

MINUTES OF PLANNING AND ZONING COMMISSION  
FEBRUARY 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 February 6, 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 7:04 P.M. on February 20, 2025. He announced that Tim Kreutzer was appointed to the Buffalo County Planning Commission on January 28, 2025 and Joshua Chaney was appointed to the Buffalo County Planning Commission on February 11, 2025 by the Buffalo County Board of Commissioners.

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

Quorum has been met.

Also attending were: Deputy County Attorney Josiah Davis and Zoning Administrator Dennise Daniels. There were a 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 7:06 P.M. No one spoke. The public forum closed at 7:07 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 7:07 P.M. regarding an Application for Special Use Permit to operate a Crushed Concrete Processing/Storage Site, filed by Jay Sporer, of Sporer Land Development, Inc., on behalf of Neil Hinrichsen, of Rockin' H Trucking and Cattle Inc., on part of tax parcel 500099000, described as part of Government Lot 7 and part of Government Lot 8, situated in Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska.

Ryan Chrisman, the onsite superintendent, of Sporer Land Development, Inc., on behalf of Neil Hinrichsen, of Rockin' H Trucking and Cattle Inc., stepped forward to present the application. Mr. Chrisman approached the GIS image of parcel 500099000, shown via the projector for public viewing. He explained that the area, east of the existing house, will be used to crush and stockpile concrete from the Interstate 80 project. He stated that during the project, there will be a direct access road created from the interstate to that site, where the concrete will be crushed on

site. He testified that they will stockpile the concrete and sell it. He explained that he foresees the pile to exist for a few years.

Ms. Wolfe asked how the inventory will be exited off site and Mr. Chrisman explained that the stockpile will be exited out on Buffalo Creek Road to Highway 183.

Mr. Chaney inquired if there was an intent to enter into a road maintenance contract to repair the roads, with consideration given to the weight of the stockpile loads and the number of trucks traversing the county road. Mr. Chrisman stated that they would enter into a contract for road maintenance, if necessary. He added that the situation would be similar to the Odessa Project that they brought in front of Buffalo County and received permission for in 2024.

Mr. Chaney inquired who the homeowner was that lived next the temporary plant and Mr. Chrisman explained that it is the applicant/landowner of the tract of land they are leasing.

Mr. Sedlacek asked for clarification for how the inventory will enter and exit the tract. Mr. Chrisman testified that the inventory will enter the tract of land via an access road directly off Interstate 80 and the inventory will exit via Buffalo Creek Road.

Chairperson Brady inquired if the concrete would be crushed onsite and Mr. Chrisman confirmed.

Chairperson Brady questioned how long the company intended to crush concrete for until its completion and Mr. Chrisman stated that he estimated that all crushing will be complete by September 2025, but the stockpile will remain until it has been completely sold off. He estimated that the stockpile would be sold within three years.

Mr. Vacek asked how the stockpile at the Odessa Project was selling and Mr. Chrisman testified that it is almost gone, as a local contractor bought most of it. Mr. Sedlacek asked Mr. Chrisman if this inventory would sell just as quickly as the last and Mr. Chrisman declared that most of the inventory would go quickly, but some would be retained for the use of Sporer Land Development.

Mr. Stubblefield asked where this project would be occurring. Mr. Chrisman answered that the project will have approximately six miles of pavement along Turkey Creek to be removed. He added that another three miles of concrete will be stockpiled at the Odessa site, due to the location and traffic patterns.

Mr. Stubblefield asked if trucks would be crossing the westbound lane to access the site and Mr. Chrisman stated that the construction is all occurring on the westbound lane and no trucks will be crossing the intersection. Mr. Chrisman added that three bridges will be removed as part of the project, which affects the journey to where the concrete will be trucked to.

Discussion occurred regarding the bridge construction in and along Interstate 80.

Chairperson Brady asked Zoning Administrator Daniels if she could show on the projector the conditions that were placed for the Odessa Project. Zoning Administrator Daniels projected that resolution, which included the following conditions: all inventory must be removed by the end of 5 years, 911 address signage is required, entry access to state or county highway approved by the appropriate state engineer or county staff, the applicant will need to enter into a Road Maintenance/Improvement Agreement, and restoration of land to original condition. The Commission discussed and reviewed the prior conditions and agreed they were applicable to this project, as well.

Vice-Chairperson Keep asked Zoning Administrator Daniels if she had received any complaints regarding the Odessa Project and Zoning Administrator Daniels stated that she had not.

Mr. Chaney asked Mr. Chrisman if water is used to contain the dust from the operation and Mr. Chrisman confirmed it would.

Discussion occurred regarding other current interstate projects.

