

MINUTES OF THE SPECIAL MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE LINCOLN COUNTY COURT HOUSE ON THE 21ST DAY OF JANUARY 2020. CHAIR KOCH CALLED THE MEETING TO ORDER AT 6:30 P.M.

MEMBERS PRESENT: Steve Koch, Jim Bain, Chuck Boden, Kurt Pieper, Linda Hansen, Mitch Moorhead, Roger Merritt, Rod Rayburn

MEMBERS ABSENT: Marlene Flaming, Brad Stickelman, Zak Eickhoff

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Michelle Bain, Recording Secretary; Stephen King, Deputy County Attorney; Joe Wright, Deputy County Attorney

Notice of the meeting was given in advance thereof, by posting on January 16, 2020 in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

1. Roll Call.

Chair Koch stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Merritt moved and Rayburn seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Koch, Bain, Boden, Pieper, Hansen, Moorhead, Merritt, Rayburn. "Nay": None. Absent: Flaming, Stickelman, Eickhoff. Motion carried.
3. Pieper moved and Merritt seconded the motion to approve the corrected minutes of the January 7, 2020 special meeting. Roll call vote: "Aye": Koch, Bain, Eickhoff, Boden, Pieper, Hansen, Moorhead, Merritt, Rayburn. "Nay": None. Absent: Flaming, Stickelman. Motion carried.
4. Public Hearing to receive comments concerning "Proposal Amending Sections 8.07 and 8.08" of Article 8 (Supplemental Regulations) of the "Zoning Regulations of The county of Lincoln, Nebraska," regarding small wind energy systems and commercial/utility grade wind energy systems. *A copy of the proposed amendment, recommendation, and report are available at the Lincoln County Planning Office located in North Platte City Hall at 211 W 3rd Street, North Platte, Nebraska, or at the Lincoln County Clerk's Office located in the Lincoln County Court House at 201 N Jeffers Street, North Platte, Nebraska.*

Chair Koch opened the public hearing and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and Subdivision Regulations, and Lincoln County Zoning Map and those materials are present on the table up front before this Planning Commission.

Henry Vogt, 710 6th Street, Gothenburg, Lincoln County Appraiser, was present and spoke about attending NCORP meetings. He asked how bankruptcy's would be addressed to protect the property owner.

Chair Koch stated that this proposal will probably be one of the strongest ones in the state and one of the biggest issues is the decommissioning.

Joe Wright and Stephen King pointed out the application comes before this board and the board can put in requirements to protect themselves. The main thing is to make sure there is money up front to cover decommissioning in case things go south. The bond must be 125% of the estimated decommissioning costs done by someone who knows how to do them.

Tom Hansen, 3782 W. Foothill Rd., North Platte, was present and stated he agreed that it is important to address decommissioning.

Linda Hansen stated that a member of the audience wanted to know whether inflation was provided for.

Mr. King stated that for inflation, they are supposed to hire someone who does the decommissioning plan and as part of the estimated cost of decommissioning they will take into account inflation.

There was discussion among the Planning Commission and Attorneys regarding water right and wind rights.

Hansen asked about enforcement of the regulations once they are adopted and who monitors the conditional use.

Joe stated if there was an issue the planning administrator would ask permission from the county board for the attorney's to seek action. A violation could civil suit, but could also be a misdemeanor.

Judy stated that as far as monitoring the conditional use, complaints typically come from neighbors, roads, or assessor's office and then it's investigated.

Merritt moved and Moorhead seconded the motion to close the public hearing. Roll call vote: "Aye": Koch, Bain, Boden, Pieper, Hansen, Moorhead, Merritt, Rayburn. "Nay": None. Absent: Flaming, Stickelman, Eickhoff. Motion carried.

Judy stated that big projects like NCORP would have to pay the \$5,000 fee on all separate projects.

Pieper moved and Rayburn seconded that motion that this Planning Commission approve Resolution No. AM20-001, titled "A Resolution Of The Lincoln County Planning Commission," recommending to the Lincoln County Board of Commissioners approval of the "Proposal Amending Sections 8.07 and 8.08" of Article 8 (Supplemental Regulations) of the "Zoning Regulations of The county of Lincoln, Nebraska," regarding small wind energy systems and commercial/utility grade wind energy systems. Roll call vote: "Aye": Koch, Bain, Boden, Pieper, Hansen, Moorhead, Merritt, Rayburn. "Nay": None. Absent: Flaming, Stickelman, Eickhoff. Motion carried.

5. Old Business. There was no old business to be discussed.
6. New Business. There was no new business to be discussed.
7. Adjourn. Chair Koch adjourned the meeting at 7:05 p.m.

Submitted by,

Michelle Bain
Recording Secretary

PASSED AND APPROVED _____
Date

Michelle Bain
Recording Secretary