



Saline Planning and Zoning Minutes



SALINE COUNTY PLANNING AND ZONING MEETING

February 19, 2020

The Saline County Planning and Zoning Meeting was held Wednesday, February 19, 2020 in the Assembly Room of the Saline County Courthouse, Wilber, NE. Chairman, Doug Horak called meeting to order at 7:00 pm. Giving notice that the Open Meeting Rules are posted in the room. Roll Call was taken by Lyle Weber, Planning & Zoning Administrator. Present were: Johnny Barta, Wayne Havlat, Doug Horak, Wayne Miller, Harold Stokebrand, Mary Jo Weber, and Doug Wenz. Jeff Jansky was absent. Also present were Marvin Kohout, Commissioner and ten from the public.

Minutes of the November 19, 2019 meeting were read. Corrections of Decomposition to Decommissioning Plans and Chuck Sukovaty to Chuck McKay were made. Wayne Havlat moved and Johnny Barta 2nd to approve corrected minutes. Voting yes by Roll Call were: Barta, Miller, MJWeber, Horak, Stokebrand, Wenz and Havlat. Jansky absent. Minutes to be filed. Election of Officers was moved to later in meeting.

Doug Wenz moved and Harold Stokebrand 2nd to move to Public Hearing. Yea from all present. A Conditional Use Permit application has been filed by TransCanada Keystone Pipeline LP by agent TC Oil Pipeline Operations Inc. Representing that company were Dan Forbes, Permit Supervisor and Alyssa Ledon, for Security. The request is for a temporary pipe storage and contractor yard on E1/2 SE1/4 of 21-8-3. They have met with Bruce Filipi, Road Superintendent with a plan. Ms. Ledon stated that they would be meeting with Nebraska State Patrol and local law enforcement people and there would be an eight to ten foot surrounding fence to the pipeyard. Access to the property would be needed in April if permits are allowed. This field has previously been used for pipeyard use. Motion by Wayne Miller and Wayne Havlat 2nd to close public hearing. Roll Call vote. All yes.

After Board discussion on the Conditional Use Permit application for the Pipeyard and Contractor Laydown yard, Wayne Havlat moved and Johnny Barta 2nd to approve and move it on to the Saline County Commissioners. Roll Call voting yes were: Barta, Miller, MJ Weber, Horak, Stokebrand, Wenz and Havlat. Motion Carried.

Next on the Agenda was Minor Sub-division by Troy Steuer. They are asking to split approximately 20 Acres. Property is in Section 2-8-4E. There is driveway easement to north portion of division and well is with house. Lyle Weber, P&Z Administrator states there are no problems. Motion to accept and move forward to commissioners by Johnny Barta, and 2nd by Wayne Miller. Roll Call vote yes by Havlat, Wenz, Stokebrand, Horak, MJWeber, Miller and Barta. Motion carried.

Old Business: Zoning Regulation Changes. Board Discussion on revisiting the distance for Set Backs on Wind Towers. Examples are from property lines, dwellings, participating properties verses non participating, height of towers. Lighting issues. Lyle reported Dillon from Apex stated they are not planning on using, however, their project is aiming for 2022. Horak asked Wayne Miller, Vice Chair to take over meeting. More discussion on System Heights, Occupied Dwellings and minimum distances. Vice Chair Miller asked for comments from the public. Jeff Kroll distributed a small graft copy of the placement of the towers, verses non participating property owners. Discussion was brought forth about Gage and Fillmore County Changes to their setbacks, migratory bird areas, and the possibility of looking at manufacturing companies setback Danger zones. It was suggested that Set backs be three time the



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SALINE COUNTY PLANNING AND ZONING MEETING April 21, 2020

The Saline County Planning and Zoning Meeting was held Tuesday, April 21, 2020 by teleconference due to COVID 19 situation. Doug Horak, Chairman called to order at 3:06 pm. Roll call was taken by Lyle Weber, P&Z administrator. Present on the line were: Ron Fink, Jeff Jansky, Johnny Barta, Doug Horak, Mary Jo Weber, and Doug Wenz. Commissioner Marvin Kohout and Roger Klein, Bill Velder, and Chuck McKay were also on line. Chairman Horak did state the open meeting rules apply.

