

The Thomas County Planning Commission
Meeting Minutes
March 17, 2021

The Thomas County Planning Commission convened in open and public session at 2:16 p.m., March 17, 2021 in the courtroom of the Thomas County Courthouse, Thedford NE. Members present were Royce Jennings, Carolyn Warren, Jay Jones, and Bobbi Scott. Absent – Al Atkins, Linda Cowdin, Miles Maseberg. Also present were Thomas County Zoning Administrator/County Clerk Lorissa Hartman, Rick Nelson, Johanna Nutt, and Jason Chaplin all representatives of Custer Public Power District.

Vice Chairman Carolyn Warren stated open meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on March 4, 2021, mailed to landowners within the one-mile radius of site, and posted at proposed tower site.

Motion made by Scott and second by Jones to adopt the March 17, 2021 meeting agenda. Roll call vote: Ayes – Scott, Warren, Jones, Jennings. Nays -none. Absent – Atkins, Cowdin, Maseberg. Motion carried.

Motion made by Jones and second by Scott to approve the November 5, 2019 meeting minutes as published in the Thomas County Herald on November 14, 2019. Roll call vote: Ayes – Jones, Warren, Scott, Jennings. Nays – none. Absent – Atkins, Cowdin, Maseberg. Motion carried.

Motion made by Warren and second by Scott to elect Jay Jones as Chairman of the Thomas County Planning Commission. Roll call vote: Ayes – Warren, Jennings, Scott, Jones. Nays – none. Absent-Atkins, Cowdin, Maseberg. Motion carried.

Motion made by Jones and second by Jennings to elect Carolyn Warren as Vice Chairman of the Thomas County Planning Commission. Roll call vote: Ayes – Jones, Scott, Warren, Jennings. Nays – none. Absent – Atkins, Cowdin, Maseberg. Motion carried.

Motion made by Jones and second by Warren to elect Bobbi Scott as Secretary of the Thomas County Planning Commission. Roll call vote: Ayes – Jennings, Scott, Warren, Jones. Nays -none. Absent- Atkins, Cowdin, Maseberg. Motion carried.

Chairman Jones recessed the regular meeting at 2:20 p.m. to enter into the Public Hearing for special use permit application from Custer Public Power District.

Jason Chaplin and Rick Nelson from Custer Public Power District explained the need for the new tower to be installed. This tower will aid in collecting data from service meters in the area and returning that data to the office in Broken Bow.

No public present to ask questions on the permit.

Chairman Jones closed the public hearing at 2:25 p.m.

The Planning Commission went through the following guidelines to determine if all were met:

#1. Be compatible with and similar to the use permitted in the district:

The proposed tower site is located in the AG district. Within the AG District this tower can be allowed as a special use permit. Existing cell phone tower is approximately located 840' to the North.

#2. Not be a matter which should require re-zoning of the property:

No need for re-zoning identified.

#3. Not be detrimental to adjacent property:

This site is near an already existing cell phone tower.

#4. Not tend to depreciate the value of surrounding structures or property:

No evidence found that previous cell phone tower caused any depreciation to land.

#5. Be compatible with the stated intended use of the district:

Is allowed in the AG district by special use permit.

#6. Not change the character of the district:

With existing cell phone tower already located nearby, no change to the character of the district found.

#7. Found to be in compliance with the Thomas County Comprehensive plan.

Motion made by Warren and second by Scott to recommend approval of the Custer Public Power District special use permit application to the Thomas County Board of Commissioners. Roll call vote: Ayes – Scott, Jennings, Jones, Warren. Nays – none. Absent – Atkins, Cowdin, Maseberg. Motion carried.

No public comment.

Chairman Jones adjourned the meeting at 2:28 p.m.

Thomas County Zoning Administrator
Lorissa Hartman

Thomas County Planning Commission
Meeting Minutes
April 28, 2021

The Thomas County Planning Commission convened in open and public session at 2:00 p.m. April 28, 2021 in the courtroom of the Thomas County Courthouse, Thedford NE. Members present were Royce Jennings, Carolyn Warren, Al Atkins, Linda Cowdin, Miles Maseberg and Jay Jones. Absent – Bobbi Scott. Also present was Thomas County Zoning Administrator/County Clerk Lorissa Hartman.

Chairman Jay Jones stated open meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on April 22, 2021.

Motion made by Warren and second by Jennings to adopt the April 28, 2021 meeting agenda. Roll call vote: Ayes – Cowdin, Jones, Atkins, Jennings, Warren, Maseberg. Nays – none. Absent – Scott. Motion carried.

Motion made by Warren and second by Jennings to approve the March 17, 2021 meeting minutes as published in the Thomas County Herald on March 25, 2021. Roll call vote: Ayes – Maseberg, Jones, Jennings, Cowdin, Warren. Nays – none. Abstain – Atkins. Absent – Scott. Motion carried.

