

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting

March 21, 2011

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, March 21, 2011 at 7:00 p.m. Meeting notice was given by publication in the March 9, 2011 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator. Delancey acknowledged the posted Open Meetings Act.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, Pat Connelly, Dennis McCoig, Roy Guisinger, Brett Houtby, Delmer Wondercheck, and Lynn Belitz. Absent were John Cieloha and Galen Frenzen.

Agenda Item 3 – Minutes

Minutes from the December 20, 2010 meeting had been mailed in advance and were briefly reviewed. Connelly made a motion to accept the minutes as presented. Seconded by Wondercheck. Ayes by roll call: 7. Nays: none. Absent: 2.

Agenda Item 4 – New Business

The order of the agenda was changed to hold the Bader & Sons Feedyard public hearing first.

- a. Public hearing re. Bader & Sons' application for a CUP to spread solid manure from Merrick Co. on four sections in Cottonwood Township in Nance Co. Those sections are N ½ 15-16-8, E ½ 16-16-8, SW ¼ 10-16-8, SW ¼ 9-16-8, and SE ¼ 9-16-8.

Delancey opened the public hearing. Present on behalf of Bader & Sons was Tanya Meyer. Neighboring landowner Gerald Krings was also in attendance.

Meyer explained that Bader & Sons, a family-run operation, would be hauling solid manure from their feedlot in Palmer and spreading the organic fertilizer on the aforementioned sections in Nance County. This is their alternative to buying commercial fertilizer. They probably won't haul in very much for the next year or two because they are allowing the manure to compost further so that it becomes a finer substance, which is easier to spread. They typically spread 20-30 tons per acre at a time, which takes care of fertilization needs for 3-5 years. They always take soil tests before doing any manure applications. Bader & Sons haul the manure themselves, but they hire Burnham Waste Management out of Burwell to spread it.

Delancey mentioned road deterioration and that a truck was recently cited at 100% over capacity. Meyer said that overloading trucks is hard on the vehicles, so they have no intention of making a practice of doing that, though it could happen on a small scale from time to time. Meyer also said that they make an effort to use alternate routes as much as possible.

McCoig asked Krings if he had any objections to the Bader & Sons petition, and he said that he did not. He was actually interested in whether or not he could get any of their manure. Los read a letter from Paul Oeltjen who has land adjacent to one of the Bader sections. Oeltjen had no objections to them spreading manure, but he did express concern over the condition of the roads.

Guisinger noted that erodible land was mentioned on the Phosphorous Loss Assessments provided by Meyer and asked if that was a concern. Meyer responded that there was no direct stream to the river and that, additionally, there is a berm on the south edge of the property. Los mentioned that her research indicated that the weighted

rating values accounted for in the P Loss Assessments were ranked as either low or on the low side medium. Connelly noted that solid manure has less runoff than commercial fertilizer, and Meyer added that the manure was all organic.

Wondercheck noted that Bader & Sons has to cross bridges in order to get from their feedlot in Palmer to their land in Nance County, and that they'd have to observe those weight limits in addition to county road weight limits. In other words, there are already mechanisms in place to protect the roads from heavy hauls. Krings added that triple-axel semis would cause more damage than a manure truck. Guisinger asked if the CUP should include a condition that there be no undue wear and tear on the roads, but Wondercheck questioned how we could evaluate that or determine which trucks were responsible for excessive road deterioration.

Delancey closed the public hearing. McCoig made a motion to approve the CUP without conditions. Seconded by Connelly. Ayes by roll call: 7. Nays: none. Absent: 2.

- b. Reappointments for 3-year terms: Belitz, Houtby, McCoig
Los informed Commissioners that the Board of Supervisors had made these reappointments in January. If we need to replace a Commissioner at some point, Jim Mahoney from Genoa has expressed an interest in serving on the Commission.
- c. Annual Elections for Chair and Vice-Chair
McCoig made a motion to reappoint Delancey and Cieloha to Chair and Vice-Chair, respectively. Seconded by Guisinger. Ayes by roll call: 7. Nays: none. Absent: 2.
- d. Public hearing to adopt Commercial/Utility-Grade WECS Regulations
Delancey opened the public hearing. No one from the public was present. Commissioners had discussed the final draft of the regulations at the previous meeting, so little discussion was held. Delancey closed the hearing. Connelly made a motion to recommend to the Board of Supervisors the adoption of the Commercial/Utility-Grade WECS Regulations. Seconded by Wondercheck. Ayes by roll call: 7. Nays: none. Absent: 2.
- e. Public hearing to amend Fee Schedule with regard to Utility-Grade WECS
Delancey opened the public hearing. No one from the public was present. Commissioners had discussed the changes to the Fee Schedule at the previous meeting, so little discussion was held. Delancey closed the hearing. McCoig made a motion to recommend to the Board of Supervisors the adoption of the amended Fee Schedule. Seconded by Belitz. Ayes by roll call: 7. Nays: none. Absent: 2.
- f. Public hearing to amend Land Use Matrix in the Zoning Regulations
Delancey opened the public hearing. No one from the public was present. Los explained that the matrix was amended to include entries for WECS. Delancey closed the hearing. Houtby made a motion to recommend to the Board of Supervisors the adoption of the amended Land Use Matrix. Seconded by Wondercheck. Ayes by roll call: 7. Nays: none. Absent: 2.
- g. Discuss liquid manure
Los put the following questions to the Commissioners. Should we:
 - i) Require a CUP to spread effluent even if operations are based in Nance Co? (à la Boone Co.)
 - ii) Require notification of spreading effluent, allow for inspections, and restrict timing?
 - iii) Require local approval of manure management plans that have already been approved by the NDEQ? (Dinsdale example)