Minutes of February 19, 2020 meeting were read. With no corrections, Johnny Barta moved to file and Doug Wenz second motion. Roll Call taken, Yeas were Fink, Jansky, Barta, Horak, MJ Weber, and Doug Wenz. Minutes to be filed.

Sub Division next on the Agenda. This is in Section 19-7-3E. Roger Klein is asking to divide off 7.75 Acres to be moved to Velder Brothers. Lyle stated no problems with the plan. Ron Fink moved and Johnny Barta second to accept change. Roll Call Vote, Jansky, Barta, Fink, Wenz, MJ Weber, Horak all Yes. Motion past to be moved on to the commissioners. Bill Velder representing Velder Brothers was on line to move 5.823 Acres in same section to Roger Klein. Questions asked included if property was in same school district and if both parties were okay with the difference in the acres swap. Both are and the move is to make it easier for access to pastures and hunting areas, for each party. Motion was made by Johnny Barta and second by Ron Fink to accept division and move to commissioners. Yes by Wenz, Barta, Fink, MJ Weber, Jansky, and Horak votes to move on. Lyle will make arrangements with Doug Horak for signatures on property divides. Klein and Velder now off line.

Horak moved to Old Business the Zoning Regulations. Doug Wenz stated this was not the time or place to do. Johnny Barta said the business was tabled last meeting and should not be taken off the table at this time. Lyle asked Marvin Kohout if he had any update of time with the State opening things and he stated to be extended till the end of May, as far as he knew. Doug Wenz asked Chuck McKay if he had any problem with the matter being left on the table. Mr. McKay stated he was just concerned

that we may be going backward on this matter, and we may not be handling fairly for the nonparticipating property owners on the Wind Tower projects. McKay stated in discussion that perhaps we needed to research the complete written manuals for the towers from the manufacturing companies. Lyle proposed we need to go, county by county on our research. Chuck McKay stated we all need to do our homework to protect everyone's property, but a face to face situation will be better. Horak stated the decision to table holds for now, till we can have public meetings.

No new business other than to replace Harold Stokebrands position. No firm candidate at this time.

Commission Marvin Kohout reported the Courthouse and been shut down since March 18th, some are working from inside and some are working from home. Very little court has been held. There is a Drop Box On west side of Court house for paper work if needed.

With no other business, Ron Fink moved to adjourn meeting, Second by Johnny Barta. Roll Call all Yeas: Fink, Jansky, MJ Weber, Barta, Wenz, Horak. Chairman Horak declared adjourned at 3:44 pm.

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SALINE COUNTY PLANNING & ZONING MEETING MAY 19, 2020

The Saline County Planning & Zoning Meeting was held May 19, 2020 by teleconference due to the COVID-19 issue. Doug Horak called meeting to order at 3:05p.m. On Line were: Johnny Barta, Ron Fink, Doug Horak, Jeff Jansky, Mary Jo Weber, and Doug Wenz. Also on line were P&Z administrator Lyle Weber and Chris Peters. Horak reminded everyone were are still using the Posted Open Meeting Rules. Roll Call taken by Lyle Weber. Minutes were read, motion by Johnny Barta to approve as presented and 2nd by Ron Fink. Roll Call, yeas were: Jansky, Fink, MJ Weber, Barta, Wenz, and Horak. Minutes filed as approved.

Subdivision presented for Section 12-5-4E by Dewitt. Chris Peters explained was to move 6.733 acres from the family owned farm to their ownership. Johnny Barta asked Lyle if he foresaw any problems, L. Weber said no. Motion by Johnny Barta and 2nd by Ron Fink to approve subdivision. Voting yes by Roll Call were: Barta, MJ Weber, Wenz, Fink, Jansky and Horak, to be moved, onto the Commissioners. Chris Peters offline. OnLine now was Joe Homolka, asking for subdivision for 3.017 acres in 9-5-2E. This is a subdivision from Arnold and Kevin Homolka. Any problems with this, was asked by Johnny Barta, Lyle Weber said no. Motion to allow subdivision by Ron Fink and 2nd by Doug Wenz to accept. Roll Call: MJ Weber, Barta, Wenz, Fink, Jansky and Horak all voting yes. Will move onto commissioners. Lyle will make arrangements with Doug Horak to sign papers on both subdivisions.

