

DAKOTA COUNTY PLANNING & ZONING: January 18, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning 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, Harold Moes, Absent: Paul Ireland, and Martin Rohde. Also, present Planning and Zoning Administrator Joe O'Neill, Dakota County Commissioner Larry Albenesius. Present from the public: Marci Broyhill.

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

Moved by Tim Decker, second by Scott Bousquet to approve the minutes of the October 19, 2021 meeting. Consent Unanimous. Motion carried.

Marci Broyhill made a request to the board to review the newly adopted solar and wind regulations to include the proper disposal of solar panels, and increase the setbacks and surety bonds. Marci was not present so moved to the next agenda item.

Board to review and approve/disapprove plat map of the Thramer Subdivision in South Sioux City's extra-territorial jurisdiction. The subdivision is located in the 500 block of 142nd Street and north of the lots fronting 142nd Street. The lots in the new subdivision will be accessible by an existing private easement and new private easements in the subdivision. Care and maintenance of the private access easements is the responsibility of the property owners. The board reviewed the plat map and discussed some concerns regarding the access to the property. South Sioux City has accepted the plat and it is in compliance with their regulations. The county will not be responsible for any road maintenance since there will be an easement back to the 4 lots. Motion made by Scott Bousquet, second by Ron Collins to approve the plat map for the Thramer Subdivision in South Sioux City's extra-territorial jurisdiction. Roll Call Vote. Unanimous. Motion carried.

Next item is for the Board chair to sign conditional use permits for mono poles Nextlink is installing on Gary Kent and Nick Nieman's property. The board of commissioners gave their final approval at their November 15, 2021 meeting. Motion made by Tim Decker, second by Scott Bousquet for board vice-chair to sign Conditional Use permit for a mono pole for Gary Kent. Roll Call Vote. Unanimous. Motion carried. Motion made by Tim Decker, second by Scott Bousquet for board vice-chair to sign Conditional Use permit for a mono pole for Nick Nieman. Roll Call Vote. Unanimous. Motion carried.

Miscellaneous and old business: Joe discussed with the board the possibility of Juan Alamillo wanting to hold rodeos on his property off of Hwy 110. It is allowed under conditional uses. He would like to have alcohol as well and he will need to go through the board of commissioners for that. Mr. Alamillo would like to put up solar panels for his building he has on that property. Zoning permits: James Swanson – addition- Homer, Scott Servine- attached garage – Waterbury, Erica Johnson – mobile home– Homer. Informational Statements: Jim Nelson – grain storage – Jackson. Business permits: None.

Gordon Hegge mentioned that a solar farm is being put up by Port Neal. He was told that if they break and panel that it just goes in the trash. There is a small amount of lead and silver in them but is cost prohibited to recycle them. Some states and Europe do require recycling them.

Marci Broyhill addressed the board with her concerns. She mentioned having setbacks for solar farms back far enough – maybe ½ mile so that they don't infringe on neighboring property owners. She also mentioned setting a distance from nature wildlife preserves. She had looked at what some other counties and states have for disposal regulations. She said a lot of them say proper disposal but do state what proper disposal is. She said rainwater can cause some of the chemicals to leach into the ground. Another thing she heard to make property owners aware of is that the solar panels are heavy and with a heavy snow that just adds a lot more weight on the structure. Also, something to look into is when organizations have disposal events for televisions and computers would they solar panels as well?

She said solar panels contain arsenic, cadmium, copper, and lead.

Another topic she brought up was surety bonds for wind turbines. She wanted to know why we limited the bonds to 20 wind turbines. Marcy went back to disposal of solar panels and said she called Gill Landfill and

asked if they would accept them. They did some research and got back to her and said nobody has asked to bring them to the landfill but if they contain hazardous chemical the landfill cannot accept it. She read from an article that stated over the next 25 years if you stacked the waste from nuclear energy on a football field it would be as high as the Leaning Tower of Pisa. If you did the same for solar energy the waste would be as high as 2 Mt. Everests - a lot of waste with solar to think about. She asked the board to think about setbacks for the non-participating person and also what kind of electrical work is going into that if they will have batteries or lines and if they are underground or above ground.

