

## SALINE COUNTY PLANNING & ZONING MEETING

April 18, 2023

The Saline County Planning & Zoning Board Meeting was called to order at 7:00 p.m. on April 18, 2023 by Chairman Johnny Barta. He stated that the Open Meeting Act applied to this meeting and the Act is posted on the East wall of the Assembly Room of the Saline County Courthouse in Wilber, Nebraska. Chairman Barta asked Lyle Weber, Planning & Zoning Administrator to call the roll: Present were Dave Hermsmeier, Gerald Brown, Joel Weber, Ron Fink, Mary Jo Weber, Johnny Barta, Jeff Koll and Keith Muller; Absent Mark Due. Representation by commissioners was Marvin Kohout, and several members of the community were present at this meeting.

**Minutes** of the February 21, 2023 meeting were moved for approval without reading by J Weber, seconded by Koll. Roll call vote in favor: MJ Weber, Koll, Brown, Hermsmeier, J Weber, Fink, Barta and Muller. Minutes approved and submitted to be filed.

**Citizens Forum** Chairman Barta asked if anyone present wanted to speak at this time on any subject.

Gary Veprovsky voiced apprehension over not reading minutes during the meeting, and listed his personal concern about the relationship between the P&Z and the Commissioners.

Matt Schwisow was concerned about the lack of communication around his property now that a cell tower was built near his new home.

Elizabeth Shotkoski Ferneding stated the public health concerns with wind turbines.

Chuck McKay shared screenshot of decibel readings near his home from the turbines and stated his concerns.

Others stated objection to wind turbines were: Katie Wissenberg, Brad Pomajzl, Vergene Kracke. Lyle Weber read an email from Russell Korinek that included a video of a wind turbine (the video was sent to members of the P&Z prior to the meeting).

### **Business for action**

**Agenda Item 1: Wind Turbine Study.** Lyle Weber informed the members that the Commissioners denied the fund a study on a vote in opposition of 3-1-1.

The question by Koll was if Milligan I completed a pre-study, as no limits were set at the time in the regulations.

Chairman Barta stated an accurate reading requires measurements of time, climate, environment and location to properly test.

Additional discussion by members of the board.

### **Agenda Item 2: Discuss/approve/disapprove proposed zoning regulation changes.**

There was discussion about the request by the commissioners to raise the dba to 50 from the current 40.

Motion by J Weber to raise the dba to 50. Motion died for lack of a second.

Additional discussion about requesting a study in next meetings agenda for Milligan I to supply an acoustical conditional study.

**Agenda Item 3:** Discuss/approve/disapprove adding “an acoustical study as part of a wind turbine conditional use permit application” to the zoning regulations.

It was reported that the commissioners requested, by a 4-0 vote, to add an accoustical study for a conditional use permit application, pre-construction.

It was suggested that similar to other counties, the wind companies should pay for these studies, with a follow up study within two years. Further discussion about this item but no action taken at this time.

**Agenda Item 4:** Discuss/approve/disapprove proposed zoning regulations changes that would require a public hearing.

Discussion on decommissioning costs. Was suggested that the costs should be paid by the company by placing monies into an escrow account. Specific points: 10% upfront dollars into escrow; additional 10% each succeeding year; revisit every five years and adjust for inflation; other adjustments as needed.

It was requested that Lyle have the County Attorney see if the regulations passed in Gage County could be utilized in the regulations in Saline County.

Further statements included that the escrow is attached to the permit. Upon transfer of ownership must show proof of financial stability. Additional concerns: setback distances; tower/turbine heights; shutting down turbines when there if activity around them for safety of the public.

**Agenda Item 5:** Discussion on Solar Regulations and was suggested to see that Gage County has implemented in relation to questions on glare, bushes, trees and vegetation plans.

Solar power is not Ag production so what permit is needed.

Gage County did different classes for sizes of wind farms.

Are there any current state regulations was asked.

Additional Discussion: Lyle was asked if any permit applications have been requested for future wind farms. It was stated that Milligan III permit if dead.

A question about whether the P&Z had to approve the cell tower concern from Open Meeting. It was approved through the regulations and not needed approval from board or commissioners.

**Commissioners Report** Marvin Kohout stated the state auditors got the bid to access the counties finances for the next 3 years and are currently asking a lot of questions from current and previous year.

Adjournment Motion made by J Weber, 2<sup>nd</sup> by Brown, to adjourn the meeting at 8:48 p.m. carried on a voice vote, with no opposition.

Respectfully Submitted,

Keith Muller, Secretary