

DAKOTA COUNTY PLANNING COMMISSION: October 17, 2023 MINUTES

The regular meeting of the Dakota County Planning Commission was called to order at 7:00 P.M. by vice-Chairman Harold Moes and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins Tim Decker, Ron Gill, Gordon Hegge, Dick McCabe, and Harold Moes. Absent: Steven Lieber, and Martin Rohde. Also, present: Planning and Zoning Administrator Joe O'Neill and County Commissioner Brian Van Berkum. Public present: See attached list

Motion made by Tim Decker, second by Scott Bousquet to excuse the absence of Steven Lieber and Martin Rohde. Consent unanimous. Motion carried

Notice was made regarding the Open Meeting Act posted on the wall.

Moved by Gordon Hegge, second by Ron Gill, to approve the minutes of the September 19, 2023 meeting minutes. Consent unanimous. Motion carried.

Public Hearing was called order at 7:02pm for the purpose of giving citizens the opportunity to offer support, opposition or make neutral comments regarding the following: To hear a request from Terry Kampfe to rezone his property AG to Highway Service Business at Section 1, Township 28N, Range 8E formally known as 1680 Hwy 110, Dakota City, NE for his graphic design business. The property is just shy of 2 acres. He has had the business for about 15 years with 10 being in his house and then he moved it out to the shed the last 5 years. To be up to date with the regulations he needs to rezone to Highway Business. Chuck Beermann was present and owns ground on the 3 sides of this property. He does not have a problem with the current use of the property but if Mr. Kampfe would sell, the new zoning would stay with the property and there is a bunch of permitted uses that it could become that he would not be in favor for. He also is not in favor of "spot zoning". Joe told him that with the size of the property that it would really limit what other type of business could go in there. Tim Decker asked if the zoning could stay the same and the business fall under a conditional use permit. Joe said that this business did not fall under the conditional uses allowed in the AG zoning. With no further comment the public hearing was closed at 7:14pm.

Motion was made by Ron Collins, second by Scott Bousquet to send a recommendation for approval of the rezoning from AG to Highway Service Business at Section 1, Township 28N, Range 8E formally known as 1680 Hwy 110, Dakota City, NE for his graphic design business to the Board of Commissioners. Roll Call Vote. Unanimous. Motion carried.

The board discussed commercial solar regulations. Ethan Frazier is with Mission Clean Energy. He spoke with the board regarding our regulations and some improvements the county could make to their regulations to streamline the permitting process. Mission is looking at a 1600 plus acre property north of Jackson with 250 megawatts. Ron Collins asked about the number of acres being taken out of crop production. Mr. Frazier said they are working on new ideas all the time like lifting the panels higher so allow for some type of crop production or animal grazing. Tim Decker asked about noise level. The panels don't make noise but the transformer does. Each row would have their own transformer, but would not really be heard once you get 50 feet away. Scott Bousquet asked why the Midwest was the place for all these solar projects and not closer to where the need is. Mr. Frazier said that the Midwest doesn't have as strict of regulations as the costal states making it easier to do these projects and flatter land in the Midwest is ideal. Also only having to deal with a couple of landowners since the Midwest landowners can own a couple thousand acres as opposed to the coast where they may only own 100 acres. Gordon Hegge asked if there was available capacity in the transmission lines for this. Mr. Frazier said they look at the projected capacity requirements in an area and then try to fit in where they are needed. The ground is leased for 30 years. Life expectancy of panels is estimated to be 30 years. Ron Gill asked if they had setback regulations from residents. Mission does not, but tries to stay as rural as possible to cut down on public concerns.

They do fence all their panels for security reasons and the height of the fence is usually determined by local regulations. FAA has a website that allows them to put in their project and then the FAA lets them know if they need to conduct any glare studies and so forth. Tim Decker asked Mr. Frazier to send in suggestions on our regulations and to look at Gage County regulations as well. Tim also asked for information on the tax base of the land with the solar panels compared to ag land. Another question was brought up regarding the FAA. Mr. Frazier said they have projects pretty close to airports just depends on the angle of the approach in relation to the solar field.

Miscellaneous and old business. Tabled items: Conditional Use Permit for Summit Carbon Solutions will remain tabled. Joe let the board know that Summit is waiting on our county attorney to get feedback on our regulations. Ron Gill looked up the state statutes on eminent domain and presented them to the board.

Joe went over new zoning permits. Juan Torres- mobile home-Homer, Zach Kramper – new home- Jackson, Kevin Hohenstein – new home- Jackson. Informational statements were given to Brian Binnebose – detached garage- Jackson, and Duane Rohde – storage building - Hubbard

Harold opened up the floor for public comment. No comment.

Moved by Tim Decker, second by Ron Gill to adjourn. Consent unanimous. Motion carried

Meeting was duly adjourned at 8:00 P.M.

Respectfully submitted,

Jolene Gubbels