

8 December 2015

9:30 AM CVA Public Hearing – Seed Building

9:30 AM Schwager: I will open the Public Hearing on CVA Public Hearing on CVA Seed Building; and also after that we will do Roger Napton Truck and Trailer repair facility. So I will take roll call Bolling, Koinzan, Kerkman, Schindler, Williby. (all respond here) and Henery is here, he just went to the restroom, and I am here. I got the time down, do you got the time down. (Lisa responds 9:30) I already gave the reason, I will ask for any information from the Zoning Administrator, like Planning/ Zoning findings and recommendations.

Char: The Planning Commission held their public hearing last evening and they voted to recommend approval of CVA's new seed building with no conditions. I believe there are a couple of gentlemen here that wish to speak on behalf of their permit. I do have extras from last night that I will pass around on the findings and recommendations.

Schwager: Do you want to pass these on to those guys down there? You are probably going to have to split them 2 and 2. (Inaudible).

Schwager: (to Char) Should I have one of them come up and give reason why? Does one of you guys want to come up and explain what you are doing to us please?

Shane Jessen: Do you have, Char that google map picture?

Char: All I have is the pictures that were handed.

Shane Jessen: Is that the google pictures right there?

Various offers from Board Members: I this it?

Char: Oh, it is part of the permit.

Shane Jessen: So do you guys have any questions? Basically, we are just putting an 80x120 feet seed shed/warehouse. We are moving existing – those five existing tanks. We are moving them so they will be on the west side of the building. The tanks are actually on the west side – I do not know if it shows so if you look, the google map is facing our south drive way. It will be just south of that in those fields.

Schindler: Where is this at? Oh, Tilden location.

Schwager: Pass that down to those guys.

Char: Yep, it shows the location.

Kerkman: South of Tilden.

Shane Jessen: 4 miles south of Tilden.

Char: Tilden location.

Williby: Is this a Setback on something? Why a public hearing?

Char: They are a commercial business, in an ag district.

Schindler: This is where it is-where the tanks are now.

Shane Jessen: Yep! Yes!

Koinzan: There are no new driveways?

Shane Jessen: No, no new driveways.

Koinzan: They are adding on to the existing drive.

Schwager: Do the supervisors have any questions or comments? – No? /comments. OK – I will open up the hearing to the public. 9:33 am Ask people in favor to testify please. – (waiting for Lisa) (findings), No one testifies.

Schwager to Char: Do you want these back?

Char: Yes, no they are for your this file, I've got a set.

Schwager: She is getting a paper for me, she'll have it here in a bit.

Schwager: Board has no questions. At 9:33 Public hearing Portion: People in favor to testify. None. I'll ask for people opposed to testify. I've got None. Are there any new issues that might have come up? Does the applicant want to clarify anything or add anything? Say anything?

Anymore testimony from anybody? Do the Supervisors have any more questions? I will go ahead and close the public portion of the hearing at 9:35 am. I need motions and second. I've got a motion from Eddie, 2nd by Henery - any more discussion on it from anybody? – Reading findings – (all yays)

FINDINGS:

YES 1. That the Zoning district in which the proposed use is to be located is Zoned AG-G (General Agricultural District).

YES 2. That the proposed use that is the subject of this application is not a permitted use in such zoning district.

YES 3. That the applicant has filed an application for conditional use.

YES 4. That said application has been reviewed by the Antelope County Planning Commission.

YES 5. That the Antelope County Planning Commission has held a public hearing as required by the Zoning Regulations.

YES 6. That the Antelope County Planning Commission has recommended that the conditional use permit be granted. (If applicable-subject to certain conditions set forth in the recommendation).

YES 7. That on December 8, 2015, a public hearing was held before this Board.

YES 8. That Notice of hearing was published at least 10 (ten) days prior to the hearing, said date of publication being November 25, 2015. Said publication was in the Elgin Review, Neligh News & Leader, Orchard News and the Clearwater Record.

