

## WASHINGTON COUNTY PLANNING COMMISSION MINUTES

October 1, 2020 7:00 PM

Supervisors Room, County Courthouse, 1555 Colfax Street, Blair Nebraska

"All Commission members receive staff reports approximately one week prior to the meeting"

### 1. COMMISSION ACTION:

#### 1.1. Roll Call of Members

Rasmussen absent

#### 1.2. Approval of September 3, 2020 minutes.

Motion Hartzell and second by Wolfe to approve the minutes of the September 3, 2020 meeting of the Washington County Planning Commission as presented. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

#### 1.3. Approval of Agenda

Motion Anderson and second by Mathiesen to approve the agenda as presented. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Rasmussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

1.4. Open Meetings Act Posting: Chairman Lambrecht welcomed everyone and stated this meeting will be conducted in accordance with the Nebraska Open Meetings Act and a copy of that Act is posted on the door and wall. The Open Meetings Act can also be found online.

### 2. OLD BUSINESS

### 3. PUBLIC HEARINGS

#### 3.1. GENERAL DEVELOPMENT PLAN (Continued Public Hearing from September 3, 2020 meeting)

Robert Tessari/RJT Elkhorn River Ranch is requesting approval of a General Development plan for a 10 lot subdivision of property in accordance with Section 3.06 of the Subdivision Regulations. The property is Tax Lot 24 and part of Tax Lot 44 of Section 33 Township 17 North-Range 10 East of the 6th PM. The property is located off of County Road P15 & River Bend Ln, Arlington, NE.

Tessari provided the Commission with an updated site plan and discussed items of concern from the September 3, 2020 meeting.

Erin Robak, Attorney, spoke regarding a waiver for paving the roads.

Chairman Lambrecht opened the public hearing.

Scott Opfer, Glenyce Opfer, Tom Petersen, John Klosterman and Leslie Fletcher spoke in opposition to the development. Issues included floodplain regulations, precedent set for other subdivisions, river access, green area, trespassers for hunting, today's standards for subdivisions, septic, roads, traffic, buses, boat docks and future comprehensive plan.

Dan Douglas, WCEM, voiced concerns over the water supply and adequate space for emergency vehicles.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

Commission discussed and asked questions regarding the roads, size of Lots, culverts and river access.

Motion Hartzell and second by Anderson to deny the application of RJT Elkhorn River Ranch for a General Development Plan of a 10-lot subdivision. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Nay, Rasmussen: Absent, Wolfe: Aye  
Aye: 5, Nay: 1, Absent: 1

#### 3.2. CONDITIONAL USE PERMIT

Will Greene, for Big Elk Renewables, LLC, is requesting approval of a Conditional Use Permit to operate an electric generation plant (solar farm) on property located in the North 1/2 and the Southeast 1/4 of Section 4-17-10, and the Northwest 1/4 of Section 3-17-10. The general location is northeast of the intersection of County Roads 15 and P30.

Shewchuk noted that due to being informed that the 2 locations are actually one project, the two agenda items were combined for discussion and voting.

### 3.3. CONDITIONAL USE PERMIT

Will Greene, for Big Elk Renewables, LLC, is requesting approval of a Conditional Use Permit to operate an electric generation plant (solar farm) on property located in the Northeast 1/4, the Northwest 1/4, and the Southeast 1/4 of Section 12-17-10. The general location is the southwest corner of the intersection of County Roads 23 and 32.

Matt Robinette, representing Big Elk Renewables, LLC, explained the project to the Commission. David Levy, Attorney for Big Elk Renewables, LLC also gave information and answered questions. Items discussed were tax revenue, pollinator plants around panels, and adding electricity into the power grid.

Chairman Lambrecht opened the public hearing.

Carlos Yandell, Stephanie Rhea, David Rhea, Larry Rogers, Kathy Wirsen, John O'Dell, Galen Dunklau, Dale Hilgenkamp, Tom Vogt, Bret Wilkins and Brian Laaker spoke in opposition to the project. Issues mentioned included location, population of area, reduction in crop land, credentials of company, decommissioning, safety, toxicity of panels, industrial use in agricultural area, environmental impact studies, subsidies, runoff, barbwire fence, landscape view, size and scope of project, and danger from panels

Shewchuk received an email from Marty Rhea and Bill Rhea spoke in favor of the project.

Chairman Lambrecht closed the public hearing.

Chairman Lambrecht asked for thoughts and actions from the Commission.

The Commission members discussed decommission cost, toxic chemicals, breaking glass, buried lines, access road, pollinators, run off, location, topography, water source, comprehensive plan and power purchase agreement.

Motion Wolfe and second by Anderson to deny the application of Big Elk Renewables, LLC, for a Conditional Use Permit to operate an electric generation plant (solar farm). **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

### 4. NEW BUSINESS:

Discussion and possible action on revisions to the County's erosion control policy on lots in platted, named subdivisions regarding smaller projects.

Motion Hartzell and second by Mathiesen to approve modification of erosion control procedures that will eliminate the requirement for erosion control measures when approved by the county's consulting engineer. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

Discussion and possible action on the updated contract to the County's erosion control policy with JEO Consulting Group, Inc. for NPDES and plat review services.

Motion Lambrecht and second by Hartzell to continue to the next meeting the revised contract with JEO Consulting Group, Inc. for NPDES and Plat review Services. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

### 5. REPORTS FROM STAFF:

### 6. ITEMS FROM THE MEMBERSHIP:

### 7. ITEMS FROM THE PUBLIC:

### 8. ADJOURNMENT:

Motion Mathiesen and second by Wolfe to adjourn the October 1, 2020 meeting of the Washington County Planning Commission. **Motion Carried.**

Anderson: Aye, Hartzell: Aye, Lambrecht: Aye, Mathiesen: Aye, Neuverth: Aye, Ras mussen: Absent, Wolfe: Aye  
Aye: 6, Nay: 0, Absent: 1

The meeting was adjourned at 10:40 p.m.

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Gary Lambrecht, Chairman