Joe stated that the solar regulations do include an easement from adjoining landowners to put the panels up. If adjoining property owners have a problem with the solar panels going up they can choose to not give that easement for commercial solar panels. Joe also stated that our regulations allow solar panels to go 12' in height. Joe said as far as the waste and disposal the board will have to do a little more research on that. He will contact the landfill to see what exactly is allowed. Marci said the state is a little behind on this since they have not addressed the disposal yet. She read those pollutants such as lead can be almost completely washed out of fragments of solar modules over a period of several months by rain water.

Ron Gill stated that the zoning board cannot make many more decisions on disposal since the landfill is regulated by the EPA and the State. They need to have regulations in place to back up what the county states. He stated everything that goes in the landfill is contained, that the landfill is not just a hole in the ground but a lined system with piping in it. Any rain water that falls in there goes in the piping into a lagoon that has a system that can pump it back up and aerate it back through. They also have a system that they can pump it into tankers and take it over to the Sioux City Landfill for treatment. Until a larger entity gets on board and makes changes as to what proper disposal is the zoning board can't really do much.

Gordon stated that Europe requires the solar panels to be recycled. They remove the lead and silver. The board had some more discussion and felt that at the county level we couldn't do anything, but could press the state to take action.

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

Moved by Tim Decker, second by Scott Bousquet, to adjourn. Consent Unanimous. Motion carried
Meeting was duly adjourned at 7:37 P.M.

Respectfully submitted,
Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: February 15, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill, Paul Ireland, Dick McCabe, Harold Moes and Martin Rohde. Absent:, Gordon Hegge and Dakota County Commissioner Larry Albenesius. Also, present: Planning and Zoning Administrator Joe O'Neill.

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

First item on the agenda is the re-organization of the board. Nomination made by Paul Ireland, second by Tim Decker to keep all offices the same. Roll call vote: Unanimous. Motion carried. Marty Rohde will remain Chairman, Harold Moes vice-Chair, and Dick McCabe secretary.

Moved by Scott Bousquet, second by Harold Moes to approve the minutes of the January 18, 2022 meeting. Consent unanimous. Motion carried.

Discussion was held on making and changes to the solar regulations. The metal frame of the panels is what is recyclable and everything else is hazardous waste and can't go in the landfill. Joe thought the solar panel company would be in charge of the proper disposal. The board felt to leave the regulations as is for residents and maybe add an escrow for commercial depending on Kilowatts. The board will hold off in making any changes for now until they have more informational available

Discussion was held on adding regulations pertaining to pipelines running through the county. There are 2 companies interested in running CO₂ pipelines through the county. Our current regulations don't address distance from houses or buildings. Holt county has some regulations pertaining to pipelines. Joe handed them out for the board to review. At the next meeting they will go over these regulations and discuss what they would like to change so they can be adopted into our regulations.

Next on the agenda is miscellaneous and old business. Bob Malcom burned down his duplex to start work on his storage facility.

Marty opened up the floor for public comment. No public

Moved by Harold Moes, second by Paul Ireland to adjourn. Motion carried

Meeting was duly adjourned at 7:30 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING SPECIAL MEETING 4-12-2022 MINUTES

The special meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill (7:07PM), Gordon Hegge, Dick McCabe, Harold Moes and Martin Rohde. Absent: Paul Ireland and Dakota County Commissioner Larry Albenesius. Also, present: Planning and Zoning Administrator Joe O'Neill.

Board reviewed Holt County's pipeline regulations and had a lengthy discussion on how to revise their regulations to make them fit the needs of Dakota County residents.

Marty opened up the floor for public comment. Sheila Curiel asked questions about the procedures to get these regulations passed.

