

## SALINE COUNTY PLANNING & ZONING MEETING

The Saline County Planning & Zoning Board Meeting was called to order at 7:00 p.m. on February 20, 2024 by Chairman John 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, Mary Jo Weber, John Barta, Troy Steuer and Keith Muller. Absent were Joel Weber, Ron Fink and Mark Due. Marvin Kohout was present and representing the commissioners at this meeting.

**Approval of the Agenda** for this meeting was moved by Brown and seconded by MJ Weber. Voting in affirmative on Approval of the Agenda were Hermsmeier, Brown, MJ Weber, Barta, Steuer and Muller.

**Minutes** of the January 16, 2024 meeting were moved as amended (third line of Citizens Forum, third to last word should be **is not if**) for approval without reading. Motion to approve without reading made by MJ Weber, and seconded by Brown. Roll call vote: Muller, Hermsmeier, Steuer, Brown, Barta and MJ Weber. Minutes approved and submitted to be filed.

**Citizens Forum** Chairman Barta asked if anyone present wanted to speak at this time. He stated that Kay Kottas, Western, and Chuck McKay had asked to be on the agenda and will speak at that time.

Duane Wollenburg, DeWitt, made comment that he heard other states have 300' setbacks and could be more. Stated CO2 pipeline is useful for ethanol plants and good for Nebraska economy if done right.

Carol Flora, County Road UU, stated she was representing the Franklin family, because they own land and wanted to find out what the information was on the pipeline, and had concerns about possible regulations on the pipeline.

Gary Veprovsky, voiced concern about the citizens forum and could it be after the Business for Action.

Ray Ward, Kearney, landowner by Western stated that CO2 is 425 per million and .04%, while oxygen is 21%, and photosynthesis makes plants grow from CO2.

Citizens Forum closed without any other speakers.

### **Business for action**

**Agenda Item 1: Select P&Z member to serve on Board of Adjustments.** Discussion between members present. Hermsmeier stated he would volunteer to complete the three-year term. Nomination made by MJ Weber to designate Hermsmeier to serve on the BOA, second by Steuer. Voting in favor on roll call: Muller, Steuer, Barta, MJ Weber, Brown and Hermsmeier.

**Agenda Item 2: Kay Kottas, Western,** gave a handout she has completed on CO2 pipeline background information and concerns to each of the board members present and shared the information verbally with those in attendance. Confirmed to the group that there is

currently no state legislation that governs CO2 pipelines. Concerns on location, setbacks, routes, training with local emergency management and possible pipe rupture scenarios.

**Agenda Item 3: Chuck McKay**, stated that the push for the pipeline seems to most of the public to be secretive. What is the hurry to get something done. Concerned that this wouldn't be the only pipeline. Could go anywhere and any direction.

**Agenda Item 4:** Discuss/approve CO2 pipeline regulations to go to public hearing.

The county attorney, David Solheim, was present to assist in the discussion of this item. He stated that two commissioners, two P&Z members and himself had discussed concerns and he had a draft handout of the proposed regulations on CO2 pipelines in Saline County, which he shared with the board and others. Background information provided included: Holt County regulated pipelines two years ago. Iowa has regulations on pipelines, and those counties attempting to make regulations were overturned. Nebraska, outside of legislative action, has no Public Service Commission regulations on CO2. Discussion about the proposed regulations brought forward. There are Conditional Use Permits required for pipeline above ground projects only. He suggested requiring CUP for all pipelines. No action was taken and members are to study the proposed regulations and give feedback next meeting.

**Commissioners Report** Commissioner Kohout informed the board that the state legislature has been discussing the following:

1. Legislation on Inheritance Tax. County currently uses this tax fund to assist the department of roads. It is used as a cash flow account.
2. Broadband contract that 93 counties could use.
3. A bill on valuation protests that would require the county to buy the land if not in agreement with land owner.

Muller asked to give recognition to Jeff Koll for his three years of service to the P&Z.

**Adjournment Motion** made by MJ Weber, second by Brown, to adjourn the meeting at 8:50 p.m., carried on a voice vote, with no opposition.

Respectfully Submitted, Keith Muller, Secretary

## SALINE COUNTY PLANNING & ZONING MEETING

The Saline County Planning & Zoning Board Meeting was called to order at 7:00 p.m. on March 19, 2024 by Chairman John 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, Mark Due, John Barta and Keith Muller. Absent were Mary Jo Weber and Troy Steuer. Marvin Kohout was present and representing the commissioners at this meeting.

**Approval of the Agenda** for this meeting was moved by J Weber and seconded by Brown. Voting in affirmative on Approval of the Agenda were Hermsmeier, Brown, J Weber, Fink, Due, Barta and Muller.

**Minutes** of the February 20, 2024 meeting were moved for approval without reading. Motion to approve without reading made by Brown, and seconded by Fink. Roll call vote: Muller, Barta, Due, Fink, J Weber, Brown and Hermsmeier. Minutes approved and submitted to be filed.

**Citizens Forum** Chairman Barta asked if anyone present wanted to speak at this time. Diane Hand, Western, as Trustee of the Western Town Board requested on behalf of the Town Board that the setback for the pipeline be set at 1 mile. Citizens Forum closed without any other speakers at 7:05 p.m.