Connelly: By the time the landowner gets the CUP, it will be too late to spread. We shouldn't pin people down like that.

Delancey: We couldn't make people adhere to a particular day; the permit would have to cover the whole season.

McCoig: Would hate to see more red tape. Would the permit be good for just one year or would it be open-ended?

Connelly: In terms of smell, there isn't a whole lot of difference between liquid and solid manure. DEQ is responsible for watching the waterways.

Delancey: How many operations are too small to fall under DEQ management?

Connelly: What about slop gates? Where do we draw the line between what's liquid and what's solid?

Guisinger: We could rubberstamp the permits and then have the ability to recall them if warranted, whereas currently we have no recourse.

McCoig: Would this apply to anybody handling any liquid manure? How would we identify all those people to make them get a permit?

Delancey: Has strong reservations.

Wondercheck: People don't intentionally mess up.

Connelly: People manage their operations the best they can when they can; they can't necessarily plan ahead. What about liquid fertilizer, which is probably worse. Should we require a permit for that, too?

Guisinger: We can't just let this go because it could affect the quality of life and safety for county residents.

Delancey/Connelly: There are fewer and fewer people with livestock and effluent.

Connelly: Whether or not land is highly erodible is only relevant when there's heavy rainfall, and then the runoff is the same whether the manure is liquid or solid. The DEQ and regulations are only as good as people following directions and unexpected weather not occurring.

Los will invite Ed Drozd of the Lower Loup NRD to come to a Commission meeting to describe the reality of livestock operations in Nance County. Commissioners need a clearer picture of the scope of things and need to know if there is really a problem at hand or not.

Agenda Item 5 – Old Business

None

Agenda Item 6 – Administrative Business

a. 2010 zoning review

Commissioners read Los' annual review of permits issued and dollars invested in building in Nance County.

b. Zoning District Map boundaries

Los asked if the zoning districts designated in 1999 when we adopted zoning regulations accounted for the various lots around the perimeters of Nance County. The official zoning map doesn't indicate that those lots exist beyond the full sections that appear to mark the county's edge. Delancey said that if our regulations don't have a list of all the sections covered by the regulations, then we can assume that the regs just apply to all of Nance County, regardless of where the boundaries are. We can also assume that those lots have the same zoning districts as the sections adjacent to them.

Agenda Item 7 – Next Meeting

The next meeting of the Commission will be at the call of the Chairperson in 2-3 months unless a pressing issue arises.

Agenda Item 8 – Adjournment

A motion to adjourn was made by McCoig and seconded by Belitz. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting

August 15, 2011

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, August 15, 2011 at 7:00 p.m. Meeting notice was given by publication in the August 3, 2011 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator. Delancey acknowledged the posted Open Meetings Act.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, Pat Connelly, Dennis McCoig, Galen Frenzen, and John Cieloha. Lynn Belitz arrived late. Absent were Brett Houtby, Delmer Wondercheck, and Roy Guisinger.

Agenda Item 3 – Minutes

Minutes from the March 21, 2011 meeting had been mailed in advance and were briefly reviewed. Connelly made a motion to accept the minutes as presented. Seconded by McCoig. Ayes by roll call: 5. Nays: none. Absent: 4.

Agenda Item 4 – New Business

- a. Introduce new Zoning Administrator: Natalie Sharman starts the week of this meeting as the zoning administrator for Nance County. Her hours are Wednesday, Thursday, and Friday afternoons from 1 - 4:30 p.m. Los will continue as the zoning admin until September 1 when she goes fulltime in economic development, but she'll continue to train and assist Sharman for as long as necessary. The new zoning office will be in the Supervisors meeting room.
- b. Public hearing: Craig Frenzen's application for a CUP to spread solid manure from Boone County on land in Cedar Township at SE ¼ S19-T17-R6W, NE ¼ S30-T17-R6W, and SE ¼ S30-T17-R6W in Nance County

McCoig made a motion to open the public hearing. Seconded by Cieloha. All ayes, no nays, 4 absent. Craig Frenzen was the only person present from the public to offer testimony at this hearing.