Moved by Ron Gill, second by Scott Bousquet to adjourn. Motion carried

Meeting was duly adjourned at 8:18 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: May 17, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill(7:04), Gordon Hegge, Dick McCabe, Harold Moes and Martin Rohde. Absent: Paul Ireland. Also, present: Planning and Zoning Administrator Joe O'Neill and Dakota County Commissioner Larry Albenesius. Public present: see attached list

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

Moved by Harold Moes, second by Scott Bousquet to approve the minutes of the April 19, 2022 meeting. Consent unanimous. Motion carried.

Juan Alamillo was the first item on the agenda to discuss having a rodeo on his property off Hwy 110. He said that he has had rodeos out by Emerson without any problems. He would be done by 9-10 pm since he has no lighting. He was asked about parking and he stated he had plenty of room for parking. After further discussion and a comment made that rodeo fell under permitted uses a motion was made by Tim Decker, second by Harold Moes to allow Mr. Alamillo to have rodeos on his property. Roll Call Vote. Unanimous. Motion Carried. Juan will have to go to the Board of Commissioners to allow get his liquor license.

Next item on the agenda is to discuss the pipeline regulations. At the 5-16-2022 BOC meeting the Board had a lot of comments about the pipeline regulations at their public hearing so they sent the regulations back to the planning and zoning board for further review. Some of the issues were the distance from residents, the depth of the pipelines and some of the wording regarding commercial pipelines. Jill Becker, Government Affairs Manager from Black Hills Energy addressed the board with some of her concerns. The distance from residents could cause issues for serving customers. She stated that they are regulated by PHMSA Federal Pipeline and Hazardous Materials Safety Administration or by the states Natural Gas Act. She said that her lines are normally buried at 3 feet. Once you go deeper the harder it is to service the line. The requirement for as-built maps is a problem for them since someone could unknowingly be looking at an old map instead of the most current or how protected the maps would be to prevent any form of terrorism. Monica, Environmental Regulator for Navigator, brought up several issues with the regulations as well. The companies that have issues with the regulations will submit their concerns in the next couple of weeks with their recommendations of what they would like to see included and removed.

Next on the agenda is miscellaneous and old business. There were no new building permits. Noah's Hope wants to put up a building just for the adoption part of the process. This facility would have 5 kennels and basically set up for pets to meet their new family.

Marty opened up the floor for public comment. Sheila Curiel addressed her concern regarding setbacks from residential homes.

Moved by Harold Moes, second by Tim Decker to adjourn. Motion carried

Meeting was duly adjourned at 9:05 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: June 21, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde 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, Harold Moes and Martin Rohde. Absent: Paul Ireland. Also, present: Planning and Zoning Administrator Joe O'Neill and Dakota County Commissioner Larry Albenesius. Public present: see attached list

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

Moved by Harold Moes, second by Scott Bousquet to approve the minutes of the May 17, 2022 meeting. Consent unanimous. Motion carried.

A public hearing was scheduled for a conditional use permit requested by Juan Alamillo to hold rodeos on his property located at 680 160th Street, Dakota City. Juan was not at the meeting and due to issues with payment for conditional use application a public hearing was not held. However, there were several people in attendance to voice their concerns regarding the possibility of having a rodeo at this location. There issues ranged from traffic, garbage, noise and animals he currently has that have been in neighboring yards and on the road.

Next item is for the Board to review and approve/disapprove plat map of the Bousquet First Subdivision in South Sioux City's extra-territorial jurisdiction. The subdivision is a one lot subdivision located at the west end of West 21st Street right-of-way, just outside the city limits. This subdivision adds 1 acre to an existing parcel containing 11.32 acres for a combined total of 12.32 acres. This new subdivision does not include new right-of-way or utility easements. If approved, board will send recommendation for final approval to the Dakota County Board of Commissioners. Motion made by Tim Decker, second by Harold Moes to approve Bousquet First Subdivision plat map and send recommendation for the Board of Commissioners to approve it. Roll Call Vote. Unanimous. Motion Carried.