Mr. Chaney stated that he appreciated the direct access off Interstate 80, instead of bottlenecking the trucks at the interstate exits. Ms. Wolfe and Chairperson Brady agreed.

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

Chairperson Brady closed the public hearing at 7:20 P.M.

Motion was made by Mr. Stubblefield, and seconded by Mr. Sedlacek to favorably recommend the Application for Special Use Permit to operate a Crushed Concrete Processing/Storage Site, filed by Jay Sporer, of Sporer Land Development, Inc., on behalf of Neil Hinrichsen, of Rockin' H Trucking and Cattle Inc., on part of tax parcel 500099000, described as part of Government Lot 7 and part of Government Lot 8, situated in Section Five (5), Township Eight (8) North, Range Eighteen (18) West of the Sixth Principal Meridian, Buffalo County, Nebraska, to The Buffalo County Board of Commissioners, with the following conditions: all inventory must be removed by the end of 5 years, 911 address signage is required, entry access to state or county highway approved by the appropriate state engineer or county staff, the applicant will need to enter into a Road Maintenance/Improvement Agreement, and restoration of land to original condition.

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

Voting "Nay": None.

Abstain: None.

Absent: None.

Motion carried.

***Old Business***

## ***Minutes***

Motion was made by Mr. Vacek, and seconded by Secretary Jeffs to approve the January 16, 2025 meeting minutes, as presented.

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

Voting “Nay”: None.

Abstain: None.

Absent: None.

Motion carried.

## ***New Business***

### ***Report on Previous Hearings***

Zoning Administrator Daniels reported that the Buffalo County Board of Commissioners reviewed the Application for Zoning Map Amendment, filed by Craig Bennett, of Miller & Associates Consulting Engineers, P.C., on behalf of Mark H. Meyer and C. Jayne Meyer, also known as Claudia Jayne Meyer, and Loren Bakko, Manager of Bakko Land, L.L.C to rezone approximately 30.13 Acres, more or less, from Agricultural – Residential (AGR) to Commercial (C). She added the original public hearing was heard on December 23, 2024, but was recessed to January 28, 2025. Prior to that public hearing, she testified, the applicant requested a reduction in acres from 30.13 acres to 17.56 Acres. However, she continued, on January 28, 2025, The Board of Commissioners denied the request for rezone.

Zoning Administrator Daniels reported that the Buffalo County Board of Commissioners reviewed and approved the Application for Preliminary Subdivision, “Heritage Hills Subdivision”, filed by Mitch Humphrey, licensed land surveyor on behalf of Tyler R. Wilterding and Karmen M. Wilterding and Ryan S. Rodehorst and Rutheah A. Rodehorst, on February 11, 2025.

Zoning Administrator Daniels reported that the Buffalo County Board of Commissioners were scheduled to review the proposed code amendments to The Buffalo County Zoning Regulations in the following sections: Section 11.1, General Amendment, Section 11.2, Submission to Planning Commission for Amendments, Section 11.3, Amendment Consideration and Adoption, and Buffalo County Subdivision Regulations, Section 9.03, Amendments, regarding the binding recommendations of the planning commission AND Buffalo County Zoning Regulations, Section 6.6 Livestock Confinement Facilities regarding minimum distance setbacks for livestock confinement operations on February 25, 2025. She stated that she will report back when that public hearing is complete.

Zoning Administrator Daniels reviewed the correspondence with The Commission. She notified The Commission of the proposed plat of Spruce Hollow 3<sup>rd</sup> in the city of Kearney's extra-territorial jurisdiction and asked The Commission to review the proposed letter to the city of Kearney. She requested that they let her know if revisions needed to occur. The Commission agreed that no changes were recommended.

Extra-territorial jurisdictional boundaries were reviewed with The Commission.

Zoning Administrator Daniels also reviewed the Kearney County notices with The Commission.

Zoning Administrator Daniels notified The Commission that the Nebraska Planning and Zoning Conference would be held March 5, 2025 through March 7, 2025 and to let her know by February 26, 2025 if they planned to attend.

Zoning Administrator Daniels reported that The Nebraska Planning Conference will be held March 5, 2025 through March 7, 2025 and would provide more information as topics become available.

### ***Next Meeting***

The next meeting will be March 20, 2025, with the submission of an Application of Special Use Permit for a daycare center and two other Applications for Special Use for an agricultural establishment to the office of the Buffalo County Zoning Administrator.

### ***Adjourn***

Chairperson Brady adjourned the meeting at 7:33 P.M.

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Scott Brady, Chairperson  
Buffalo County Planning Commission

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Tammy Jeffs, Secretary  
Buffalo County Planning Commission