Craig explained that the permit application is for approximately 10,000 tons of solid cattle manure which he got from Big Drive Cattle in Boone County. He is currently stockpiling it in order to surface apply over about 276 acres with a spreader after harvest. He explained that the DEQ's current limit on the amount of manure a person can apply is at about a 40 ton per acre rate, but Craig is planning to apply at about a 20 ton per acre rate because of associated costs. Delancey noted that the application of natural fertilizer is preferable to chemical fertilizer.

Connelly made a motion to close the public hearing. Seconded by McCoig. All ayes, no nays, 4 absent.

Galen Frenzen noted that Craig is his nephew and godson, and that he had intended to abstain from this vote, but with only five Commissioners present at this point in the meeting, his vote was needed in order to meet the minimum 5 vote requirement specified in the Bylaws.

McCoig made a motion to approve Craig Frenzen's application for a Conditional Use Permit without stipulating any conditions. Seconded by Cieloha. All ayes, no nays, 4 absent.

- c. Consultant Hanna:Keelan to introduce the scope of work for the countywide housing study and updates to the Comprehensive Plan and Zoning Regulations; steering committee to be formed



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Lonnie Dickson from Hanna:Keelan (H:K) was present to give a background of the company, an overview of the work H:K will perform, and to request that a steering committee be formed to discuss housing in the context of the Comp Plan. Also present from the communities of Fullerton and Genoa were Dan Willets, Joe Wegner, Lacie Andreason, Pam Dozier, Gretchen Treadway, and Arnie Newquist.

Dickson said that he was very familiar with Nance County and had probably traveled every road in work he did here a decade ago. H:K has done a lot of housing market / housing needs assessments, as well as housing implementation – writing grants to actually put housing on the ground.

Dickson said that we need to focus on updating the Comp Plan, but that the process should also take into account and be correlated with factors such as population growth, available housing stock, ensuring there's land designated to support growth, etc. He stressed the importance of recognizing that housing development is economic development, and that it is intimately related to land use and the Comp Plan (which is a vision for growth for the county). To that end, he urged the formation of a Planning Steering Committee which would be comprised of the Planning & Zoning Commission and an expanded group that includes entities such as city administrators, school administrators, local contractors, real estate agents, economic development groups, and so on. It is important to have as many informed parties as possible looking at the goals and processes we seek to establish in the Comp Plan. Delancey expressed concern that the meetings be kept to a manageable size, so Dickson suggested that we have 3-4 of these larger Comp Plan review meetings and then break into two groups: zoning to be addressed by the Planning & Zoning Commission, and housing to be addressed by economic development entities.

Discussion:

Who was in the room: 6 active and retired farmers; 5 city residents; 2 owners of farm land that choose not to farm; 10 long-time county residents; 2 relatively new county residents.

Dickson: Keith from H:K has already begun collecting data on housing units from the municipalities.

Dickson: 2010 census numbers are still coming in.

Willets: We need new development enclaves because people don't seem to want to build new homes beside old homes.

Treadway: Fullerton has many undesirable properties. Also, the floodplain prohibits a lot of development as the city is surrounded by two rivers.

Delancey: It seems that there are either new homes or old homes in Fullerton; there's no middle ground.

Wegner: 70% of Fullerton's homes are pre-1920.

Dickson: The housing study will identify family types in the county as well as workforce development – good, available housing draws industry.

Treadway: The sand plant [Preferred Sands of Genoa] is expanding its operations so we already have a great need for housing.

Dickson: We'll need to figure out how to disseminate the housing surveys. We may also want to consider offering incentives, such as a money drawing or a rebate on a person's utility bill, for submission of completed surveys. The surveys are important because a community's LMI (Low-to-Moderate Income) percentage determines eligibility for DED funding. The LMI has to be over 51%.

Andreason: Genoa's LMI was at 60% several years ago.

Willets: Fullerton's LMI was at about 53% three years ago.

Dickson: In response to a question, Dickson confirmed that the study will address the condition of the water & sewage systems in each community, as well as the condition of the existing housing stock.

Someone: Probably half or more of Genoa's residents commute to Columbus for work.

Frenzen: The housing situation really limits Fullerton's ability to prosper.

Agenda Item 5 – Old Business

- a. Liquid (and solid) manure regulations: tabling until next meeting with Ed Drozd of LLNRD or until we go through the Zoning Regulations update with Hanna:Keelan – which do Commissioners want to do?

Commissioners agreed that we'll just discuss our manure regulations when we get to that stage in updating our zoning regulations with Hanna:Keelan.

Agenda Item 6 – Administrative Business

Los distributed two new replacement pages for Commissioners' zoning manuals: an updated Fee Schedule and an updated page from the Land Use Matrix (p. 86), both of which incorporated references to WECS.

Agenda Item 7 – Next Meeting

The next meeting will be Monday, September 19 at 7 p.m. Hanna:Keelan and members of the community will be present to discuss the countywide housing study and Comprehensive Development Plan.