Old Business: Doug Horak pointed out several items on the V-90 manual that Chuck McKay had referenced to several meeting, was unable to locate a V-110 manual at this time.

New Business: Vairo will possibly be looking for a Conditional Use Permit for a Cell Tower by Swanton, however, a public meeting will be needed, we will see if Court House is open then. Lyle said next meeting we would have another subdivision request.

With no other business, Johnny Barta moved to adjourn and Jeff Jansky 2nd motion. Roll Call vote: yeas were: Fink, Jansky, MJ Weber, Barta, Wenz, and Horak. Horak adjourned teleconference meeting at 3:35 p.m.

Mary Jo Weber, Recording Secretary.



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SALINE COUNTY PLANNING & ZONING MEETING JUNE 16, 2020

The Saline County Planning & Zoning Meeting was held June 16, 2020 by teleconference. Chairman Doug Horak called meeting to order at 3:05 p.m. Roll call was taken by Lyle Weber, Planning and Zoning Administrator. On Line were: Johnny Barta, Doug Horak, Jeff Jansky, Ron Fink, MaryJo Weber. Also online were Lyle Weber, Commissioner Marvin Kohout and Rick Homolka.

Minutes were read by MaryJo Weber, Ron Fink moved to approve and Johnny Barta 2nd. Roll call voting yea were: Fink, MJ Weber, Jansky, Bute, Horak. Minutes approved and to be filed as read. Chairman Horak reminded all, that we are still following the Open Meeting Rules.

Subdivision presented was in NE1/4 20-6-3E for Rick Homolka. This is separating off one parcel into three parcels, two have dwellings and wells, into 8.9 and 4.41 Acres and then cropland.

Discussion on easements and lane or driveway entry into Homolka & Sons farm ground. Johnny Barta asked Administrator Lyle Weber if he fore saw any problems, seeing none, Barta moved to approve this subdivision. Jeff Jansky second motion. Horak asked for roll call vote. Voting yes were: Barta, Fink, Jansky, MJ Weber and Horak. Lyle will get papers to Horak for signatures and have added to the Commissioners Agenda for next meeting. Rick Homolka off line.

Lyle Reported that he had made an administrative decision on old rail road property for Jan Buzek and moved to commissioners. July meeting will probably have another subdivision to vote on, and possibly several Conditional Use Permits, with the Court House open.

Commissioner Marvin Kohout reported the Court House was open, mask were required to enter, still practicing Social Distancing and limiting numbers in groups to approximately 20 or so.

Lyle reported that July meeting should be able to meet live, and will probably have several items that will require public meeting time. With no other business, Horak asked for motion to adjourn. Johnny Barta moved and Ron Fink second. All yei, IS voted byfoe, meeting adjourned at 3:21 p.m.

MaryJo Weber, Recording Secretary



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SALINE COUNTY PLANNING & ZONING MEETING 'NOM* 21.^{5T}, 2020

The Saline County Planning & Zoning Meeting was called to order at 7pm on 1st, 2020 by Vice Chair, Wayne Miller. Mr. Miller stated that we are following the Open Meeting Rules posted on the wall. Roll Call was taken by Planning & Zoning Administrator Lyle Weber. Present were: Johnny Barta, Ron Fink, Jeff Jansky, Wayne Miller, Mary Jo Weber, Doug Wenz. Absent were: Wayne Havlat and Doug Horak. Also present were Commissioner Marvin Kohout and eleven from the public.

Minutes were read. Motion was made by J.Barta and 2nd J.Jansky to file as read. Roll Call voting yes were: R.Fink, MJWeber, D.Wenz, J.Barta, J.Jansky, and W. Miller. Minutes to be filed.

Wayne Havlat present now.

New Business: Dave Musil presented Subdivision request for N1/2SE1/4 20-6-3E. They would like to separate off 3.497 Acres , splitting the old yard and home from the new home, with daughter Kelsey. There are separate wells With each division. After board discussion, Doug Wenz moved to accept and Jeff Jansky 2nd. Roll Call vote J.Jansky, MJWeber, J.Barta, D.Wenz, W.Havlat, W.Miller, and R.Fink voting yes. Motion carried, to be moved onto Commissioners.