Discussion was held on the personal use solar and wind energy regulations. After review the current regulations state that “Solar energy conversion systems, excluding solar farms, shall be permitted in all zoning districts as a Special Permitted Use.” The way it is written now this would require a landowner wanting to install a solar well or solar panel on a private home to go through the special use permit process of paying a \$200 application fee and two public hearings. The board agreed that this was not the intention of the board.

Motion made by Atkins and second by Maseberg to make the following corrective changes to the Thomas County Zoning Regulations:

Strike the word Special out of 6.61 Purpose: To have the following sentence read “Solar energy conversion systems, excluding solar farms, shall be permitted in all zoning districts as a permitted use.

And to add in the AG District under 5.13, AGR District under 5.33, RC District under 5.23, and Commercial District 5.43 under permitted accessory uses and structures:

- Personal use solar as described in 6.63 Personal scale solar energy conversion system requirements
- Personal use wind as described in 6.56 Setbacks and design requirements

Roll call vote: Ayes – Warren, Atkins, Jones, Maseberg, Jennings, Cowdin. Nays – none. Absent – Scott. Motion carried.

Public Comment: Al Atkins thanked the new members on the planning board for accepting the position to serve as Planning Board Members. He and Carolyn Warren were the original members left that started on the Planning Board back in June 1999.

At this time Al Atkins tendered his resignation effective April 29, 2021 from the Thomas County Planning Commission. The board and zoning administrator thanked Al for his years of service as a Planning Board member, County Commissioner, and back to Planning Board member.

Public hearing will be scheduled for May 19, 2021 at 2:00 p.m. in the Thomas County courtroom in Thedford NE.

Chairman Jones adjourned the meeting at 2:21 p.m.

Thomas County Zoning Administrator
Lorissa Hartman

Thomas County Planning Commission
Regular Meeting
May 19, 2021

The Thomas County Planning Commission convened in open and public session at 2:03 p.m., May 19, 2021 in the courtroom of the Thomas County Courthouse, Thedford NE. Members present were Jay Jones, Miles Maseberg, Carolyn Warren and Linda Cowdin. Absent – Bobbi Scott, Royce Jennings. Also present was Thomas County Zoning Administrator/County Clerk Lorissa Hartman.

Chairman Jay Jones stated open meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on May 6, 2021 and email notification to Blaine, Hooker, Logan, Cherry and Custer Counties.

Motion made by Warren and second by Cowdin to adopt the May 19, 2021 meeting agenda. Roll call vote: Ayes – Cowdin, Jones, Warren, Maseberg. Nays -none. Absent – Scott, Jennings. Motion carried.

Motion made by Maseberg and second by Warren to approve the April 28, 2021 meeting minutes as published in the Thomas County Herald on May 6, 2021. Roll call vote: Ayes -Warren, Maseberg, Jones, Cowdin. Nays – none. Absent – Jennings, Scott. Motion carried.

Chairman Jones recessed the regular meeting at 2:04 p.m. to open the public hearing on the corrective changes.

No public comment during public hearing.

Chairman Jones reconvened the regular meeting at 2:07 p.m.

Motion made by Maseberg and second by Cowdin to “strike” the word special out of 6.61 purpose: To have the sentence read “Solar Energy conversion systems, excluding solar farms, shall be permitted in all zoning districts as a permitted use”. Roll call vote: Ayes – Maseberg, Jones, Cowdin, Warren. Nays – none. Absent- Scott, Jennings. Motion carried.

Motion made by Cowdin and second by Maseberg to add to the AG District under 5.13, under permitted accessory uses and structures:

- Personal use solar as described in 6.63, Personal scale solar energy conversion system requirements
- Personal use wind as described in 6.56, Setbacks and design requirements

Roll call vote: Ayes – Maseberg, Jones, Warren, Cowdin. Nays – none. Absent – Jennings, Scott. Motion carried.

Motion made by Warren and second by Cowdin to add to the RC District under 5.23, under permitted accessory uses and structures:

- Personal use solar as described in 6.63, Personal scale solar energy conversion system requirements
- Personal use wind as described in 6.56, Setbacks and design requirements

Roll call vote: Ayes – Cowdin, Jones, Maseberg, Warren. Nays -none. Absent – Scott, Jennings. Motion carried.

Motion made by Maseberg and second by Cowdin to add to the AGR District under 5.33, under permitted accessory uses and structures:

- Personal use solar as described in 6.63, Personal scale solar energy conversion system requirements
- Personal use wind as described in 6.56, Setbacks and design requirements

Roll call vote: Ayes – Jones, Warren, Maseberg, Cowdin. Nays – none. Absent – Scott, Jennings.

Motion carried.

Motion made by Cowdin and second by Maseberg to add to the Commercial District under 5.43, under permitted accessory uses and structures:

- Personal use solar as described in 6.63, Personal scale solar energy conversion system requirements
- Personal use wind as described in 6.56, Setbacks and design requirements

Roll call vote: Ayes – Cowdin, Jones, Maseberg, Warren. Nays – none. Absent- Scott, Jennings. Motion carried.

No other public comment.

Next public hearing scheduled for June 2, 2021 at 2:00 p.m. to hear special use permit application of Werner Engineering in the Thomas County courtroom, Thedford NE.