Next item on the agenda is to discuss the pipeline regulations. Several letters were sent for the board to review from pipeline companies and concerned entities. The board reviewed and discussed the changes that the pipeline companies proposed and some of the representatives from the pipeline companies were there to answer questions.

Next on the agenda is miscellaneous and old business. Building permits – Sam Burki- addition- Jackson, Nicky Komvongsa – addition- Dakota City.

Marty opened up the floor for public comment. No public

Moved by Tim Decker, second by Harold Moes to adjourn. Consent unanimous. Motion carried

Meeting was duly adjourned at 8:30 P.M.

Respectfully submitted,

Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: July 19, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill (7:28), Gordon Hegge, Harold Moes and Martin Rohde. Absent: Dick McCabe. (Paul Ireland has officially resigned waiting for new member to be appointed to his position) Also, present: Planning and Zoning Administrator Joe O'Neill. Public present: see attached list

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

Moved by Harold Moes, second by Scott Bousquet to approve the minutes of the June 21, 2022 meeting. Consent unanimous. Motion carried.

Next item on the agenda is to discuss the pipeline regulations. The board reviewed and discussed the changes that the pipeline companies proposed and some of the representatives from the pipeline companies were there to answer questions. The board discussed setbacks from residents. Navigator is working on a plume dispersal study to see in the event of a rupture how far would areas be affected. There will be a meeting on July 20th where emergency management and first responders are invited to attend. The planning and zoning board would like to hear their thoughts on setbacks before they make a decision as well as the dispersal study. The board also discussed depth of the line and would like input from the county road department. Navigator explained the benefit of the carbon capture and the profit farmers can make as a result. Ron Gill brought up he would like to see more safety valves in the county. Navigator detailed their safety procedures stating that valves would be no more than 20 miles apart and the area has a high concentrated area (HCA) then they would be 7.5 miles apart following PHMSA Regulations (Pipeline and Hazardous Materials Safety Administration. There will be a valve on each side of the Missouri River. Scott Bousquet asked how far away the maintenance control hub would be. Navigator explained that center would be in Omaha with a backup someplace else. The mainline valves can all be remotely controlled. The valves have pressure sensors that send information to the control station reporting any changes in temperature or pressure and if changes occur the line is inspected to find the issue. They are shooting for a response time of 45 minutes to have someone on site if there is an incident, but everything is monitored 24/7. They are working on a Navigator 911 system that if there is an emergency it will automatically call landowners if they chose to be in the system to immediately make them aware and then followed up by emergency management personnel.

Next item on the agenda is to discuss the name of the Dakota County Joint Planning Commission. Since the county no longer helps the villages with zoning the word joint does not need to be in there. The board discussed whether it should be commission, committee or board and if the word zoning should be included. Joe will talk to Dakota County Attorney Kim Watson about this.

Next on the agenda is miscellaneous and old business. The board discussed looking for a new member to replace Paul Ireland who resigned, they will continue to look for someone to volunteer. Building permits – Martin Rohde- new home- Emerson. Business permits – Javier Rodriguez- commercial storage shed- Dakota City. Juan Alamillo knows that the public was not in favor of him having a rodeo. He asked if he could at least put up a corral and Joe told him that was fine but he could not have public events there.

Marty opened up the floor for public comment. No public

Moved by Tim Decker, second by Harold Moes to adjourn. Consent unanimous. Motion carried
Meeting was duly adjourned at 8:04 P.M.

Respectfully submitted,
Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: August 16, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde 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, Harold Moes and Martin Rohde. Absent: (Paul Ireland has officially resigned waiting for new member to be appointed to his position) Also, present: Planning and Zoning Administrator Joe O'Neill and Dakota County Commissioner Larry Albenesius. Public present: see attached list

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

Moved by Harold Moes, second by Gordon Hegge to approve the minutes of the July 19, 2022 meeting. Consent unanimous. Motion carried.