Dustin Vana presented Subdivision request for W1/2 SW1/4 29-7-4E . He and his father are purchasing yard and farm ground and would like to split off 5.044 Acres of the existing house and acreage from the farm ground. Ron Fink moved to accept subdivision, Wayne Havlat 2nd. Roll Call voting yes were: D.Wenz, J.Barta, MJWeber, J.Jansky, R.Fink, W.Havlat, and W.Miller. Motion carried , to move onto Commissioners.

Conditional Use Permit Request for Cell Tower by Viaero near Swanton, NE was presented by Mike Harms, Industrial Tower. This would have 4G coverage and would be 195 feet self supporting Cell Tower. Completion time would be spring of 2021 year. There is an existing one by the Recycling Center in Crete. Both the Cooperative and the Village of Swanton have been notified and signed off on the project. Wayne Havlat moved to approve and Johnny Barta second motion. Yeas were: D.Wenz, MJWeber, R.Fink, W.Havlat, W. Miller, J.Jansky, and J.Barta, by Roll Call vote. Moves onto Commissioners.

Request for Conditional Use Permit by Les Lawyer of Friend, NE for Hog Finishing House. Also present were representatives from Settje Ag Service and Engineering, Heartland Building, and Cactus Family Farms.

This building would be on his property east of his yard in section 3-7-1¹. Jeff Jansky moved and Ron Fink second to move to public meeting. Roll Call Havlat, Miller, Fink, Jansky, MJWeber, Barta, Wenz voting yes. After hearing from presenters, questions were asked by P & Z board, letter was read by Lyle Weber, P & Z administrator, from a land owner, in favor of project. Lyle said he had received other questions in regards to this project, but no objections. All legal notices had been sent . Motion to close public hearing made by Wenz and 2nd by Fink. Roll Call voting yeas: Havlat, Miller, Fink, Jansky, MJ Weber, Barta, Wenz. Motion to approve Conditional Use Permit for Lawyer made by Johnny Barta and 4nd by Ron Fink. Yes votes were: Wenz, Barta, MJ Weber, Jansky, Fink, Miller, and Havlat by Roll Call. CUP moves onto Commissioners.



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SALINE COUNTY PLANNING & ZONING MEETING
AUGUST 18, 2020

The Saline County Planning & Zoning Meeting was called to order by Chairman, Doug Horak at 7:05 pm., on August 18, 2020 at the Court House in Wilber. Roll was called by Lyle Weber, P&Z Administrator. Present were: Wayne Havlat, Wayne Miller, Ron Fink, Jeff Jansky, Mary Jo Weber, Johnny Barta, Doug Wenz, and Doug Horak. Also present was Commissioner Marvin Kohout. Chair Horak reminded everyone we observe the open meeting rules, that are posted on the wall. Public present were Jeff Koll, Hope Mournal, Chuck McKay, Gary Veprovsky, Dave Vavra, and Darrel Hayek. Jack Sukovaty was on line.

Mary Jo asked for everyone to correct the date on their minute copies to July 21st not August 21st as copied. Minutes were read. Motion to file as corrected made by Johnny Barta, Second by Wayne Miller. Roll Call Vote: Miller, Jansky, Fink, Havlat, Barta, Wenz, MJ Weber and Horak all yeas., Motion approved to file.

New Business: Jeff Koll asked for a Moratorium on Wind Farm Permits. Vice Chair, Miller took over the meeting at this time. Mr. Koff is asking for Saline County to halt any new Conditional Use Permits for Wind Towers for six months. He presented the P&Z board with a copy of the Resolution that Gage County has drafted. Jeff Koll stated that this was needed not only for safety factors but to insure that the board get something done on updating those regulations. Mr. Moll also presented a list of six items he felt should be addressed on this matter. Some type of compensation for non-participating property owners was one of the comments, regarding property lines and permits. After lengthy discussion from the public and the board, Vice Chair Miller called meeting back to order.