### **Business for action**

**Agenda Item 1: Discuss/approve minor sub-division application for N ½ of NE ¼ 20-8-4 (Stejskal).** Dave Stejskal present to present and answer questions. Selling off approximately 6.5 +/- acres near 2100 & D Road North of Crete. Discussion between members present. Motion to approve by Due, second by J Weber. Roll call vote in affirmative: Fink, Hermsmeier, Muller, Due, J Weber, Brown and Barta. Motion Carried 7-0.

**Agenda Item 2: Kay Kottas, Western,** listed a couple items on resolution passed out at February meeting. Historical structures need setbacks. Pipeline routes can change due to dynamics and affected land owners should be notified. Define if setback from property line or housing. Nothing listed about evacuation routes, usually one way out of a property, as pipelines run perpendicular to roadway, property owners need a second way out. Setbacks from water sources. No feasibility studies to show this is the best option. Regulations for any pipeline company that may purchase existing pipelines in the future. Appropriate setbacks for safety.

Lyle Weber stated that Stanton County CUP passed by P&Z, but denied by commissioners.

Discussion but no action on Agenda Item 2.

**Agenda Item 3: Discuss/approve CO2 pipeline regulations to go to public hearing.**

Discussion by board included Barta and J Weber stating that there is a lot of information to read and not ready to go to a vote at this time. Brown stated that an indemnification clause needs to be included in the proposal. Brown said setback of 1000 feet from towns and cities. Other items discussed was minimum setback from dwelling not property line, training of first responders annually as squads change personnel, and pipeline company be required to provide protective gear in case of a pipeline leak.

Discussion by no action on Agenda Item 3.

**Commissioners Report** Commissioner Kohout informed the board that the state had completed their audit of the county offices. Several recommendations but the final report not yet delivered to commissioners. County roads crews busy with culvert replacements, but the cost of culverts has increased to add expenses, and are also taking down trees along roadways. Bill was paid for recall election.

**Adjournment Motion** made by J Weber, second by Due, to adjourn the meeting at 7:50 p.m., carried on a voice vote, with no opposition.

Respectfully Submitted, Keith Muller, Secretary

## SALINE COUNTY PLANNING & ZONING MEETING

The Saline County Planning & Zoning Board Meeting was called to order at 7:00 p.m. on November 19, 2024 by Chairman John 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, Ron Fink, John Barta, Troy Steuer and Keith Muller. Absent were Mark Due, Joel Weber and Mary Jo Weber. No commissioners were present at this meeting.

**Approval of the Agenda** for this meeting was moved by Brown and seconded by Steuer. Voting in affirmative on Approval of the Agenda were Brown, Hermsmeier, Muller, Steuer, Barta and Fink. Agenda approved 6-0.

**Minutes** of the August 20, 2024 meeting were moved for approval as written, without reading, with a motion by Fink and seconded by Steuer. Roll call vote in favor: Steuer, Muller, Fink, Hermsmeier, Brown and Barta. Minutes approved and submitted to be filed.

**Citizens Forum** Chairman Barta asked if anyone present wanted to speak at this time. No one spoke to the board at this time. Citizens Forum closed without any speakers at 7:08 p.m.

### **Business for action**

#### **Agenda Items listed were not for discussion with no action to be taken.**

Chairman Barta asked for a review of the years actions, requesting comments to be made relative to actions taken.

This meeting was held as per requirements for quarterly meetings of the Planning & Zoning Board. The January meeting will be the reorganization meeting. Two members have reapplied for their position. Ron Fink did not reapply and his work with the board was noted and has been appreciated.

Fink suggested that the board readdress the issues of solar panel regulations. There was discussion about current and planned solar panel farms about the area and surrounding counties. The new solar farm south of Crete is in the jurisdiction of the Crete city council.

It was suggested to research Rare Earth mining, and including some provisions in the regulations.

There was discussion about the chicken farms placed in the southern part of the county. It was stated that the agreement supposedly states the company was to keep the manure under cover and disposed of in a proper manner and time frame. There is concern they are not in compliance in this area.

Lyle stated that SmithField was interested in putting a walking bridge over the road to the north, to connect to the Cold Storage facilities. It was denied by the Crete council and the denial upheld by the State.

Discussion about the request by an individual and family about burying a person in their pasture. The following was stated, "as long as a mortician will do it, the state allows it". There cannot be a charge for the space, or it becomes a cemetery and under different regulations.

A few members noticed that some pipe from the former Keystone Pipeline yards, in Jefferson County and by Dorchester, have been moved to other places.

When asked, Lyle stated that there has been no recent application or movement on the possible windfarm between Saline Center and Friend. No information has been forwarded on the wind testing either.

Barta and Lyle were contacted by a concerned patron about possible future projects as listed in the agenda under the Business for action. They were informed this was a discussion item and no action could be, or would be taken.

**Commissioners Report.** No commissioners present, no report given.

**Adjournment Motion** made by Steuer, second by Fink, to adjourn the meeting at 7:50 p.m., carried on a voice vote, with no opposition.

Respectfully Submitted, Keith Muller, Secretary