Agenda Item 8 – Adjournment

A motion to adjourn was made by Frenzen and seconded by Connelly. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting September 19th, 2011

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, September 19th, 2011 at 7:00 p.m. Meeting notice was given by publication in the September 7th, 2011 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator. Delancey acknowledged the posted Open Meetings Act.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, Dennis McCoig, Brett Houtby, Galen Frenzen, and John Cieloha. Roy Guisinger and Delmer Wondercheck arrived late. Absent were Lynn Belitz and Pat Connelly.

Agenda Item 3 – Minutes

Minutes from the August 15th, 2011 meeting had been mailed in advance and were briefly reviewed. Frenzen made a motion to accept the minutes as presented. Seconded by Cieloha. Ayes by roll call: 5. Nays: none. Absent: 4.

Agenda Item 4 – New Business

- a. Consultants from Hanna:Keelan and community members to continue discussion of countywide housing study and updates to Comprehensive Plan and Zoning Regulations.
Delancey opened the public hearing. Present on behalf of Hanna:Keelan were consultants Lonnie Dickson and Keith Carl. Community members present were County Supervisors Dennis Jarecke and Curtis Peterson, City Administrator Jim Kramer and county resident Pam Dozier.

Lonnie Dickson of Hanna:Keelan introduced himself and fellow associate Keith Carl (Hanna:Keelan's Community Planner). They passed out information on the Existing County Land Use Map and a "Preliminary" Population, Income, Economic & Housing Profile & Projected Housing Demand data study.

Keith Carl began by explaining the legend on the Land Use Map. Municipal Planning Jurisdictions were pointed out, including an estimated Planning Jurisdiction for Belgrade. Other sites on the map legend brought to point were the Parks/Recreation/Wildlife Mgmt. and Wellhead Protection areas and Abandoned Farmsteads. He stated that the map showed very few Abandoned Farmsteads in the county and that most of them were located in the eastern half. It was asked when the map was plotted. Areas on the map were in question as to being current. Dickson stated that they use the latest satellite imagery and that it could be as much as 5 years old. It was also noted that a section that showed "abandoned" is where there is actually a field today. Dickson stated that this map was just a general overview and to try to consider it as still a "work in progress".

Dickson then moved the meeting on to the next handout of the "Preliminary" study. He highlighted certain areas in the data collected that apply to each community and the county as a whole. He mentioned in Table 1 (Population Trends and Predictions) that the trend line county-wide was a decline of 7.2% with a slight decline expected in the next ten years. Table 2 showed slight decline as well in persons per household both in the communities and county-wide. Table 4 referred to age distribution. This table showed a decline in the younger generation while the elderly population would slightly increase in the next ten years. This data was collected straight from the 2010 census. Income trends and projections in Table 6 showed that as a county, we were right on target with statewide projections.

Tables 9 and 10, showed comparisons on owner occupied housing and renters. These figures found that many owners were paying too much in below standard housing in the 0-30% AMI (Area Median Income) income range, while the 81% AMI range, for the majority, were living above standard. AMI is based on the average income for a family of four to be \$28,000 annually per HUD standards. HUD bases this annual estimate on county-wide numbers by total households and population. These estimates are for the county and per municipality.



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In comparison with other counties, Nance County has roughly the same numbers, if not slightly better. It was noted that a lot of counties have bigger issues than ours with substandard housing. Plumbing and overcrowding in Table 14 of the housing stock profile also show that we have comparatively lower numbers. This information is based strictly on the long form done by the census and not an actual door-to-door study. Over the last five years, as a county, we have some of the lowest numbers recorded which is phenomenal by HUD standards.

Table 15 is a “windshield survey” on the structural conditions of housing in the county. Ratings ranged from Good Condition (1) to essentially a “Money Pit” (4). All houses were rated whether they were inhabited or not. As a whole, only 38 houses in the three communities of Nance County need to be demolished. Some of the planning commission felt that the assessment of these houses could change due to the outside appearance versus the inside.

Table 16 refers to new development. The numbers on this table were felt to be pretty accurate, especially for when the houses were built. It showed that the majority of houses were constructed prior to 1959. It was brought up that the problems that Fullerton was experiencing with new development is that the lots were not designed for a new home today. At least two plots were needed to build a mid-size ranch home. The lots are deep but very narrow.

Table 17 was a study done on housing vacancy. A realistic vacancy rate of sound available housing is 6.8%. Fullerton alone has a rate of 10%. This assessment met with some disagreement. Dickson stated that this rating stems from the census and that they are just using it as a “rule of thumb.” Statements were made in regards to the fact that there were very few available, “livable”, houses. Nice houses that go on the market sell fast, whereas the houses that stay on the market only appear nice, yet have serious structural damage. It was also stated that many people are living in houses that are not “livable.”