Next item on the agenda is to discuss the pipeline regulations. The board reviewed and discussed the changes that the pipeline companies proposed and some of the representatives from the pipeline companies were there to answer questions. The board discussed setbacks from residents and depth of pipeline throughout the county and the ditch line. Moved by Ron Collins, second by Tim Decker to approve the regulations with the new changes. Roll Call Vote. Unanimous. Motion carried. There will be a public hearing next month before sending on to the Board of Commissioners for final approval.

Discussion was held on who would like to attend the NPZA conference in September. None of the board members can attend, but Joe noted that if Jolene can make it work, she will attend.

The next item on the agenda is approval of Chair to sign 4 copies of the final plat map of the Bousquet First Subdivision in South Sioux City's extra-territorial jurisdiction which was approved by this board at their June 21, 2022 meeting and the Dakota County Board of Commissioners at their June 27, 2022 meeting. Motion made by Tim Decker, second by Harold Moes for Chair to sign the final plat maps. Roll Call Vote. Unanimous. Motion carried.

Next on the agenda is miscellaneous and old business. Joe informed the board that a variance meeting was held for Tim Stewart for an attached garage which was approved. He had to pay \$100 fine for starting to build without a permit. The board discussed trying to find a new member. They gave Joe a few suggestions of people to reach out to.

Marty opened up the floor for public comment. Sheila Curiel addressed the board. She has been approached by Navigator to cross her property with their pipeline. She showed her property maps voiced her concerns regarding the placement of the pipeline and the way the company has gone about trying to contact her and get her to sign documents.

Moved by Tim Decker, second by Harold Moes to adjourn. Consent unanimous. Motion carried
Meeting was duly adjourned at 7:55 P.M.

Respectfully submitted,
Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: SEPTEMBER 20, 2022 MINUTES

The special meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Ron Gill, Dick McCabe, Harold Moes and Martin Rohde. Absent: Tim Decker, Gordon Hegge, (Paul Ireland has officially resigned waiting for new member to be appointed to his position) and Dakota County Commissioner Larry Albenesius. Also, present: Planning and Zoning Administrator Joe O'Neill
Public present: see attached list

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

David Kailbourne with REV LNG presented to the board his business prospect located at 225th Street and G Avenue. REV LNG is one of the largest developers and operators of renewable natural gas projects. They partner with dairy farms for this project. They put large bio-digester tanks on the dairy farms and take the manure from the farm and put it into the tanks. From there they get basically 2 products. One is CO₂ and the other is methane. They clean up the methane to pipeline quality gas. It is then sold to customers, mainly 18-wheeler truck fleets, bus fleets or taxi fleets that have converted to burn natural gas. The gas will be trucked from the dairy farms and then taken to 225th Street and G Avenue where an existing natural gas compressor station has already established. They would tie into this existing natural gas pump station. The truck traffic would be low with only 2-3 trucks per day since only 3 farms in the area are going to be using this facility. It takes 10 hours on average to unload the truck and get it into the pipeline. The truck then goes back to the farm and depending on the size of the farm it can take 12 to 15 hours to fill the tanker truck back up and then the process is repeated. They have been doing this safely all across the United States. There is one farm about 30 miles west of the facility that will produce 1 truck load of fuel about every 36-38 hours and 2 farms about 25 miles east of the station that will each produce a tank of fuel about every 24 hours. Joe brought up that the area of the proposed area is in the flood plain and that he has talked to the NRD about it. They will have to have a flood permit and even though it is just basically a parking lot REV LNG will have to have an engineer write a letter stating that they won't increase the height of the flood. REV LNG stated that they have reached out to the state of NE and guaranteed that they would use an engineering team to go above and beyond what FEMA has established and has the base flood elevation so that if any structure with a foundation were to be built that it would have to be 1 foot above the base elevation. Joe said that they would need to do a conditional use permit and suggested they contact the Village of Homer regarding their truck route. A question was brought up about expanding if more dairies were built in the area. Mr. Kailbourne stated that they would be very interested in expanding their operation if more dairies would come to the area. With the 5 acres they have they feel they have ample room to grow. The property is currently AG and will not need to be rezoned Commercial since it is part of the dairy operation.