Johnny Barta moved to put a Moratorium on Conditional Use Permits on Wind Farms through December 31, 2020, which can be lifted by majority vote of the Planning & Zoning Board. Wayne Havlat second. Miller asked for any other board discussion. Roll call by Lyle Weber, P&Z Administrator, Voting yes were: Fink, MiWeber, Havlat, Miller, Jansky, and Barta. Wenz voting no and Horak abstained. Motion carried. County Attorney will have to review resolution.

Old Business: Changing Regulations on the Wind Tower Projects. Discussion from public and board included if permits should be allowed to transfer to new companies or if reapplying should be necessary Should decommission regulations be part of the contracts and the ice flicker issue on blades. Vice Chair Miller asked for comments on each item of the six listed by Koll. Board agreed to try start update on these regulations.

Commissioner Marvin Kohout reported they have been working on Department Meetings for the new Budget. Assessment value for the county improved with new growth.

Wayne Havlat moved to adjourn meeting and second by Ron. Fink. All Yes votes. Meeting adjourned at 9:20 p.m.

Mary Jo Weber, Secretary.



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SALINE COUNTY PLANNING & ZONING MEETING September 15, 2020

Chairman Doug Horak called the Planning & Zoning Meeting to order on September 15, 2020, at the Saline County Courthouse at 7:02 p.m. Chair Horak reminded all present that the Open Meeting Rules Posted on the wall apply. Roll Call was taken by Lyle Weber, Planning & Zoning Administrator. Present were: Wayne Havlat, Wayne Miller, Ron Fink, Doug Wenz, Johnny Barta, Mary Jo Weber, and Doug Horak. Jeff Jansky absent. Commissioner Marvin Kohout and Officer Steve Sunday were present. Minutes of the August 18th meeting were read. Wayne Miller moved to approve with Wayne Havlat 2nd. Roll Call Voting yes were: Fink, MJWeber, Wenz, Barta, Havlat, Miller, and Horak.

Motion to file passed.

Citizens Forum was next, with approximately twelve people present. Concerns of a possible subdivision of ag ground to subdivision developments were brought forward. Chair Horak reminded everyone this was a Forum not a public hearing. Discussion on the lack of water or poor water conditions from the neighbors was presented. Jurisdiction on City of Wilber or Saline County needs to be determined. Some discussion on the sizes of subdivisions. Mr. Wenz asked if the owner of the property had been contacted about these water issues. Mr. Barta asked if the NRD had been contacted. Forum was closed.

Minor Sub-division presented by Dean Pracheil. After death in family, they are wanting to sell off acreage and maintain farm ground, The 4.12 Acres they are wanting to split off with House has existing well and septic tank. Motion by Wayne Havlat to approve and 2nd by Johnny Barta to accept. Roll call: Miller, Fink, Wenz, Barta, MiWeber, Havlat, and Horak all voting yes. Subdivision on 51/2 5E1/4 12-8-3E moves onto Commissioners.

Old Business: Wind Regulation Changes. Discussion by Board that we need to look at putting some on regulations on sound for the larger towers. Sixty decibels was a suggestion. From the public 40 to 45 d. was suggested. Discussion continued as to whether it should be from occupied building or property lines. More concerns that the non participating landowners are not getting proper protection, and who is going to enforce these regulations. Moving on to setbacks from property lines, occupied buildings, non-occupied residence, tower heights and comparing to neighboring counties, many different options, lengthy discussion by P&Z board, decided to table for evening. Lighting on Towers was also discussed, need to know cost effect and not regulate over the FAA. Jeff KO asked when changing regulations, if we could drop from page 63 #1 "not in my back yard" from that line. Closing the discussion on regulations, board will try to decide at next meeting.

Commissioner Marvin Kohout reported the Budget was approved at today's meeting. Wayne Miller moved to Adjourn meeting, 2nd by Ron Fink. All voting yes, Chairman Horak adjourned at 8:51 p.m.

Mary Jo Weber, Secretary



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SALINE COUNTY PLANNING & ZONING MEETING OCTOBER 20, 2020

At 7:05 pm. On Oct.20,2020, Chairman Doug Horak called the Planning & Zoning Meeting to order at the Saline County Courthouse. Open meeting rules are posted on the wall per Chair Horak. Lyle Weber, P & Z Administrator called Roll, present were: Ron Fink, Mary Jo Weber, Johnny Barta, Doug Wenz, and Doug Horak. Absent were: Wayne Havlat, Wayne Miller and Jeff Jansky, Also present were Marvin Kohout, Commissioner and several from the public. Minutes of the September 15th meeting were read. Johnny Barta moved and Ron Fink second to file as read. Roll Call voting yes were: MJWeber, Barta, Fink, Wenz, and Horak. Motion carried, minutes to be filed.