Skipping on to Table 21 shows the estimated forecast for Nance County in the next ten years. It is suggested that the county should expect an increase in the development of 104 new homes. Comments were made that just in the last few years, six to eight lot splits with the building of new housing have occurred, especially along the highways. The study on Table 22 estimated the cost of rehabilitating housing to be at \$7.5 million for the county. It also suggested that approximately 82 houses would be in need of demolition. Tables 24-29 are still “works in progress” as the consultants are still attaining information.

Dickson then proposed to send out two different surveys. One would be for the communities and rural areas of Nance County, that surveys could possibly be put in the utility bills. The second survey would be for the workforce of the county that would be distributed to the major employers of the county. In past experience, Dickson felt that the response to filling out the survey was improved if a monetary incentive was included. Both Polk County and O’Neill have had good responses from using an incentive and from advertising on the radio.

It was asked if a reverse study to workforce has ever been done. Both consultants stated that only in extreme rural areas was one of these types needed. Typically, you need a study that focuses on where the money in the county is being spent. The consulting firm strives on achieving a reflection of the true voices of the county and its communities versus any assumptions; therefore they don’t look at percentages when it comes to the number of returned surveys.

Dickson and Carl both stated that the sooner the better on deciding on a response time and a return location for the surveys. It was agreed to go ahead and do both surveys and have them mailed back to either Hanna:Keelan or to the Zoning Office. Surveys may be made available at local offices and businesses, as well. It was felt that the more convenient the survey was to fill out and return, the more successful it would be. A decision would also need to be made on a minimum delivery threshold. This wasn’t felt to be a problem in the Fullerton and Genoa areas, but could pose one in Belgrade. Concern was mentioned in the area of accuracy and individual distribution. Dickson reassured everyone that accuracy was pretty good on the public opinion of housing. It was then decided for the Community Housing Study, that it would be a mass mailing that the Post Office would handle and that a \$100 incentive be allowed for both studies. Dickson mentioned the possibility that a local lending company may offer to cover this incentive.



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Hanna:Keelan feels that planning and development is most effective when citizens are involved and implementing this study will help in their projections for housing types and age groups in a household. It also helps target certain programs for funding and in applying for grants.

Some of the major employers of the county were listed as the schools, nursing homes, Co-op, Genoa Hospital, and other manufacturers in the area. Hanna:Keelan's goal is to aim for the top ten employers of Nance County. There is also a possibility that certain employers may also offer an incentive for completing the workforce survey. Distribution of the surveys was decided to begin in the next month.

Discussion was also made on the Economic Development Agency (EDA) and its impact on the communities. The "free lots" program in Fullerton was noted. Dickson stated that the Economic Development group in a community in Kansas also offers free commercial lots in conjunction with a residential one in order to build the business sector. The EDA in Fullerton also tries to acquire "bad" homes in the area but runs into the problem of the owner not wanting to sell. These owners are both local and out-of-state. The ones from other states are usually unaware of the state of condition of some of these homes.

Agenda Item 5-Voting Rules/Clarification on Destruction

- a. Voting Rules: According to Bylaws Article 5, Section 2: Five votes are required regardless of the size of the quorum.
- b. Demolition and permits: Article 18, Sec.2 (p.37) for when permits are required. It was decided that a permit was not needed for destruction of a structure regardless of the definition on p.44 of the Zoning Regulations for "alteration" and Article 11, Sec. 1 (p.9) where it states that "destruction = construction." Since this last statement was in the Non-conforming Section of the manual its interpretation does not apply to the other zoning regulations, only those dealing with non-conforming structures. It was decided that when the Zoning Regulations are updated to either include a definition on destruction or to include a clause where a permit is not required for destruction. Sharman will check with other counties to see if they have had to include a section on destruction in their regulations.

Agenda Item 6-Administrative Business

- a. Discussion was brought up on how many members are supposed to be on the Planning and Zoning Commission and who decides that number. According to the Bylaw, the County Supervisors decide on the number of members for the Planning and Zoning Commission.
- b. Attention was brought to the Commission that there have been noise complaints about airboats on the Loup River, just south of town. It was decided that Planning and Zoning Regulations for the county do not apply to this since it is in the City of Fullerton's one mile jurisdiction. A complaint would have to be made to the City Administrator and to check to see if there are any ordinances in effect to regulate these noise disturbances. Another option was made to possibly approach the person/s responsible for the noise and appeal to them to avoid such a disturbance after nightfall.

Agenda Item 7 –Next Meeting

It was decided that a meeting was not needed in October at this time. The next meeting will be Monday, November 14th at 7 p.m. Hanna:Keelan will be present with results from the Housing Studies are to be distributed next month to both the communities and the workforce.

Agenda Item 8 – Adjournment

A motion to adjourn was made by Frenzen and seconded by Wondercheck. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting

October 17th, 2011

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, October 17th, 2011 at 7:30 p.m. Meeting notice was given by publication in the October 5th, 2011 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator. Delancey acknowledged the posted Open Meetings Act.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, Pat Connelly, Dennis McCoig, Brett Houtby, Delmer Wondercheck, and John Cieloha. Galen Frenzen and Lynn Belitz arrived late. Absent was Roy Guisinger.

