



Saline Planning and Zoning Minutes



SALINE COUNTY PLANNING AND ZONING

Minutes for February 16, 2021 Board Meeting

The Saline County Planning and Zoning Board Meeting was called to order at 7:03 P.M. by Chairman Horak. Horak stated the open meeting laws are posted on the wall. The meeting was held in the Assembly room of the Saline County Courthouse in Wilber, Nebraska. Roll call was taken. Members present were Horak, Barta, Fink, Wenz, Miller. Havlat arrived at 7:06. Absent: Weber and Jansky. Commissioners Kohout and Hardenburger also present along with about 10 members of the public.

Minutes were read, Miller moved to approve with Fink 2nd. Roll call vote taken. Yes: Havlat, Miller, Fink, Barta, Wenz, Horak. Minutes were read and approved as corrected. (THEY HAVE NOT BEEN CORRECTED)

Lyle Weber announced that the Chicken Farm public hearing was cancelled due to the DeWitt Village Board having jurisdiction.

Reorganization was table until all new members are sworn in.

Lyle Weber announced that zoning regulations cannot be voted on as it is not listed an action item. Barta motioned move the regulation changes off the table Miller seconded. Roll call vote, all Yes.

Horak opened the discussion of wind regulations among the board.

Gary Veprovsky objected to Horak running the meeting. Horak stated for the record that he does have wind turbines on his property and leased land to the wind farm company to have a temporary storage yard.

The proposed changes to the zoning regulations were discussed. Fink suggested eliminating the requirement for a safety manual and in its place including safety information. Havlat agreed that since there is no definite manuals requiring one would be hard. Barta stated that the radar controlled lights are popular right now. The board decided to require radar lights if the FAA approves them. If not then lights would have to be on all the time. The board wants to not put in the need for the Commissioners to approve a sale but should show adequate funds for transfer of a conditional use permit Ron Fink suggested an escrow account set up within 10 years of operations for decommissioning. Everybody agrees the wording "not in my back yard" should be eliminated from the regs. Barta liked the setbacks of 3X height for dwellings and 2X for roads, power lines, and property lines. Wenz brought up the idea of a 1 mile setback in order for inclusion of more people the possibility of higher payouts from companies. Fink suggested 1/2 mile from property line. Barta 1/2 mile from dwelling would be acceptable. The board agreed on the 1/2 mile from dwelling of non-participating landowner and 2X height to property lines. The board was all on board for noise not to exceed 50 dba sound limits at dwellings. Weber stated that deputy county attorney changed his mind and now thinks a the EDF lawyer's statement that any changes are not retroactive to any projects already permitted.

The board also decided that any new class II livestock operation would need to get a conditional use permit.

Lyle Weber stated that no signed bylaws could be found and wonder if anyone had contact information for Ron Lorenz, wondering if he might have signed bylaws. Zoning Administrator Weber presented the



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by-laws to the board and mentioned that a public hearing will be held at the March meeting on the by-laws.

Jeff Koll presented a letter from the Attorney General of a complaint filed towards Lyle Weber. The Attorney General contemplates no further action and stated that Lyle is not part of the public body and that it was the Board that violated the Open Meeting Act in respect to the availability of meeting minutes and nondescriptive agenda items. The Attorney General suggested that Lyle and County Attorney, Tad Eickman admonish the Planning Commission and that future strict compliance of the Open Meeting Act was imperative over the doings of the Planning and Zoning.

Gary Veprovsky reiterated that no setbacks should be less than a mile. Bryan Aron Ourecky stated the big complaint with the Chicken Farms is that they are not owned locally living within proximity to them.

Commissioners Kohout and Hardenburger gave an update on commissioner's activity. Havlat made motion to adjourn, Fink 2nd. All voted yes.

Meeting adjourned 9:04.

Lyle Weber, acting secretary.