Next item on the agenda is to discuss the pipeline regulations. Summit had their attorney review the regulations and made some suggestions. The board reviewed and discussed the changes that the pipeline companies proposed and some of the representatives from the pipeline companies were there to answer questions. Moved by Harold Moes, second by Ron Gill to approve the regulations with the new changes. Roll Call Vote. Unanimous. Motion carried. There will be a public hearing next month before sending on to the Board of Commissioners for final approval.

Marty opened up the floor for public comment. Ron Hartnett spoke of his opposition to the pipeline.

Moved by Harold Moes, second by Ron Collins to adjourn. Consent unanimous. Motion carried
Meeting was duly adjourned at 7:56 P.M.

Respectfully submitted,
Jolene Gubbels

DAKOTA COUNTY PLANNING & ZONING: October 18, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill, Gordon Hegge, Harold Moes and Martin Rohde. Absent: Dick McCabe (Paul Ireland has officially resigned waiting for new member to be appointed to his position) Also, present: Planning and Zoning Administrator Joe O'Neill and Dakota County Commissioner Larry Albenesius. Public present: see attached list

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

Moved by Harold Moes, second by Ron Collins to approve the minutes of the August 16, 2022 regular meeting and the September 20, 2022 special meeting minutes. Consent unanimous. Motion carried.

Public Hearing was called to order by Chairman Rohde at 7:01pm for the purpose of hearing support, oppositions, criticism, suggestions or observations relating criticism, suggestions or observations relating changing the name of the planning commission from Dakota County Joint Planning Commission to the Dakota County Planning & Zoning Committee. Chair Rohde explained that the towns and villages used to use the county zoning regulations and now they have their own. Joe said that commission gets confused with Board of Commissioners so committee would be better. Chair Rohde opened the floor up for public comment. No comment. Public hearing closed at 7:03pm.

Motion made by Ron Collins, second by Scott Bousquet to approve the name change from Dakota County Joint Planning and Zoning Commission to Dakota County Planning and Zoning Committee and send their recommendation of approval to the Board of Commissioners. Roll Call Vote. Unanimous. Motion Carried.

Public Hearing was called to by Chairman Rohde at 7:04 pm for the purpose of hearing support, opposition, criticism, suggestions or observations relating to adding carbon dioxide pipeline regulations to the zoning ordinances. Joe read a letter from Lynelle Bieber stating her opposition for the pipeline. Paul McGuirk was not in favor of the pipeline crossing his sister's property. Joe told him that they had control of their ground and that the pipeline could not cross their property if they did not want them there. Nebraska does not have eminent domain. Commissioner Albenesius voiced his concern about the depth of the pipelines especially in the county road ditches. Joe said that the pipeline companies will work with the road department on road agreements to determine the proper depth of the ditch and the pipeline will be 5 feet below that. No further comments. Chair Rohde closed the public hearing at 7:14 pm.

Motion made by Scott Bousquet, second by Gordon Hegge to approve the pipeline regulations and send their recommendation of approval to the Board of Commissioners. Roll Call Vote. Unanimous. Motion Carried.