Agenda Item 3 – Minutes

Minutes from the September 19th, 2011 meeting had been mailed in advance and were briefly reviewed. Connelly made a motion to accept the minutes as presented. Seconded by Wondercheck. Ayes by roll call: 6. Nays: none. Absent: 3.

Agenda Item 4 – New Business

- a. Public hearing re. Tom Groeteke and sons of Triple G Farming Partnership application for a CUP to spread solid manure from Boone Co. in one section in Cottonwood Township at NE ¼ S6-T16-R8W, and 3 sections in South Branch Township at SE ¼ S36-T17-R8W, S19-T17-R8W, and SE ¼ S18-T17-R8W in Nance County.

Delancey opened the public hearing. Present on behalf of Triple G Farming Partnership was Tom Groeteke and his son Paul Groeteke.

P. Groeteke explained that they had been spreading manure that they had obtained from the Bill Robinson Feed Yard located in Boone County. They were just recently notified by a resident that a permit was required in order to do so. Upon learning of this requirement, they immediately ceased this activity and called the Zoning Administrator's office to learn more on what they needed to do. They were informed that a CUP was required in order to bring manure in from outside the county. That is when T. Groeteke came in and applied for this permit.

T. Groeteke supplied the Zoning Administrator with a Custom Soil Resource Report from the NRCS for all sections that they would like to spread manure on. Not every section will be done immediately, but they would like to be able to have the permit apply to all the sections listed above for future use. They do have a stockpile of manure on their land, due to the fact that they were unaware of the zoning regulations regarding this issue.

The spreading of the manure would begin immediately if the CUP was approved by both the P&Z Commission and the Supervisors.

The Commission asked how the manure would be spread. P. & T. Groeteke both replied that it would essentially be a "no till" application, although they may, in some areas, "scratch" the ground prior to application. They also explained that the manure is treated as semi-compost and is turned on a regular basis. The benefit of this is low odor from the manure.

It was asked if the manure itself had been analyzed and T. Groeteke stated that he has in the past but not lately. They do know that it has been known to be low in phosphorus levels.

Delancey asked if there were any other questions and none were noted. The public hearing was then closed by Delancey.



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A motion was made by Wondercheck to approve the CUP for Triple G Farming Partnership (T. Groeteke and sons) to spread manure from Boone Co. to the sections (listed above) in Nance County and that it must begin within twelve months of final approval of the CUP. Seconded by Cieloha. Ayes by roll call: 8. Nays: none. Absent: Guisinger.

Greoteke was then notified that he would be meeting on Tuesday, October 25th, at noon, with the Board of Supervisors for final approval of his CUP.

- b. Public hearing re. Jim and/or Clay Forbes' application for a CUP for an allowable exemption to add an additional residence to their land in Cottonwood Township SE ¼ S10-T15-R8W in Nance County for their agricultural operations as stated in Article 12, Section 3.2A.

Delancey reopened the public hearing. Present on behalf of Jim Forbes was himself and his wife Kathy Forbes.

The question was asked as to why an additional house was needed on this property and if the other house was yet livable. Forbes stated that the current house is livable and that the additional house is intended for use by either a family member or a hired hand.

The Commission also wanted to know about the plans for the septic system and where he was going to have it located. Suggestions were made as to different location possibilities, but nothing definite has been set. Sharman stated that she spoke to Gary Buttermore of the NDEQ on septic/waste management and that there are no set requirements on this situation for the DEQ to enforce at this time. It is not until the actual construction begins that the DEQ can enforce its regulations. This will happen when a certified installer comes out to check on where to install such a system. Forbes stated that he does have a certified installer that he has had do all the other aspects of his waste management on this property and that will be who he has do this project, especially since he is familiar with his property and its operations. The Commissioners felt this was acceptable since then the installer would be required to adhere to DEQ specifications.

Delancey asked for any other questions or comments. None were noted. Delancey closed the public hearing.

McCoig made a motion to approve the CUP for Jim Forbes. Wondercheck seconded. Ayes by roll call: 8. Nays: none. Absent: Guisinger.

Forbes was told that he would then be meeting with the Board of Supervisors on Tuesday, October 25th, at noon for final approval of CUP, as well.

Agenda Item 5– Administrative Business

- a. It was mentioned that, with the updating of the Zoning Regulations to begin within the next six months the Commission would wait to amend and clarify any regulations recently found to be in need of such action.

Agenda Item 8 – Adjournment

A motion to adjourn was made by Delancey. Seconded by Houtby. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson

NANCE COUNTY PLANNING AND ZONING COMMISSION

Record of Minutes of Meeting November 21st, 2011

Agenda Item 1 – Call to Order

A meeting of the Nance County Planning & Zoning Commission was called to order by Chairperson Chuck Delancey in the Nance County Courthouse in Fullerton, Nebraska on Monday, November 21st, 2011 at 7:00 p.m. Meeting notice was given by publication in the November 9th, 2011 editions of *The Nance County Journal* and *The Genoa Leader-Times*, and an official agenda was made available at the office of the Zoning Administrator. Delancey acknowledged the posted Open Meetings Act.

