

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE CITY HALL COUNCIL CHAMBERS ON THE 10th DAY OF FEBRUARY 2026. CHAIR ROGGOW CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Brent Roggow, Lee Davies, Vern Friesen, Chuck Boden, Aaron Edwards, Roger Merritt, Judy Pederson

MEMBERS ABSENT: Zak Eickhoff, Marlene Flaming, Mitch Moorhead, Russ Miller

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Michelle Bain, Recording Secretary, Tyler Volkmer, Deputy County Attorney

STAFF MEMBER ABSENT: None

Notice of the meeting was given in advance thereof, by posting on 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 Roggow stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Merritt moved and Edwards seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. "Nay": None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.
3. Edwards moved and Merritt seconded the motion to approve the minutes of the January 13, 2026 meeting. Roll call vote: "Aye": Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. "Nay": None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.
4. Public Hearing File No AM26-001 Discuss and consider adoption of the 2026 Lincoln County Nebraska Comprehensive Plan and related materials.

Chair Roggow opened the public hearing.

Judy stated that Keith Marvin, Consultant, is present to answer the board's questions, not questions from the public. Planning Commission has been working on this for close to three years and had a discussion at the last meeting.

Tory Copeland, 612 Hill View Drive, Sutherland, was present and stated he would like to see the regulations require solar or wind farms to secure all access easements to existing power lines before they can even apply. He would hate to see eminent domain used to get access across other people's property.

Judy explained that this public hearing is about the comprehensive plan and the information Mr. Copeland presented will be on the next item, the zoning regulations.

Peggy Pape, 421 Maxwell Plaza Unit 321, Omaha, General partner of Prairie Creek Ranch Partnership between Maxwell and Brady, was present and stated they would like a wind farm to help with taxes and they already have transmission towers on their land.

Attorney Volkmer addressed the crowd and stated this hearing is not about any specific project, is for the entire Comprehensive Plan and Zoning Regulations.

Edwards moved and Davies seconded the motion to close the public hearing. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

Edwards moved and Davies seconded the motion to adopt Resolution AM26-001 “A”, which recommends adoption of the 2026 Lincoln County Nebraska Comprehensive Plan and related materials. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

5. Public Hearing File No. AM26-002 Discuss and consider adoption of the 2026 Lincoln County Nebraska Zoning regulations, Official Zoning Map and related materials.

Chair Roggow opened the public hearing.

Judy stated she received three letters that were in front of the Planning Commission regarding the amendment and are on file in the Planning Office.

Planning Staff recommends updating the Lincoln County, Nebraska Zoning Regulations. Having a more up to date comprehensive plan requires updated zoning regulations to ensure zoning is in conformance with the comprehensive plan and will make the County more effective in serving residents, more efficient in using resources and better able to meet the standard of living and quality of life community members desire.

Frank Fleecs, 1490 N. County Rd., Sutherland, was present and asked if the matched the floodplain regulations with the federal guidelines in the county. Judy stated she thinks they are in there correctly but we will ask the consultant.

Shane Felske, 349 W. Hamilton Dr., Palatine, Illinois, Development Manager with RWE, was present and stated they are a global energy generating company with experience in renewables and traditional energy. They operate a wind farm in Custer County. They are aware of complexities of working in the Sandhills. He would like to see this project through and bring a vast economic opportunity to Lincoln County.

Hannes Zetsche, 621 Skyline Lane, Lincoln, Nebraska, Attorney with Baird Holm who wrote one of the letters presented, was present and stated he would like to see a few changes to the proposed zoning regulations. One is the sound limit. Most counties have adopted a 50 decibel sound limit so he would like to see that changed from 40 to 50. He would like to see changes to the setbacks. The current ½ mile setback is 4 to 5 times larger than the turbine. He would like to see 1.1 to 1.5 times the height limit. He would also like to see setback waivers allowed. He also would like to see a change to the decommissioning piece on the regulations which require the bond to be in place before it's permitted. He stands on his letter.