YES 9. That the exhibits and comments introduced at the Planning Commission public hearing(s) are hereby incorporated into this record. That opportunity for additional evidence, comments and arguments was made.

YES 10. That the proposed use is a conditional use, reasonably compatible with surrounding land uses with regards to traffic generation, noise, odors, dust, vibrations, and potential air, soil or water pollution or explosion or other hazards.

YES 11. That this Board has considered the property, size and location of the requested improvement, the use of the improvement, location of access to public roadways, adequate access to water and sewage supply, parking considerations, nearby residences and other non-agricultural uses with in one (1) mile of the property in question, water surface drainage and any issues regarding wetlands, as required by Zoning Regulation section 1002.

YES 12. That said conditional use permit is compatible with the Antelope County Comprehensive Plan.

Henery: I make the motion to accept the findings of the Zoning/Planning Commission, Bolling seconds motion.

Schwager: Is there any more questions?

Voting aye: Koinzan, Kerkman, Bolling, Williby, Schindler, Henery, and Schwager. Nays none. Motion carried.

Schwager: Need a motion to adjourn

Williby: I make a motion to adjourn; motion is seconded by Eddie. Voting aye: Koinzan, Kerkman, Bolling, Williby, Schindler, Henery, and Schwager. Nays none. Motion carried.

9:38 – adjourned

By: _____
Chairman of the Board, Jerald Schwager

Attest: _____
County Clerk, Lisa Payne

ANTELOPE COUNTY BOARD OF SUPERVISORS
FINDINGS AND DECISION

The application for conditional use filed by:

Central Valley Ag
Seed Building.
4miles south of Tilden
FINDINGS:

- YES 1. That the Zoning district in which the proposed use is to be located is Zoned AG-G (General Agricultural District).
- YES 2. That the proposed use that is the subject of this application is not a permitted used in such zoning district.
- YES 3. That the applicant has filed an application for conditional use.
- YES 4. That said application has been reviewed by the Antelope County Planning Commission.
- YES 5. That the Antelope County Planning Commission has held a public hearing as required by the Zoning Regulations.
- YES 6. That the Antelope County Planning Commission has recommended that the conditional use permit be granted. (If applicable-subject to certain conditions set forth in the recommendation).
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- YES 9. That the exhibits and comments introduced at the Planning Commission public hearing(s) are hereby incorporated into this record. That opportunity for additional evidence, comments and arguments was made.
- YES 10. That the proposed use is a conditional use, reasonably compatible with surrounding land uses with regards to traffic generation, noise, odors, dust, vibrations, and potential air, soil or water pollution or explosion or other hazards.
- YES 11. That this Board has considered the property, size and location of the requested improvement, the use of the improvement, location of access to public roadways, adequate access to water and sewage supply, parking considerations, nearby residences and other nonagricultural uses with in one (1) mile of the property in question, water surface drainage and any issues regarding wetlands, as required by Zoning Regulation section 1002.
- YES 12. That said conditional use permit is compatible with the Antelope County Comprehensive Plan.

CERTIFICATE OF SERVICE

It is hereby certified that a true and accurate copy of the foregoing minutes was mailed to the applicant by depositing in the United States mail, postage prepaid on August 11th, 2015 and mailed to:

Central Valley Ag
83897 Highway 45
Tilden, NE 68781

Lisa Payne, Antelope County Clerk

Motion: Motion by Henery, seconded by Bolling to accept the Planning Commission's recommendation and grant approval of the conditional use permit submitted by Central Valley Ag, for a seed building, with no conditions. Motion discussed. Finding and decisions read. Those voting aye:

Kerkman, Schindler, Williby, Henery, Bolling, Koinzan, and Schwager. Nays none. Motion carried.

Williby: YES
Henery: YES
Koinzan: YES
Schindler: YES
Bolling: YES
Kerkman: YES
Schwager: YES

These findings and order to be attached to the minutes and be made a part hereof, and the Clerk is directed to send a copy to the applicant.

Jerald Schwager
Chairman
Antelope County Board of Supervisors