New. Business included a minor sub-division presented by Robert Sundling for Ray Slama, in NE1/4 35-7-4E. The sub-division would be 4.04 Acres. Barta asked if this area had been sub-divided before, that will be looked into. No other discussion, Wenz moved to accept and Barta Second. Roll Call MJWeber, Fink, Wenz, Barta, and Horak voting yes, moves onto the Commissioners.

Other new business: Lyle reported we may want to review Regulation #617. An application to the Commissioners has been made for two sets of chicken barns. The owner of the Ag Land would be leasing the property. As of this time, no Conditional Use Permit would be required. Sites would be on County Road I and Co.Rd R by Swanton, each site would have eight barns of 2000 chickens.

Old Business on Regulation Changes on Wind Farms. After discussion by the board and input from several of the public, no motion was made, but several ideas were agreed on, to be reviewed and voted on at the November meeting. Requiring the Manufacturers Safety manual be available at the time of application of the Conditional Use Permit. Sound should not exceed 50dba at occupied dwelling. Conditional Use Permits could not be transferred on change of ownership without approval of the Commissioners. Activated lighting systems by radar for all night, to meet but not exceed FAA. . Setbacks on System Heights changed to three times height to occupied buildings and 2 times height from utility lines or property lines.

In Open Discussion, we were presented the copy of "Impacts of Agricultural Used on Residential Uses Permitted in Ag" that Jefferson County has adopted. All persons seeking construction of new dwellings in Ag, receive. May need to review if we would like to do something similar.

Marvin Kohout, Commissioner, said the Sheriffs Department and District Court are back to regular business now after time away for court held out of county. Also a marble seal is being installed and should be completed by next meeting.

Wenz moved to adjourn meeting with a second by Fink. Roll Call taken by Lyle. Yeas were Fink, MjWeber, Barta, Wenz, and Horak. Chairman Horak announced adjourned at 9:22 pm.

Mary Jo Weber, Secretary



Saline Planning and Zoning Minutes



SALINE COUNTY PLANNING & ZONING MEETING November 17, 2020

The Saline County Planning & Zoning Meeting was called to order at 7pm. By Chairman Doug Horak on November 17, 2020 at the Assembly room of the Saline County Court House, Wilber NE.

Notice of Open Meeting Order is posted on wall, per Chair Horak. Roll Call was taken by Lyle Weber, P&Z Administrator. Present were: Wayne Havlat, Wayne Miller, Ron Fink, Mary Jo Weber, Doug Wenz and Doug Horak. Johnny Barta and Jeff Jansky Absent. • Also present were Marvin Kohout, Commissioner and four from the public.

Minutes were read from the October 20, 2020 Meeting . Correction of 26,000 chickens instead of 2000 was made. Miller moved and Wenz 2nd to approve corrected minutes. Roll Call voting Yes were: Fink, Miller, Havlat Wenz, MJWeber and Horak. Minutes to be filed,

New Business: Lyle reported the two chicken barns had been withdrawn at this time. Regulation #617 still needs to be looked into for future projects.

Old Business: Regulation Changes. Lyle presented a list of six items for Proposed changes to Saline County Regulations on Wind Energy Systems, as per discussion from previous meetings. Copy has been sent to County Attorney 's office, but he had not got back to Lyle on this matter. Chairman Horak asked for discussion from the Board. #1 was to add a Safety Manual for each type of turbine being used. Item 2 was on lighting. Adding all night time lighting shall be activated by a radar activated lighting system installed by the applicant that shall meet or exceed FAA Standards. Board was in agreement on these items. #3 was to add : Any transfer of .ownership.of the proposed wind energy conversion system must be with the consent of the Saline County Commissioners approval. After board discussing, it was added"after a Public Hearing in front of the Commissioners." Number 4 was to remove "not in my backyard from c#2. And adding :With regard to visual impacts of the proposed project and the typical human reaction. (ETAL) With discussion on setbacks #5, the board decided to go to 3X height from occupied building, taking out from occupied building on abutting property, and change setbacks from property line or utility lines to 2X height. Item #6 on sound was to add"any wind turbine shall not exceed 50dbA measured at any dwelling", and board added using the A scale. These regulations are oh pages 62 thru 65 Sectionc,19. • Chairman Horak asked the P&Z Board if they were in agreement of these changes to be made and response was yes, moving it forward for legal wording and publicmeeting. Page 20 Section 501.5 on Expansion of Class1,11,111, IV,&V confined and intensive animal feeding was touched on. Board agreed that a Conditional Use Permit should be needed for Class I and up, would need legal to assist in rewriting.