Samantha Perry with Crary Huff Law Firm was in attendance and has been helping Mr. Kevin Pedersen with planning an event center for weddings, parties, etc. on his property north of Jackson. Mr. Pedersen would like to repurpose and renovate a shed that is already on his property. They would like to rezone that land and get a conditional use so he can use the shed and fishing pond for event purposes. Ms. Perry stated that community center falls under conditional use. Mr. Pedersen stated that they have had a few family members that got married at this place and several people approached him about having a permanent facility for the public to use. Joe asked the board if they felt this project would fall under community center. Tim Decker asked about a definition in the regulations and it was stated that there was not one. Scott Bousquet questioned whether or not it would be a year-round event center or just in the summer. Mr. Pedersen said he has not gotten that far in the planning, it just depended on the public's interest to hold events there. Jeremy Saint, another representative from Crary Huff stated they would go with a conditional use permit and not rezone but the area would be sectioned off for the event center, pond and parking. Joe told Mr. Pedersen that he can proceed in the process of getting the conditional use permit. They presented Joe with the conditional use application and the required fee and will plan on a public hearing in November.

Miscellaneous and old business. Building permits were issued to Gutzmann Bros – recreational shed-Waterbury, Chris Stewart – new home, Prairie Ridge Subdivision, Ponca. Informational Statements were issued to Ricky Claassen- storage shed-Dakota City, Nicky Komvonga – storage shed in the Farmsteads. Scott Bousquet brought up commercial solar panel farms and if we have much in our regulations pertaining to them. Joe said that is something that can be reviewed.

Marty opened up the floor for public comment. No Public.

Moved by Harold Moes, second by Ron Gill to adjourn. Consent unanimous. Motion carried

Meeting was duly adjourned at 7:33 P.M.
Respectfully submitted,
Jolene Gubbels

DAKOTA COUNTY PLANNING COMMISSION: November 15, 2022 MINUTES

The regular meeting of the Dakota County Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Martin Rohde and the Pledge of Allegiance was said by all.

Roll Call: Present were: Scott Bousquet, Ron Collins, Tim Decker, Ron Gill (7:10), Gordon Hegge, Dick McCabe, Harold Moes and Martin Rohde. Absent: (Paul Ireland has officially resigned waiting for new member to be appointed to his position) Also, present: Planning and Zoning Administrator Joe O'Neill. Public present: see attached list

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

Moved by Harold Moes, second by Tim Decker to approve the minutes of the October 18, 2022 regular meeting minutes. Consent unanimous. Motion carried.

Public Hearing was called to order by Chairman Rohde at 7:02pm for the purpose of hearing support, oppositions, criticism, suggestions or observations regarding a request for a Conditional Use Permit from Kevin Pedersen at the property located at Section 23, Township 29N, Range 7E on Moody Road, Jackson, NE for the purpose of establishing a community event center. Chair Rohde opened the floor up for public comment. No comment. Public hearing closed at 7:05pm.

Motion made by Tim Decker, second by Scott Bousquet to approve the Conditional Use request on a yearly basis for the purpose of Mr. Pedersen establishing a community event center and send their recommendation of approval to the Board of Commissioners. Roll Call Vote. Unanimous. Motion Carried.

The Commission reviewed plat map of the BRROGERS Subdivision in South Sioux City's extra-territorial jurisdiction. This is a two-lot subdivision located outside the city limits at the southeast corner of Atokad Drive and Gateway Drive. This subdivision will NOT be annexed into the city. Discussion was held regarding location. Motion made by Tim Decker, second by to approve the plat map for the BROGERS subdivision. Roll Call Vote. Unanimous. Motion Carried.

Juan DeAnde has contacted Joe O'Neill about parking vehicles on his property from a farming business. He has an acreage with a dwelling on it and room to park vehicles. He has been walking and a corn detasseling business that he hauls employees around in vans. The vehicles are all licensed and eventually he would like to build a building to store the vehicles in. Since it is agriculture related and the vehicles are all licensed the commission did not have an issue with it

Miscellaneous and old business. Building permit was issued to Juan Alamillo – new home-Dakota City. Informational Statement issued to Ryan Rohan- storage shed-Willis.

Marty opened up the floor for public comment. No Public.

Moved by Harold Moes, second by Scott Bousquet to adjourn. Consent unanimous. Motion carried

Meeting was duly adjourned at 7:24 P.M.

Respectfully submitted,

Jolene Gubbels