Agenda Item 2 – Roll Call

The following quorum of Commission members was present and answered roll call: Chuck Delancey, Dennis McCoig, Brett Houtby, Galen Frenzen, and John Cieloha, and Delmer Wondercheck. Absent were Lynn Belitz, Roy Guisinger, and Pat Connelly.

Agenda Item 3 – Minutes

Minutes from the October 17th, 2011 meeting had been mailed in advance and were briefly reviewed. Frenzen made a motion to accept the minutes as presented. Seconded by Cieloha. Ayes by roll call: 6. Nays: none. Absent: 3.

Agenda Item 4 – New Business

- a. Consultants from Hanna:Keelan and community members to continue discussion of countywide housing study and updates to Comprehensive Plan and Zoning Regulations.

Delancey opened the public hearing. Present on behalf of Hanna:Keelan were consultants Lonnie Dickson and Keith Carl. Present was Mary Baldrige, Director of Nance County Economic Development.

Lonnie Dickson of Hanna:Keelan handed out the results of the Housing Needs & Wants and the Workforce Housing Needs studies. It was then turned over to Keith Carl to go over these results.

Keith Carl wanted to thank everyone, especially Mary Baldrige, for all the work she invested in ensuring that the surveys were distributed to everyone. Every mailbox in Nance County received a survey and a total of 165 surveys were returned. This estimates to about a 10% return. That percentage is considered very well according to Hanna:Keelan(H:K). On most surveys that they have done, they have averaged in the 5-8% range for return.

Keith explained that the surveys showed both Fullerton and Genoa are very interested in the housing needs of their communities. He then proceeded to touch on some highlights of the studies. (Copies of the housing studies are available for review at either the Economic Development office or the Zoning Office in the Nance County Courthouse)

HOUSING NEEDS & WANTS SURVEY

Discussion comments were made stating that while the results of the study leaned towards improved housing for the middle class, it was noted that there was still a need for nicer housing availability for the upper class. Some felt, if more expensive houses were available, it could be a potential draw for those with higher incomes.

Keith explained that the median income for the middle class was considered to be \$46-\$47K yearly. This information is acquired and kept current each year by the Investment Corp. of Nebraska.

Other discussion was made stating the needs for senior citizens to have more than just one unit housing availability. There is a need from this age group to have more than one bedroom for visiting family and friends.

The studies also showed that there is a definite need for rental housing. By not having any rentals available, Nance County is losing tax dollars. Different comments were made as to how tedious it is to own a rental with some of the tenants and their pets “trashing” them even though they came with good referrals. When asked how much an average



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rental should be in communities the size of Fullerton and Genoa, Keith stated that it is usually set by 60% of the median area income. On average, rent could range from \$475 - \$550/monthly depending on amenities.

It was mentioned that there is a local development agency called the Mesner Development Company. This company has been involved in other communities, as far as Pender, Hastings, and Grand Island according to H:K. They are contracted by communities to come in and evaluate their housing situation. The development group then offers housing solutions for the communities. When asked if this group built new or renovated, Lonnie of H:K stated that they built new developments. Subsidies for these projects are determined by the market and tax credit findings. A typical development for them to build would be a duplex or a type of subdivision. All in all, for these development agencies to be able to help our communities, they need a final housing study to best assess what is needed.

It was reiterated again that the main point the housing studies showed is that there is a definite demand for housing in the county, especially for 1st time home-buyers and those in the middle income range. Now it's a matter of playing "catch-up".

Keith wanted to draw attention to a part of the survey on page two, particularly the 4 questions at the bottom of the page. These questions asked about support from the communities to participate in housing rehabilitation programs and applying for grants for such a purpose. The results of the surveys showed a better than average response. There was a 92% response in favor of such a program. Mary Baldridge stated that both the Fullerton and Genoa communities have stepped up to the bar in recognizing the need for an initiative to clean up many housing areas. It was also noted that a lot of groups are recognizing the value of such an investment.

Keith made the point that the results of the housing study are reflective to what each community needs. He stated there was a comment section included with each study and these were added to the last page of the Housing Needs & Wants Survey for further insight.

WORKFORCE HOUSING NEEDS SURVEY

Keith Carl of H:K stated there were 100 surveys returned on the Workforce Housing Needs Survey. The results were not broken down by community.

Mainly, there was a definite want for employees in Nance County to move here. The biggest deterrent was that there is no housing suitable for their needs. Many barriers were the cost of rent or housing prices, lack of availability for decent rentals in their price range, excessive down payment/closing costs, and cost of utilities.

On the back page of this survey, it showed that there were at least 47 families who would like to move to either Fullerton or Genoa. This would be very helpful to Nance County's tax base if it could happen.