Open Discusstion:1 adision from the attorney's office for EDF , stated the concerns they have of making changes to regulations, during an on going project. .Jeff Koll was then recognized by Chair Horak. His concern was on water rights and testing prior to new developments.

Commissioner Marvin Kohout reported the County Road office was closed at this time. The next day, the County Officers would meet with Governor Ricketts via Zoom.

Lyle will follow thru with regulations to County Attorney. He will request the Wind Farm Moratorium be extended past December31st until the Public Hearing has been held by the Commissioners.

Withno other business, Wayne Miller moved to Adjourn the meeting, Wayne Havlat 2nds: All Voting Aye. Chairman Horak Announced meeting Adjourned at 7:57 PM.

Mary Jo Weber, Secretary



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SALINE COUNTY PLANNING & ZONING MEETING DECEMBER 15, 2020

Chairman Doug Horak called the Saline County Planning & Zoning Meeting to order at 7p.m on December 15, 2020, Roll Call was taken by Lyle Weber, Planning & Zoning Administrator.

Present were Wayne Havlat, Wayne Miller, Ron Fink, Jeffiansky, Mary Jo Weber, Johnny Barta, Doug Wenz and Doug Horak. Also present was Commissioner Marvin Kohout and several from the public. Open Meeting Rules posting was stated by Chairman Horak.

Minutes were read, correction of 619 instead of 19 in paragraph 5 in old business was made. Motion to approve by W. Miller and 2' by R. Fink. Roll call: Barta and Jansky abstained, Yes Were Havlat, Fink, Miller, MJ Weber, Wenz, and Horak. Minutes stand approved.

New Business: Chicken Barns south of Wilber is a go, the other barns have a problem with location at this time.

Old Business: Request from public that Mr. Horak give order of chair to Mr Miller. Lyle has spoken with State Accountability Board and he can continue. Johnny Barta agreed on those he has spoke with also, Chair Horak continues. The proposed Regulations for Wind Energy Systems has been presented to the Saline County Attorneys Office. Also presented was paperwork from the Elaird Holm Attorneys for Milligan I Wind LLC. Horak proceeded to read thru Proposed Regulation Changes. Number 1 on Safety Manual. Wenz showed concern that we should have legal council at these meetings. #2 lighting need to not interfere with FAA regulations. #3 Ownership of CUP runs with the land. #4 Wording can be taken out per Deputy Co. Attny. #5 Setbacks J. Barta stated these changes had been made with citizens suggestions and Deputy Co. Attny . was okay with them at this time. #6 Noise variance was good idea. Question from public as to who would enforce this . Ron Fink stated that Page 73 would involve the Board of Adjustments into this, if there were complaints. County Attorney' s office says #7 is not necessary. Chair Horak recognized Addison of Baird Holm's office. She stated the "Black Letter Law" , to safeguard the county 's liabilities on changes and ongoing projects. Lyle presented the Conditional Use Permit levels to the board on Class I and II and that we could have Hannah Keeland rewrite in time for the Public Hearing that would be needed for the Regulation Changes. Johnny Barta said he has had citizens concerned about not knowing about public meetings. Lyle stated that it is posted on County websight, and published in news papers as the third Tuesday of the month, usually.

Commissioner Kohout stated that Court is open at this time.

Wayne Havlat moved to adjourn the meeting, Doug Wenz second. All voting Aye. Meeting was closed at 8:26 pm.

Mary Jo Weber, Secretary.