Merritt asked Mr. Zetsche about the 10' decommissioning depth.

Mr. Zetsche stated they want to return it to its natural state. They feel 4' is enough to protect the land and return it to ag land more quickly than having a massive pile. He encourages them to not have 10' as a blanket rule.

Shawn Loostrom, 18520 E. Maranatha Rd., Maxwell, was present and spoke in favor of allowing wind towers and would like less strict regulations and questioned the soil overlay map.

Jeff Pape, 1509 Miles Drive, Norfolk, was present and stated he is from Gothenburg originally. When he drove to North Platte from Norfolk he passed two wind towers and asked if the soil overlays are similar to the projects done in those areas.

Peggy Pape, 471 Maxwell Plaza Unit 321, Omaha spoke about the overlay. She feels the transmission towers on their land are similar materials to wind turbines and they have caused no problems. She has had meter towers on that land for about 8 years that have caused no problem with land or cattle.

Merritt moved and Boden seconded the motion to close the public hearing. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

Mr. Marvin addressed the flood plain question and stated they talked about flood plain being adopted outside of the zoning this time around.

Judy stated she will check with the county surveyor about the flood plain.

Mr. Marvin stated Lincoln County will be the first county with a soil overlay in their regulations although overlay districts in general are not new.

There was discussion regarding LB1204 pertaining to wind regulations.

Mr. Marvin stated as a planner he has no problem with a 50 decibel level. A normal conversation is about 50 to 60 decibels. The half mile setback comes from studies as far north as Canada where they have seen ice throw up to ½ mile on a standard turbine. He feels waivers could be opened up to neighboring properties.

Attorney Volkmer stated when the land owner grants that waiver, that is their right and it will run effectively in perpetuity.

Mr. Marvin suggested asking for waivers to be attached to the deed.

There was discussion concerning decommissioning bond and depth, changing the sound level and allowing waivers.

Mr. Marvin indicated any changes made will be presented to the county board with the changes and he has roughly 15 days to get those changes made and copies to Judy. He feels this wording would be appropriate for addressing decommissioning: Excavation to the lesser of the depth of the footing or ten feet.

Edwards moved and Merritt seconded the motion to adopt Resolution AM26-002 “A”, which recommends adoption of the updated Lincoln County, Nebraska Zoning Regulations, Official Zoning map and related materials.

(Proposed Amendment No. 1)

Friesen moved and Edwards seconded the motion to amend the proposed zoning regulations of Lincoln County Nebraska to read as follows: Article 9 Section 9.01.01: It is the intent of this article to provide for the orderly development of energy generation facilities in conformance with the Lincoln County Comprehensive Plan, while ensuring adequate protection of public health, safety, and welfare. Energy generation facilities should avoid significant adverse impacts on agricultural lands. The purpose of this regulation is to promote large scale energy projects that provide reliable and affordable energy for the county and national electrical grid. Lincoln County residents, businesses, and industries place a high priority on reliable and affordable energy resources. Whereas Natural gas, coal and nuclear power along with biomass, geothermal and hydro have proven to be safe, reliable and affordable sources of energy, Lincoln County supports and promotes energy production that fulfills these needs. Whereas Lincoln County is located centrally in the migratory flyway, our support is in energy projects that do not place a threat on the resources that use the sky as their travel lane.

Friesen explained reasons for his motion which basically is to remove the word renewable because he thinks it would support all energy not just renewable, and he wants to see this protecting resources and habitat for migratory birds and other wildlife.

There was discussion regarding this proposed amendment and that this section of the regulations focuses on solar, wind and battery storage. As technology changes the comp plan and zoning code can be updated. Also there was discussion whether the items in the motion have truly been proven safe.

Judy explained that the other sources of energy will be done by public power entities and there is another section that allows a sub-station. They have their own rules and the zoning regulation allows it by right. They are getting sort of preferential treatment because they don't have to meet a lot of these regulations so by stating renewable they are actually being regulated more.