More discussion ensued on certain development groups and how they could help with the county's housing issues. There was mention of how some groups offer a "credit-to-own" program. This type of program allows a portion of the rent (after a certain number of years) to go towards a down payment for the house they occupy. The Mesner Development Co. has a 95% occupancy rate. If they were to build 5 to 6 housing units, they would have them filled in 3 to 4 months. Advertising does play a big part in this success. The new units are bigger sellers since they do not come with as many problems. Pawnee City is a great example of a community who was very successful with using a development group.

Overall, the results of the housing study were felt to be very useful in moving forward in the right direction to fix the county's housing issues.

FUTURE LAND USE MAP

A brief discussion was held on the Future Land Use Map. Although it is preliminary, it is largely unchanged from the one done in 1999 with the Comprehensive Plan.



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There were some yellow areas noted west and northeast of Fullerton and northeast of Genoa. These areas were highlighted because of their location in a flat area with blacktop roads and they are along a scenic highway/corridor which would be ideal for residential development. By choosing the areas with a hard surfaced road, it enables the county to keep within the Zoning Regulations because it could become a “Rural Residential Zone.”

The possible deterrents of the area west of Fullerton are that it may not be available for sale or development because of landowners who may not want to do so.

Lonnie of H:K asked about compliance and enforcement of the Zoning Regulations. Both the Board and the Zoning Administrator agreed that there are issues with noncompliance, but that enforcement hasn’t become a big issue yet.

Lonnie also inquired about how many houses were allowed per 40 acres. Natalie informed him that Nance County Zoning Regulations state that only 1 house per 40 acres is allowed. There is an exemption to this in the Zoning Regulations that states it is possible to have 2 houses per 40 acres, but certain criteria must be met and an approved CUP and Zoning Permit is required.

Both representatives from H:K felt that the next step would be to set up meeting rooms in each community for the planning group. Approximately each session would last 2 hours and would have scenario sheets and survey results. The planning group would then get live feedback from the participants which would be more extensive and would allow for more insight into what the true desires of each community are.

No definite time was set for these community meetings. This would be decided in the near future. Decisions would have to be made about whether to hold one in each community and what times to make the meetings. Mary Baldrige will be in contact with H:K to get this lined up.

SOILS MAP

Lonnie of H:K presented discussion on the Soils Map. He pointed out that the yellow section was essentially our A-1 District. He then questioned as to why the districts were set up like they were. He felt unsure that this setup made sense. He asked if it was a possibility for a change or update to these districts so that the process of zoning in Nance County was a little easier to understand and maybe not so confusing. Both the Commission and Natalie felt open to discussion in the future about possible changes and updates to the districts and/or the regulations. The Zoning Regulations for Nance County definitely have some gray areas and there is a need to make it more “black & white” yet still allow for special permissible uses.

ENERGY ELEMENT

The last section of the handout from H:K was on adding an Energy Element to our Comprehensive Plan. Essentially the State of Nebraska wants all counties to start tracking energy. They would like for us to break down our energy usage by districts, such as residential, industrial, and agriculture. This tracking is for help in determining how to conserve energy. The State now requires that all Comprehensive Plans have an Energy Element section.

(It was noted in this section that an omission was made. Southern Power District was inadvertently omitted from the listing of electrical suppliers for Nance County.)

This concluded the recap of the housing study results presented by Lonnie and Keith of H:K. A tentative date was set for Monday, January 16th, 2012 @ 7:00 p.m. for the next meeting with H:K and the Planning & Zoning Commission. That date is technically a legal holiday observed by the State. There is a possibility that this date will need to be changed. H:K will check with Mary about other dates that may work.

Open discussion was then closed to the public.



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Agenda Item 6-Administrative Business

- a. It was noted that the terms for 3 of the Commission members, Chuck Delancey, Galen Frenzen, and Delmer Wondercheck, are set to expire in January 2012. Zoning Administrator Natalie Sharman asked if each would agree to another 3 terms on the Planning & Zoning Commission. All three members agreed to renew their terms. A motion by Delancey to approve the renewal of terms for said members. Seconded by Cieloha. Ayes by roll call: 6. Nays: 0. Absent: 3. Natalie will present this for final approval with the Board of Supervisors in December.
- b. Discussion was held on noncompliance issues and the possible need for stricter guidelines or enforcement. This discussion will be tabled for the next meeting.

Agenda Item 7 –Next Meeting

Unsure if a meeting will be needed in December. As of now, there are no applications/permits that need approval. If Natalie has any that come into the office within the next few weeks she will schedule a meeting for December. Either way, she will notify the Commission in the next few weeks as to the status of the December meeting and the date that was decided for the January meeting with H:K.

Agenda Item 8 – Adjournment

A motion to adjourn was made by Cieloha and seconded by Wondercheck. There were no objections.

SUBMITTED BY:

AFFIRMED BY:

Commission Secretary

Commission Chairperson