Chairman Jones adjourned the meeting at 2:11 p.m.

Thomas County Zoning Administrator
Lorissa Hartman

Thomas County Planning Commission
Regular Meeting
June 2, 2021

The Thomas County Planning Commission convened in open and public session at 2:01 p.m., June 2, 2021 in the courtroom of the Thomas County Courthouse, Thedford NE. Members present were Royce Jennings, Carolyn Warren, Miles Maseberg and Jay Jones. Absent – Bobbi Scott, Shane Pettit and Linda Cowdin. Also present were Thomas County Zoning Administrator/County Clerk Lorissa Hartman and Calvin Davidson-Western Engineering.

Chairman Jones stated open meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on May 20, 2021 and mailed to landowners: HSCC Middle Loup LLC, John Seeley, Sherrilyn Mulligan, Garrett Carter, Roberta Barnes, Village of Halsey and Blaine County.

Motion made by Warren and second by Jennings to adopt the June 2, 2021 meeting agenda. Roll call vote: Ayes – Jones, Maseberg, Warren and Jennings. Nays – none. Absent – Cowdin, Pettit, Scott. Motion carried.

Motion made by Warren and second by Maseberg to approve the May 19, 2021 meeting minutes with the correction to the “Werner Engineering” be changed to “Western Engineering” in the last paragraph. Roll call vote: Ayes – Jones, Maseberg, Warren, Jennings. Nays – none. Absent- Scott, Pettit, Cowdin. Motion carried.

Chairman Jones recess the regular meeting at 2:03 p.m. to enter into the public hearing.

Calvin Davidson of Western Engineering reviewed the application for the portable asphalt plant. The State of Nebraska has given approval on the location. This site is already an established plant site, having been used previously by Custer Public Power and Paulsen.

No other public comment.

Chairman Jones reconvened the regular meeting at 2:05 p.m.

Motion made by Maseberg and second by Warren to recommend approval of the special use permit application by Western Engineering for N1/2NE1/4SE1/4SE1/4 and S1/2SE1/4NE1/4SE1/4 Section 33 Township 23 Range 26 for a portable asphalt plant. Roll call vote: Ayes – Warren, Jennings, Maseberg, Jones. Nays – none. Absent- Scott, Pettit, Cowdin. Motion carried.

No other public comment.

Chairman Jones adjourned the meeting at 2:06 p.m.

Thomas County Zoning Administrator
Lorissa Hartman

Thomas County Planning Commission
Regular Meeting
November 4, 2021

The Thomas County Planning Commission convened in open and public session at 2:00 p.m., November 4, 2021 in the courtroom of the Thomas County Courthouse, Thedford, NE. Members present were Carolyn Warren, Shane Pettit, Linda Cowdin and Jay Jones. Absent – Royce Jennings, Bobbi Scott, and Miles Maseberg.

Chairman Jones stated open meeting guidelines are posted as required by law and copies are available, if requested.

Notice of meeting was given by publication in the Thomas County Herald on October 21, 2021 and mailed to landowners: MMN Limited Partnership, Arrow T Ranch, Board of Education School Trust Lands, Monte & Leslie Dickman, Finney Cattle Co, Brett Boyer, Colin & Janet Wilke, Mark Masek, Richard Ferguson, et al, and Dean & Chad Marsh.

Motion made by Warren and second by Cowdin to adopt the November 4, 2021 agenda. Roll call vote: Ayes – Jones, Cowdin, Pettit, and Warren. Nays – none. Absent- Maseberg, Scott, Jennings. Motion carried.

Motion made by Warren and second by Cowdin to approve the June 2, 2021 meeting minutes as published in the Thomas County Herald on June 10, 2021. Roll call vote: Ayes – Warren, Cowdin, Jones, Pettit. Nays – none. Absent – Scott, Maseberg, Jennings. Motion carried.

Chairman Jones recessed the regular meeting at 2:02 p.m. to open the public hearing.

Public hearing held on Special Use Permit filed by Brett Boyer for a cabin located in the Rural Conservation District. Legal description is SW1/4SE1/4; SE1/4SW1/4 Section 31-24-29.

Brett advised the board and public of his intentions for the use. At this current time there is no plan to place livestock or any income producing activity on this parcel. His intentions are to build a cabin for personal use.

Mike Finney questioned about the difference in zoning districts.

One question was received in the Clerk's office if there were any plans to rent out the property for any hunting. Brett Boyer answered that at this time that was not even considered.

No other questions from the Planning Board.

Chairman Jones closed the public hearing at 2:06 p.m.

Motion made by Cowdin and second by Pettit to recommend approval of the Special Use Permit for Brett Boyer. Roll call vote: Ayes – Cowdin, Pettit, Warren, Jones. Nays – none. Absent – Maseberg, Scott, Jennings. Motion carried.

No other public comment.

Chairman Jones adjourned the meeting at 2:07 p.m.

Thomas County Zoning Administrator
Lorissa Hartman