Aye”: Jeffs, Stubblefield, Wolfe, Keep, Sedlacek, Kreutzer, Vacek and Brady.

Voting “Nay”: None.

Abstain: None.

Absent: Chaney.

Motion carried.

Adjourn

Chairperson Brady adjourned the meeting at 7:56 P.M.

Scott Brady, Chairperson
Buffalo County Planning Commission

Tammy Jeffs, Secretary
Buffalo County Planning Commission

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