Mr. Marvin explained that the reason it warrants its own section is because battery storage has increased significantly in the last 5 years. This is a convenience to have everything in one place. Battery, solar and wind are all interconnected. As things evolve a chapter can be modified instead of changing a whole document.

Roll call vote *on proposed Amendment #1*: “Aye”: Friesen. “Nay”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion failed.

(Proposed Amendment #2)

Friesen moved and Edwards seconded to amend the proposed zoning regulations Article 9.04.01 to read as follows: It is the purpose of these regulations to allow for the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity. The only change is crossing out “promote” and inserting “allow for” in its place. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

(Proposed Amendment #3)

Friesen moved and Edwards seconded the motion to amend Article 9 Section 9.04.02 to read as follows: Lincoln County finds that wind energy is an abundant, renewable, and non-polluting, unreliable and expensive energy resource. The County, through this regulation, can permit small wind energy systems so that this clean, renewable energy resource can be utilized in a cost-effective and timely manner.

After some discussion Friesen and Edwards withdrew their motion on *Proposed Amendment #3*.

(Proposed Amendment #4)

Friesen moved and Edwards seconded the motion to remove Section 9.04.02 from the zoning regulations and renumber the document accordingly. Roll call vote: “Aye”: Roggow, Edwards, Davies, Friesen, Merritt. “Nay”: Pederson, Boden. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

(Proposed Amendment #5)

Friesen moved and Edwards seconded the motion to amend the proposed zoning regulations Article 9 Section 9.05.01 to read as follows: It is the purpose of these regulations to allow for the safe, effective, and efficient use of commercial/utility scale wind energy systems (CWECS) within Lincoln County. The only change is crossing out “promote” and inserting “allow for” in its place. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

(Proposed Amendment #6)

Friesen moved and Edwards seconded the motion to remove Sec. 9.05.02 from the zoning regulations and renumber the document accordingly. Roll call vote: “Aye”: Roggow, Edwards, Davies, Friesen, Merritt. “Nay”: Pederson, Boden. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

(Proposed Amendment #7)

Davies moved and Pederson seconded the motion to change decommissioning bond to prior to construction, change forty to fifty DBA for sound, allow waivers to be applied to all setbacks, and excavation at decommissioning to be the lesser of the depth of the footing or a minimum of ten feet. Roll call vote: “Aye”: Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. “Nay”: None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

Mr. Marvin explained that these proposed changes will be written correctly prior to the county board hearing. They won't be in the document per se because some may get accepted and some may not.

Judy explained that the proposed changes will be attached to the Planning Commission resolution as amendments.

There was discussion about getting required easements to cross other people's properties. It was determined that requirement should be able to be part of the conditional use process. Additional conditions can also be added if needed.

Roll call vote on original motion with approved amendments: "Aye": Roggow, Edwards, Davies, Pederson, Friesen, Merritt, Boden. "Nay": None. Absent: Eickhoff, Moorhead, Miller, Flaming. Motion carried.

6. Public Comment Period.

Attorney Volkmer stated the open meeting act recently changed and the public has a right to speak at public meetings. Reasonable limitations can be put on this.

Chair Roggow asked if anyone would like to speak under public comment.

Shonna Fricke, 6546 W. Foothill Rd., stated she has concerns about solar and wind program such as what happens to the blades and batteries. It takes oil to run wind turbines, and diesel motors get put on them when the wind doesn't blow. She's concerned about how long the blades will last.

Donna Tryon, 820 S. Bryan, was present and stated there are a couple people who have done research.

7. Old Business. There was no old business.

8. New Business.

Judy thanked everyone for the time spent on this project.

9. Adjourn. Chair Roggow adjourned the meeting 7:35 p.m.

Submitted by,

Michelle Bain
Recording Secretary